HOUSE JOURNAL

PROCEEDINGS

OF THE

House of Representatives

OF

The Legislature

OF THE

STATE OF KANSAS

REGULAR 2016 SESSION

JANUARY 11 THROUGH ADJOURNMENT JUNE 1, 2016

AND

2016 SPECIAL SESSION

JUNE 23 THROUGH JUNE 24, 2016

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

DIVISION OF PRINTING
DEPARTMENT OF ADMINISTRATION
TOPEKA, KANSAS
2016

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Governor
SAM BROWNBACK, Topeka

Lieutenant Governor
JEFF COLYER, Overland Park

OFFICERS OF THE HOUSE

Session of 2016

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

HOUSE OF REPRESENTATIVES—2016
MEMBERS LISTED ALPHABETICALLY

Name	*Party*	*Dist.*	*Occupation*
Alcala, John, Shawnee	Dem.	57	Retired US Navy
Alford, Steve, Grant	Rep.	124	Farmer
Anthimides, Steven, Sedgwick	Rep.	98	Business Owner
Ballard, Barbara, Douglas	Dem.	44	University Administrator
Barker, John, Dickinson	Rep.	70	Retired Judge
Barton, Tony, Leavenworth	Rep.	41	Pastor
Becker, Steven, Reno	Rep.	104	Ret. District Court Judge
Billinger, Rick, Sherman	Rep.	120	Retired Businessman/Farmer
Boldra, Sue, Ellis	Rep.	111	Educator
Bollier, Barbara, Johnson	Rep.	21	Retired Physician
Bradford, John, Leavenworth	Rep.	40	Consultant
Bruchman, Rob, Johnson	Rep.	20	Attorney
Burroughs, Tom, Wyandotte	Dem.	33	Ret. Colgate-Palmolive
Campbell, Larry, Johnson	Rep.	26	Banking/Professor
Carlin, Sydney, Riley	Dem.	66	Investments, Property manager
Carmichael, John, Sedgwick	Dem.	92	Attorney
Carpenter, Blake, Sedgwick	Rep.	81	Contractor - Rockwell Collins
Carpenter, Will, Butler	Rep.	75	Business Owner
Claeys, J. R. , Saline	Rep.	69	Nonprofit Management
Clark, Lonnie, Geary	Rep.	65	Retired
Clayton, Stephanie, Johnson	Rep.	19	Social Media Consultant
Concannon, Susan, Mitchell	Rep.	107	Former Executive Director-Medical Foundation
Corbet, Ken, Shawnee	Rep.	54	Business Owner
Curtis, Pam, Wyandotte	Dem.	32	Community Relations
Davis, Erin, Johnson	Rep.	15	Attorney
DeGraaf, Pete, Sumner	Rep.	82	Financial Consulting, Ministry Director
Dierks, Diana, Saline	Rep.	71	Realtor
Doll, John, Finney	Rep.	123	Self-employed
Dove, Willie, Wyandotte	Rep.	38	Insurance Sales
Edmonds, John, Barton	Rep.	112	Certified Public Accountant
Esau, Keith , Johnson	Rep.	14	Software Engineer
Estes, Bud, Ford	Rep.	119	Farm machinery dealer
Ewy, John, Hodgeman	Rep.	117	Community College Professor
Finch, Blaine, Franklin	Rep.	59	Attorney
Finney, Gail, Sedgwick	Dem.	84	Small Business Owner
Francis, Shannon, Seward	Rep.	125	Developer
Frownfelter, Stan, Wyandotte	Dem.	37	Sales
Gallagher, Linda, Johnson	Rep.	23	Freelance writer and editor

Garber, Randy, Nemaha	Rep.	62	Retired Navy/ Construction Worker
Goico, Mario, Sedgwick	Rep.	94	Financial Advisor
Gonzalez, Ramon, Jefferson	Rep.	47	Police Chief
Grosserode, Amanda, Johnson	Rep.	16	
Hawkins, Daniel, Sedgwick	Rep.	100	Insurance Agent
Hedke, Dennis, Sedgwick	Rep.	99	Consulting Geophysicist
Helgerson, Henry, Sedgwick	Dem.	83	Businessman
Hemsley, Lane, Shawnee	Rep.	56	Attorney/Administrator
Henderson, Broderick, Wyandotte	Dem.	35	Parking Controller Office
Henry, Jerry, Atchison	Dem.	63	Executive Director- Achievement Services
Hibbard, Larry, Woodson	Rep.	13	Stockman/Rancher
Highberger, Dennis "Boog", Douglas	Dem.	46	Attorney
Highland, Ron, Pottawatomie	Rep.	51	Retired Veterinarian
Hildabrand, Brett, Johnson	Rep.	17	Job Recruiter
Hill, Don, Lyon	Rep.	60	Pharmacist
Hineman, Don, Lane	Rep.	118	Farmer
Hoffman, Kyle, Comanche	Rep.	116	Farmer/Rancher
Houser, Michael, Cherokee	Rep.	1	Construction Estimator
Houston, Roderick, Sedgwick	Dem.	89	Minister
Huebert, Steve, Sedgwick	Rep.	90	Self-employed
Hutchins, Becky, Jackson	Rep.	61	Retired
Hutton, Mark, Sedgwick	Rep.	105	General Contractor
Jennings, Russell, Kearny	Rep.	122	Government Consulting
Johnson, Steven, Saline	Rep.	108	Farmer
Jones, Dick, Shawnee	Rep.	52	Retired US Navy
Jones, Kevin, Franklin	Rep.	5	Entrepreneur
Kahrs, Mark, Sedgwick	Rep.	87	Attorney
Kelley, Kasha, Cowley	Rep.	80	Marketing
Kelly, Jim, Montgomery	Rep.	11	Banker
Kiegerl, Mike, Johnson	Rep.	121	Adjunct Professor, Ret.
Kleeb, Marvin, Johnson	Rep.	48	Business Owner
Kuether, Annie, Shawnee	Dem.	55	--
Lewis, Greg, Stafford	Rep.	113	Farmer/Rancher
Lunn, Jerry, Johnson	Rep.	28	Consultant/Real Estate Investment
Lusk, Nancy, Johnson	Dem.	22	Small Business Owner
Lusker, Adam , Cherokee	Dem.	2	Owner, A. Lusker Masonry LLC
Macheers, Charles, Johnson	Rep.	39	Attorney
Mason, Les, McPherson	Rep.	73	Business Owner
Mast, Peggy, Lyon	Rep.	76	Retired
McPherson, Craig, Johnson	Rep.	8	Attorney
Merrick, Ray, Johnson	Rep.	27	Retired
Moxley, Tom, Morris	Rep.	68	Farmer / Rancher
O'Brien, Connie, Leavenworth	Rep.	42	Private Investigator
Osterman, Les, Sedgwick	Rep.	97	Retired
Ousley, Jarrod, Johnson	Dem.	24	Paint Contractor
Patton, Fred, Shawnee	Rep.	50	Attorney
Pauls, Jan, Reno	Rep.	102	Attorney
Peck, Virgil, Montgomery	Rep.	12	Insurance Agent

Phillips, Tom, Riley	Rep.	67	Community Development Consultant
Powell, Randy , Johnson	Rep.	30	Financial Advisor
Proehl, Richard, Labette	Rep.	7	Banker
Rahjes, Ken, Phillips	Rep.	110	Agricultural Communications
Read, Marty, Linn	Rep.	4	Auctioneer/ Realtor/ Rancher
Rhoades, Marc, Harvey	Rep.	72	Advisor Associate
Rooker, Melissa, Johnson	Rep.	25	Retired film executive
Rubin, John, Johnson	Rep.	18	Attorney and Arbitrator
Ruiz, Louis, Wyandotte	Dem.	31	Retired; Lucent
Ryckman, Ron, Johnson	Rep.	78	Business Consultant/Contractor
Ryckman Sr., Ronald, Meade	Rep.	115	Retired Teacher/Coach
Sawyer, Tom, Sedgwick	Dem.	95	Accountant
Scapa, Joseph, Sedgwick	Rep.	88	Realtor
Schroeder, Don, McPherson	Rep.	74	Farmer
Schwab, Scott, Johnson	Rep.	49	Healthcare Sales
Schwartz, Sharon, Washington	Rep.	106	Business Manager
Scott, Ben, Shawnee	Dem.	58	Retired
Seiwert, Joe, Reno	Rep.	101	Agricultural Business
Sloan, Tom, Douglas	Rep.	45	Farmer/Strategic Consultant
Smith, Charles , Crawford	Rep.	3	Teacher-Coach
Suellentrop, Gene, Sedgwick	Rep.	91	Business Owner
Sutton, William, Johnson	Rep.	43	Steelworker
Swanson, Susie, Clay	Rep.	64	Social Worker
Thimesch, Jack, Kingman	Rep.	114	Farmer/Construction
Thompson, Kent, Allen	Rep.	9	Real Estate/Rancher
Tietze, Annie, Shawnee	Dem.	53	Retired Educator
Todd, James, Johnson	Rep.	29	Attorney at Law
Trimmer, Ed, Cowley	Dem.	79	Retired Teacher
Vickrey, Jene, Miami	Rep.	6	Floor Covering
Victors, Ponka-We, Sedgwick	Dem.	103	Community Support Worker
Ward, Jim, Sedgwick	Dem.	86	Attorney
Waymaster, Troy, Russell	Rep.	109	Farmer/Office Manager
Weber, Chuck, Sedgwick	Rep.	85	Film producer/writer
Whipple, Brandon, Sedgwick	Dem.	96	College Instructor
Whitmer, John, Sedgwick	Rep.	93	Small Business Owner
Williams, Kristey, Butler	Rep.	77	former mayor/former teacher
Wilson, John , Douglas	Dem.	10	Training and Professional Development Manager
Winn, Valdenia, Wyandotte	Dem.	34	College Professor
Wolfe Moore, Kathy, Wyandotte	Dem.	36	Business Director/KU Hospital

