

# Journal of the House

SIXTY-FIRST DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Saturday, April 7, 2018, 10:00 a.m.

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

The roll was called with 118 members present.

Rep. Frownfelter was excused on verified illness.

Reps. Arnberger, Eplee, Schroeder, Schwab, Sloan and Williams were excused on excused absence by the Speaker.

Present later: Reps. Arnberger, Eplee and Schroeder.

Excused later: Reps. Brim and Trimboli.

Prayer by Rep. Hibbard:

Our Father in Heaven, we pause this morning to give you thanks for the many blessings you have bestowed upon us. We thank you for the great state of Kansas and all of its beauty and majesty and the opportunity we have in the position we are in to make it even better. We ask for your guidance as we approach the time in this session when the days are long and the decision making becomes difficult and controversial. Please keep us on the path to a workable solution. Guide us today that the work we do will be done in your name and receive your praise. Bless the people of this state, the young and the old, the weak and the strong. Be with those who are troubled that their days may be brighter. May your healing hand touch our chaplain, Eunice Brubaker, as she continues her treatments. All of this we ask in your name and for your sake. Amen.

The Pledge of Allegiance was led by Rep. Neighbor.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

Speaker Ryckman announced the referral of **Sub SB 423** to Committee of the Whole.

**INTRODUCTION OF ORIGINAL MOTIONS**

On emergency motion of Rep. Hineman, pursuant to House Rule 2311, **Sub SB 423** was advanced to Final Action on Bills and Concurrent Resolutions, subject to amendment and debate. Also, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rule was suspended for the purpose of considering the above bill. The motion was adopted.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

On motion of Rep. Patton to amend **Sub SB 423**, Rep. Trimmer requested the amendment be divided. The amendment was divided into three parts.

On Part A of the motion of Rep. Patton, **Sub SB 423** be amended on ACT and workkeys assessments program.....\$2,800,000  
*Provided*, That expenditures shall be made by the above agency from the ACT and workkeys assessments program account to provide the ACT college entrance exam and the three ACT workkeys assessments that are required to earn a national career readiness certificate to each student enrolled in grades nine through 12: *Provided further*, That no student enrolled in grades nine through 12 of any school district shall be required to pay any fees or costs to take such exam and assessments: *And provided further*, That in no event shall any school district be required to provide for more than one exam and three assessments per student: *And provided further*, That the state board of education may enter into any contracts that are necessary to promote statewide cost savings to administer such exams and assessments.

Also, on Part B of the motion of Rep. Patton, **Sub SB 423** be amended Mentor teacher (652-00-1000-0440).....\$500,000

Also, roll call was demanded on Part C of the motion of Rep. Patton to amend **Sub SB 423**, on page 1, following line 12, by inserting:

"WHEREAS, The educational interests of this state concern the areas of social emotional learning, kindergarten readiness, individual plans of study, graduation and postsecondary success; and

WHEREAS, In order to address such varied interests, the public education system in this state must provide support and services for students and their families, both in the classroom and in the community; and

WHEREAS, For school year 2018-2019, the legislature has made provision for instruction and support services for public school students in the classroom in excess of \$4.89 billion in an effort to update the school finance funding level and formula to account for student population and inflation, since the last time the Kansas supreme court found the provision of school finance to be acceptable; and

WHEREAS, The legislature acknowledges that support services in the community are also vital to student achievement; and

WHEREAS, For school year 2018-2019, the legislature has made provision for support services outside of the classroom in excess of \$188.6 million; and

WHEREAS, The support services for students outside of the classroom are provided through a myriad of state agencies and institutions, such as the state department of education, the department for children and families, the department of health and environment, the department of transportation, the office of the attorney general, the state board of regents, the six regents' universities, the state historical society and the

state library; and

WHEREAS, The community support services that are provided address the needs of all students from birth to high school graduate through programs such as newborn screenings, infant and toddler services, pre-k programs, Kansas early head start, Kansas reading success, children's cabinet programs, parent education programs, communities in schools, vocational rehabilitation case services, independent living and life skills services, jobs for America's graduates and excel in career technical education.

Now, therefore:";

Also on page 1, by striking all in lines 14 through 36;

By striking all on pages 2 through 20;

On page 21, by striking all in lines 1 through 25; following line 25, by inserting:

"Section 1.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating	expenditures
(including official hospitality) (652-00-1000-0053).....	\$15,000

*Provided*, That during the fiscal year ending June 30, 2019, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated for the operating expenditures (including official hospitality) account for fiscal year 2019 by chapter 95 or 104 of the 2017 Session Laws of Kansas, this or any other appropriation act of the 2018 regular session of the legislature, expenditures shall be made by the above agency to implement the jobs for America's graduates - Kansas pilot program: *Provided further*, That such program shall select a total of 75 students for participation in the program with 25 students selected from the Wichita school district (U.S.D. no. 259), 25 students selected from the Topeka school district (U.S.D. no. 501) and 25 students selected from the Kansas City school district (U.S.D. no. 500): *And provided further*, That students shall be selected for participation in the program on or before September 20, 2018: *And provided further*, That the selected students shall enroll in and attend classes at schools operated by such student's resident school district for ½ of such student's total school attendance, and shall enroll in classes provided by a virtual school operated by the southeast Kansas education service center - Greenbush for the remaining ½ of such student's total school attendance: *And provided further*, That expenditures shall be made in an amount not to exceed \$15,000 to acquire laptop computer devices for use by students participating in such pilot program.

State foundation aid (652-00-1000-0820).....	\$26,024,200
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Special education services aid(652-00-1000-0700).....	\$32,400,363
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Supplemental state aid (652-00-1000-0840).....	\$5,994,000
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Mental health intervention team pilot program.....	\$4,190,776
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*Provided*, That expenditures shall be made by the above agency to implement the mental health intervention team pilot program so as to improve social-emotional wellness and outcomes for students by increasing schools' access to counselors, social workers and psychologists statewide: *Provided*, That school districts participating in such program shall enter into the necessary memorandums of understanding and other necessary agreements with participating community mental health centers and the appropriate state agencies to implement the pilot program: *Provided further*, That mental health intervention teams shall consist of school liaisons employed by the participating school district, and clinical therapists and case managers employed by the participating community mental health center: *And provided further*, That the following shall participate in the pilot program for fiscal year 2019: (1) 23 schools in the Wichita school district (U.S.D. no. 259); (2) 28 schools in the Topeka school district (U.S.D. no. 501); (3) 10 schools in the Kansas City school district (U.S.D. no. 500); (4) 5 schools in the Parsons school district (U.S.D. no. 503); (5) 4 schools in the Garden City school district (U.S.D. no. 457); and (6) 9 schools served by the central Kansas cooperative in education: *And provided further*, That on or before June 30, 2019, the director of the division of health care finance of the department of health and environment shall certify to the director of the budget and the director of the legislative research department the aggregate amount of expenditures for fiscal year 2019 for treatment and services for students provided under the mental health intervention team pilot program, or provided based on a referral from such program.

MHIT pilot program – online database.....	\$2,500,000
MHIT school liaisons.....	\$3,263,110

*Provided*, That expenditures shall be made by the above agency for mental health intervention team school liaisons employed by those school districts and education cooperatives participating in the mental health intervention team pilot program.

(b) During fiscal year 2019, upon certification by the commissioner of education that the necessary memorandums of understanding have been executed between the participating school districts and community mental health centers to implement the mental health intervention team pilot program, the director of accounts and reports shall transfer \$1,541,050 from the mental health intervention pilot program account in the state general fund of the department of education to the community mental health center improvement fund of the department for aging and disability services: *Provided*, That moneys transferred pursuant to this subsection shall be expended to provide treatment and services for students under the mental health intervention team pilot program who are uninsured or underinsured.

Sec. 2. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5132 is hereby amended to read as follows: 72-5132. As used in the Kansas school equity and enhancement act, K.S.A. 2017 Supp. 72-5131 et seq., and amendments thereto:

(a) "Adjusted enrollment" means the enrollment of a school district adjusted by adding the following weightings, if any, to the enrollment of a school district: At-risk student weighting; bilingual weighting; career technical education weighting; ~~declining~~

~~enrollment weighting; high-density at-risk student weighting; high enrollment weighting; low enrollment weighting; school facilities weighting; ancillary school facilities weighting; cost-of-living weighting; special education and related services weighting; and transportation weighting.~~

(b) "Ancillary school facilities weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5158, and amendments thereto, on the basis of costs attributable to commencing operation of one or more new school facilities by such school districts.

(c) (1) "At-risk student" means a student who is eligible for free meals under the national school lunch act, and who is enrolled in a school district that maintains an approved at-risk student assistance program.

(2) The term "at-risk student" shall not include any student enrolled in any of the grades one through 12 who is in attendance less than full time, or any student who is over 19 years of age. The provisions of this paragraph shall not apply to any student who has an individualized education program.

(d) "At-risk student weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5151(a), and amendments thereto, on the basis of costs attributable to the maintenance of at-risk educational programs by such school districts.

(e) "Base aid for student excellence" or "BASE aid" means an amount appropriated by the legislature in a fiscal year for the designated year. The amount of BASE aid shall be as follows:

(1) For school year ~~2017-2018, \$4,006~~ 2018-2019, \$4,900;

(2) for school year ~~2018-2019, \$4,128~~ 2019-2020, \$5,061;

(3) for school year ~~2020-2021, \$5,222;~~

(4) for school year ~~2021-2022, \$5,384;~~

(5) for school year ~~2022-2023, \$5,545;~~ and

~~(6)~~ for school year ~~2019-2020~~ 2023-2024, and each school year thereafter, the BASE aid shall be the BASE aid amount for the immediately preceding school year plus an amount equal to the average percentage increase in the consumer price index for all urban consumers in the midwest region as published by the bureau of labor statistics of the United States department of labor during the three immediately preceding school years rounded to the nearest whole dollar amount.

(f) "Bilingual weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5150, and amendments thereto, on the basis of costs attributable to the maintenance of bilingual educational programs by such school districts.

(g) "Board" means the board of education of a school district.

(h) "Budget per student" means the general fund budget of a school district divided by the enrollment of the school district.

(i) "Categorical fund" means and includes the following funds of a school district: Adult education fund; adult supplementary education fund; at-risk education fund; bilingual education fund; career and postsecondary education fund; driver training fund; educational excellence grant program fund; extraordinary school program fund; food service fund; parent education program fund; preschool-aged at-risk education fund; professional development fund; special education fund; and summer program fund.

(j) "Cost-of-living weighting" means an addend component assigned to the

enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5159, and amendments thereto, on the basis of costs attributable to the cost of living in such school districts.

(k) "Current school year" means the school year during which state foundation aid is determined by the state board under K.S.A. 2017 Supp. 72-5134, and amendments thereto.

~~(l) "Declining enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5160, and amendments thereto, on the basis of costs attributable to the declining enrollment of such school districts.~~

~~(m)~~(l) "Enrollment" means:

(1) The number of students regularly enrolled in kindergarten and grades one through 12 in the school district on September 20 of the preceding school year plus the number of preschool-aged at-risk students regularly enrolled in the school district on September 20 of the current school year, except a student who is a foreign exchange student shall not be counted unless such student is regularly enrolled in the school district on September 20 and attending kindergarten or any of the grades one through 12 maintained by the school district for at least one semester or two quarters, or the equivalent thereof.

(2) If the enrollment in a 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 the sum of:

(A) The enrollment in the second preceding school year, excluding students under paragraph (2)(B), minus enrollment in the preceding school year of preschool-aged at-risk students, if any, plus enrollment in the current school year of preschool-aged at-risk students, if any; and

(B) the adjusted enrollment in the second preceding school year of any students participating in the tax credit for low income students scholarship program pursuant to K.S.A. 2017 Supp. 72-4351 et seq., and amendments thereto, in the preceding school year, if any, plus the adjusted enrollment in the preceding school year of preschool-aged at-risk students who are participating in the tax credit for low income students scholarship program pursuant to K.S.A. 2017 Supp. 72-4351 et seq., and amendments thereto, in the current school year, if any.

(3) For any school district that has a military student, as that term is defined in K.S.A. 2017 Supp. 72-5139, and amendments thereto, enrolled in such district, and 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 (m) paragraph (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.

~~(4)(A) For school year 2017-2018, the enrollment determined under paragraph (1), (2) or (3), except if the school district offers kindergarten on a full-time basis in such school year, students regularly enrolled in kindergarten in the school district in the preceding school year shall be counted as one student regardless of actual attendance during such preceding school year.~~

~~(B) For school year 2018-2019 and each school year thereafter, The enrollment determined under paragraph (1), (2) or (3), except if the school district begins to offer kindergarten on a full-time basis in such school year, students regularly enrolled in kindergarten in the school district in the preceding school year shall be counted as one student regardless of actual attendance during such preceding school year.~~

~~(m)~~ "February 20" has its usual meaning, except that in any year in which February 20 is not a day on which school is maintained, it means the first day after February 20 on which school is maintained.

~~(n)~~ "Federal impact aid" means an amount equal to the federally qualified percentage of the amount of moneys a school district receives in the current school year under the provisions of title I of public law 874 and congressional appropriations therefor, excluding amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program. The amount of federal impact aid shall be determined by the state board in accordance with terms and conditions imposed under the provisions of the public law and rules and regulations thereunder.

~~(o)~~ "General fund" means the fund of a school district from which operating expenses are paid and in which is deposited all amounts of state foundation aid provided under this act, payments under K.S.A. 2017 Supp. 72-528, and amendments thereto, payments of federal funds made available under the provisions of title I of public law 874, except amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program and such other moneys as are provided by law.

~~(p)~~ "General fund budget" means the amount budgeted for operating expenses in the general fund of a school district.

~~(q)~~ "High-density at-risk student weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5151(b), and amendments thereto, on the basis of costs attributable to the maintenance of at-risk educational programs by such school districts.

