

Journal of the House

SEVENTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, May 24, 2017, 9:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 121 members present.

Reps. Cox, Schwab, Wilson and Winn were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Creator God—
 who has created us all with our
 uniqueness and quiriness, thank You for this new day.
 I pray for these members who are **All in the Family**,
 attempting to **Get Smart** and accomplish a **Mission Impossible**.
 We have gone way past the 90 days and being **Saved By the Bell**.
 It may be time to call in the **A-Team**
 as many are getting tired and feel like the **Walking Dead**.
 However, each one of these members have the will power to be a **Survivor**.
 Lord, help each one to not go **Six Feet Under**
 as they seem **Lost** as to what to do.
 Give them a **Big Bang Theory**
 so they can determine when **The Price is Right**.
 When that happens, there will be **Cheers** as we celebrate
Happy Days and **Good Times**.
 All humor aside, please guide our leaders
 in the right path.
 In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Baker.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Deere are spread upon the Journal:

Good morning. I want to take this opportunity today to recognize the young women standing behind me, and also the adults with them, who support their cause.

In March of this year, these young women founded the SUNFLOWER CHAPTER of the National Scoliosis Foundation. They are patients and supporters of Scoliosis

Awareness, and have set out on a mission to educate others about this disease and the importance of early detection.

Scoliosis is a disease that causes deformities of the spine. It is a nondiscriminatory disease, affecting people worldwide. An estimated 7 million Americans are affected by Scoliosis each year. 1 in 10 Kansans have this disease. It typically shows up in children, ages 10-15 years old, during their adolescent growth spurt. It equally affects boys and girls, but girls are 10 times more likely to experience spinal curve progression to a stage that requires treatment. Early detection allows them to receive the necessary treatment, such as preferred bracing, during their growing years. IF left undetected or untreated, it could result in surgery. Also, IF left undetected it could lead to a malfunction of the heart, lungs, limited mobility, back pain, and could eventually become career limiting: for example, military service.

Some of these brave girls have brought their braces with them today as a demonstration for what they have experienced through their journeys with Scoliosis. They have worn these braces up to 20 hours per day for years at a time. Some of them have titanium rods supporting their spines that you cannot see.

One of the young women here today, Leah Wieggers, made a presentation to our local USD 469 School Board last fall on the importance of early screening and detection of Scoliosis. Leah started this idea as her project to earn her Girl Scout Gold Award. She educated us on how Kansas schools used to conduct scoliosis screenings, but stopped offering this in 1996. Due to Leah's convincing presentation, our district made the decision to re-instate scoliosis screenings. We have been able to successfully accomplish this with very little expense or time involved. Currently 21 states have mandatory screening in schools for early detection. It is a goal of the Sunflower Chapter to expand this important screening in all schools throughout the state of Kansas. In honor of this group of inspirational young women, I am committed to pursuing this endeavor, and hope that at the appropriate time in the future, you will consider joining me in that effort.

At this time I would like to introduce my guests: Joe O'Brien, President of the National Scoliosis Foundation in Boston; Air Force Lt. Colonel Anita Mack, Fort Leavenworth Girl Scout mentor; Alyssa Rollando, Girl Scout mentor and University of Kansas Spine Lab Doctoral student; Dr. Nigel Price, Orthopedic surgeon at Children's Mercy Hospital and he also serves on multiple Scoliosis boards worldwide; and last, but not least, the brave young women who rise to the challenges of this disease every day: Greta Fullerton, Rae Holden, Jaci Huckabee, Elyse Redwine, Julianne Myers and Leah Wieggers.

Welcome to the Kansas House of Representatives and THANK YOU for the work that you do for Scoliosis Awareness!!

Rep. Deere presented her guests with a framed House certificate.

CHANGE OF CONFEREES

Speaker Ryckman announced the appointment of Rep. Ward to replace Rep. Sawyer as a member of the conference committee on **SB 30**.

On motion of Rep. Hineman, the House recessed until 1:00 p.m.