STANDING COMMITTEES OF THE HOUSE
LEGISLATIVE SESSION, 2016

Agriculture and Natural Resources: Schwartz, Chairperson; Boldra, Vice-chairperson; Clark, Concannon, Dierks, Ewy, Francis, Hibbard, Lewis, Moxley, Rahjes, Read, Schroeder, Seiwert, Sloan, S. Swanson, Thimesch, Waymaster.
Victors, Ranking Minority Member; Carlin, Lusker, Trimmer, Wilson.

Appropriations: Ryckman, Chairperson; Schwartz, Vice-chairperson; Barker, W. Carpenter, Claeys, Grosserode, Hawkins, Highland, Hoffman, Hutton, Kahrs, Kleeb, Lunn, Macheers, Proehl, Rhoades, Suellentrop, Waymaster.
Henry, Ranking Minority Member; Ballard, Carlin, Finney, Wolfe Moore.

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

Children and Seniors: O'Brien, Chairperson; E. Davis, Vice-chairperson; Dove, Gallagher, Garber, Kiegerl, Phillips, Rahjes, C. Smith, S. Swanson.
Victors, Ranking Minority Member; Ousley, Wilson.

Commerce, Labor and Economic Development: Hutton, Chairperson; Mason, Vice-chairperson; Billinger, W. Carpenter, Claeys, Corbet, E. Davis, Hemsley, Kleeb, F. Patton, Suellentrop, C. Weber, , K. Williams.
Frownfelter, Ranking Minority Member; Ruiz, Tietze, Whipple.

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

Education: Highland, Chairperson; Lunn, Vice-chairperson; Barker, Barton, Boldra, Bradford, Bruchman, Grosserode, Hedke, Hutchins, K. Jones, Kelley, Macheers, Rhoades, C. Smith.
Winn, Ranking Minority Member; Lusk, Ousley, Trimmer.

Elections: Kahrs, Chairperson; Esau, Vice-chairperson; Bollier, Campbell, Dierks, Hill, Huebert, O'Brien, Peck, Scapa.
Sawyer, Ranking Minority Member; Alcala, Carmichael.

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

Federal and State Affairs: Pauls, Chairperson; Todd, Vice-chairperson; Becker, Bradford, Clayton, Concannon, DeGraaf, Estes, Ewy, Hemsley, Hildabrand, Hineman, Houser, D. Jones, Read, Scapa, C. Weber, K. Williams.
Tietze, Ranking Minority Member; Henderson, Lusk, Scott, Winn.

Health and Human Services: Hawkins, Chairperson; Dove, Vice-chairperson; B. Carpenter, Edmonds, Estes, Hildabrand, D. Jones, Kelly, Osterman, Powell, Schwab, Thompson, Whitmer.
Ward, Ranking Minority Member; Henderson, Houston, Wilson.

Insurance and Financial Institutions: Schwab, Chairperson; Kelly, Vice-chairperson; Anthimides, Barton, Billinger, Bradford, Campbell, Doll, Dove, Esau, Estes, Goico, Hawkins, Hill, D. Jones, K. Jones, Scapa, C. Smith.
Houston, Ranking Minority Member; Frownfelter, Henderson, Ousley, Scott.

Interstate Cooperation: Merrick, Chairperson; Mast, Vice-chairperson; Goico, Vickrey.

Burroughs, Ranking Minority Member; Tietze.

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

Local Government: Huebert, Chairperson; Phillips, Vice-chairperson; Campbell, Esau, Francis, Kahrs, Kiegerl, Lewis, Peck, Scapa.
Alcala, Ranking Minority Member; Carmichael, Scott.

Pensions and Benefits: Johnson, Chairperson; Thompson, Vice-chairperson; Billinger, E. Davis, Edmonds, Hill, Hutchins, K. Jones, Kelly, Peck.
Trimmer, Ranking Minority Member; Alcala, Trimmer, Ward.

Rules and Journal: Pauls, Chairperson; Kahrs, Macheers, Schwab, Todd.
Sawyer, Vice-chairperson; Trimmer.

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

Transportation: Proehl, Chairperson; Ryckman Sr., Vice-chairperson; Doll, Ewy, Goico, Houser, Read, Rooker, Schwartz, Seiwert, Sloan, Thimesch, Todd.
Lusker, Ranking Minority Member; Ballard, Helgerson, Victors.

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

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

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

Budget Committees

Agriculture and Natural Resources Budget: Hoffman, Chairperson; Schroeder, Vice-chairperson; Clark, Clayton, Gallagher, Hibbard, Johnson.
Carlin, Ranking Minority Member; Henry.

Education Budget: Grosserode, Chairperson; Sutton, Vice-chairperson; Bollier, Hildabrand, Huebert, O'Brien, Peck.
Winn, Ranking Minority Member; Henry.

General Government Budget: Waymaster, Chairperson; McPherson, Vice-chairperson; Concannon, Garber, Hineman, Rahjes, Sutton.
Wolfe Moore, Ranking Minority Member; Curtis.

Legislative Budget (House): Ryckman, Chairperson; Schwartz, Vice-chairperson; Goico, Mast, Merrick, Vickrey.
Burroughs, Ranking Minority Member; Ruiz.

Social Services Budget: W. Carpenter, Chairperson; Mast, Vice-chairperson; Bruchman,

Clayton, Gallagher, Garber, K. Williams.
Ballard, Ranking Minority Member; Lusk.

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

JOINT COMMITTEES

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

Clean Power Plan Implementation Study Committee: Hedke, Chairperson; Barton, Corbet, Kuether, Mason, Powell.
Senate members: Olson, Vice-chairperson; Francisco, Knox, Petersen, Powell.

Corrections and Juvenile Justice Oversight: Gonzalez**,** Vice-chairperson; Carlin, DeGraaf, Grosserode, Henry, Rubin, Ward.
Senate members: Smith. Chairperson; Baumgardner, Fitzgerald, Knox, LaTurner, McGinn, Pettey,. Ranking Minority Member.

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

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

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

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

Robert G. (Bob) Bethell Home and Community Based Services and KanCare Oversight: Hawkins, Chairperson; W. Carpenter, Dove, Edmonds; Ballard, Ranking Minority Member, Ward.
Senate members: O'Donnell, Vice-chairperson; Denning, Kelly, LaTurner, Love.

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

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

State Building Construction: Hutton, Vice-chairperson; Alcala, Alford, W. Carpenter, Lusker.
Senate members: Wolf, Chairperson; Francisco, Kelly Knox, Powell.

INDIVIDUAL HOUSE MEMBER INFORMATION

Term: Indicates the start and end, if applicable, of member terms. Term begins on start of annual Session of year indicated unless otherwise noted.