~~(r)~~ "High enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5149(b), and amendments thereto, on the basis of costs attributable to maintenance of educational programs by such school districts.

~~(s)~~ "Juvenile detention facility" means the same as such term is defined in K.S.A. 2017 Supp. 72-1173, and amendments thereto.

~~(t)~~ "Local foundation aid" means the sum of the following amounts:

(1) The amount of the proceeds from the tax levied under the authority of K.S.A. 2017 Supp. 72-5147, and amendments thereto, that is levied to finance that portion of the school district's local option budget that is required pursuant to K.S.A. 2017 Supp. 72-5143(a), and amendments thereto, and not financed from any other source provided by law;

(2) an amount equal to that portion of the school district's supplemental state aid determined pursuant to K.S.A. 2017 Supp. 72-5145, and amendments thereto, to

equalize that portion of the school district's local option budget that is required pursuant to K.S.A. 2017 Supp. 72-5143(a), and amendments thereto, and not financed from any other source provided by law:

~~(3)~~ an amount equal to any unexpended and unencumbered balance remaining in the general fund of the school district, except moneys received by the school district and authorized to be expended for the purposes specified in K.S.A. 2017 Supp. 72-5168, and amendments thereto;

~~(2)~~~~(4)~~ an amount equal to any remaining proceeds from taxes levied under authority of K.S.A. 72-7056 and 72-7072, and amendments thereto, prior to their repeal;

~~(3)~~~~(5)~~ an amount equal to the amount deposited in the general fund in the current school year from moneys received in such school year by the school district under the provisions of K.S.A. 2017 Supp. 72-3123(a), and amendments thereto;

~~(4)~~~~(6)~~ an amount equal to the amount deposited in the general fund in the current school year from moneys received in such school year by the school district pursuant to contracts made and entered into under authority of K.S.A. 2017 Supp. 72-3125, and amendments thereto;

~~(5)~~~~(7)~~ an amount equal to the amount credited to the general fund in the current school year from moneys distributed in such school year to the school district under the provisions of articles 17 and 34 of chapter 12 of the Kansas Statutes Annotated, and amendments thereto, and under the provisions of articles 42 and 51 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto;

~~(6)~~~~(8)~~ an amount equal to the amount of payments received by the school district under the provisions of K.S.A. 2017 Supp. 72-3423, and amendments thereto;

~~(7)~~~~(9)~~ an amount equal to the amount of any grant received by the school district under the provisions of K.S.A. 2017 Supp. 72-3425, and amendments thereto; and

~~(8)~~~~(10)~~ an amount equal to 70% of the federal impact aid of the school district.

~~(v)~~~~(u)~~ "Low enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5149(a), and amendments thereto, on the basis of costs attributable to maintenance of educational programs by such school districts.

~~(w)~~~~(v)~~ "Operating expenses" means the total expenditures and lawful transfers from the general fund of a school district during a school year for all purposes, except expenditures for the purposes specified in K.S.A. 2017 Supp. 72-5168, and amendments thereto.

~~(x)~~~~(w)~~ "Preceding school year" means the school year immediately before the current school year.

~~(y)~~~~(x)~~ "Preschool-aged at-risk student" means an at-risk student who has attained the age of ~~four~~ three years, is under the age of eligibility for attendance at kindergarten, and has been selected by the state board in accordance with guidelines governing the selection of students for participation in head start programs.

~~(z)~~~~(y)~~ "Preschool-aged exceptional children" means exceptional children, except gifted children, who have attained the age of three years but are under the age of eligibility for attendance at kindergarten. The terms "exceptional children" and "gifted children" have the same meaning as those terms are defined in K.S.A. 2017 Supp. 72-3404, and amendments thereto.

~~(aa)~~~~(z)~~ "Psychiatric residential treatment facility" means the same as such term is defined in K.S.A. 2017 Supp. 72-1173, and amendments thereto.

~~(bb)~~(aa) "School district" means a school district organized under the laws of this state that is maintaining public school for a school term in accordance with the provisions of K.S.A. 2017 Supp. 72-3115, and amendments thereto.

~~(ee)~~(bb) "School facilities weighting" means an added component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5156, and amendments thereto, on the basis of costs attributable to commencing operation of one or more new school facilities by such school districts.

~~(dd)~~(cc) "School year" means the 12-month period ending June 30.

~~(ee)~~(dd) "September 20" has its usual meaning, except that in any year in which September 20 is not a day on which school is maintained, it means the first day after September 20 on which school is maintained.

~~(ff)~~(ce) "Special education and related services weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5157, and amendments thereto, on the basis of costs attributable to the maintenance of special education and related services by such school districts.

~~(gg)~~(ff) "State board" means the state board of education.

~~(hh)~~(gg) "State foundation aid" means the amount of aid distributed to a school district as determined by the state board pursuant to K.S.A. 2017 Supp. 72-5134, and amendments thereto.

~~(ii)~~(hh) (1) "Student" means any person who is regularly enrolled in a school district and attending kindergarten or any of the grades one through 12 maintained by the school district or who is regularly enrolled in a school district and attending kindergarten or any of the grades one through 12 in another school district in accordance with an agreement entered into under authority of K.S.A. 2017 Supp. 72-13,101, and amendments thereto, or who is regularly enrolled in a school district and attending special education services provided for preschool-aged exceptional children by the school district.

(2) (A) Except as otherwise provided in this subsection, the following shall be counted as one student:

(i) A student in attendance full-time; and

(ii) a student enrolled in a school district and attending special education and related services, provided for by the school district.

(B) The following shall be counted as  $\frac{1}{2}$  student:

(i) A student enrolled in a school district and attending special education and related services for preschool-aged exceptional children provided for by the school district; and

(ii) a preschool-aged at-risk student enrolled in a school district and receiving services under an approved at-risk student assistance plan maintained by the school district.

(C) A student in attendance part-time shall be counted as that proportion of one student (to the nearest  $\frac{1}{10}$ ) that the student's attendance bears to full-time attendance.

(D) A student enrolled in and attending an institution of postsecondary education that is authorized under the laws of this state to award academic degrees shall be counted as one student if the student's postsecondary education enrollment and attendance together with the student's attendance in either of the grades 11 or 12 is at least  $\frac{5}{6}$  time, otherwise the student shall be counted as that proportion of one student (to the nearest  $\frac{1}{10}$ ) that the total time of the student's postsecondary education attendance

and attendance in grades 11 or 12, as applicable, bears to full-time attendance.

(E) A student enrolled in and attending a technical college, a career technical education program of a community college or other approved career technical education program shall be counted as one student, if the student's career technical education attendance together with the student's attendance in any of grades nine through 12 is at least  $\frac{5}{6}$  time, otherwise the student shall be counted as that proportion of one student (to the nearest  $\frac{1}{10}$ ) that the total time of the student's career technical education attendance and attendance in any of grades nine through 12 bears to full-time attendance.

(F) A student enrolled in a school district and attending a non-virtual school and also attending a virtual school shall be counted as that proportion of one student (to the nearest  $\frac{1}{10}$ ) that the student's attendance at the non-virtual school bears to full-time attendance.

(G) A student enrolled in a school district and attending special education and related services provided for by the school district and also attending a virtual school shall be counted as that proportion of one student (to the nearest  $\frac{1}{10}$ ) that the student's attendance at the non-virtual school bears to full-time attendance.

(H) (i) Except as provided in clause (ii), a student enrolled in a school district who is not a resident of Kansas shall be counted as follows:

- (a) For school ~~years year~~ ~~2017-2018 and~~ 2018-2019, one student;
  - (b) for school ~~year years~~ 2019-2020 and 2020-2021,  $\frac{3}{4}$  of a student; and
  - (c) for school year 2021-2022 and each school year thereafter,  $\frac{1}{2}$  of a student.
- (ii) This subparagraph (H) shall not apply to:

(a) A student whose parent or legal guardian is an employee of the school district where such student is enrolled; or

(b) a student who attended public school in Kansas during school year 2016-2017 and who attended public school in Kansas during the immediately preceding school year.

(3) The following shall not be counted as a student:

(A) An individual residing at the Flint Hills job corps center;

(B) except as provided in ~~subsection (ii) paragraph~~ (2), an individual confined in and receiving educational services provided for by a school district at a juvenile detention facility; and

(C) an individual enrolled in a school district but housed, maintained and receiving educational services at a state institution or a psychiatric residential treatment facility.

(4) A student enrolled in virtual school pursuant to K.S.A. 72-3711 et seq., and amendments thereto, shall be counted in accordance with the provisions of K.S.A. 2017 Supp. 72-3715, and amendments thereto.

~~(j)~~(i) "Total foundation aid" means an amount equal to the product obtained by multiplying the BASE aid by the adjusted enrollment of a school district.

~~(k)~~(j) "Transportation weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5148, and amendments thereto, on the basis of costs attributable to the provision or furnishing of transportation.

~~(h)~~(k) "Virtual school" means the same as such term is defined in K.S.A. 2017 Supp. 72-3712, and amendments thereto.

Sec. 3. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5133 is hereby amended to read as follows: 72-5133. (a) The state school district finance fund, established by K.S.A. 1991 Supp. 72-7081, prior to its repeal, is hereby continued in existence and

shall consist of: (1) All moneys credited to such fund under K.S.A. 2017 Supp. 72-6463 through 72-6481, prior to their expiration July 1, 2017; and (2) all amounts transferred to such fund under K.S.A. 2017 Supp. 72-5136, 72-5142, 72-5143, 72-5158, 72-5159 and 72-5160, and amendments thereto.

(b) The state school district finance fund shall be used for the purpose of school district finance and for no other governmental purpose. It is the intent of the legislature that the fund shall remain intact and inviolate for such purpose, and moneys in the fund shall not be subject to the provisions of K.S.A. 75-3722, 75-3725a and 75-3726a, and amendments thereto.

(c) Amounts in the state school district finance fund shall be allocated and distributed to school districts as a portion of state foundation aid provided for under this act.

Sec. 4. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5143 is hereby amended to read as follows: 72-5143. (a) In each school year, the board of education of a school district ~~may shall~~ adopt, by resolution, a local option budget ~~that does not exceed the state prescribed percentage equal to 15% of the school district's total foundation aid.~~

(b) ~~Subject to the limitations of subsection (a), in each school year, if~~ the board of education of a school district desires local option budget authority above the amount required under subsection (a), the board may adopt, by resolution, a local option budget in an amount that does not exceed:

~~(1) The amount that the board was authorized to adopt under any resolution adopted pursuant to K.S.A. 2017 Supp. 72-6471, prior to its expiration; or~~

~~(2) the state-wide average for the preceding school year as determined by the state board pursuant to subsection (i) 27.5% of the school district's total foundation aid.~~ The adoption of a resolution pursuant to this section shall require a majority vote of the members of the board. Such resolution shall be effective upon adoption and shall require no other procedure, authorization or approval.

(c) If the board of a school district ~~desires to increase its~~ local option budget authority above the amount authorized under subsection (b), the board may adopt, by resolution, such budget in an amount not to exceed the state prescribed percentage. The adoption of a resolution pursuant to this subsection shall require a majority vote of the members of the board. The resolution shall be published at least once in a newspaper having general circulation in the school district. 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 adopt a local option budget in each school year in an amount not to exceed \_\_\_\_% of the amount of total foundation aid. The local option budget authorized by this resolution may be adopted, unless a petition in opposition to the same, signed by not less than ~~5%~~ 10% 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~~ 40 days after publication of this resolution. If a petition is filed, the county election officer shall submit the question of whether adoption of the local option budget shall be authorized to the electors of the school district at an election called for the purpose or at the next general election, 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 \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Clerk of the board of education.

All of the blanks in the resolution shall be filled appropriately. If a sufficient petition is not filed, the board may adopt a local option budget. If a sufficient petition is filed, the board may notify the county election officer of the date of an election to be held to submit the question of whether adoption of a local option budget shall be authorized. Any such election shall be noticed, called and held in the manner provided by K.S.A. 10-120, and amendments thereto. If the board fails to notify the county election officer within 30 days after a sufficient petition is filed, the resolution shall be deemed abandoned and no like resolution shall be adopted by the board within the nine months following publication of the resolution.

(d) Unless specifically stated otherwise in the resolution, the authority to adopt a local option budget shall be continuous and permanent. ~~The board of any school district that is authorized to adopt a local option budget may choose not to adopt such a budget or may adopt a budget in an amount less than the amount authorized. If the board of any school district whose authority to adopt a local option budget is not continuous and permanent refrains from adopting a local option budget, the authority of such school district to adopt a local option budget shall not be extended by such refrainment beyond the period specified in the resolution authorizing adoption of such budget.~~

(e) The board of any school district may initiate procedures to renew or increase the authority to adopt a local option budget at any time during a school year after the tax levied pursuant to K.S.A. 2017 Supp. 72-5147, and amendments thereto, is certified to the county clerk under any existing authorization.

(f) ~~(1) Except as provided in paragraph (2), the board of any school district authorized to adopt a local option budget prior to July 1, 2017, under a resolution that authorized the adoption of such budget in accordance with the provisions of K.S.A. 2017 Supp. 72-6471, prior to its expiration July 1, 2017, may continue to operate under such resolution for the period of time specified in the resolution if such resolution adopted a local option budget equal to or greater than the amount required in subsection (a), or may abandon the resolution and operate under the provisions of this section. Any such school district shall operate under the provisions of this section after the period of time specified in any previously adopted resolution has expired.~~

~~(2) Any resolution adopted prior to July 1, 2017, pursuant to K.S.A. 72-6433(e)(2), prior to its repeal, that authorized the adoption of a local option budget and that was not subsequently submitted to and approved by a majority of the qualified electors of the school district voting at an election called and held thereon shall expire on June 30, 2018, and shall have no force and effect during school year 2018-2019 or any subsequent school year.~~

(g) Any resolution adopted pursuant to this section may revoke or repeal any resolution previously adopted by the board. If the resolution does not revoke or repeal previously adopted resolutions, all resolutions that are in effect shall expire on the same date. The maximum amount of the local option budget of a school district under all

resolutions in effect shall not exceed the state prescribed percentage in any school year.