EARLY AFTERNOON SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

On motion of Rep. Hineman, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **Sub HB 2410**.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Kelly in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Kelly, Committee of the Whole report, as follows, was adopted:

Recommended that:

Committee report recommending a substitute bill to **HB 2410** be adopted; on motion of Rep. Campbell, **Sub HB 2410** be amended on page 2, in line 10, by striking "general state" and inserting "state foundation"; in line 15, by striking "general";

On page 9, in line 43, by striking "general state" and inserting "state foundation";

On page 10, in line 4, by striking "general";

On page 22, in line 2, by striking "(D)" and inserting "(C)"; in line 34, by striking "subsection (ii)(2)" and inserting "paragraph (2)";

And by redesignating subsections, paragraphs and clauses accordingly;

On page 41, in line 32, by striking "0.456" and inserting "0.484";

On page 43, in line 13, by striking "at-risk";

On page 68, in line 27, by striking "program"; in line 28, by striking the first "weighting" and inserting "bilingual weighting, career technical education weighting"

Also, on motion of Rep. Aurand, **Sub HB 2410** be amended on page 58, by striking all in lines 7 through 43;

On page 59, by striking all in lines 1 through 7;

On page 102, in line 13, by striking "92" and inserting "91";

On page 121, in line 23, by striking "92" and inserting "91";

And by renumbering sections accordingly;

On page 1, in the title, in line 11, by striking "92" and inserting "91"

Also, on motion of Rep. Trimmer to amend **Sub HB 2410**, Rep. Campbell requested the amendment be divided. The amendment was divided.

On Part A, the motion to amend was not considered due to objection by Rep. Aurand

under House Rule 2109 regarding duplicate motions to amend.

On Part B, **Sub HB 2410** be amended on page 2, by striking all in line 19; On page 7, following line 35, by inserting:

"School district extraordinary declining enrollment fund..... \$2,593,452";

On page 10, by striking all in line 8;

On page 17, in line 9, by striking "49" and inserting "45, 99 and 100"; in line 16, after the first semicolon by inserting "cost-of-living weighting;"; in line 22, by striking "34" and inserting "30"; in line 34, by striking "27(a)" and inserting "23(a)";

On page 18, in line 6, by striking "26" and inserting "22"; following line 19, by inserting:

"(j) "Cost-of-living weighting" means an addend component assigned to the foundation enrollment of school districts pursuant to section 99, and amendments thereto, on the basis of costs attributable to the cost of living in such school districts.";

Also on page 18, in line 24, by striking "35" and inserting "31"; in line 28, by striking all after "enrolled"; in line 29, by striking all before "in"; in line 30, by striking all after "year"; by striking all in line 31;

Also on page 19, in line 32, by striking "25" and inserting "21"; in line 37, by striking "27(b)" and inserting "23(b)";

On page 20, in line 2, by striking "43" and inserting "39"; in line 30, by striking "43" and inserting "39";

On page 21, in line 8, by striking "32" and inserting "28"; in line 17, by striking "33" and inserting "29";

On page 23, in line 4, by striking "24" and inserting "20";

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

Also on page 23, in line 13, by striking "34 and"; in line 14, by striking "35" and inserting "30, 31 and 99";

On page 24, in line 22, by striking "41(a)" and inserting "37(a)";

On page 35, by striking all in lines 8 through 43;

By striking all on pages 36 and 37;

On page 38, by striking all in lines 1 through 37;

On page 102, in line 13, by striking "92" and inserting "87";

On page 121, following line 12, by inserting:

"New Sec. 99. (a) Subject to subsection (b), the board of education of a school district may levy a tax on the taxable tangible property within the school district for the

purpose of financing the costs incurred by the state that are attributable directly to assignment of the cost-of-living weighting to the foundation enrollment of the school district.

(b) The state board shall determine whether a school district may levy a tax under this section as follows:

(1) Determine the statewide average appraised value of single family residences for the calendar year preceding the current school year;

(2) multiply the amount determined under subsection (b)(1) by 1.25;

(3) determine the average appraised value of single family residences in each school district for the calendar year preceding the current school year; and

(4) subtract the amount determined under subsection (b)(2) from the amount determined under subsection (b)(3). If the amount determined for the school district is a positive number and the school district has adopted a local enhancement budget in an amount equal to at least 5% of the total foundation aid for the school district, the school district qualifies for assignment of cost-of-living weighting and may levy a tax on the taxable tangible property of the school district for the purpose of financing the costs that are attributable directly to assignment of the cost-of-living weighting to the foundation enrollment of the school district.