*RM denotes Ranking Minority party member

Alcala, John	**Office 173-W**	**785 296-7371**	
Term: 1-3-2013	**District: 57**	**Democrat**	
Pensions and Benefits	Member	9:00 am Mon/Wed	152-S
Elections	Member	1:30 pm Mon/Wed	281-N
Local Government	*RM Member	1:30 pm Tue/Thu	281-N
Taxation	Member	3:30 pm Daily	582-N
Pensions, Investments, and Benefits (Joint)	Member	On Call	On Call
State Building Construction (Joint)	Member	On Call	On Call

Alford, Steve	**Office 187-N**	**785 296-7641**	
Term: 2011	**District: 124**	**Republican**	
Utilities and Telecommunications	Vice-Chair	9:00 am Tue/Thu	582-N
Corrections and Juvenile Justice	Member	1:30 pm Daily	152-S
Judiciary	Member	3:30 pm Daily	112-N
State Building Construction (Joint)	Member	On Call	On Call

Anthimides, Steven	**Office 166-W**	**785-296-7665**	
Term: 12/2/2013	**District: 98**	**Republican**	
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Corrections and Juvenile Justice	Member	1:30 pm Daily	152-S
Insurance and Financial Institutions	Member	3:30 pm Daily	218-N

Ballard, Barbara	**Office 451-S**	**785 296-7697**	
Term: 1993	**District: 44**	**Democrat**	
Appropriations	Member	9:00 am Daily	112-N
Transportation	Member	1:30 pm Daily	582-N
Social Services Budget	*RM Member	3:30 pm Daily	144-S
Robert G. (Bob) Bethell Jt. Comm. on Home and Community Based Services and KanCare Oversight	*RM Member	On Call	On Call

Barker, John	**Office 519-N**	**785 296-7674**	
Term: 2013	**District: 70**	**Republican**	
Appropriations	Member	9:00 am Daily	112-N
Education	Member	1:30 pm Daily	112-N
Judiciary	Chair	3:30 pm Daily	112-N
Legislative Post Audit Committee	Member	On Call	On Call

Barton, Tony	**Office 559-W**	**785-296-7522**	
Term: 2015	**District: 41**	**Republican**	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
Veterans, Military and Homeland Security	Member	9:00 am Tue/Thu	152-S
Education	Member	1:30 pm Daily	112-N
Insurance and Financial Institutions	Member	3:30 pm Daily	218-N
Clean Power Plan Implementation Study Committee	Member	On Call	On Call

Becker, Steven	**Office 512-N**	**785 296-7196**	
Term: 2013	**District: 104**	**Republican**	
Federal and State Affairs	Member	9:00 am Daily	346-S
Corrections and Juvenile Justice	Member	1:30 pm Daily	152-S
Judiciary	Member	3:30 pm Daily	112-N

Billinger, Rick	**Office 168-W**	**785-296-4683**	
Term: 2011-2012; 2015	**District: 120**	**Republican**	
Pensions and Benefits	Member	9:00 am Mon/Wed	152-S
Commerce, Labor and Economic Development	Member	1:30 pm Daily	346-S
Insurance and Financial Institutions	Member	3:30 pm Daily	218-N

Boldra, Sue	**Office 352-S**	**785 296-4683**	
Term: 2013	**District: 111**	**Republican**	
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Education	Member	1:30 pm Daily	112-N
Agriculture and Natural Resources	Vice-Chair	3:30 pm Daily	346-S

Bollier, Barbara	**Office 168-W**	**785 296-7686**	
Term: 2010	**District: 21**	**Republican**	
Vision 2020	Member	9:00 am Mon/Wed	218-N
Elections	Member	1:30 pm Mon/Wed	281-N
Education Budget	Member	3:30 pm Daily	281-N

Bradford, John	**Office 176-W**	**785 296-7653**	
Term: 2013	**District: 40**	**Republican**	
Federal and State Affairs	Member	9:00 am Daily	346-S
Education	Member	1:30 pm Daily	112-N
Insurance and Financial Institutions	Member	3:30 pm Daily	218-N

Bruchman, Rob	**Office 176-W**	**785 296-7653**	
Term: 2011	**District: 20**	**Republican**	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Education	Member	1:30 pm Daily	112-N
Social Services Budget	Member	3:30 pm Daily	144-S

Burroughs, Tom	**Office 359-W**	**785-296-7630**	
Term: 1997	**District: 33**	**Democrat**	
Calendar and Printing	*RM Member	On Call	On Call
Interstate Cooperation	*RM Member	On Call	On Call
State -Tribal Relations (Joint)	Member	On Call	On Call
Legislative Budget (House)	*RM Member	On Call	On Call
Legislative Coordinating Council	Member	On Call	On Call
Legislative Post Audit Committee	Member	On Call	On Call

Campbell, Larry	**Office 149-S**	**785 296-7654**	
Term: 1997-2004; 7/10/12	**District: 26**	**Republican**	
Vision 2020	Chair	9:00 am Mon/Wed	218-N
Elections	Member	1:30 pm Mon/Wed	281-N
Local Government	Member	1:30 pm Tue/Thu	281-N
Insurance and Financial Institutions	Member	3:30 pm Daily	218-N

Carlin, Sydney	**Office 451-S**	**785 296-7657**	
Term: 2003	**District: 66**	**Democrat**	
Appropriations	Member	9:00 am Daily	112-N
Agriculture and Natural Resources Budget	*RM Member	1:30 pm Daily	142-S
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
Corrections and Juvenile Justice Oversight (Joint)	Member	On Call	On Call

Carmichael, John	**Office 451-S**	**785-296-7650**	
Term: 10-16 2013	**District: 92**	**Democrat**	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
Elections	Member	1:30 pm Mon/Wed	281-N
Local Government	Member	1:30 pm Tue/Thu	281-N
Judiciary	*RM Member	3:30 pm Daily	112-N

Carpenter, Blake	**Office 167-W**	**785-296-7567**	
Term: 2015	**District: 81**	**Republican**	
Veterans, Military and Homeland Security	Member	9:00 am Tue/Thu	152-S
Health and Human Services	Member	1:30 pm Daily	546-S
Judiciary	Member	3:30 pm Daily	112-N

Carpenter, Will	**Office 352-S**	**785 296-7673**	
Term: 2013	**District: 75**	**Republican**	
Appropriations	Member	9:00 am Daily	112-N
Commerce, Labor and Economic Development	Member	1:30 pm Daily	346-S
Social Services Budget	Chair	3:30 pm Daily	144-S
State Building Construction (Joint)	Member	On Call	On Call
Robert G. (Bob) Bethell Jt. Comm. on Home and Community Based Services and KanCare Oversight	Member	On Call	On Call

Claeys, J. R.	**Office 274-W**	**785 296-7670**	
Term: 2013	**District: 69**	**Republican**	
Appropriations	Member	9:00 am Daily	112-N
Commerce, Labor and Economic Development	Member	1:30 pm Daily	346-S
Transportation and Public Safety Budget	Chair	3:30 pm Daily	142-S
Information Technology (Joint)	Member	On Call	On Call

Clark, Lonnie	**Office 352-S**	**785-296-7483**	
Term: 2015	**District: 65**	**Republican**	
Veterans, Military and Homeland Security	Member	9:00 am Tue/Thu	152-S
Agriculture and Natural Resources Budget	Member	1:30 pm Daily	142-S
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S

Clayton, Stephanie	**Office 167-W**	**785 296-7548**	
Term: 2013	**District: 19**	**Republican**	
Federal and State Affairs	Member	9:00 am Daily	346-S
Agriculture and Natural Resources Budget	Member	1:30 pm Daily	142-S
Social Services Budget	Member	3:30 pm Daily	144-S

Concannon, Susan	**Office 561-W**	**785 296-7644**	
Term: 2013	**District: 107**	**Republican**	
Federal and State Affairs	Member	9:00 am Daily	346-S
General Government Budget	Member	1:30 pm Daily	218-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S

Corbet, Ken	**Office 179-N**	**785 296-7679**	
Term: 2013	**District: 54**	**Republican**	
Energy and Environment	Vice-Chair	9:00 am Mon/Wed	582-N
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Commerce, Labor and Economic Development	Member	1:30 pm Daily	346-S
Taxation	Member	3:30 pm Daily	582-N
Clean Power Plan Implementation Study Committee	Member	On Call	On Call

Curtis, Pam	**Office 173-W**	**785-296-7371**	
Term: 3/6/2014	**District: 32**	**Democrat**	
Vision 2020	*RM Member	9:00 am Mon/Wed	218-N
General Government Budget	Member	1:30 pm Daily	218-N
Judiciary	Member	3:30 pm Daily	112-N

Davis, Erin	**Office 352-S**	**785-296-7658**	
Term: 2014	**District: 15**	**Republican**	
Children and Seniors	Vice-Chair	9:00 am Tue/Thu	218-N
Pensions and Benefits	Member	9:00 am Mon/Wed	152-S
Commerce, Labor and Economic Development	Member	1:30 pm Daily	346-S
Judiciary	Member	3:30 pm Daily	112-N

DeGraaf, Pete	**Office 458-W**	**785 296-7693**	
Term: 5/28/2008	**District: 82**	**Republican**	
Federal and State Affairs	Member	9:00 am Daily	346-S
Corrections and Juvenile Justice Oversight (Joint)	Member	On Call	On Call

Dierks, Diana	**Office 519-N**	**785 296-7642**	
Term: 2013	**District: 71**	**Republican**	
Veterans, Military and Homeland Security	Member	9:00 am Tue/Thu	152-S
Elections	Member	1:30 pm Mon/Wed	281-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S