(h) For school year 2019-2020 and each school year thereafter, the board of any school district that desires to increase its local option budget authority for the immediately succeeding school year shall submit written notice of such intent to the state board by April 1 of the current school year. Such notice shall include the local option budget authority, expressed as a percentage of the school district's total foundation aid, to be adopted for the immediately succeeding school year. The board of a school district shall not adopt a local option budget in excess of the authority stated in a notice submitted pursuant to this subsection.

~~(h)~~(i) (1) There is hereby established in each school district that adopts a local option budget a supplemental general fund, which shall consist of all amounts deposited therein or credited thereto according to law.

(2) (A) Of the moneys deposited in or otherwise credited to the supplemental general fund of a school district pursuant to K.S.A. 2017 Supp. 72-5147, and amendments thereto, an amount that is proportional to that amount of such school district's total foundation aid attributable to the at-risk student weighting as compared to such district's total foundation aid shall be transferred to the at-risk education fund of such school district and shall be expended in accordance with K.S.A. 2017 Supp. 72-5153, and amendments thereto.

(B) Of the moneys deposited in or otherwise credited to the supplemental general fund of a school district pursuant to K.S.A. 2017 Supp. 72-5147, and amendments thereto, an amount that is proportional to that amount of such school district's total foundation aid attributable to the bilingual weighting as compared to such district's total foundation aid shall be transferred to the bilingual education fund of such school district and shall be expended in accordance with K.S.A. 2017 Supp. 72-3613, and amendments thereto.

(3) Subject to the limitations imposed under ~~subsection (h)(3) paragraph (4)~~, amounts in the supplemental general fund may be expended for any purpose for which expenditures from the general fund are authorized or may be transferred to any categorical fund of the school district. Amounts in the supplemental general fund attributable to any percentage over 25% of total foundation aid determined for the current school year may be transferred to the capital improvements fund of the school district and the capital outlay fund of the school district if such transfers are specified in the resolution authorizing the adoption of a local option budget in excess of 25%.

~~(3)~~(4) Amounts in the supplemental general fund may not be expended for the purpose of making payments under any lease-purchase agreement involving the acquisition of land or buildings that is entered into pursuant to the provisions of K.S.A. 2017 Supp. 72-1149, and amendments thereto.

~~(4)~~(5) (A) Except as provided in ~~subsection (h)(4)(B) subparagraph (B)~~, any unexpended moneys remaining in the supplemental general fund of a school district at the conclusion of any school year in which a local option budget is adopted shall be maintained in such fund.

(B) If the school district received supplemental state aid in the school year, the state board shall determine the ratio of the amount of supplemental general state aid received to the amount of the local option budget of the school district for the school year and multiply the total amount of the unexpended moneys remaining by such ratio. An amount equal to the amount of the product shall be transferred to the general fund of the

school district or remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of any such remittance, the state treasurer shall deposit the same in the state treasury to the credit of the state school district finance fund.

~~(i) Each year, the state board shall determine the statewide average percentage of local option budgets legally adopted by school districts for the preceding school year.~~

(j) The provisions of this section shall be subject to the provisions of K.S.A. 2017 Supp. 72-5144, and amendments thereto.

(k) As used in this section:

(1) "Authorized to adopt a local option budget" means that a school district has adopted a resolution pursuant to subsection (c).

(2) "State prescribed percentage" means ~~33%~~ 30.5% of the total foundation aid of the school district in the current school year.

(3) For purposes of determining the school district's local option budget under subsections (a), (b) and (c), "total foundation aid" means the same as such term is defined in K.S.A. 2017 Supp. 72-5132, and amendments thereto, except the state aid for special education and related services shall be divided by an amount equal to 85% of the BASE aid amount, and the resulting quotient shall be used in determining the school district's total foundation aid.

Sec. 5. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5145 is hereby amended to read as follows: 72-5145. (a) In each school year, each school district that has adopted a local option budget is eligible to receive supplemental state aid. Except as provided by K.S.A. 2017 Supp. 72-5146, and amendments thereto, supplemental state aid shall be determined by the state board as provided in subsection (b).

(b) The state board shall:

~~(1)-(A) For school year 2017-2018, determine the amount of the assessed valuation per student in the preceding school year of each school district; and~~

~~(B) for school year 2018-2019 and each school year thereafter, Determine the average assessed valuation per student of each school district by adding the assessed valuation per student for each of the three immediately preceding school years and dividing the resulting sum by three;~~

(2) rank the school districts from low to high on the basis of the amounts of assessed valuation per student determined under subsection (b)(1);

(3) identify the amount of the assessed valuation per student located at the 81.2 percentile of the amounts ranked under subsection (b)(2);

(4) divide the assessed valuation per student of the school district as determined under subsection (b)(1) by the amount identified under subsection (b)(3); and

(5) (A) if the quotient obtained under subsection (b)(4) equals or exceeds one, the school district shall not receive supplemental state aid; or

(B) if the quotient obtained under subsection (b)(4) is less than one, subtract the quotient obtained under subsection (b)(4) from one, and multiply the difference by the amount of the local option budget of the school district ~~for the immediately preceding school year~~. The resulting product is the amount of supplemental state aid the school district is to receive for the school year.

(c) Payments of supplemental state aid shall be distributed to school districts on the dates prescribed by the state board. The state board shall certify to the director of accounts and reports the amount due each school district, and the director of accounts

and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the supplemental general fund of the school district to be used for the purposes of such fund.

(d) For the purposes of determining the total amount of state moneys paid to school districts, all moneys appropriated as supplemental state aid shall be deemed to be state moneys for educational and support services for school districts.

Sec. 6. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5148 is hereby amended to read as follows: 72-5148. (a) ~~(1)~~ The transportation weighting of each school district shall be determined by the state board as follows:

~~(1) Determine the total expenditures of the school district during the preceding school year from all funds for transporting students of public and nonpublic schools on regular school routes;~~

~~(2) determine the sum of: (A) The number of students who were included in the enrollment of the school district in the preceding school year who resided less than  $2\frac{1}{2}$  miles by the usually traveled road from the school building such students attended and for whom transportation was made available by the school district; and (B) the number of nonresident students who were included in the enrollment of the school district for the preceding school year and for whom transportation was made available by the school district;~~

~~(3) determine the number of students who were included in the enrollment of the district in the preceding school year who resided  $2\frac{1}{2}$  miles or more by the usually traveled road from the school building such students attended and for whom transportation was made available by the school district;~~

~~(4) multiply the number of students determined under subsection (a)(3) by 2.8;~~

~~(5) divide the amount determined under subsection (a)(2) by the product obtained under subsection (a)(4);~~

~~(6) add one to the quotient obtained under subsection (a)(5);~~

~~(7) multiply the sum obtained under subsection (a)(6) by the amount determined under subsection (a)(3);~~

~~(8) divide the amount determined under subsection (a)(1) by the product obtained under subsection (a)(7). The resulting quotient is the per-student cost of transportation;~~

~~(9) on a density-cost graph, plot the per-student cost of transportation for each school district;~~

~~(10) construct a curve of best fit for the points so plotted;~~

~~(11) locate the index of density for the school district on the base line of the density-cost graph and from the point on the curve of best fit directly above this point of index of density follow a line parallel to the base line to the point of intersection with the vertical line, which point is the formula per-student cost of transportation of the school district;~~

~~(12) divide the formula per-student cost of transportation of the school district by the BASE aid; and~~

~~(13) multiply the quotient obtained under subsection (a)(12) by the number of students who are included in the enrollment of the school district, are residing  $2\frac{1}{2}$  miles or more by the usually traveled road to the school building they attend, and for whom transportation is being made available by, and at the expense of, the district.~~

(A) Divide the BASE aid amount for the current school year by the BASE aid

amount for school year 2018-2019:

(B) multiply the number of transported students by the per capita allowance that corresponds to the density figure for the school district as determined in subsection (a) (2);

(C) multiply the product obtained under subsection (a)(1)(B) by 1.00;

(D) multiply the product obtained under subsection (a)(1)(C) by the quotient obtained under subsection (a)(1)(A);

(E) divide the product obtained under subsection (a)(1)(D) by the current year BASE amount. The result is the transportation weighting of the school district.

(2) The per capita allowance shall be determined using the following chart:

Density Figure Range	Per Capita Allowance
0.000 - 0.059	\$1,620
0.060 - 0.069	\$1,580
0.070 - 0.079	\$1,540
0.080 - 0.089	\$1,500
0.090 - 0.099	\$1,480
0.100 - 0.109	\$1,450
0.110 - 0.119	\$1,430
0.120 - 0.129	\$1,410
0.130 - 0.139	\$1,390
0.140 - 0.149	\$1,370
0.150 - 0.159	\$1,350
0.160 - 0.169	\$1,340
0.170 - 0.179	\$1,320
0.180 - 0.199	\$1,300
0.200 - 0.209	\$1,290
0.210 - 0.219	\$1,270
0.220 - 0.239	\$1,250
0.240 - 0.269	\$1,230
0.270 - 0.289	\$1,210
0.290 - 0.319	\$1,190
0.320 - 0.349	\$1,170
0.350 - 0.389	\$1,150
0.390 - 0.429	\$1,130
0.430 - 0.469	\$1,110
0.470 - 0.519	\$1,090
0.520 - 0.579	\$1,070
0.580 - 0.639	\$1,050
0.640 - 0.709	\$1,030
0.710 - 0.789	\$1,010
0.790 - 0.879	\$990
0.880 - 0.989	\$970
0.990 - 1.109	\$950
1.110 - 1.249	\$930
1.250 - 1.399	\$910
1.400 - 1.589	\$890
1.590 - 1.799	\$870

1.800 - 2.039	\$850
2.040 - 2.319	\$830
2.320 - 2.659	\$810
2.660 - 3.049	\$790
3.050 - 3.509	\$770
3.510 - 4.049	\$750
4.050 - 4.699	\$730
4.700 - 5.469	\$710
5.470 - 6.399	\$690
6.400 - 7.519	\$670
7.520 - 8.879	\$650
8.880 - 10.549	\$630
10.550 - 12.589	\$610
12.590 - 15.129	\$590
15.130 - 18.289	\$570
18.290 +	\$550

(b) (1) For school years 2017-2018 through 2020-2021, the transportation weighting of the school district shall be either the product determined under subsection ~~(a)(13)~~ (a)(1)(E), or that portion of such school district's general state aid for school year 2016-2017 that was attributable to the school district's transportation weighting, whichever is greater.

(2) For school year 2021-2022, and each school year thereafter, the transportation weighting of the school district shall be the product determined under subsection ~~(a)(13)~~ (a)(1)(E).

(3) In no event shall the transportation weighting of the school district result in the portion of such school district's state foundation aid attributable to the transportation weighting being in excess of 110% of such school district's total expenditures from all funds for transporting students for the immediately preceding school year.

(c) For the purpose of providing accurate and reliable data on student transportation, the state board is authorized to adopt rules and regulations prescribing procedures that school districts shall follow in reporting pertinent information, including uniform reporting of expenditures for transportation.

(d) As used in this section:

(1) "Curve of best fit" means the curve on a density-cost graph drawn so the sum of the distances squared from such line to each of the points plotted on the graph is the least possible.

(2) "Density-cost graph" means a drawing having: (A) A horizontal or base line divided into equal intervals of density, beginning with zero on the left; and (B) a scale for per-student cost of transportation to be shown on a line perpendicular to the base line at the left end thereof; such scale to begin with zero dollars at the base line ascending by equal per-student cost intervals.

(3) "Index of density" means the number of students who are included in the enrollment of a school district in the current school year, are residing the designated distance or more by the usually traveled road from the school building they attend, and for whom transportation is being made available on regular school routes by the school district, divided by the number of square miles of territory in the school district. "Density figure" means the area of the school district in square miles divided by the

number of transported students.

(2) "Transported students" means the number of students who were included in the enrollment of the school district in the preceding year who resided  $2\frac{1}{2}$  miles or more by the usually traveled road from the school building such students attended and for whom transportation was made available.

Sec. 7. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5149 is hereby amended to read as follows: 72-5149. (a) The low enrollment weighting of each school district shall be determined by the state board as follows:

(1) For school districts with an enrollment of fewer than 100 students, multiply the enrollment of the school district by 1.014331. The resulting product is the low enrollment weighting of the school district;

(2) for school districts with an enrollment of at least 100 students, but fewer than 300 students:

(A) Subtract 100 from the enrollment of the school district;

(B) multiply the difference obtained under subsection (a)(2)(A) by 9.655;

(C) subtract the product obtained under subsection (a)(2)(B) from 7,337;

(D) divide the difference obtained under subsection (a)(2)(C) by 3,642.4;

(E) subtract one from the quotient obtained under subsection (a)(2)(D); and

(F) multiply the difference obtained under subsection (a)(2)(E) by the enrollment of the school district. The resulting product is the low enrollment weighting of the school district;

(3) for school districts with an enrollment of at least 300 students, but fewer than 1,622 students:

(A) Subtract 300 from the enrollment of the school district;

(B) multiply the difference obtained under subsection (a)(3)(A) by 1.2375;

(C) subtract the product obtained under subsection (a)(3)(B) from 5,406;

(D) divide the difference obtained under subsection (a)(3)(C) by 3,642.4;

(E) subtract one from the quotient obtained under subsection ~~(a)(3)(D)~~ ~~(a)(3)(D)~~; and

(F) multiply the difference obtained under subsection (a)(3)(E) by the enrollment of the school district. The resulting product is the low enrollment weighting of the school district.