(c) (1) No tax may be levied under this section unless the board of education adopts a resolution authorizing such a tax levy and publishes the resolution at least once in a newspaper having general circulation in the school district. Except as provided by subsection (e), the resolution shall be published in substantial compliance with the following form:

Unified School District No. _____,

_____ County, Kansas.

RESOLUTION

Be It Resolved that:

The board of education of the above-named school district shall be authorized to levy an ad valorem tax in an amount not to exceed the amount necessary to finance the costs attributable directly to the assignment of cost-of-living weighting to the enrollment of the school district. The ad valorem tax authorized by this resolution may be levied unless a petition in opposition to the same, signed by not less than 5% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district within 30 days after the publication of this resolution. If a petition is filed, the county election officer shall submit the question of whether the levy of such a tax shall be authorized in accordance with the provisions of this resolution to the electors of the school district at the next general election of the school district, as is specified by the board of education of the school district.

CERTIFICATE

This is to certify that the above resolution was duly adopted by the board of education of Unified School District No. _____, _____ County, Kansas, on the ____ day of _____, (year)_____.

Clerk of the board of education.

(2) All of the blanks in the resolution shall be filled appropriately. If no petition as specified above is filed in accordance with the provisions of the resolution, the resolution authorizing the ad valorem tax levy shall become effective. If a petition is filed as provided in the resolution, the board may notify the county election officer to submit the question of whether such tax levy shall be authorized. If the board fails to notify the county election officer within 30 days after a petition is filed, the resolution shall be deemed abandoned and of no force and effect and no like resolution shall be adopted by the board within the nine months following publication of the resolution. If a majority of the votes cast in an election conducted pursuant to this provision is in favor of the resolution, such resolution shall be effective on the date of such election. If a majority of the votes cast is not in favor of the resolution, the resolution shall be deemed of no force and effect and no like resolution shall be adopted by the board within the nine months following such election.

(d) There is hereby established in every school district a cost-of-living fund, which shall consist of all moneys deposited therein or transferred thereto in accordance with law. All moneys derived from a tax imposed pursuant to this section shall be credited to the cost-of-living fund. The proceeds from the tax levied by a school district credited to the cost-of-living fund shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state school district finance fund.

(e) In determining the amount produced by the tax levied by the school district under the authority of this section, the state board shall include any moneys apportioned to the cost-of-living fund of the school district from taxes levied under the provisions of K.S.A. 79-5101 et seq. and 79-5118 et seq., and amendments thereto.

(f) The cost-of-living weighting of a school district shall be determined by the state board in each school year in which such weighting may be assigned to the foundation enrollment of the school district as follows:

(1) Divide the amount determined under subsection (b)(4) by the amount determined under subsection (b)(2);

(2) multiply the quotient determined under subsection (f)(1) by 0.095;

(3) multiply the school district's total foundation aid for the current school year, excluding the amount determined under this provision, by the lesser of the product determined under subsection (f)(2) or 0.05; and

(4) divide the product determined under subsection (f)(3) by the BASE aid for the

current school year. The quotient is the cost-of-living weighting of the school district.

New Sec. 100. (a) Each school district may submit an application to the state board of education for approval of extraordinary declining enrollment state aid. Such application shall be submitted in such form and manner as prescribed by the state board, and shall include a description of the extraordinary decline in enrollment of the school district that is the basis for the application.

(b) The state board shall review all submitted applications and approve or deny any such application based on whether the applicant school district has demonstrated extraordinary declining enrollment since school year 2014-2015. As part of its review of an application, the state board may conduct a hearing and provide the applicant school district an opportunity to present testimony as to such school district's extraordinary declining enrollment. In reviewing the application, the state board shall consider the decrease in enrollment of the school district since school year 2014-2015.

(c) If the state board approves an application, it shall determine the amount of extraordinary declining enrollment state aid to be disbursed to the applicant school district from the school district extraordinary declining enrollment fund. In approving any application for extraordinary declining enrollment state aid, the state board may approve an amount of extraordinary declining enrollment state aid that is less than the amount the school district requested in the application. If the state board denies an application, then, within 15 days of such denial, the state board shall send written notice of such denial to the superintendent of such school district. All administrative proceedings pursuant to this section shall be conducted in accordance with the provisions of the Kansas administrative procedure act. Any action by the state board pursuant to this section shall be subject to review in accordance with the Kansas judicial review act.

(d) There is hereby established in the state treasury the school district extraordinary declining enrollment fund, which shall be administered by the state department of education. All expenditures from the school district extraordinary declining enrollment fund shall be used for the disbursement of extraordinary declining enrollment state aid as approved by the state board under this section. All expenditures from the school district extraordinary declining enrollment fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state board of education, or the designee of the state board of education.