Doll, John	**Office 512-N**	**785 296-7380**	
Term: 2013	**District: 123**	**Republican**	
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Transportation	Member	1:30 pm Daily	582-N
Insurance and Financial Institutions	Member	3:30 pm Daily	218-N

Dove, Willie	**Office 149-S**	**785 296-7677**	
Term: 2013	**District: 38**	**Republican**	
Children and Seniors	Member	9:00 am Tue/Thu	218-N
Health and Human Services	Vice-Chair	1:30 pm Daily	546-S
Insurance and Financial Institutions	Member	3:30 pm Daily	218-N
Robert G. (Bob) Bethell Jt. Comm. on Home and Community Based Services and KanCare Oversight	Member	On Call	On Call

Edmonds, John	**Office 452-S**	**785 296-5593**	
Term: 1995 -2006; 2013	**District: 112**	**Republican**	
Pensions and Benefits	Member	9:00 am Mon/Wed	152-S
Health and Human Services	Member	1:30 pm Daily	546-S
Taxation	Member	3:30 pm Daily	582-N
Pensions, Investments, and Benefits (Joint)	Member	On Call	On Call
Robert G. (Bob) Bethell Jt. Comm. on Home and Community Based Services and KanCare Oversight	Member	On Call	On Call

Esau, Keith	**Office 47-S**	**785 296-7688**	
Term: 2013	**District: 14**	**Republican**	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
Elections	Vice-Chair	1:30 pm Mon/Wed	281-N
Local Government	Member	1:30 pm Tue/Thu	281-N
Insurance and Financial Institutions	Member	3:30 pm Daily	218-N
Information Technology (Joint)	Member	On Call	On Call

Estes, Bud	**Office 512-N**	**785-296-6287**	
Term: 2013	**District: 119**	**Republican**	
Federal and State Affairs	Member	9:00 am Daily	346-S
Health and Human Services	Member	1:30 pm Daily	546-S
Insurance and Financial Institutions	Member	3:30 pm Daily	218-N

Ewy, John	**Office 512-N**	**785 296-7105**	
Term: 2013	**District: 117**	**Republican**	
Federal and State Affairs	Member	9:00 am Daily	346-S
Transportation	Member	1:30 pm Daily	582-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
State -Tribal Relations (Joint)	Member	On Call	On Call

Finch, Blaine	**Office 167-W**	**785 296-7655**	
Term: 2013	**District: 59**	**Republican**	
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Corrections and Juvenile Justice	Member	1:30 pm Daily	152-S
Judiciary	Member	3:30 pm Daily	112-N

Finney, Gail	**Office 451-S**	**785 296-7649**	
Term: 2009	**District: 84**	**Democrat**	
Appropriations	Member	9:00 am Daily	112-N
Corrections and Juvenile Justice	Member	1:30 pm Daily	152-S
Transportation and Public Safety Budget	*RM Member	3:30 pm Daily	142-S

Francis, Shannon	**Office 167-W**	**785-296-7655**	
Term: 2015	**District: 125**	**Republican**	
Vision 2020	Member	9:00 am Mon/Wed	218-N
Local Government	Member	1:30 pm Tue/Thu	281-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S

Frownfelter, Stan	**Office 174-W**	**785 296-7691**	
Term: 2007	**District: 37**	**Democrat**	
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Commerce, Labor and Economic Development	*RM Member	1:30 pm Daily	346-S
Insurance and Financial Institutions	Member	3:30 pm Daily	218-N

Gallagher, Linda	**Office 167-W**	**785-296-7548**	
Term: 2015	**District: 23**	**Republican**	
Children and Seniors	Member	9:00 am Tue/Thu	218-N
Agriculture and Natural Resources Budget	Member	1:30 pm Daily	142-S
Social Services Budget	Member	3:30 pm Daily	144-S

Garber, Randy	**Office 166-W**	**785 296-7665**	
Term: 2011	**District: 62**	**Republican**	
Children and Seniors	Member	9:00 am Tue/Thu	218-N
Vision 2020	Member	9:00 am Mon/Wed	218-N
General Government Budget	Member	1:30 pm Daily	218-N
Social Services Budget	Member	3:30 pm Daily	144-S

Goico, Mario	**Office 276-W**	**785 296-7663**	
Term: 2003	**District: 94**	**Republican**	
Veterans, Military and Homeland Security	Chair	9:00 am Tue/Thu	152-S
Transportation	Member	1:30 pm Daily	582-N
Insurance and Financial Institutions	Member	3:30 pm Daily	218-N
Calendar and Printing	Member	On Call	On Call
Interstate Cooperation	Member	On Call	On Call
Kansas Security (Joint)	Vice-Chair	On Call	On Call
Legislative Budget (House)	Member	On Call	On Call

Gonzalez, Ramon	**Office 512-N**	**785 296-7500**	
Term: 2011	**District: 47**	**Republican**	
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Corrections and Juvenile Justice	Chair	1:30 pm Daily	152-S
Transportation and Public Safety Budget	Member	3:30 pm Daily	142-S
Corrections and Juvenile Justice Oversight (Joint)	Member	On Call	On Call

Grosserode, Amanda	**Office 274-W**	**785 296-7659**	
Term: 2011	**District: 16**	**Republican**	
Appropriations	Member	9:00 am Daily	112-N
Education	Member	1:30 pm Daily	112-N
Education Budget	Chair	3:30 pm Daily	281-N
Corrections and Juvenile Justice Oversight (Joint)	Member	On Call	On Call

Hawkins, Daniel	**Office 521-E**	**785 296-7631**	
Term: 2013	**District: 100**	**Republican**	
Appropriations	Member	9:00 am Daily	112-N
Health and Human Services	Chair	1:30 pm Daily	546-S
Insurance and Financial Institutions	Member	3:30 pm Daily	218-N
Pensions, Investments, and Benefits (Joint)	Member	On Call	On Call

Robert G. (Bob) Bethell Jt. Comm. on Home and Community Based Services and KanCare Oversight	Chair	On Call	On Call

Hedke, Dennis	**Office 581-W**	**785 296-7699**	
Term: 1-24-2011	**District: 99**	**Republican**	
Energy and Environment	Chair	9:00 am Mon/Wed	582-N
Education	Member	1:30 pm Daily	112-N
Taxation	Member	3:30 pm Daily	582-N
Clean Power Plan Implementation Study Committee	Chair	On Call	On Call

Helgerson, Henry	**Office 174-W**	**785-296-7668**	
Term: 1983; 1-5-2013	**District: 83**	**Democrat**	
Veterans, Military and Homeland Security	Member	9:00 am Tue/Thu	152-S
Transportation	Member	1:30 pm Daily	582-N
Taxation	Member	3:30 pm Daily	582-N

Hemsley, Lane	**Office 165-W**	**785-296-7460**	
Term: 2015	**District: 56**	**Republican**	
Federal and State Affairs	Member	9:00 am Daily	346-S
Commerce, Labor and Economic Development	Member	1:30 pm Daily	346-S
Taxation	Member	3:30 pm Daily	582-N

Henderson, Broderick	**Office 451-S**	**785 296-7697**	
Term: 1995	**District: 35**	**Democrat**	
Federal and State Affairs	Member	9:00 am Daily	346-S
Health and Human Services	Member	1:30 pm Daily	546-S
Insurance and Financial Institutions	Member	3:30 pm Daily	218-N

Henry, Jerry	**Office 451-S**	**785 296-7650**	
Term: 1993	**District: 63**	**Democrat**	
Appropriations	*RM Member	9:00 am Daily	112-N
Agriculture and Natural Resources Budget	Member	1:30 pm Daily	142-S
Education Budget	Member	3:30 pm Daily	281-N
Corrections and Juvenile Justice Oversight (Joint)	Member	On Call	On Call
Pensions, Investments, and Benefits (Joint)	Member	On Call	On Call
Legislative Budget Committee	Member	On Call	On Call

Hibbard, Larry	**Office 512-N**	**785 296-7380**	
Term: 2013	**District: 13**	**Republican**	
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Agriculture and Natural Resources Budget	Member	1:30 pm Daily	142-S

Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
Highberger, Dennis "Boog"	**Office 174-W**	**785-296-7122**	
Term: 2015	**District: 46**	**Democrat**	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
Corrections and Juvenile Justice	*RM Member	1:30 pm Daily	152-S
Judiciary	Member	3:30 pm Daily	112-N
Highland, Ron	**Office 561-W**	**785 296-7310**	
Term: 2013	**District: 51**	**Republican**	
Appropriations	Member	9:00 am Daily	112-N
Education	Chair	1:30 pm Daily	112-N
Taxation	Member	3:30 pm Daily	582-N
Hildabrand, Brett	**Office 274-W**	**785 296-7331**	
Term: 2011	**District: 17**	**Republican**	
Federal and State Affairs	Member	9:00 am Daily	346-S
Health and Human Services	Member	1:30 pm Daily	546-S
Education Budget	Member	3:30 pm Daily	281-N
Information Technology (Joint)	Member	On Call	On Call
Information Technology (Joint)	Vice-Chair	On Call	On Call
Hill, Don	**Office 452-S**	**785 296-7632**	
Term: 2003	**District: 60**	**Republican**	
Pensions and Benefits	Member	9:00 am Mon/Wed	152-S
Elections	Member	1:30 pm Mon/Wed	281-N
Insurance and Financial Institutions	Member	3:30 pm Daily	218-N
Hineman, Don	**Office 50-S**	**785 296-7636**	
Term: 2009	**District: 118**	**Republican**	
Federal and State Affairs	Member	9:00 am Daily	346-S
General Government Budget	Member	1:30 pm Daily	218-N
Taxation	Member	3:30 pm Daily	582-N
Hoffman, Kyle	**Office 481-W**	**785 296-7643**	
Term: 2011	**District: 116**	**Republican**	
Appropriations	Member	9:00 am Daily	112-N
Agriculture and Natural Resources Budget	Chair	1:30 pm Daily	142-S
Judiciary	Member	3:30 pm Daily	112-N
Houser, Michael	**Office 179-N**	**785 296-7679**	
Term: 2013	**District: 1**	**Republican**	
Federal and State Affairs	Member	9:00 am Daily	346-S
Transportation	Member	1:30 pm Daily	582-N
Transportation and Public Safety Budget	Member	3:30 pm Daily	142-S
Special Claims Against the State (Joint)	Member	On Call	On Call

Houston, Roderick	**Office 54-S**	**785 296-7652**	
Term: 2013	**District: 89**	**Democrat**	
Veterans, Military and Homeland Security	Member	9:00 am Tue/Thu	152-S
Vision 2020	Member	9:00 am Mon/Wed	218-N
Health and Human Services	Member	1:30 pm Daily	546-S
Insurance and Financial Institutions	*RM Member	3:30 pm Daily	218-N

Huebert, Steve	**Office 149-S**	**785 296-1754**	
Term: 2001	**District: 90**	**Republican**	
Elections	Member	1:30 pm Mon/Wed	281-N
Local Government	Chair	1:30 pm Tue/Thu	281-N
Education Budget	Member	3:30 pm Daily	281-N
Administrative Rules and Regulations (Joint)	Member	On Call	On Call

Hutchins, Becky	**Office 519-N**	**785-296-3971**	
Term: 1995-2006; 2015	**District: 61**	**Republican**	
Pensions and Benefits	Member	9:00 am Mon/Wed	152-S
Veterans, Military and Homeland Security	Member	9:00 am Tue/Thu	152-S
Education	Member	1:30 pm Daily	112-N
Judiciary	Member	3:30 pm Daily	112-N

Hutton, Mark	**Office 521-E**	**785 296-7488**	
Term: 2013	**District: 105**	**Republican**	
Appropriations	Member	9:00 am Daily	112-N
Commerce, Labor and Economic Development	Chair	1:30 pm Daily	346-S
Taxation	Member	3:30 pm Daily	582-N
State Building Construction (Joint)	Vice-Chair	On Call	On Call

Jennings, Russell	**Office 512-N**	**785 296-7196**	
Term: 2013	**District: 122**	**Republican**	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
Corrections and Juvenile Justice	Member	1:30 pm Daily	152-S
Transportation and Public Safety Budget	Vice-Chair	3:30 pm Daily	142-S

Johnson, Steven	**Office 286-N**	**785 296-7696**	
Term: 2011	**District: 108**	**Republican**	
Pensions and Benefits	Chair	9:00 am Mon/Wed	152-S
Agriculture and Natural Resources Budget	Member	1:30 pm Daily	142-S
Taxation	Member	3:30 pm Daily	582-N
Pensions, Investments, and Benefits (Joint)	Vice-Chair	On Call	On Call

Jones, Dick	**Office 352-S**	**785-296-7483**	
Term: 2015	**District: 52**	**Republican**	
Federal and State Affairs	Member	9:00 am Daily	346-S
Health and Human Services	Member	1:30 pm Daily	546-S
Insurance and Financial Institutions	Member	3:30 pm Daily	218-N

Jones, Kevin	**Office 512-N**	**785 296-6287**	
Term: 2013	**District: 5**	**Republican**	
Pensions and Benefits	Member	9:00 am Mon/Wed	152-S
Veterans, Military and Homeland Security	Member	9:00 am Tue/Thu	152-S
Education	Member	1:30 pm Daily	112-N
Insurance and Financial Institutions	Member	3:30 pm Daily	218-N
Kansas Security (Joint)	Member	On Call	On Call

Kahrs, Mark	**Office 286-N**	**785 296-7476**	
Term: 2013	**District: 87**	**Republican**	
Appropriations	Member	9:00 am Daily	112-N
Elections	Chair	1:30 pm Mon/Wed	281-N
Local Government	Member	1:30 pm Tue/Thu	281-N
Judiciary	Member	3:30 pm Daily	112-N
Rules and Journal	Member	On Call	On Call

Kelley, Kasha	**Office 459-W**	**785 296-7671**	
Term: 2005	**District: 80**	**Republican**	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
Education	Member	1:30 pm Daily	112-N
Taxation	Member	3:30 pm Daily	582-N

Kelly, Jim	**Office 512-N**	**785 296-6014**	
Term: 2011	**District: 11**	**Republican**	
Pensions and Benefits	Member	9:00 am Mon/Wed	152-S
Health and Human Services	Member	1:30 pm Daily	546-S
Insurance and Financial Institutions	Vice-Chair	3:30 pm Daily	218-N

Kiegerl, Mike	**Office 50-S**	**785-296-7636**	
Term: 2005	**District: 121**	**Republican**	
Children and Seniors	Member	9:00 am Tue/Thu	218-N
Energy and Environment	Member	9:00 am Mon/Wed	582-N
Local Government	Member	1:30 pm Tue/Thu	281-N
Transportation and Public Safety Budget	Member	3:30 pm Daily	142-S

Kleeb, Marvin	**Office 185-N**	**785 296-7680**	
Term: 2009-2012; 7-31-2013	**District: 48**	**Republican**	
Appropriations	Member	9:00 am Daily	112-N
Commerce, Labor and Economic Development	Member	1:30 pm Daily	346-S
Taxation	Chair	3:30 pm Daily	582-N

Legislative Budget Committee	Member	On Call	On Call
Kuether, Annie	**Office 43-S**	**785 296-7669**	
Term: 1997	**District: 55**	**Democrat**	
Energy and Environment	*RM Member	9:00 am Mon/Wed	582-N
Utilities and Telecommunications	*RM Member	9:00 am Tue/Thu	582-N
Corrections and Juvenile Justice	Member	1:30 pm Daily	152-S
Judiciary	Member	3:30 pm Daily	112-N
Clean Power Plan Implementation Study Committee	Member	On Call	On Call
Lewis, Greg	**Office 166-W**	**785-296-7682**	
Term: 03-23-2015	**District: 113**	**Republican**	
Vision 2020	Member	9:00 am Mon/Wed	218-N
Local Government	Member	1:30 pm Tue/Thu	281-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
Lunn, Jerry	**Office 151-S**	**785 296-7675**	
Term: 2013	**District: 28**	**Republican**	
Appropriations	Member	9:00 am Daily	112-N
Education	Vice-Chair	1:30 pm Daily	112-N
Taxation	Member	3:30 pm Daily	582-N
Administrative Rules and Regulations (Joint)	Member	On Call	On Call
Lusk, Nancy	**Office 54-S**	**785 296-7651**	
Term: 2013	**District: 22**	**Democrat**	
Federal and State Affairs	Member	9:00 am Daily	346-S
Education	Member	1:30 pm Daily	112-N
Social Services Budget	Member	3:30 pm Daily	144-S
Lusker, Adam	**Office 43-S**	**785-296-7698**	
Term: 12-12-2013	**District: 2**	**Democrat**	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
Veterans, Military and Homeland Security	*RM Member	9:00 am Tue/Thu	152-S
Transportation	*RM Member	1:30 pm Daily	582-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
Kansas Security (Joint)	Member	On Call	On Call
State Building Construction (Joint)	Member	On Call	On Call
Macheers, Charles	**Office 151-S**	**785 296-7675**	
Term: 2013	**District: 39**	**Republican**	
Appropriations	Member	9:00 am Daily	112-N
Education	Member	1:30 pm Daily	112-N
Judiciary	Vice-Chair	3:30 pm Daily	112-N
Pensions, Investments, and Benefits (Joint)	Member	On Call	On Call
State -Tribal Relations (Joint)	Member	On Call	On Call