(b) For school districts with an enrollment of at least 1,622 students, multiply the enrollment of the school district by 0.03504. The resulting product is the high enrollment weighting of the school district.

Sec. 8. K.S.A. 2017 Supp. 72-5150 is hereby amended to read as follows: 72-5150. The bilingual weighting of each school district shall be determined by the state board as follows:

(a) Determine the full-time equivalent enrollment in approved programs of bilingual education ~~during the preceding school year~~ and multiply such enrollment by 0.395;

(b) determine the number of students enrolled in approved programs of bilingual education ~~during the preceding school year~~ and multiply such enrollment by 0.185; and

(c) the bilingual weighting shall be either the amount determined under subsection (a) or (b), whichever is greater.

Sec. 9. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5151 is hereby amended to read as follows: 72-5151. (a) The at-risk student weighting of each school district shall be determined by the state board as follows:

(1) Determine the number of at-risk students included in the enrollment of the school district; and

~~(2) for a school district with an enrollment that consists of 10% or more at-risk students, multiply the number determined under subsection (a)(1) by 0.484. The resulting sum is the at-risk student weighting of the school district; or~~

~~(3) for a school district with an enrollment that consists of less than 10% at-risk students, multiply the number of students equal to 10% of such school district's enrollment by 0.484. The resulting sum is the at-risk student weighting of the school district. A school district whose at-risk student weighting is determined pursuant to this paragraph shall submit a report to the state board in such form and manner as required by the state board that identifies those students enrolled in such school district who are receiving at-risk program services and the criteria each such student satisfies in order to receive at-risk program services. The state board shall adopt rules and regulations that establish the criteria for eligibility for at-risk program services. The provisions of this paragraph shall only apply to those school districts that offer instruction in kindergarten and grades one through 12.~~

(b) Except as provided in subsection (b)(4), the high-density at-risk student weighting of each school district shall be determined by the state board as follows:

(1) (A) If the enrollment of the school district is at least 35% at-risk students, but less than 50% at-risk students:

(i) Subtract 35% from the percentage of at-risk students included in the enrollment of the school district;

(ii) multiply the difference determined under subsection (b)(1)(A)(i) by 0.7; and

(iii) multiply the product determined under subsection (b)(1)(A)(ii) by the number of at-risk students included in the enrollment of the school district; or

(B) if the enrollment of the school district is 50% or more at-risk students, multiply the number of at-risk students included in the enrollment of the school district by 0.105; or

(2) (A) if the enrollment of a school in the school district is at least 35% at-risk students, but less than 50% at-risk students:

(i) Subtract 35% from the percentage of at-risk students included in the enrollment of such school;

(ii) multiply the difference determined under subsection (b)(2)(A)(i) by 0.7; and

(iii) multiply the product determined under subsection (b)(2)(A)(ii) by the number of at-risk students included in the enrollment of such school; or

(B) if the enrollment of a school in the school district is 50% or more at-risk students, multiply the number of at-risk students included in the enrollment of such school by 0.105; and

(C) add the products determined under subsections (b)(2)(A)(iii) and (b)(2)(B) for each such school in the school district, respectively.

(3) The high-density at-risk weighting of the school district shall be the greater of the product determined under subsection (b)(1) or the sum determined under subsection (b)(2)(C).

(4) Commencing in school year 2018-2019, school districts that qualify to receive the high-density at-risk weighting pursuant to this section shall spend any money attributable to the school district's high-density at-risk weighting on the at-risk best practices developed by the state board pursuant to K.S.A. 2017 Supp. 72-5153(d), and

amendments thereto. If a school district that qualifies for the high-density at-risk weighting does not spend such money on such best practices, the state board shall notify the school district that it shall either spend such money on such best practices or shall show improvement within five years of notification. Improvement shall include, but not be limited to, the following: (A) The percentage of students at grade level on state math and English language arts assessments; (B) the percentage of students that are college and career ready on state math and English language arts assessments; (C) the average composite ACT score; or (D) the four-year graduation rate. If a school district does not spend such money on such best practices and does not show improvement within five years, the school district shall not qualify to receive the high-density at-risk weighting in the succeeding school year.

(5) The provisions of this subsection shall expire on July 1, ~~2019~~ 2020.

Sec. 10. K.S.A. 2017 Supp. 72-5155 is hereby amended to read as follows: 72-5155. ~~(a)~~ The career technical education weighting of each school district shall be determined by the state board by multiplying the full-time equivalent enrollment in approved career technical education programs ~~during the preceding school year~~ by 0.5. The resulting product is the career technical education weighting of the school district.

~~(b) The provisions of this section shall expire on July 1, 2019.~~

Sec. 11. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5170 is hereby amended to read as follows: 72-5170. (a) (1) In order to accomplish the mission for Kansas education, the state board shall design and adopt a school district accreditation system based upon improvement in performance that equals or exceeds the educational goal set forth in K.S.A. 2017 Supp. 72-3218(c), and amendments thereto, and is measurable. The state board shall hold all school districts accountable to the Kansans can outcomes, or any successor outcomes established by the state board, through the Kansas education systems accreditation rules and regulations, or any successor accreditation system adopted by the state board. The state board shall establish rigorous accountability measures in the areas of social emotional learning, kindergarten readiness, individual plans of study, graduation and postsecondary success. The state board also shall ensure that all school districts and the public schools operated by such districts have programs and initiatives in place for providing those educational capacities set forth in K.S.A. 2017 Supp. 72-3218(c), and amendments thereto. On or before January 15, 2018, and each January 15 thereafter, the state board shall prepare and submit a report on the school district accreditation system to the governor and the legislature.

(2) The accountability measures established pursuant to paragraph (1) shall be applied both at the district level and at the school level. Such accountability measures shall be reported by the state board for each school district and each school by publication on the internet website of the state department of education. Each school district also shall report such accountability measures for such school district and each school operated by such district by publication on such school district's internet website.

(3) If a school district is not fully accredited and a corrective action plan is required by the state board, such corrective action plan, and any subsequent reports prepared by the state board regarding the progress of such school district in implementing and executing such corrective action plan, shall be published on the state department of education's internet website and such school district's internet website.

(4) If a school district is not accredited, the superintendent, or the superintendent's designee, shall appear before the committee on education of the house of

representatives and the committee on education of the senate during the regular legislative session that occurs during the same school year in which such school district is not accredited. Such school district shall provide a report to such committees on the challenges and obstacles that are preventing such school district from becoming accredited.

(b) The state board shall establish curriculum standards that reflect high academic standards for the core academic areas of mathematics, science, reading, writing and social studies. The curriculum standards shall be reviewed at least every seven years. Nothing in this subsection shall be construed in any manner so as to impinge upon any school district's authority to determine its own curriculum.

(c) The state board shall provide for statewide assessments in the core academic areas of mathematics, science, reading, writing and social studies. The board shall ensure compatibility between the statewide assessments and the curriculum standards established pursuant to subsection (b). Such assessments shall be administered at three grade levels, as determined by the state board. The state board shall determine performance levels on the statewide assessments, the achievement of which represents high academic standards in the academic area at the grade level to which the assessment applies. The state board should specify high academic standards both for individual performance and school performance on the assessments.

(d) Each school year, on such date as specified by the state board, each school district shall submit the Kansas education system accreditation report to the state board in such form and manner as prescribed by the state board.

(e) Whenever the state board determines that a school district has failed either to meet the accreditation requirements established by rules and regulations or standards adopted by the state board or provide curriculum based on state standards and courses required by state law, the state board shall so notify the school district. Such notice shall specify the accreditation requirements that the school district has failed to meet and the curriculum that it has failed to provide. Upon receipt of such notice, the board of education of such school district is encouraged to reallocate the resources of the school district to remedy all deficiencies identified by the state board.

(f) Each school in every school district shall establish a school site council composed of the principal and representatives of teachers and other school personnel, parents of students attending the school, the business community and other community groups. School site councils shall be responsible for providing advice and counsel in evaluating state, school district, and school site performance goals and objectives and in determining the methods that should be employed at the school site to meet these goals and objectives. Site councils may make recommendations and proposals to the school board regarding budgetary items and school district matters, including, but not limited to, identifying and implementing the best practices for developing efficient and effective administrative and management functions. Site councils also may help school boards analyze the unique environment of schools, enhance the efficiency and maximize limited resources, including outsourcing arrangements and cooperative opportunities as a means to address limited budgets.

Sec. 12. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5171 is hereby amended to read as follows: 72-5171. (a) On or before January 15 of each year, the state department of education shall prepare and submit reports on school district funding for each school district to the governor and the legislature.

(b) Each report shall contain the information described in subsection (c) for the school district in terms of actual dollar amounts for the second and immediately preceding school years and budgeted dollar amounts for the current school year.

(c) Each report shall contain the following information for the school district:

- (1) Full-time equivalent enrollment;
  - (2) demographic information, including, but not limited to, gender, race, ethnicity, students who are economically disadvantaged, migrants, English language learners and students with disabilities;
  - (3) total general and supplemental general funds, including a showing of funding provided by federal sources, state sources and local sources, and total funds per student;
  - (4) total capital outlay funds, including a showing of such funding provided by federal sources, state sources and local sources, and capital outlay funds per student;
  - (5) total bond and interest funds, including a showing of such funding provided by federal sources, state sources and local sources, and bond and interest funds per student;
  - (6) total of all other funds not described in paragraphs (3), (4) and (5), excluding fund transfers, including a showing of such funding provided by federal sources, state sources and local sources, and total funds per student;
  - (7) total funds per student of all funds described in paragraphs (3) through (6);
  - (8) general fund moneys attributable to the following:
    - (A) BASE aid;
    - (B) high enrollment weighting;
    - (C) low enrollment weighting;
    - (D) school facilities weighting;
    - (E) transportation weighting;
    - (F) at-risk student weighting;
    - (G) preschool-aged at-risk student weighting;
    - (H) high-density at-risk student weighting;
    - (I) career technical education weighting;
    - (J) special education and related services weighting;
    - (K) bilingual weighting;
    - (L) ancillary school facilities weighting;
    - (M) cost-of-living weighting;
    - (N) declining enrollment weighting; and
    - (O) virtual school state aid;
  - (9) total expenditures on the following:
    - (A) At-risk education programs and services;
    - (B) preschool-aged at-risk education programs and services;
    - (C) bilingual education programs and services;
    - (D) career and technical education programs and services;
    - (E) special education and related services; and
    - (F) virtual school programs and services; ~~and~~
  - (10) total expenditures from the special retirement contributions fund;
  - (11) expenditures and fund transfers from the supplemental general fund for those programs and services set forth in paragraph (9) and any other accounting category for which there is an expenditure or transfer from such fund; and
  - (12) general obligation bond indebtedness.
- (d) The state board shall provide uniform guidelines for what constitutes total

expenditures for the programs and services listed under subsection (c)(9).

Sec. 13. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5173 is hereby amended to read as follows: 72-5173. The legislative post audit committee shall direct the legislative division of post audit to conduct the following performance audits in the fiscal year specified:

(a) A performance audit of transportation services funding. The audit should include a comparison of the amount of transportation services funding school districts receive to the cost of providing transportation services. This performance audit shall be conducted during fiscal year 2018, and the final audit report shall be submitted to the legislature on or before January 15, 2018.

(b) A performance audit of at-risk education funding. The audit should evaluate the method of counting students for at-risk education funding, the level of the at-risk student weighting and high-density at-risk student weighting under the act and how school districts are expending moneys provided for at-risk education. This performance audit shall be conducted during fiscal year 2020, and the final audit report shall be submitted to the legislature on or before January 15, 2020.

(c) A performance audit of bilingual education funding. The audit should evaluate the method of counting students for bilingual education funding, the level of the bilingual weighting under the act and how school districts are expending moneys provided for bilingual education. This performance audit shall be conducted during fiscal year ~~2023~~ 2022, and the final audit report shall be submitted to the legislature on or before January 15, ~~2023~~ 2022.

(d) A study of statewide virtual school programs administered in other states. The study shall include, but not be limited to, the following:

(1) The aggregate cost incurred by each state administering a virtual school program, and the cost incurred by individual school districts or schools within each state;

(2) the resources necessary for the implementation of each virtual school program, including, but not limited to, personnel, equipment, software and facility usage;

(3) the scope of each virtual school program; and

(4) the effectiveness of each virtual school program with respect to student performance and outcomes.

The audit shall be conducted during fiscal year ~~2024~~ 2023, and the final audit report shall be submitted to the legislature on or before January 15, ~~2024~~ 2023.

(e) (1) A performance audit to provide a reasonable estimate of the cost of providing educational opportunities for every public school student in Kansas to achieve the performance outcome standards adopted by the state board of education. This performance audit shall be conducted ~~three~~ two times as follows:

(A) During ~~fiscal year 2019, and the final report submitted to the legislature on or before January 15, 2019;~~

~~(B) during fiscal year 2022 2021, and the final report submitted to the legislature on or before January 15, 2022 2021; and~~

~~(C)(B) during fiscal year 2025 2024, and the final report submitted to the legislature on or before January 15, 2025 2024.~~

(2) Each performance audit required under this subsection shall:

(A) Include reasonable estimates of the costs of providing specialized education services as required by law, including, but not limited to, ~~special education and related~~

services; bilingual education and at-risk programs; and

(B) account for other factors which may contribute to variations in costs incurred by school districts, including, but not limited to, total district enrollment and geographic location within the state.

(3) In conducting each performance audit required under this subsection:

(A) Any examination of historical data and expenditures shall correct any recognized inadequacy of such data or expenditure through a statistically valid method of extrapolation; and

(B) subject to the limitations of the division of legislative post audit budget and appropriations therefor, the legislative post auditor may enter into contracts with consultants as the post auditor deems necessary.