(e) The provisions of this section shall expire on July 1, 2018.";

Also on page 121, in line 23, by striking "92" and inserting "87";

And by renumbering sections accordingly;

On page 1, in the title, in line 11, by striking "92" and inserting "87"

On Part C, **Sub HB 2410** be amended on page 29, in line 34, by striking "foundation" and inserting "option"; in line 38, by striking "foundation" and inserting "option";

On page 30, in line 6, by striking "foundation" and inserting "option"; in line 18, by

striking "foundation" and inserting "option"; in line 20, by striking "foundation" and inserting "option"; in line 26, by striking "foundation" and inserting "option"; in line 36, by striking "foundation" and inserting "option"; in line 39, by striking "foundation" and inserting "option";

On page 31, in line 4, by striking "foundation" and inserting "option"; in line 5, by striking "foundation" and inserting "option"; in line 8, by striking "foundation" and inserting "option"; in line 9, by striking "foundation" and inserting "option"; in line 10, by striking "foundation" and inserting "option"; in line 14, by striking "foundation" and inserting "option"; in line 19, by striking "foundation" and inserting "option"; in line 31, by striking "foundation" and inserting "option"; in line 34, by striking "foundation" and inserting "option";

On page 32, in line 1, by striking "foundation" and inserting "option"; in line 9, by striking "foundation" and inserting "option"; in line 14, by striking "foundation" and inserting "option"; in line 23, by striking "foundation" and inserting "option"; in line 28, by striking "foundation" and inserting "option"; in line 37, by striking the first "foundation" and inserting "option"; also in line 37, by striking the second "foundation" and inserting "option"; in line 39, by striking "foundation" and inserting "option"; in line 42, by striking the first "foundation" and inserting "option"; also in line 42, by striking the second "foundation" and inserting "option";

On page 33, in line 3, by striking "foundation" and inserting "option"; in line 10, by striking "foundation" and inserting "option"; in line 35, by striking "foundation" and inserting "option";

On page 34, in line 29, by striking "foundation" and inserting "option"; in line 31, by striking "foundation" and inserting "option"; in line 40, by striking the first "foundation" and inserting "option";

On page 44, in line 26, by striking "foundation" and inserting "option";

On page 47, in line 22, by striking "foundation" and inserting "option";

On page 48, in line 37, by striking "foundation" and inserting "option";

On page 49, in line 3, by striking "foundation" and inserting "option";

On page 79, in line 29, by striking "foundation" and inserting "option";

On Part D, the motion to amend **Sub HB 2410**, did not prevail.

On Part E, Sub HB 2410 be amended in line 28, by striking all after "enrolled"; in line 29, by striking all before "in"; in line 30, by striking all after "year"; by striking all in line 31; in line 32, by striking all before the comma;

On page 19, following line 9, by inserting:

"(3) For school year 2017-2018, the enrollment determined under paragraph (1) or (2), except students regularly enrolled in kindergarten and preschool-aged at-risk students regularly enrolled in the school district shall be counted based on enrollment in the current school year.";

Also, roll call was demanded on further motion of Rep. Trimmer to amend **Sub HB 2410**, on page 2, in line 9, by adding \$20,420,000 to the dollar amount and by adjusting the dollar amount in line 9 accordingly;

On page 9, in line 42, by adding \$119,249,000 to the dollar amount and by adjusting the dollar amount in line 42 accordingly;

On page 17, in line 40, by striking "\$4,006" and inserting "\$4,036"; in line 41, by

striking "\$4,128; and" and inserting "\$4,304;

(3) for school year 2019-2020, \$4,518; and";

Also on page 17, in line 42, by striking "2019-2020" and inserting "2020-2021";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly

On roll call, the vote was: Yeas 47; Nays 75; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Ballard, Bishop, Burroughs, Carlin, Carmichael, Clayton, Crum, S., Curtis, Deere, Dierks, Finney, Frownfelter, Gallagher, Gartner, Good, Helgeson, Henderson, Highberger, Hodge, Holscher, Koesten, Kuether, Lusk, Lusker, Miller, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Phelps, Pittman, Rooker, Ruiz, Sawyer, Sloan, Stogsdill, Tarwater, Terrell, Thimesch, Trimmer, Victors, Ward, Weigel, Whipple, Wolfe Moore.