Rules and Journal	Member	On Call	On Call

Mason, Les	**Office 268-W**	**785-296-7640**	
Term: 2-19- 2014	**District: 73**	**Republican**	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
Commerce, Labor and Economic Development	Vice-Chair	1:30 pm Daily	346-S
Taxation	Member	3:30 pm Daily	582-N
Clean Power Plan Implementation Study Committee	Member	On Call	On Call

Mast, Peggy	**Office 381-W**	**785-291-3500**	
Term: 1997	**District: 76**	**Republican**	
Social Services Budget	Vice-Chair	3:30 pm Daily	144-S
Calendar and Printing	Member	On Call	On Call
Interstate Cooperation	Vice-Chair	On Call	On Call
Kansas Security (Joint)	Member	On Call	On Call
Legislative Budget (House)	Member	On Call	On Call
Legislative Coordinating Council	Member	On Call	On Call
Legislative Post Audit Committee	Member	On Call	On Call

McPherson, Craig	**Office 268-W**	**785 296-7695**	
Term: 2013	**District: 8**	**Republican**	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
General Government Budget	Vice-Chair	1:30 pm Daily	218-N
Judiciary	Member	3:30 pm Daily	112-N
Special Claims Against the State (Joint)	Member	On Call	On Call

Merrick, Ray	**Office 370-W**	**785-296-2302**	
Term: 2000-2011; 2013	**District: 27**	**Republican**	
Calendar and Printing	Vice-Chair	On Call	On Call
Interstate Cooperation	Chair	On Call	On Call
Legislative Budget (House)	Member	On Call	On Call
Legislative Coordinating Council	Chair	On Call	On Call

Moxley, Tom	**Office 512-N**	**785 296-7689**	
Term: 2007	**District: 68**	**Republican**	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
Corrections and Juvenile Justice	Member	1:30 pm Daily	152-S
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S

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

Osterman, Les	**Office 512-N**	**785 296-7689**	
Term: 2011	**District: 97**	**Republican**	
Veterans, Military and Homeland Security	Vice-Chair	9:00 am Tue/Thu	152-S
Health and Human Services	Member	1:30 pm Daily	546-S
Judiciary	Member	3:30 pm Daily	112-N
State -Tribal Relations (Joint)	Member	On Call	On Call

Ousley, Jarrod	**Office 173-W**	**785-296-7366**	
Term: 10-14-2014	**District: 24**	**Democrat**	
Children and Seniors	Member	9:00 am Tue/Thu	218-N
Vision 2020	Member	9:00 am Mon/Wed	218-N
Education	Member	1:30 pm Daily	112-N
Insurance and Financial Institutions	Member	3:30 pm Daily	218-N

Patton, Fred	**Office 165-W**	**785-296-7460**	
Term: 2015	**District: 50**	**Republican**	
Veterans, Military and Homeland Security	Member	9:00 am Tue/Thu	152-S
Vision 2020	Member	9:00 am Mon/Wed	218-N
Commerce, Labor and Economic Development	Member	1:30 pm Daily	346-S
Judiciary	Member	3:30 pm Daily	112-N

Pauls, Jan	**Office 285-N**	**785 296-7645**	
Term: 1991	**District: 102**	**Republican**	
Federal and State Affairs	Chair	9:00 am Daily	346-S
Corrections and Juvenile Justice	Member	1:30 pm Daily	152-S
Corrections and Juvenile Justice	Vice-Chair	1:30 pm Daily	152-S
Judiciary	Member	3:30 pm Daily	112-N
Administrative Rules and Regulations (Joint)	Member	On Call	On Call
Rules and Journal	Chair	On Call	On Call

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

Phillips, Tom	**Office 512-N**	**785 296-6014**	
Term: 2-2-2012	**District: 67**	**Republican**	
Children and Seniors	Member	9:00 am Tue/Thu	218-N
Energy and Environment	Member	9:00 am Mon/Wed	582-N
Local Government	Vice-Chair	1:30 pm Tue/Thu	281-N
Taxation	Member	3:30 pm Daily	582-N

Powell, Randy	**Office 452-S**	**785-296-5593**	
Term: 2015	**District: 30**	**Republican**	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
Health and Human Services	Member	1:30 pm Daily	546-S
Judiciary	Member	3:30 pm Daily	112-N
Clean Power Plan Implementation Study Committee	Member	On Call	On Call

Proehl, Richard	**Office 581-W**	**785 296-7639**	
Term: 12-21-2005	**District: 7**	**Republican**	
Appropriations	Member	9:00 am Daily	112-N
Transportation	Chair	1:30 pm Daily	582-N
Transportation and Public Safety Budget	Member	3:30 pm Daily	142-S

Rahjes, Ken	**Office 168-W**	**785 296-7676**	
Term: 12-29-2015	**District: 110**	**Republican**	
Children and Seniors	Member	9:00 am Tue/Thu	218-N
General Government Budget	Member	1:30 pm Daily	218-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S

Read, Marty	**Office 561-W**	**785 296-7644**	
Term: 2013	**District: 4**	**Republican**	
Federal and State Affairs	Member	9:00 am Daily	346-S
Transportation	Member	1:30 pm Daily	582-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S

Rhoades, Marc	**Office 459-W**	**785 296-7671**	
Term: 2007	**District: 72**	**Republican**	
Appropriations	Member	9:00 am Daily	112-N
Education	Member	1:30 pm Daily	112-N
Taxation	Member	3:30 pm Daily	582-N

Rooker, Melissa	**Office 168-W**	**785 296-7686**	
Term: 2013	**District: 25**	**Republican**	
Vision 2020	Member	9:00 am Mon/Wed	218-N
Transportation	Member	1:30 pm Daily	582-N
Transportation and Public Safety Budget	Member	3:30 pm Daily	142-S

Rubin, John	**Office 151-S**	**785 296-7690**	
Term: 2011	**District: 18**	**Republican**	
Veterans, Military and Homeland Security	Member	9:00 am Tue/Thu	152-S
Judiciary	Member	3:30 pm Daily	112-N
Corrections and Juvenile Justice Oversight (Joint)	Member	On Call	On Call

Ruiz, Louis	**Office 359-W**	**785 296-7630**	
Term: 2005	**District: 31**	**Democrat**	
Commerce, Labor and Economic Development	Member	1:30 pm Daily	346-S
Calendar and Printing	Member	On Call	On Call
Legislative Budget (House)	Member	On Call	On Call

Ryckman, Ron	**Office 111-N**	**785 296-5481**	
Term: 2013	**District: 78**	**Republican**	
Appropriations	Chair	9:00 am Daily	112-N
Legislative Budget (House)	Chair	On Call	On Call
Legislative Budget Committee	Chair	On Call	On Call

Ryckman Sr., Ronald	**Office 352-S**	**785 296-7658**	
Term: 2011	**District: 115**	**Republican**	
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Transportation	Vice-Chair	1:30 pm Daily	582-N
Taxation	Member	3:30 pm Daily	582-N

Sawyer, Tom	**Office 174-W**	**785 296-7691**	
Term: 1987-1998; 2003-2009; 2013	**District: 95**	**Democrat**	
Elections	*RM Member	1:30 pm Mon/Wed	281-N
Taxation	*RM Member	3:30 pm Daily	582-N
Rules and Journal	Vice-Chair	On Call	On Call

Scapa, Joseph	**Office 166-W**	**785-296-7682**	
Term: 2011	**District: 88**	**Republican**	
Federal and State Affairs	Member	9:00 am Daily	346-S
Elections	Member	1:30 pm Mon/Wed	281-N
Local Government	Member	1:30 pm Tue/Thu	281-N
Insurance and Financial Institutions	Member	3:30 pm Daily	218-N

Schroeder, Don	**Office 512-N**	**785 296-7500**	
Term: 2007	**District: 74**	**Republican**	
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Agriculture and Natural Resources Budget	Vice-Chair	1:30 pm Daily	142-S
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S

Schwab, Scott	**Office 151-S**	**785 296-7501**	
Term: 2003-2006; 2008	**District: 49**	**Republican**	
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Health and Human Services	Member	1:30 pm Daily	546-S
Insurance and Financial Institutions	Chair	3:30 pm Daily	218-N
Rules and Journal	Member	On Call	On Call

Schwartz, Sharon	**Office 149-S**	**785 296-7637**	
Term: 1997	**District: 106**	**Republican**	
Appropriations	Vice-Chair	9:00 am Daily	112-N
Transportation	Member	1:30 pm Daily	582-N
Agriculture and Natural Resources	Chair	3:30 pm Daily	346-S
Administrative Rules and Regulations (Joint)	Vice-Chair	On Call	On Call
Legislative Budget (House)	Vice-Chair	On Call	On Call
Legislative Budget Committee	Member	On Call	On Call