~~(f) A performance audit to identify best practices in successful schools. The audit should include a comparison of the educational methods and other practices of demographically similar school districts that achieve significantly different student outcomes based on performance outcome standards adopted by the state board of education. This performance audit shall be conducted during fiscal year 2021, and the final audit report shall be submitted to the legislature on or before January 15, 2021. The audit shall be conducted a second time during fiscal year 2026, and the final audit report shall be submitted to the legislature on or before January 15, 2026, provide a reasonable estimate of the costs of providing special education and related services, including, but not limited to, other factors which may contribute to variations in costs incurred by school districts. This performance audit shall be conducted during fiscal year 2019, and the final audit report shall be submitted to the legislature on or before January 15, 2019.~~

Sec. 14. On and after July 1, 2018, K.S.A. 2017 Supp. 72-53,113 is hereby amended to read as follows: 72-53,113. (a) The board of education of any school district may make an annual tax levy at a mill rate not to exceed the statutorily prescribed mill rate upon the taxable tangible property in the school district for the purposes specified in this act and, with respect to any redevelopment district established prior to July 1, 2017, pursuant to K.S.A. 12-1771, and amendments thereto, for the purpose of paying a portion of the principal and interest on bonds issued by cities under the authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district. No levy shall be made under this act until a resolution is adopted by the board of education in the following form:

Unified School District No. \_\_\_\_\_,

\_\_\_\_\_ County, Kansas.

RESOLUTION

Be It Resolved that:

The above-named school board shall be authorized to make an annual tax levy in an amount not to exceed \_\_\_\_\_ mills upon the taxable tangible property in the school district for the purpose of acquisition, construction, reconstruction, repair, remodeling, additions to, furnishing, maintaining and equipping of school district property and equipment necessary for school district purposes, including: (1) Computer software; (2) performance uniforms; (3) housing and boarding pupils enrolled in an area vocational school operated under the board; (4) architectural expenses; (5) building sites; (6) undertaking and maintenance of asbestos control projects; (7) school buses; and (8) utility expenses; ~~(9) property and casualty insurance; and (10) other fixed assets, and~~

with respect to any redevelopment district established prior to July 1, 2017, pursuant to K.S.A. 12-1771, and amendments thereto, for the purpose of paying a portion of the principal and interest on bonds issued by cities under the authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district. The tax levy authorized by this resolution may be made, unless a petition in opposition to the same, signed by not less than 10% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district within 40 calendar days after the last publication of this resolution. In the event a petition is filed, the county election officer shall submit the question of whether the tax levy shall be authorized to the electors in the school district at an election called for that purpose or at the next general election, as is specified by the board of education of the above 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 \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Clerk of the board of education.

All of the blanks in the above resolution shall be appropriately filled. The blank preceding the word "mills" shall be filled with a specific number. The resolution shall be published once a week for two consecutive weeks in a newspaper having general circulation in the school district. If no petition as specified above is filed in accordance with the provisions of the resolution, the board of education may make the tax levy specified in the resolution. If a petition is filed as provided in the resolution, the board of education may notify the county election officer of the date of an election to be held to submit the question of whether the tax levy shall be authorized. If the board of education fails to notify the county election officer within 60 calendar days after a petition is filed, the resolution shall be deemed abandoned and no like resolution shall be adopted by the board of education within the nine months following the first publication of the resolution.

(b) As used in this act:

(1) "Unconditionally authorized to make a capital outlay tax levy" means that the school district has adopted a resolution under this section, has published the same, and either that the resolution was not protested or that it was protested and an election has been held by which the tax levy specified in the resolution was approved;

(2) "statutorily prescribed mill rate" means: (A) Eight mills; (B) the mill levy rate in excess of eight mills if the resolution fixing such rate was approved at an election prior to the effective date of this act; or (C) the mill levy rate in excess of eight mills if no petition or no sufficient petition was filed in protest to a resolution fixing such rate in excess of eight mills and the protest period for filing such petition has expired;

(3) "asbestos control project" means any activity which is necessary or incidental to the control of asbestos-containing material in buildings of school districts and includes, but not by way of limitation, any activity undertaken for the removal or encapsulation of asbestos-containing material, for any remodeling, renovation, replacement, rehabilitation or other restoration necessitated by such removal or encapsulation, for conducting inspections, reinspections and periodic surveillance of buildings, performing response actions, and developing, implementing and updating operations and

maintenance programs and management plans;

(4) "asbestos" means the asbestiform varieties of chrysotile (serpentine), crocidolite (riebeckite), amosite (cummingtonitegrunerite), anthophyllite, tremolite, and actinolite; and

(5) "asbestos-containing material" means any material or product which contains more than 1% asbestos.

Sec. 15. On and after July 1, 2018, K.S.A. 2017 Supp. 72-53,116 is hereby amended to read as follows: 72-53,116. (a) Any moneys in the capital outlay fund of any school district and any moneys received from issuance of bonds under K.S.A. 2017 Supp. 72-53,117 or 72-53,122, and amendments thereto, may be used for the purpose of the acquisition, construction, reconstruction, repair, remodeling, additions to, furnishing, maintaining and equipping of school district property and equipment necessary for school district purposes, including: (1) Computer software; (2) performance uniforms; (3) housing and boarding pupils enrolled in an area vocational school operated under the board of education; (4) architectural expenses; (5) building sites; (6) undertaking and maintenance of asbestos control projects; (7) school buses; and (8) utility expenses; (9) property and casualty insurance; and (10) other fixed assets.

(b) The board of education of any school district is hereby authorized to invest any portion of the capital outlay fund of the school district which is not currently needed in investments authorized by K.S.A. 12-1675, and amendments thereto, in the manner prescribed therein, or may invest the same in direct obligations of the United States government maturing or redeemable at par and accrued interest within three years from date of purchase, the principal and interest whereof is guaranteed by the government of the United States. All interest received on any such investment shall upon receipt thereof be credited to the capital outlay fund.

Sec. 16. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5461 is hereby amended to read as follows: 72-5461. (a) Upon receiving an application under K.S.A. 2017 Supp. 72-5460, and amendments thereto, the state board of education shall review the application and examine the evidence furnished in support of the application.

(b) (1) Commencing in school year 2017-2018, the state board of education shall not approve any application submitted during the current school year if such approval would result in the aggregate amount of all general obligation bonds approved by the state board for such school year exceeding the aggregate principal amount of all general obligation bonds retired in the immediately preceding school year adjusted for inflation pursuant to paragraph (4). For any application submitted during the current school year in excess of \$175,000,000, the state board shall apply only an amount of \$175,000,000 of such application when determining whether the aggregate principal amount of all general obligation bonds retired in the immediately preceding school year has been exceeded. In determining whether to approve an application, the state board shall prioritize applications in accordance with the priorities set forth as follows in order of highest priority to lowest priority:

(A) Safety of the current facility and disability access to such facility as demonstrated by a state fire marshal report, an inspection under the Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar evaluation;

(B) enrollment growth and imminent overcrowding as demonstrated by successive increases in enrollment of the school district in the immediately preceding three school years;

(C) impact on the delivery of educational services as demonstrated by restrictive inflexible design or limitations on installation of technology; and

(D) energy usage and other operational inefficiencies as demonstrated by a district-wide energy usage analysis, district-wide architectural analysis or other similar evaluation.

(2) The state board shall not consider a school district's eligibility for capital improvement state aid, or the amount of capital improvement state aid a school district would be eligible to receive, in determining whether to approve such district's application.

(3) The provisions of subsection (b)(1) shall not apply to school districts that have not issued any general obligation bonds in the 25 years prior to the current school year.

(4) The state board shall adjust the aggregate principal amount of all general obligation bonds retired in the immediately preceding school year by adding an amount equal to the five-year compounded percentage increase in the producer price index industry data for new school building construction as published by the bureau of labor statistics of the United States department of labor for the five immediately preceding school years.

(c) After reviewing the application and examining the supportive evidence, the state board of education shall issue an order either granting or denying the application. If the application is approved, the applicant board of education shall request the county election officer to hold an election to vote upon the question of issuing the increased amount of bonds in the manner provided by law.

(d) Any application that is denied pursuant to subsection (b) may be tentatively approved by the state board of education for the immediately succeeding school year. The amount of general obligation bonds approved in any such application shall be counted first towards the aggregate amount of all general obligation bonds approved by the state board for such school year.

(e) Commencing in school year 2017-2018, the state board of education shall determine the aggregate principal amount of general obligation bonds retired in the immediately preceding school year.

(f) The provisions of subsections (b), (d) and (e) shall expire on June 30, 2022.

Sec. 17. K.S.A. 2017 Supp. 72-5150 and 72-5155 are hereby repealed.

Sec. 18. On and after July 1, 2018, K.S.A. 2017 Supp. 72-1171, 72-5132, 72-5133, 72-5143, 72-5144, 72-5145, 72-5148, 72-5149, 72-5151, 72-5170, 72-5171, 72-5173, 72-53,113, 72-53,116, 72-5461, 72-6463, 72-6464, 72-6465, 72-6466, 72-6467, 72-6468, 72-6469, 72-6470, 72-6471, 72-6472, 72-6473, 72-6474, 72-6475, 72-6477, 72-6478, 72-6479, 72-6480 and 72-6481 are hereby repealed.";

Also on page 21, in line 27, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking all after the second semicolon; by striking lines 3 through 10; in line 11, by striking all before the period and inserting "making and concerning appropriations for the fiscal year ending June 30, 2019, for the department of education; amending K.S.A. 2017 Supp. 72-5132, 72-5133, 72-5143, 72-5145, 72-5148, 72-5149, 72-5150, 72-5151, 72-5155, 72-5170, 72-5171, 72-5173, 72-53,113, 72-53,116 and 72-5461 and repealing the existing sections; also repealing K.S.A. 2017 Supp. 72-1171, 72-5144, 72-6463, 72-6464, 72-6465, 72-6466, 72-6467,

72-6468, 72-6469, 72-6470, 72-6471, 72-6472, 72-6473, 72-6474, 72-6475, 72-6477, 72-6478, 72-6479, 72-6480 and 72-6481"

On roll call, the vote was: Yeas 76; Nays 44; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Ballard, Barker, Becker, Bishop, Brim, Clark, Clayton, Concannon, Cox, Crum, S., E. Davis, Deere, Dierks, Dietrich, Elliott, Ellis, Eplee, Finch, Finney, Francis, Gallagher, Gartner, Good, Hawkins, Hibbard, Highberger, Hineman, Holscher, Horn, Huebert, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lewis, Lusk, Lusker, Markley, Mastroni, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Probst, Proehl, Rafie, Ralph, Rooker, Ruiz, Ryckman, Schreiber, Smith, A., Stogsdill, S. Swanson, Tarwater, Thompson, Trimmer, Ward, Waymaster, Weigel, Wheeler.

Nays: Awerkamp, Bergquist, Blex, Burriss, Burroughs, Carlin, Carmichael, B. Carpenter, Claeys, Corbet, Curtis, Delperdang, Dove, Esau, Garber, Helgerson, Henderson, Highland, Hodge, Hoffman, Houser, Humphries, Jacobs, K. Jones, Landwehr, Mason, Miller, Osterman, R. Powell, Rahjes, Resman, Sawyer, Seiwert, Smith, E., Sutton, Thimesch, Trimboli, Vickrey, Victors, Weber, C., Whipple, Whitmer, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Frownfelter, Schroeder, Schwab, Sloan, K. Williams.

Patton amendment, Part C, was adopted.

Also, roll call was demanded on motion of Rep. Trimmer to amend **Sub SB 423** by amending the amendment designated as fa\_2018\_sb423\_h\_4183, as adopted by the Committee of the Whole on April 7, 2018, in section 1, in the appropriation for the state foundation aid account (652-00-1000-0820) in the state general fund for the department of education, by adding \$135,525,000 to the dollar amount and by adjusting such dollar amount accordingly;

In the amendments to K.S.A. 2017 Supp. 72-5132(e)(1), by striking "\$4,900" and inserting "\$4,850";

In the amendments to K.S.A. 2017 Supp. 72-5132(e)(2), by striking "\$5,061" and inserting "\$5,067";

In the amendments to K.S.A. 2017 Supp. 72-5132(e)(3), by striking "\$5,222" and inserting "\$5,283";

In the amendments to K.S.A. 2017 Supp. 72-5132(e)(4), by striking "\$5,384" and inserting "\$5,500";

In the amendments to K.S.A. 2017 Supp. 72-5132(e)(5), by striking "\$5,545" and inserting "\$5,716";

In the amendments to K.S.A. 2017 Supp. 72-5143(a), by striking "15%" and inserting "10%"

On roll call, the vote was: Yeas 41; Nays 78; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Ballard, Bishop, Burroughs, Carlin, Carmichael, Clayton, Crum, S., Curtis, Deere, Finney, Gartner, Good, Helgerson, Henderson, Highberger, Hodge, Holscher, Horn, Kuether, Lusk, Lusker, Miller, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Phelps, Pittman, Probst, Ruiz, Sawyer, Stogsdill, Trimmer, Victors, Ward,

Weigel, Whipple, Winn, Wolfe Moore.

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

Present but not voting: None.

Absent or not voting: Frownfelter, Schroeder, Schwab, Sloan, Trimboli, K. Williams.  
The motion of Rep. Trimmer to amend did not prevail.