Nays: Alford, Arnberger, Aurand, Awerkamp, Baker, Barker, Becker, Blex, Brim, Campbell, B. Carpenter, Claeys, Clark, Concannon, Corbet, Cox, E. Davis, DeGraaf, Delperdang, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Garber, Hawkins, Hibbard, Highland, Hineman, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Lakin, Landwehr, Lewis, Markley, Mason, Mastroni, Orr, Osterman, F. Patton, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Ryckman, Schreiber, Schroeder, Seiwert, Smith, A., Smith, E., Sutton, S. Swanson, Thompson, Vickrey, Waymaster, Weber, C., Wheeler, Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Schwab, Wilson, Winn.

The motion of Rep. Trimmer did not prevail.

Also, on motion of Rep. Highland to amend **Sub HB 2410**, the motion did not prevail.

Also, on motion of Rep. Jacobs to amend **Sub HB 2410**, Rep. Jennings requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Rep. Garber challenged the ruling, the question being "Shall the Rules Chair be sustained?"

The Rules Chair was sustained, and the amendment by Rep. Jacobs was ruled not germane.

Also, on motion of Rep. Sutton to amend **Sub HB 2410**, the motion did not prevail.

Also, on further motion of Rep. Sutton to amend **Sub HB 2410**, the motion did not prevail.

Also, on motion of Rep. Clark, **Sub HB 2410** be amended on page 19, following line 9, by inserting:

"(3) For any school district that received federal impact aid for the preceding school year, if the enrollment in such school district in the preceding school year has decreased from enrollment in the second preceding school year, the enrollment of the school district in the current school year means whichever is the greater of:

- (A) The enrollment determined under subsection (1)(2); or
 - (B) the sum of the enrollment in the preceding school year of preschool-aged at-risk students, if any, and the arithmetic mean of the sum of:
 - (i) The enrollment of the school district in the preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any;
 - (ii) the enrollment in the second preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any; and
 - (iii) the enrollment in the third preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any.";
- On page 25, by striking all in lines 36 through 43;
- On page 26, by striking all in lines 1 through 11; following line 11, by inserting:
- "(1) Determine the number of students enrolled in each school district on September 20; and
- (2) determine the number of military students enrolled in each school district on February 20, who were not enrolled on the preceding September 20.
- (b) If the number obtained under subsection (a)(2) is 25 or more, or such number is at least 1% of the number determined under subsection (a)(1), an amount equal to the number obtained under subsection (a)(2) shall be added to the number determined under subsection (a)(1). The resulting sum is the enrollment of the school district."

Also, on motion of Rep. Stogsdill to amend **Sub HB 2410**, Rep. Hawkins requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Also, on motion of Rep. Whitmer to amend **Sub HB 2410**, Rep. Ward requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Also, roll call was demanded on motion of Rep. Ousley to amend **Sub HB 2410 on page 102, by striking all in lines 12 through 43;**

By striking all on pages 103 through 105;

On page 106, by striking all in lines 1 through 22;

On page 121, following line 12, by inserting:

"New Sec. 102. The provisions of K.S.A. 2016 Supp. 72-99a01 through 72-99a07, and amendments thereto, shall expire on June 30 of the same fiscal year in which no scholarships are reported as being provided under the program by any scholarship granting organization pursuant to K.S.A. 72-99a04(f), and amendments thereto. In any fiscal year in which no scholarships are reported as being provided, the state board shall certify the same and send such certification to the revisor of statutes.

Sec. 103. K.S.A. 2016 Supp. 72-99a03 is hereby amended to read as follows: 72-99a03. (a) There is hereby established the tax credit for low income students scholarship program. The program shall provide eligible students with an opportunity to attend schools of their parents' choice.

(b) Each scholarship granting organization shall issue a receipt, in a form prescribed by the secretary, to each contributing taxpayer indicating the value of the contribution received. Each taxpayer shall provide a copy of such receipt when claiming the tax credit established in K.S.A. 2016 Supp. 72-99a07, and amendments thereto.

(c) Prior to awarding an educational scholarship with respect to an eligible

student, unless such student is under the age of six years, the scholarship granting organization shall receive written verification from the state board that such student is an eligible student under this program, provided the state board and the board of education of the school district in which the eligible student was enrolled the previous school year have received written consent from such eligible student's parent authorizing the release of such information.