Scott, Ben	**Office 451-S**	**785-296-7649**	
Term: 11-20-2015	**District: 58**	**Democrat**	
Federal and State Affairs	Member	9:00 am Daily	346-S
Local Government	Member	1:30 pm Tue/Thu	281-N
Insurance and Financial Institutions	Member	3:30 pm Daily	218-N

Seiwert, Joe	**Office 481-W**	**785 296-7647**	
Term: 2009	**District: 101**	**Republican**	
Utilities and Telecommunications	Chair	9:00 am Tue/Thu	582-N
Transportation	Member	1:30 pm Daily	582-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S

Sloan, Tom	**Office 452-S**	**785 296-7632**	
Term: 1995	**District: 45**	**Republican**	
Vision 2020	Vice-Chair	9:00 am Mon/Wed	218-N
Transportation	Member	1:30 pm Daily	582-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S

Smith, Charles	**Office 559-W**	**785-296-7522**	
Term: 2015	**District: 3**	**Republican**	
Children and Seniors	Member	9:00 am Tue/Thu	218-N
Education	Member	1:30 pm Daily	112-N
Insurance and Financial Institutions	Member	3:30 pm Daily	218-N

Suellentrop, Gene	**Office 186-N**	**785 296-7681**	
Term: 12-7-2009	**District: 91**	**Republican**	
Appropriations	Member	9:00 am Daily	112-N
Commerce, Labor and Economic Development	Member	1:30 pm Daily	346-S
Taxation	Vice-Chair	3:30 pm Daily	582-N
Pensions, Investments, and Benefits (Joint)	Member	On Call	On Call

Sutton, William	**Office 168-W**	**785 296-7676**	
Term: 8-29-2012	**District: 43**	**Republican**	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
General Government Budget	Member	1:30 pm Daily	218-N
Education Budget	Vice-Chair	3:30 pm Daily	281-N

Swanson, Susie	**Office 519-N**	**785-296-7642**	
Term: 2015	**District: 64**	**Republican**	
Children and Seniors	Member	9:00 am Tue/Thu	218-N
Vision 2020	Member	9:00 am Mon/Wed	218-N
Corrections and Juvenile Justice	Member	1:30 pm Daily	152-S
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
Thimesch, Jack	**Office 512-N**	**785 296-7105**	
Term: 2013	**District: 114**	**Republican**	
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Transportation	Member	1:30 pm Daily	582-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
Thompson, Kent	**Office 268-W**	**785-296-7640**	
Term: 10-16-2013	**District: 9**	**Republican**	
Pensions and Benefits	Vice-Chair	9:00 am Mon/Wed	152-S
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Health and Human Services	Member	1:30 pm Daily	546-S
Taxation	Member	3:30 pm Daily	582-N
Tietze, Annie	**Office 174-W**	**785 296-7668**	
Term: 2007	**District: 53**	**Democrat**	
Commerce, Labor and Economic Development	Member	1:30 pm Daily	346-S
Federal and State Affairs	*RM Member	9:00 am Daily	346-S
Transportation and Public Safety Budget	Member	3:30 pm Daily	142-S
Interstate Cooperation	Member	On Call	On Call
Todd, James	**Office 268-W**	**785 296-7695**	
Term: 2013	**District: 29**	**Republican**	
Federal and State Affairs	Vice-Chair	9:00 am Daily	346-S
Transportation	Member	1:30 pm Daily	582-N
Judiciary	Member	3:30 pm Daily	112-N
Special Claims Against the State (Joint)	Chair	On Call	On Call
Rules and Journal	Member	On Call	On Call
Trimmer, Ed	**Office 174-W**	**785 296-7122**	
Term: 8-19-2005	**District: 79**	**Democrat**	
Pensions and Benefits	Member	9:00 am Mon/Wed	152-S
Pensions and Benefits	*RM Member	9:00 am Mon/Wed	152-S
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Education	Member	1:30 pm Daily	112-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
Administrative Rules and Regulations (Joint)	Member	On Call	On Call
Pensions, Investments, and Benefits (Joint)	Member	On Call	On Call
Legislative Post Audit Committee	Member	On Call	On Call

Rules and Journal	Member	On Call	On Call
Vickrey, Jene	**Office 372-W**	**785-296-7662**	
Term: 1993	**District: 6**	**Republican**	
Calendar and Printing	Chair	On Call	On Call
Interstate Cooperation	Member	On Call	On Call
Legislative Budget (House)	Member	On Call	On Call
Legislative Coordinating Council	Member	On Call	On Call
Victors, Ponka-We	**Office 54-S**	**785 296-7651**	
Term: 2011	**District: 103**	**Democrat**	
Children and Seniors	*RM Member	9:00 am Tue/Thu	218-N
Transportation	Member	1:30 pm Daily	582-N
Agriculture and Natural Resources	*RM Member	3:30 pm Daily	346-S
State -Tribal Relations (Joint)	Member	On Call	On Call
Ward, Jim	**Office 43-S**	**785 296-7698**	
Term: 2003	**District: 86**	**Democrat**	
Pensions and Benefits	Member	9:00 am Mon/Wed	152-S
Health and Human Services	*RM Member	1:30 pm Daily	546-S
Judiciary	Member	3:30 pm Daily	112-N
Administrative Rules and Regulations (Joint)	Member	On Call	On Call
Corrections and Juvenile Justice Oversight (Joint)	Member	On Call	On Call
Robert G. (Bob) Bethell Jt. Comm. on Home and Community Based Services and KanCare Oversight	Member	On Call	On Call
Waymaster, Troy	**Office 165-W**	**785 296-7672**	
Term: 2013	**District: 109**	**Republican**	
Appropriations	Member	9:00 am Daily	112-N
General Government Budget	Chair	1:30 pm Daily	218-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
Weber, Chuck	**Office 47-S**	**785-296-7688**	
Term: 1-11-2016	**District: 85**	**Republican**	
Federal and State Affairs	Member	9:00 am Daily	346-S
Commerce, Labor and Economic Development	Member	1:30 pm Daily	346-S
Taxation	Member	3:30 pm Daily	582-N
Whipple, Brandon	**Office 173-W**	**785 296-7366**	
Term: 2013	**District: 96**	**Democrat**	
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Commerce, Labor and Economic Development	Member	1:30 pm Daily	346-S
Taxation	Member	3:30 pm Daily	582-N
Information Technology (Joint)	Member	On Call	On Call

Whitmer, John	**Office 167-W**	**785-296-7567**	
Term: 10-20-2014	**District: 93**	**Republican**	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
Health and Human Services	Member	1:30 pm Daily	546-S
Judiciary	Member	3:30 pm Daily	112-N

Williams, Kristey	**Office 519-N**	**785-296-3971**	
Term: 2015	**District: 77**	**Republican**	
Federal and State Affairs	Member	9:00 am Daily	346-S
Commerce, Labor and Economic Development	Member	1:30 pm Daily	346-S
Social Services Budget	Member	3:30 pm Daily	144-S

Wilson, John	**Office 54-S**	**785 296-7652**	
Term: 2013	**District: 10**	**Democrat**	
Children and Seniors	Member	9:00 am Tue/Thu	218-N
Health and Human Services	Member	1:30 pm Daily	546-S
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
Information Technology (Joint)	Member	On Call	On Call

Winn, Valdenia	**Office 451-S**	**785 296-7657**	
Term: 2001	**District: 34**	**Democrat**	
Federal and State Affairs	Member	9:00 am Daily	346-S
Education	*RM Member	1:30 pm Daily	112-N
Education Budget	*RM Member	3:30 pm Daily	281-N
Administrative Rules and Regulations (Joint)	Member	On Call	On Call

Wolfe Moore, Kathy	**Office 43-S**	**785 296-7669**	
Term: 2011	**District: 36**	**Democrat**	
Appropriations	Member	9:00 am Daily	112-N
General Government Budget	*RM Member	1:30 pm Daily	218-N
Taxation	Member	3:30 pm Daily	582-N
Special Claims Against the State (Joint)	Member	On Call	On Call

Constitutional Provisions Governing the Kansas Legislature

State of Kansas

KANSAS CONSTITUTIONAL PROVISIONS CONCERNING LEGISLATIVE POWERS

Article 2.—LEGISLATIVE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Joint Rules
of the
Senate and
House of Representatives

State of Kansas

2015-2016

February 2015

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Rules of the Kansas House of Representatives

2015 - 2016 Biennium

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Rules of the House of Representatives
2015-2016

ARTICLE 1. HOUSE SESSIONS; GENERAL OPERATION

Rule 101. Time of Meeting.