Also, roll call was demanded on motion of Rep. Pittman to amend **Sub SB 423** by amending the amendment designated as fa\_2018\_sb423\_h\_4183, as adopted by the Committee of the Whole on April 7, 2018, in section 1, in the appropriation for the special education services aid account (652-00-1000-0700) account in the state general fund for the department of education, by adding \$10,000,000 to the dollar amount and by adjusting such dollar amount accordingly;

Following section 1, by inserting:

"Sec. 2.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2020, the following:

Special education services aid (652-00-1000-0700).....\$20,000,000

Sec. 3.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Special education services aid (652-00-1000-0700).....\$30,000,000

Sec. 4.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Special education services aid (652-00-1000-0700).....\$40,000,000

Sec. 5.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Special education services aid (652-00-1000-0700).....\$40,000,000";

And by renumbering sections accordingly;

In the title, by striking "year" and inserting "years"; also in the title, after "June 30, 2019," by inserting "June 30, 2020, June 30, 2021, June 30, 2022, and June 30, 2023"

On roll call, the vote was: Yeas 43; Nays 75; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcala, Ballard, Bishop, Burroughs, Carlin, Carmichael, B. Carpenter, Clayton, Crum, S., Curtis, Deere, Finney, Gartner, Good, Helgerson, Henderson, Highberger, Hodge, Holscher, Horn, Kuether, Lusk, Lusker, Miller, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Phelps, Pittman, Probst, Ruiz, Sawyer, Stogsdill, S. Swanson, Trimmer, Victors, Ward, Weigel, Whipple, Winn, Wolfe Moore.

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

Present but not voting: None.

Absent or not voting: Frownfelter, Huebert, Schroeder, Schwab, Sloan, Trimboli, K. Williams.

The motion of Rep. Pittman to amend did not prevail.

**Sub SB 423**, AN ACT concerning education; relating to the instruction and financing thereof; Kansas school equity and enhancement act; BASE aid amount; enrollment weighting; preschool-aged at-risk students; consolidated school district total foundation aid; local option budget alternative calculation; funding reports; performance audits; bond authority; making and concerning appropriations for the fiscal years ending June 30, 2019, June 30, 2020, and June 30, 2021, for the department of education; making and concerning appropriations for the fiscal year ending June 30, 2019, for the state board of regents; amending K.S.A. 2017 Supp. 72-5132, 72-5141, 72-5144, 72-5149, 72-5155, 72-5171, 72-5173 and 72-5461 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 63; Nays 56; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Arnberger, Aurand, Baker, Barker, Becker, Brim, Clark, Clayton, Concannon, Cox, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Finch, Francis, Gallagher, Gartner, Good, Hawkins, Hibbard, Hineman, Hoffman, Holscher, Huebert, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Landwehr, Lewis, Lusker, Markley, Mastroni, Murnan, Orr, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Rooker, Ryckman, Schreiber, Smith, A., S. Swanson, Tarwater, Thompson, Trimmer, Waymaster, Wheeler.

Nays: Alcala, Awerkamp, Ballard, Bergquist, Bishop, Blex, Burris, Burroughs, Carlin, Carmichael, B. Carpenter, Claeys, Corbet, Crum, S., Curtis, Esau, Finney, Garber, Helgerson, Henderson, Highberger, Highland, Hodge, Horn, Houser, Humphries, Jacobs, K. Jones, Kuether, Lusk, Mason, Miller, Neighbor, Ohaebosim, Osterman, Ousley, Parker, R. Powell, Probst, Resman, Ruiz, Sawyer, Seiwert, Smith, E., Stogsdill, Sutton, Thimesch, Vickrey, Victors, Ward, Weber, C., Weigel, Whipple, Whitmer, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Frownfelter, Schroeder, Schwab, Sloan, Trimboli, K. Williams.  
The bill passed, as amended.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I vote no on **SB 423**. I am voting no because the increased funding is without accountability measures established by the legislature. Also, the mental health crisis is a statewide problem, not a specific area problem and should be dealt with on a statewide basis. The funding plan going out five years is irresponsible and attempts to control future legislature's appropriation process and will be seen as a promissory note begging for a court case if the funding is not met. — RON HIGHLAND, CHUCK WEBER, RANDY GARBER, KEITH ESAU

MR. SPEAKER: I vote no on **SB 423**. Nearly a decade has passed without constitutional funding levels. Rather than finding a bipartisan, constitutional solution for the children of Kansas, we are advancing another bill that is likely inadequate. Attempts to fix this have been rejected. How long must we wait? How long must my students wait for adequately funded schools? Now is the time to get this right. Mr. Speaker, I vote no. — BRETT PARKER, NANCY LUSK, STEVE CRUM, CINDY NEIGHBOR, JARROD OUSLEY, JERRY W. STOGSDILL, LOUIS RUIZ, SYDNEY CARLIN

MR. SPEAKER: The current educational system is broken. Student-based budgeting that focuses on student performance, gives financial incentives for schools that meet outcome goals, and allows students an escape from chronically low-performing schools—this would be a step in the right direction that actually addresses the quality of our students' education. We are not willing to take a stand as a legislature, allowing the court demand more money be invested in a broken system, exercising policy-making power it does not have. Mr. Speaker, for these and a multitude of other problematic issues with the current educational system, I vote No on **SB 423**. — RANDY POWELL

MR. SPEAKER: I vote no on **SB 423** because it fails to meet our constitutional and moral obligation to suitably fund the public schools. I therefore vote No on **SB 423**. — JOHN CARMICHAEL

MR. SPEAKER: I VOTE YES ON **SB 423**. Although I believe the fiscal note is too high, it's also time to put an end to this litigation. I was sent here from the 112th District to be a problem solver. I don't want to be the problem, I want to be a part of the solution. This is a compromise. I've had the chance to work within 3 different school districts. I've personally seen how rural school districts are struggling. I am a fiscal conservative, but I also want to help hurting districts and put an end to this issue. It's time to be problem solvers. — TORY MARIE ARNBERGER

MR. SPEAKER: While I have serious doubts that the funding levels in **SB 423** will be found constitutional by the Kansas Supreme Court, I vote yes on this bill. The only way to find a true solution to this issue would have been to work together, but I also believe we must work to move the process forward. Thank you, Mr. Speaker – EBER PHELPS, JIM GARTNER, CINDY HOLSCHER

MR. SPEAKER: I vote no on **SB 423**. The Kansas Supreme Court made it clear in October last year that we as a legislature had to get school funding right this time. I am glad that we are finally addressing the issue, but I cannot support a bill that does not solve the problem. I cannot vote for another band-aid fix that will most likely be found unconstitutional, just to bring us back here for special session when the Court makes its ruling. – ANNIE KUETHER, GAIL FINNEY, JOHN ALCALA, BRODERICK HENDERSON, ELIZABETH BISHOP, KC OHAEBOSIM, EILEEN HORN, TIM C. HODGE, PAM CURTIS, PONKA-WE VICTORS, JASON PROBST, HENRY HELGERSON

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**HB 2795**, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2018, and June 30, 2019, for the department of administration, by Committee on Appropriations.

## MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **S Sub for HB 2028**.

The Senate adopts the Conference Committee report on **S Sub for S Sub for HB 2386**.

The Senate adopts the Conference Committee report on **HB 2476**.

The Senate adopts the Conference Committee report on **HB 2482**.

The Senate adopts the Conference Committee report on **HB 2542**.

The Senate adopts the Conference Committee report on **Sub HB 2556**.

The Senate adopts the Conference Committee report on **HB 2583**.

The Senate adopts the Conference Committee report on **S Sub for HB 2600**.

The Senate adopts the Conference Committee report on **Sub HB 2602**.

The Senate adopts the Conference Committee report on **S Sub for HB 2701**.

The Senate concurs in House amendments to **SB 263**.

The Senate concurs in House amendments to **SB 275**, and requests return of the bill.

On motion of Rep. Hineman, the House recessed until 4:00 p.m.

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## 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 **SB 335**, **S Sub for HB 2028**, **HB 2482**, **S Sub for HB 2600**, **Sub HB 2602**, **S Sub for HB 2701**.

**CONFERENCE COMMITTEE REPORT**

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 335** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 48, following line 38, by inserting:

"Sec. 26. K.S.A. 2017 Supp. 9-512 is hereby amended to read as follows: 9-512. (a) The commissioner, after notice and an opportunity for hearing, may issue an order to address any violation of this act or rules and regulations adopted pursuant thereto:

(1) Assessing a fine against any person who violates this act, or rules and regulations adopted thereto, in an amount not to exceed \$5,000 per violation;

(2) assessing the agency's operating costs and expenses for investigating and enforcing this act;

(3) requiring the person to pay restitution for any loss arising from the violation or requiring the person to disgorge any profits arising from the violation;

(4) barring the person from future application for licensure pursuant to the act; and

(5) requiring such affirmative action as in the judgment of the commissioner which will carry out the purposes of this act.

(b) The commissioner may enter into a consent order at any time with a person to resolve a matter arising under this act, rules and regulations adopted thereto, or an order issued pursuant to this act.

(c) The commissioner may enter into an informal agreement at any time with a person to resolve a matter arising under this act, rules and regulations adopted pursuant thereto, or an order issued pursuant to this act. The adoption of an informal agreement authorized by this subsection shall not be subject to the provisions of K.S.A. 77-501 et seq. and amendments thereto, or K.S.A. 77-601 et seq., and amendments thereto. Any informal agreement authorized by this subsection shall not be considered an order or other agency action, and shall be considered confidential examination material pursuant to K.S.A. 9-513c, and amendments thereto. All such examination material shall also be confidential by law and privileged, shall not be subject to the open records act, K.S.A. 45-215 et seq., and amendments thereto, shall not be subject to subpoena and shall not be subject to discovery or admissible in evidence in any private civil action. The provisions of this subsection shall expire on July 1, 2023, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2023.

~~(e)~~(d) Any person who knowingly violates any provision of this act shall be guilty of a severity level 9, nonperson felony. Each transaction in violation of this act and each day that a violation continues shall be a separate offense. Whenever a corporation violates any provision of this act, such violation shall be attributed to individual directors, officers and agents who have authorized, ordered or performed any of the acts constituting such violation.

~~(4)~~(e) A corporation and its directors, officers and agents may each be prosecuted separately for violations of this act and the acquittal or conviction of one such director, officer or agent shall not abate the prosecution of the others.

~~(e)~~(f) Whenever it appears that a person has violated, or is likely to violate, this act,

rules and regulations adopted thereunder, or an order issued pursuant to this act, then the commissioner may bring an action for injunctive relief to enjoin the violation or enforce compliance, regardless of whether or not criminal proceedings have been instituted. Any person who engages in activities that are regulated and require a license under this act shall be considered to have consented to the jurisdiction of the courts of this state for all actions arising under this act.

Sec. 27. K.S.A. 2017 Supp. 9-513 is hereby amended to read as follows: 9-513. The commissioner ~~and the commissioner's designees shall rely on the deputy commissioner of the banking division established pursuant to K.S.A. 75-3135, and amendments thereto, and such deputy's staff~~ to administer, interpret and enforce this act for the purpose of protecting the citizens of this state, against financial loss, who purchase payment instruments or who give money or control of their funds or credit into the custody of another person for transmission, regardless of whether the transmitter has any office, facility, agent or other physical presence in the state.";

On page 49, in line 28, after "Supp." by inserting "9-512, 9-513,";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the second semicolon by inserting "updating the Kansas money transmitter act,"; in line 4, after "Supp." by inserting "9-512, 9-513,";

And your committee on conference recommends the adoption of this report.

JIM KELLY

RANDY POWELL

GAIL FINNEY

*Conferees on part of House*

JEFF LONGBINE

RICK BILLINGER

LYNN ROGERS

*Conferees on part of Senate*

On motion of Rep. Kelly, the conference committee report on **SB 335** was adopted.

On roll call, the vote was: Yeas 116; Nays 4; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bergquist, Bishop, Blex, Burroughs, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hoffman, Holscher, Horn, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Probst, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimboli, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, Winn, Wolfe Moore.

Nays: Burriss, Hodge, Miller, Ward.

Present but not voting: None.

Absent or not voting: Brim, Frownfelter, Schwab, Sloan, K. Williams.

### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2028** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 12 through 36;

By striking all on pages 2 through 24;

On page 25, by striking all in lines 1 through 40 and inserting the following:

"New Section 1. (a) Sections 1 through 6, and amendments thereto, shall be known and may be cited as the Kansas telemedicine act.

(b) This section shall take effect on and after January 1, 2019.

New Sec. 2. (a) For purposes of Kansas telemedicine act:

(1) "Distant site" means a site at which a healthcare provider is located while providing healthcare services by means of telemedicine.

(2) "Healthcare provider" means a physician, licensed physician assistant, licensed advanced practice registered nurse or person licensed, registered, certified or otherwise authorized to practice by the behavioral sciences regulatory board.

(3) "Originating site" means a site at which a patient is located at the time healthcare services are provided by means of telemedicine.

(4) "Physician" means a person licensed to practice medicine and surgery by the state board of healing arts.

(5) "Telemedicine," including "telehealth," means the delivery of healthcare services or consultations while the patient is at an originating site and the healthcare provider is at a distant site. Telemedicine shall be provided by means of real-time two-way interactive audio, visual, or audio-visual communications, including the application of secure video conferencing or store-and-forward technology to provide or support healthcare delivery, that facilitate the assessment, diagnosis, consultation, treatment, education and care management of a patient's healthcare. "Telemedicine" does not include communication between:

(A) Healthcare providers that consist solely of a telephone voice-only conversation, email or facsimile transmission; or

(B) a physician and a patient that consists solely of an email or facsimile transmission.

(b) This section shall take effect on and after January 1, 2019.

New Sec. 3. (a) The same requirements for patient privacy and confidentiality under the health insurance portability and accountability act of 1996 and 42 C.F.R. § 2.13, as applicable, that apply to healthcare services delivered via in-person contact shall also apply to healthcare services delivered via telemedicine. Nothing in this section shall supersede the provisions of any state law relating to the confidentiality, privacy, security or privileged status of protected health information.

(b) Telemedicine may be used to establish a valid provider-patient relationship.