(d) Upon receipt of information in accordance with K.S.A. 2016 Supp. 72-99a04(a)(2), and amendments thereto, the state board shall inform the scholarship granting organization whether an educational scholarship has been awarded by another scholarship granting organization with respect to the eligible student.

(e) In each school year, no more than \$8,000 in educational scholarships may be awarded under this program with respect to an eligible student.

(f) On and after July 1, 2017, no scholarship shall be provided by any scholarship granting organization to any eligible student unless such eligible student received a scholarship under the program in the immediately preceding school year. The aggregate number of all eligible students who continue to receive scholarships under the program after July 1, 2017, shall not exceed 190.

(g) No contributions shall be accepted by any scholarship granting organization on or after July 1, 2017.

Sec. 104. K.S.A. 2016 Supp. 72-99a07 is hereby amended to read as follows: 72-99a07. (a) There shall be allowed a credit against the corporate income tax liability imposed upon a taxpayer pursuant to the Kansas income tax act, the privilege tax liability imposed upon a taxpayer pursuant to the privilege tax imposed upon any national banking association, state bank, trust company or savings and loan association pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, and the premium tax liability imposed upon a taxpayer pursuant to the premiums tax and privilege fees imposed upon an insurance company pursuant to K.S.A. 40-252, and amendments thereto, for tax years ~~commencing after December 31, 2014, 2015, 2016 and 2017,~~ an amount equal to 70% of the amount contributed to a scholarship granting organization authorized pursuant to K.S.A. 2016 Supp. 72-99a01 et seq., and amendments thereto.

(b) The credit shall be claimed and deducted from the taxpayer's tax liability during the tax year in which the contribution was made to any such scholarship granting organization.

(c) For each tax year, in no event shall the total amount of credits allowed under this section exceed \$10,000,000 for any one tax year. Except as otherwise provided, the allocation of such tax credits for each scholarship granting organization shall be determined by the scholarship granting organization in consultation with the secretary, and such determination shall be completed prior to the issuance of any tax credits pursuant to this section.

(d) If the amount of any such tax credit claimed by a taxpayer exceeds the taxpayer's income, privilege or premium tax liability, such excess amount may be carried over for deduction from the taxpayer's income, privilege or premium tax liability in the next succeeding year or years until the total amount of the credit has been deducted from tax liability.

(e) The secretary shall adopt rules and regulations regarding filing of documents that support the amount of credit claimed pursuant to this section.";

Also on page 121, in line 19, after the first comma by inserting "72-99a03, 72-99a07,"; by striking all in lines 22 and 23;

And by renumbering sections accordingly;

On page 1, in the title, in line 11, by striking "72-99a02, as amended by section 92 of this act, 72-99a04" and inserting "72-99a03, 72-99a07".

On roll call, the vote was: Yeas 46; Nays 73; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Baker, Ballard, Becker, Bishop, Brim, Carmichael, Clark, Clayton, Concannon, Crum, S., Curtis, Deere, Dierks, Dietrich, Elliott, Gallagher, Gartner, Good, Henderson, Highberger, Hodge, Holscher, Judd-Jenkins, Karleskint, Kessinger, Koesten, Kuether, Lusk, Markley, Miller, Murnan, Neighbor, Ousley, Parker, F. Patton, Rooker, Sloan, Stogsdill, Tarwater, Terrell, Trimmer, Victors, Ward, Weigel, Whipple.

Nays: Alford, Arnberger, Aurand, Awerkamp, Barker, Blex, Burroughs, Campbell, B. Carpenter, Claeys, Corbet, E. Davis, DeGraaf, Delperdang, Dove, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Garber, Hawkins, Helgerson, Hibbard, Highland, Hineman, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, K. Jones, Kelly, Lakin, Landwehr, Lewis, Lusker, Mason, Mastroni, Ohaebosim, Orr, Osterman, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Smith, A., Smith, E., Sutton, S. Swanson, Thimesch, Thompson, Vickrey, Waymaster, Weber, C., Wheeler, Whitmer, K. Williams, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Carlin, Cox, Johnson, Schwab, Wilson, Winn.

The motion of Rep. Ousley did not prevail and **Sub HB 2410** be passed as amended.

MESSAGES FROM THE GOVERNOR

S Sub for HB 2053, HB 2054 approved on May 24, 2017

REPORT ON ENGROSSED BILLS

Sub HB 2277 reported correctly engrossed May 23, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Thursday, May 25, 2017.

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

SUSAN W. KANNARR, *Chief Clerk.*