(c) The same standards of practice and conduct that apply to healthcare services delivered via in-person contact shall also apply to healthcare services delivered via

telemedicine.

(d) (1) A person authorized by law to provide and who provides telemedicine services to a patient shall provide the patient with guidance on appropriate follow-up care.

(2) (A) Except when otherwise prohibited by any other provision of law, when the patient consents and the patient has a primary care or other treating physician, the person providing telemedicine services shall send within three business days a report to such primary care or other treating physician of the treatment and services rendered to the patient in the telemedicine encounter.

(B) A person licensed, registered, certified or otherwise authorized to practice by the behavioral sciences regulatory board shall not be required to comply with the provisions of subparagraph (A).

(e) This section shall take effect on and after January 1, 2019.

New Sec. 4. (a) The provisions of this section shall apply to any individual or group health insurance policy, medical service plan, contract, hospital service corporation contract, hospital and medical service corporation contract, fraternal benefit society or health maintenance organization that provides coverage for accident and health services and that is delivered, issued for delivery, amended or renewed on or after January 1, 2019. The provisions of this section shall also apply to the Kansas medical assistance program.

(b) No individual or group health insurance policy, medical service plan, contract, hospital service corporation contract, hospital and medical service corporation contract, fraternal benefit society, health maintenance organization or the Kansas medical assistance program shall exclude an otherwise covered healthcare service from coverage solely because such service is provided through telemedicine, rather than in-person contact, or based upon the lack of a commercial office for the practice of medicine, when such service is delivered by a healthcare provider.

(c) The insured's medical record shall serve to satisfy all documentation for the reimbursement of all telemedicine healthcare services, and no additional documentation outside of the medical record shall be required.

(d) Payment or reimbursement of covered healthcare services delivered through telemedicine may be established by an insurance company, nonprofit health service corporation, nonprofit medical and hospital service corporation or health maintenance organization in the same manner as payment or reimbursement for covered services that are delivered via in-person contact are established.

(e) Nothing in this section shall be construed to:

(1) Prohibit an individual or group health insurance policy, medical service plan, contract, hospital service corporation contract, hospital and medical service corporation contract, fraternal benefit society or health maintenance organization that provides coverage for telemedicine or the Kansas medical assistance program from providing coverage for only those services that are medically necessary, subject to the terms and conditions of the covered individual's health benefits plan;

(2) mandate coverage for a healthcare service delivered via telemedicine if such healthcare service is not already a covered healthcare service, when delivered by a healthcare provider subject to the terms and conditions of the covered individual's health benefits plan; or

(3) allow an individual or group health insurance policy, medical service plan,

contract, hospital service corporation contract, hospital and medical service corporation contract, fraternal benefit society or health maintenance organization that provides coverage for telemedicine or the Kansas medical assistance program to require a covered individual to use telemedicine or in lieu of receiving an in-person healthcare service or consultation from an in-network provider.

(f) The provisions of K.S.A. 40-2248 and 40-2249a, and amendments thereto, shall not apply to this section.

(g) This section shall take effect on and after January 1, 2019.

New Sec. 5. (a) The state board of healing arts, following consultation with the state board of pharmacy and the board of nursing, shall adopt rules and regulations relating to the prescribing of drugs, including controlled substances, via telemedicine. Such rules and regulations shall be adopted by December 31, 2018.

(b) The state board of healing arts shall adopt such rules and regulations as may be necessary to effectuate the provisions of Kansas telemedicine act. Such rules and regulation shall be adopted by December 31, 2018.

(c) The behavioral sciences regulatory board shall adopt such rules and regulations as may be necessary to effectuate the provisions of Kansas telemedicine act. Such rules and regulations shall be adopted by December 31, 2018.

New Sec. 6. Nothing in the Kansas telemedicine act shall be construed to authorize the delivery of any abortion procedure via telemedicine.

New Sec. 7. (a) On and after January 1, 2019, the department of health and environment and any managed care organization providing state medicaid services under the Kansas medical assistance program shall provide coverage for speech-language pathology services and audiology services provided by a licensed speech-language pathologist or audiologist licensed by the Kansas department for aging and disability services by means of telehealth, as defined in section 2, and amendments thereto, if such services would be covered by the Kansas medical assistance program when delivered via in-person contact.

(b) The department of health and environment shall implement and administer this section consistent with applicable federal laws and regulations and shall submit to the United States centers for medicare and medicaid services any state medicaid plan amendment, waiver request or other approval request necessary to implement this section.

(c) The department of health and environment shall adopt rules and regulations as may be necessary to implement and administer this section. Such rules and regulations shall be adopted on or before December 31, 2018.

(d) On or before January 13, 2020, the department of health and environment shall prepare an impact report that assesses the social and financial effects of the coverage mandated by this section, including the impacts listed in K.S.A. 40-2249(a) and (b), and amendments thereto, and shall submit such report to the legislature and the house of representatives standing committee on health and human services, the house of representatives standing committee on insurance, the senate standing committee on public health and welfare and the senate standing committee on financial institutions and insurance.

Sec. 8. K.S.A. 2017 Supp. 40-2,103 is hereby amended to read as follows: 40-2,103. The requirements of K.S.A. 40-2,100, 40-2,101, 40-2,102, 40-2,104, 40-2,105, 40-2,114, 40-2,160, 40-2,165 through 40-2,170, ~~inclusive~~, 40-2250, K.S.A. 2017 Supp.

40-2,105a, 40-2,105b, 40-2,184, 40-2,190 ~~and~~, 40-2,194, and sections 1 through 6, and amendments thereto, shall apply to all insurance policies, subscriber contracts or certificates of insurance delivered, renewed or issued for delivery within or outside of this state or used within this state by or for an individual who resides or is employed in this state.

Sec. 9. K.S.A. 2017 Supp. 40-19c09 is hereby amended to read as follows: 40-19c09. (a) Corporations organized under the nonprofit medical and hospital service corporation act shall be subject to the provisions of the Kansas general corporation code, articles ~~60 to through 74, inclusive~~, of chapter 17 of the Kansas Statutes Annotated, and amendments thereto, applicable to nonprofit corporations, to the provisions of K.S.A. 40-214, 40-215, 40-216, 40-218, 40-219, 40-222, 40-223, 40-224, 40-225, 40-229, 40-230, 40-231, 40-235, 40-236, 40-237, 40-247, 40-248, 40-249, 40-250, 40-251, 40-252, 40-2,100, 40-2,101, 40-2,102, 40-2,103, 40-2,104, 40-2,105, 40-2,116, 40-2,117, 40-2,125, 40-2,153, 40-2,154, 40-2,160, 40-2,161, 40-2,163 through 40-2,170, ~~inclusive~~, 40-2a01 et seq., ~~40-2111 to through 40-2116, inclusive~~, 40-2215 ~~to through 40-2220, inclusive~~, 40-2221a, 40-2221b, 40-2229, 40-2230, 40-2250, 40-2251, 40-2253, 40-2254, 40-2401 ~~to through 40-2421, inclusive~~, and 40-3301 ~~to through 40-3313, inclusive~~; and K.S.A. 2017 Supp. 40-2,105a, 40-2,105b, 40-2,184, 40-2,190 ~~and~~, 40-2,194, and sections 1 through 6, and amendments thereto, except as the context otherwise requires, and shall not be subject to any other provisions of the insurance code except as expressly provided in this act.

(b) No policy, agreement, contract or certificate issued by a corporation to which this section applies shall contain a provision which excludes, limits or otherwise restricts coverage because medicaid benefits as permitted by title XIX of the social security act of 1965 are or may be available for the same accident or illness.

(c) Violation of subsection (b) shall be subject to the penalties prescribed by K.S.A. 40-2407 and 40-2411, and amendments thereto.

Sec. 10. K.S.A. 2017 Supp. 40-2,103 and 40-19c09 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "ACT"; by striking lines 2 through 8; in line 9, by striking all before the period and inserting "concerning health and healthcare; relating to the practice of telemedicine; Kansas medical assistance program; enacting the Kansas telemedicine act; amending K.S.A. 2017 Supp. 40-2,103 and 40-19c09 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

VICKI SCHMIDT  
BARBARA BOLLIER  
LAURA KELLY

*Conferees on part of Senate*

DANIEL R. HAWKINS  
SUSAN CONCANNON  
MONICA MURNAN

*Conferees on part of House*

On motion of Rep. Hawkins to adopt the conference committee report on **S Sub for HB 2028**, Rep. Barker offered a substitute motion to not adopt the conference

committee report and that a new conference committee be appointed.

The substitute motion of Rep. Barker prevailed and Speaker Ryckman appointed Reps. Hawkins, Concannon and Murnan as second conferees on the part of the House.

On roll call, the vote was: Yeas 75; Nays 45; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Aramberger, Aurand, Awerkamp, Barker, Becker, Bergquist, Blex, Burris, B. Carpenter, Claeys, Clark, Concannon, Corbet, Cox, Crum, S., E. Davis, Delperdang, Dierks, Dietrich, Dove, Ellis, Eplee, Esau, Finch, Francis, Garber, Good, Hawkins, Hibbard, Highland, Hineman, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Karleskint, Kelly, Landwehr, Lewis, Lusker, Markley, Mason, Mastroni, Orr, Osterman, F. Patton, Phelps, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Ryckman, Schreiber, Schroeder, Seiwert, Smith, A., Smith, E., Sutton, Tarwater, Thimesch, Thompson, Trimboli, Vickrey, Waymaster, Weber, C., Wheeler, Whitmer.

Nays: Alcalá, Baker, Ballard, Bishop, Burroughs, Carlin, Carmichael, Clayton, Curtis, Deere, Elliott, Finney, Gallagher, Gartner, Helgerson, Henderson, Highberger, Hodge, Holscher, Horn, Judd-Jenkins, Kessinger, Koesten, Kuether, Lusk, Miller, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Phillips, Probst, Rooker, Ruiz, Sawyer, Stogsdill, S. Swanson, Trimmer, Victors, Ward, Weigel, Whipple, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Brim, Frownfelter, Schwab, Sloan, K. Williams.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2482** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 7 through 36;

By striking all on pages 2 through 9;

On page 10, by striking all in lines 1 through 21;

Also, on page 10, following line 21, by inserting:

"New Section 1. The purpose of K.S.A. 2017 Supp. 75-3740e and 75-3740f, and amendments thereto, is to declare that Israel is a prominent trading partner of the state of Kansas and that the state, and those companies that do business by and through the state, in the interest of the state's economic policy, should not boycott trade with Israel. Companies that refuse to deal with United States trade partners such as Israel make discriminatory decisions on the basis of national origin that impair those companies' commercial soundness. Israel is known for its dynamic and innovative approach in many business sectors, and a company's decision to discriminate against persons or entities doing business in Israel or in territories controlled by Israel is an unsound business practice making the company an unduly risky contracting partner. It is also the public policy of the United States, as enshrined in several federal acts, including 50 U.S.C. § 4607, to oppose such boycotts, and congress has concluded as a matter of national trade policy that cooperation with Israel materially benefits United States companies and improves American competitiveness.

Sec. 2. K.S.A. 2017 Supp. 75-3740e is hereby amended to read as follows: 75-

3740e. As used in K.S.A. 2017 Supp. 75-3740e and 75-3740f, and amendments thereto:

(a) "Boycott" means engaging in a refusal to deal, terminating business activities or performing other actions that are intended to limit commercial relations with persons or entities doing business in Israel or in territories controlled by Israel, if those actions are taken either:

(1) In compliance with or adherence to calls for a boycott of Israel other than those boycotts to which 50 U.S.C. § 4607(c) applies; or

(2) in a manner that discriminates on the basis of nationality, national origin or religion, and that is not based on a valid business reason;

(b) "company" means ~~a sole proprietorship,~~ an organization, association, corporation, partnership, venture or other entity, its subsidiary or affiliate, that exists for profitmaking purposes or to otherwise secure economic advantage; ~~and~~

(c) "contract" means a written agreement between the state and a company to acquire or dispose of goods or services with an aggregate price of more than \$100,000. "Contract" does not mean a written agreement between the state and an individual to acquire or dispose of goods or services, including employment or consultant services; and

(d) "state" means this state or an agency, board, commission or department of this state.

Sec. 3. K.S.A. 2017 Supp. 75-3740f is hereby amended to read as follows: 75-3740f. (a) Except as provided in subsection (c), the state shall not enter into a contract with ~~an individual or a~~ company to acquire or dispose of services, supplies, information technology or construction, unless such ~~individual or~~ company submits a written certification that such ~~individual or~~ company is not currently engaged in a boycott of goods or services from Israel that constitutes an integral part of business conducted or sought to be conducted with the state.

(b) The state may not adopt a procurement, investment or other policy that has the effect of inducing or requiring a person to boycott the government of Israel or its instrumentalities, or to boycott a person doing business in Israel or territories under its jurisdiction, when such boycott is on the basis of such person's location in such places.

(c) The secretary of administration will approve contracts, or may waive application of this section on any contract with any state agency if the secretary determines that compliance is not practicable.";

Also on page 10, in line 22, by striking all after "Supp."; in line 23, by striking "41-2640" and inserting "75-3740e and 75-3740f";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in line 2; in line 3, by striking "consumption" and inserting "state contracts; relating to application of contract requirements regarding anti-Israel boycotts"; also in line 3, by striking all after "Supp."; also in line 4, by striking all before the second "and" and inserting "75-3740e and 75-3740f";

And your committee on conference recommends the adoption of this report.

BUD ESTES  
 ROB OLSON  
 OLETHA FAUST GOUDEAU  
*Conferees on part of Senate*

JOHN BARKER  
 RONALD L. HIGHLAND  
 LOUIS E. RUIZ  
*Conferees on part of House*

On motion of Rep. Barker, the conference committee report on **HB 2482** was adopted.

On roll call, the vote was: Yeas 88; Nays 32; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bergquist, Blex, Burris, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., E. Davis, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Gallagher, Garber, Hawkins, Hibbard, Highland, Hineman, Hoffman, Holscher, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Landwehr, Lewis, Lusker, Markley, Mason, Mastroni, Orr, Osterman, Parker, F. Patton, Phelps, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ryckman, Schreiber, Schroeder, Seiwert, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimboli, Vickrey, Waymaster, Weber, C., Wheeler, Whipple, Whitmer, Wolfe Moore.

Nays: Alcalá, Bishop, Burroughs, Carlin, Carmichael, Curtis, Deere, Finney, Gartner, Good, Helgerson, Henderson, Highberger, Hodge, Horn, Houser, Kuether, Lusk, Miller, Murnan, Neighbor, Ohaebosim, Ousley, Pittman, Probst, Ruiz, Sawyer, Trimmer, Victors, Ward, Weigel, Winn.

Present but not voting: None.

Absent or not voting: Brim, Frownfelter, Schwab, Sloan, K. Williams.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2600** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2600, as follows:

On page 10, following line 38, by inserting:

"New Sec. 3. (a) There is hereby created the palliative care and quality of life interdisciplinary advisory council within the department of health and environment. The purpose of this council is to develop recommendations and advise the department of health and environment on matters related to the establishment, maintenance, operation, outcomes evaluation of palliative care initiatives in the state, and effectiveness of the palliative care consumer and professional information and education program.

(b) (1) The palliative care and quality of life interdisciplinary advisory council shall consist of 13 members appointed on or before October 1, 2018. The members shall be

appointed as follows: (A) Two members appointed by the governor; (B) two members appointed by the speaker of the house of representatives; (C) one member appointed by the minority leader of the house of representatives; (D) two members appointed by the president of the senate; (E) one member appointed by the minority leader of the senate; (F) one member appointed by the secretary of health and environment who shall represent the department of health and environment; (G) one member appointed by the secretary for aging and disability services who shall represent the department for aging and disability services; (H) one member of the house committee on health and human services appointed by the chair of the house committee on health and human services; (I) one member appointed by the majority leader of the house of representatives; and (J) one member of the senate committee on public health and welfare appointed by the chair of the senate committee on public health and welfare.

(2) Members of the palliative care and quality of life interdisciplinary advisory council shall be individuals with experience and expertise in interdisciplinary palliative care medical, nursing, social work, pharmacy and spiritual guidance. Membership shall specifically include health care professionals having palliative care work experience or expertise in palliative care delivery models in a variety of inpatient, outpatient and community settings and with a variety of populations including pediatric, youth and adults. At least two members of the palliative care and quality of life interdisciplinary advisory council shall be board-certified hospice and palliative medicine physicians or nurses, and at least one member shall be a patient or a caregiver.

(3) Members of the palliative care and quality of life interdisciplinary advisory council shall serve for a period of three years and shall serve at the pleasure of their respective appointing authorities. The members shall elect a chair and vice chair whose duties shall be established by the council. The department of health and environment shall fix a time and place for regular meetings of the council, which shall meet at least twice annually.

(4) Members of the palliative care and quality of life interdisciplinary advisory council shall serve without compensation, but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties.

(c) "Palliative care" means an approach that improves the quality of life of patients and their families facing the problem associated with life-threatening illness, through the prevention and relief of suffering by means of early identification and impeccable assessment and treatment of pain and other problems, physical, psychosocial and spiritual. Palliative care:

- (1) Provides relief from pain and other distressing symptoms;
- (2) affirms life and regards dying as a normal process;
- (3) intends neither to hasten or postpone death;
- (4) integrates the psychological and spiritual aspects of patient care;
- (5) offers a support system to help patients live as actively as possible until death;
- (6) offers a support system to help the family cope during the patient's illness and in their own bereavement;
- (7) uses a team approach to address the needs of patients and their families, including bereavement counseling, if indicated;
- (8) will enhance quality of life, and may also positively influence the course of illness; and
- (9) is applicable early in the course of illness, in conjunction with other therapies

that are intended to prolong life, such as chemotherapy or radiation therapy, and includes those investigations needed to better understand and manage distressing clinical complications.

New Sec. 4. (a) There is hereby created the state palliative care consumer and professional information and education program in the department of health and environment. The purpose of the state palliative care consumer and professional information and education program is to maximize the effectiveness of palliative care initiatives in the state by ensuring that comprehensive and accurate information and education about palliative care is available to the public, health care providers and health care facilities.

(b) The department of health and environment:

(1) Shall publish information and resources on its website, including links to external resources, about palliative care for the public, health care providers and health care facilities. The information shall include, but not be limited to, the following:

(A) Continuing education opportunities for health care providers;

(B) information about palliative care delivery in home, primary, secondary and tertiary environments; and

(C) consumer educational materials and referral information for palliative care, including hospice;

(2) may develop and implement any other initiatives regarding palliative care services and education that it determines would further the purposes of this section; and

(3) shall consult with the palliative care and quality of life interdisciplinary advisory council.

(c) "Palliative care" shall have the meaning ascribed to it in section 3, and amendments thereto.";

And by renumbering sections accordingly;

On page 1, in the title, in line 6, after the second semicolon by inserting "establishing the palliative care and quality of life interdisciplinary advisory council and the palliative care consumer and professional information and education program;"

And your committee on conference recommends the adoption of this report.

VICKI SCHMIDT  
BARBARA BOLLIER  
LAURA KELLY

*Conferees on part of Senate*

DANIEL R. HAWKINS  
SUSAN CONCANNON  
MONICA MURNAN

*Conferees on part of House*

On motion of Rep. Hawkins, the conference committee report on **S Sub for HB 2600** was adopted.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bergquist, Bishop, Blex, Burris, Burroughs, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere,

Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Horn, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Probst, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimboli, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Brim, Frownfelter, Schwab, Sloan, K. Williams.

### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2602** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, in line 6, by striking "and other reading comprehension impairments"; in line 9, by striking all after "dyslexia"; in line 10, by striking all before the period; in line 11, by striking "November 1, 2018" and inserting "January 2, 2019"; in line 12, by striking "December"; in line 13, by striking all before the period and inserting "January 30, 2019"; in line 16, by striking "reading comprehension impairments and"; in line 20, by striking all before "like" and inserting "difficulties"; in line 21, by striking "and other reading comprehension impairments"; in line 27, by striking all after "dyslexia"; in line 28, by striking "impairments"; in line 32, by striking all before the comma and inserting "difficulties";

On page 2, in line 2, by striking "17" and inserting "16"; in line 32, after "senate" by inserting "and one elementary school classroom teacher shall be"; also in line 32, after "appointed" by inserting "jointly"; also in line 32, after "chairperson" by inserting "and the ranking minority member"; in line 34, after "representatives" by inserting "and one elementary school classroom teacher shall be"; also in line 34, after "appointed" by inserting "jointly"; in line 35, after "chairperson" by inserting "and the ranking minority member"; in line 42, by striking "two members" and inserting "one member"; also in line 42, by striking "principals" and inserting "a principal";

On page 3, in line 5, after "branch" by inserting ", and such appointments shall be made with an effort to provide statewide representation, if possible"; in line 12, by striking all after "(10)"; by striking all in lines 13 through 15; in line 16, by striking "(12)"; in line 19, after "member" by inserting ", identified as a nonprofit service provider for children diagnosed with dyslexia,"; also in line 19, by striking all after "the"; in line 20, by striking all before the semicolon and inserting "chairperson of the task force"; in line 25, by striking "and"; in line 29, after "education" by inserting "; and (C) one member shall be appointed by the disability rights center of Kansas";

On page 4, in line 8, by striking "and other reading comprehension impairments";

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

On page 1, in the title, in line 2, by striking "and other reading comprehension impairments";

And your committee on conference recommends the adoption of this report.

MOLLY BAUMGARDNER

LARRY ALLEY

PAT PETTEY

*Conferees on part of Senate*

CLAY AURAND

BRENDA S. DIETRICH

VALDENIA C. WINN

*Conferees on part of House*

On motion of Rep. Aurand, the conference committee report on **Sub HB 2602** was adopted.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bergquist, Bishop, Blex, Burris, Burroughs, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Horn, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Probst, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimboli, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Brim, Frownfelter, Schwab, Sloan, K. Williams.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2701** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, in line 7, by striking "19" and inserting "17"; in line 9, by striking all after "(1)"; by striking all in lines 10 through 17; in line 18, by striking "senate" and inserting "The chairperson, vice-chairperson and ranking minority member of the house standing committee on energy, utilities and telecommunications";

(2) the chairperson, vice-chairperson and ranking minority member of the senate standing committee on utilities";

Also on page 1, by striking all in lines 35 and 36;

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

And your committee on conference recommends the adoption of this report.

ROB OLSON

MIKE PETERSEN

TOM HAWK

*Conferees on part of Senate*

JOE SEIWERT

RANDY GARBER

ANNIE KUETHER

*Conferees on part of House*

On motion of Rep. Seiwert, the conference committee report on **S Sub for HB 2701** was adopted.

On roll call, the vote was: Yeas 117; Nays 3; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bergquist, Bishop, Blex, Burroughs, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Gallagher, Garber, Gartner, Good, Hawkins, Helgeson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Horn, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Probst, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Thimesch, Thompson, Trimboli, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Winn, Wolfe Moore.

Nays: Burris, Sutton, Whitmer.

Present but not voting: None.

Absent or not voting: Brim, Frownfelter, Schwab, Sloan, K. Williams.

On motion of Rep. Hineman, the House recessed until 8:00 p.m.

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EVENING SESSION

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

On motion of Rep. Hineman, the House recessed until 8:45 p.m.

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## NIGHT SESSION

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

**MESSAGES FROM THE SENATE**

Announcing adoption of **SCR 1615**.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

On emergency motion of Rep. Hineman, **HCR 5030**, as follows, was introduced and adopted:

**HOUSE CONCURRENT RESOLUTION No. HCR 5030 --**

By Representatives Ryckman, Hineman and Ward

**HCR 5030 --** A CONCURRENT RESOLUTION relating to the 2018 regular session of the legislature; extending such session beyond 90 calendar days; and providing for adjournment thereof.

*Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected to the House of Representatives and two-thirds of the members elected to the Senate concurring therein:* That the 2018 regular session of the legislature shall be extended beyond 90 calendar days; and

*Be it further resolved:* That the legislature shall adjourn at the close of business of the daily session convened on April 8, 2018, and shall reconvene at 10:00 a.m. on April 26, 2018; and

*Be it further resolved:* That the legislature may adjourn and reconvene at any time during the period on and after April 26, 2018, to May 24, 2018, but the legislature shall reconvene at 10:00 a.m. on May 24, 2018, at which time the legislature shall continue in session and shall adjourn sine die at the close of business on May 24, 2018; and

*Be it further resolved:* That the secretary of the senate and the chief clerk of the house of representatives and employees specified by the director of legislative administrative services for such purpose shall attend their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

*Be it further resolved:* That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a(a) and (b), and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

*Be it further resolved:* That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the Legislative Coordinating Council or by the President of the Senate or the Speaker of the House of Representatives and members of a conference committee attending a meeting of the conference committee authorized by the President of the Senate and the Speaker of the House of Representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation, subsistence allowances, mileage and other expenses in amounts prescribed under K.S.A. 75-3212, and amendments thereto.

On motion of Rep. Hineman, the House recessed until 11:30 p.m.

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LATE NIGHT SESSION

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

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bills were thereupon introduced and read by title:

**SCR 1615**

On emergency motion of Rep. Hineman, **SCR 1615**, as follows, was introduced and adopted.

SENATE CONCURRENT RESOLUTION No. **SCR 1615**

By Senators Wagle and Denning

**SCR 1615** – A CONCURRENT RESOLUTION relating to the 2018 regular session of the legislature; extending such session beyond 90 calendar days; and providing for adjournment thereof.

*Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected to the Senate and two-thirds of the members elected to the House of Representatives concurring therein:* That the 2018 regular session of the legislature shall be extended beyond 90 calendar days; and

*Be it further resolved:* That the legislature shall adjourn at the close of business of the daily session convened on April 8, 2018, and shall reconvene at 10:00 a.m. on April 26, 2018; and

*Be it further resolved:* That the legislature may adjourn and reconvene at any time during the period on and after April 26, 2018, to May 4, 2018, but the legislature shall reconvene at 10:00 a.m. on May 4, 2018, at which time the legislature shall continue in session and shall adjourn sine die at the close of business on May 4, 2018; and

*Be it further resolved:* That the secretary of the senate and the chief clerk of the house of representatives and employees specified by the director of legislative administrative services for such purpose shall attend their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

*Be it further resolved:* That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a(a) and (b), and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

*Be it further resolved:* That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the Legislative Coordinating Council or by the President of the Senate or the Speaker of the House of Representatives and members of a conference committee attending a meeting of the conference committee authorized by the President of the Senate and the Speaker of the House of Representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments

thereto, shall receive compensation, subsistence allowances, mileage and other expenses in amounts prescribed under K.S.A. 75-3212, and amendments thereto.

#### **INTRODUCTION OF ORIGINAL MOTIONS**

Rep. Finch moved that pursuant to House Rule 2311, that House Rule 101 be suspended for the purpose of working between the hours of 12 midnight and 8:00 a.m.

The motion prevailed.

#### **REPORT ON ENGROSSED BILLS**

**HB 2482** reported correctly engrossed on April 7, 2018.

**Sub HB 2602, S Sub HB 2701** reported correctly re-engrossed on April 7, 2018.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Thursday, April 26, 2018.

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#### **REPORT ON ENROLLED RESOLUTIONS**

**HR 6059** reported correctly enrolled and properly signed on April 9, 2018.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