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

Rule 102. Speaker Taking Chair.

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

Rule 103. First Business.

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

Rule 104. Order of Business.

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

Rule 105. Members Excused from Attendance.

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

Rule 106. Introduction of Guests.

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

Rule 107. Session Proforma.

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

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

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

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

(2) Receipts of messages from the Governor.

(3) Communications from State Officers.

(4) Messages from the Senate.

(5) Reports of Standing Committees.

(6) Presentation of Petitions.

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

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

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

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

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

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

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

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

ARTICLE 3. QUORUM

Rule 301. Quorum, What Constitutes.

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

Rule 302. Absence of Quorum.

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

Rule 303. Roll Call to Determine Quorum.

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

ARTICLE 5. CONDUCT IN THE HOUSE CHAMBER

Rule 501. Admission to Floor.

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

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

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

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

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

Rule 502. Food and Drink.

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

Rule 503. Galleries.

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

Rule 504. Placing Material on Member's Desk.

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

Rule 505. Photographic Record of Vote.

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

Rule 506. Wireless Electronic Telecommunications Devices.

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

Rule 507. Computer Usage.

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

ARTICLE 7. INTRODUCTION OF BILLS AND RESOLUTIONS

Rule 701. Introduction of House Bills and Resolutions.

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

Rule 702. Introduction of Senate Bills and Concurrent Resolutions.

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

Rule 703. Reading of Bills and Resolutions for Introduction.

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

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

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

ARTICLE 9. REFERENCE OF BILLS AND RESOLUTIONS

Rule 901. Reference, Generally.

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

(1) A standing committee,

(2) a select committee,

(3) the committee of the whole House,

(4) two or more standing committees separately, or

(5) two or more standing committees jointly.

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

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

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

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

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

Rule 902. Appropriation Bills.

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

Rule 903. Separately Referred Bills and Resolutions.

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

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

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

Rule 904. Jointly Referred Bills and Resolutions.

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

ARTICLE 11. COMMITTEES; COMPOSITION

Rule 1101. Standing Committees; Names and Members.

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

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

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

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

Rule 1102. Committee Appointments.

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

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

Rule 1103. Select Committees.

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

Rule 1104. Announce Appointments.

All committee appointments shall be announced in open session.

Rule 1105. Budget Committees.

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

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

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

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

ARTICLE 13. COMMITTEES; PROCEDURE

Rule 1301. Committee Meetings; Time and Place.

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

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

Rule 1302. Notice and Agenda for Committee Meetings.

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

Rule 1303. Duties of Committee Chairperson.

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

(a) To preside over meetings of the committee and to put all questions;

(b) to maintain order and decide all questions of order subject to appeal to the committee;

(c) to supervise and direct staff of the committee;

(d) to keep, or have the committee secretary keep, subject to the approval of the committee at a subsequent meeting, minutes of meetings which shall include:

(1) The time and place of each meeting of the committee;

(2) the attendance of committee members; and

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

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

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

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

Rule 1304. Introduction of Committee Bills and Resolutions.

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

Rule 1305. Quorum of a Committee.

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

Rule 1306. Voting in Committees.

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

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

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

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

Rule 1307. Procedure in General.

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

Rule 1308. Committee Action on Bills and Resolutions.

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

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

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

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

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

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

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

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

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

Rule 1310. Wireless Electronic Telecommunications Devices.

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

ARTICLE 15. CALENDAR LOCATION OF BILLS AND RESOLUTIONS

Rule 1501. General Orders; Description and Function.

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

Rule 1502. Posting of Sequence for Succeeding Day.

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

Rule 1503. Change in the Sequence on General Orders.

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

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

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

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

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

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

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

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

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

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

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

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

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

Rule 1507. Disposition of Bills Subject to Certain Deadlines.

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

ARTICLE 17. MEMBERS ADDRESSING THE HOUSE

Rule 1701. Requesting the Floor.

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

Rule 1702. Order During Speaking.

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

Rule 1703. When Question is Put.

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

speak or leave their seats.

Rule 1704. Violation of Rules While Speaking.

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

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

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

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

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

Rule 1705. Point of Personal Privilege.

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

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

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

ARTICLE 19. COMMITTEE OF THE WHOLE

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

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

Rule 1902. Committee of the Whole; Normal Procedure.

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

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

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

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

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

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

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

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

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

Rule 1906. Requesting the Floor.

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

Rule 1907. Rules Applicable.

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

Rule 1908. Rise and Report.

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

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

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

Rule 1910. Report of Committee of the Whole.

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

ARTICLE 21. AMENDMENT OF BILLS AND RESOLUTIONS

Rule 2101. Germaneness.

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

Rule 2102. Form of Amendment Motions.

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

Rule 2103. Reading Amendments; General Rule.

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

Rule 2104. Motions to Amend Motions.

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

Rule 2105. Dividing Amendments.

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

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

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

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

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

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

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

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

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

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

Rule 2106. Substitute Motions.

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

Rule 2107. Subject Change by Senate.

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

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

Rule 2108. Motions to Strike Out and Insert.

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

Rule 2109. Identical Motions.

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

Rule 2110. Floor Amendments to Bills Making Appropriations.

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

ARTICLE 23. PROCEDURAL MOTIONS

Rule 2301. Order of Motions.

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

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

Rule 2302. Motion to Adjourn.

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

Rule 2303. Motion to Reconsider.

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

Rule 2304. Previous Question.

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

Rule 2305. Motions Not Subject to Debate.

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

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

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

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

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

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

Rule 2308. Stating Question.

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

Rule 2309. Dividing Motion.

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

Rule 2310. When Motions to be in Writing.

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

Rule 2311. Suspension of Rules of the House.

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

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

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

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

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

Rule 2312. Mason's Manual; When Applicable.

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

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

ARTICLE 25. VOTING

Rule 2501. Control and Use of Voting System.

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

Rule 2502. Procedure for Taking a Roll Call Vote.

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

Rule 2503. Display of Recurring Totals.

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

Rule 2504. Voting by Members.

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

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

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

Rule 2505. Explaining Vote.

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

Rule 2506. Copies of Voting Records.

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

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

Rule 2507. When Roll Call Vote to be Taken.

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

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

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

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

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

Rule 2508. Call of the House.

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

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

Rule 2509. Voice Vote; Division of the Assembly.

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

ARTICLE 27. FINAL ACTION

Rule 2701. Description and Function.

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

Rule 2702. Reading and Vote.

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

Rule 2703. Amendment and Debate, When.

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

Rule 2704. Speaker to Preside.

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

Rule 2705. Consent Calendar.

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

Rule 2706. Majority for Bill Passage.

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

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

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

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

Rule 2708. Motion to Adopt Report of Conference Committee.

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

ARTICLE 29. RESOLUTIONS

Rule 2901. Resolving Clause; Form.

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

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

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

Rule 2902. House Resolutions; Introduction and Consideration.

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

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

Rule 2903. Resolutions; Limitations.

(a) Appropriations shall not be made by resolutions.

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

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

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

ARTICLE 33. MEMBER OFFICERS

Rule 3301. Elected Member Officers.

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

Rule 3302. Duties of the Speaker.

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

(a) To preserve order and decorum;

(b) to decide all questions of order, subject to appeal to the House;

(c) in the absence of the Speaker Pro Tem, to appoint any member to perform the duties of the chair for not more than two consecutive legislative days; and

(d) to name a chairperson to preside when the House is in Committee of the Whole.

Rule 3303. Speaker Pro Tem.

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

Rule 3304. Filling Certain Vacancies.

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

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

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

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

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

ARTICLE 35. NONMEMBER OFFICERS

Rule 3501. Chief Clerk; Appointment.

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

Rule 3502. Duties of the Chief Clerk.

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

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

Rule 3503. Other Clerks.

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

Rule 3504. Document Care.

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

Rule 3505. Sergeant at Arms; Appointment.

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

Rule 3506. Duties of the Sergeant at Arms.

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

Rule 3507. Assistant Sergeants at Arms.

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

ARTICLE 37. AMENDMENT OF RULES OF THE HOUSE

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

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

Rule 3702. Resolutions for Rule Changes.

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

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

Rule 3703. Printing.

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

Rule 3704. Adoption of Resolutions.

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

Rule 3705. Special Sponsorship of Rule Change Resolutions.

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

ARTICLE 39. FORM AND PRINTING OF BILLS AND RESOLUTIONS

Rule 3901. Bills Amending Existing Statutes.

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

Rule 3902. Bills, Copies.

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

Rule 3903. Showing Committee Amendments.

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

Rule 3904. Substitute Bills and Substitute Concurrent Resolutions.

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

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

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

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

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

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

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

Rule 3905. Appropriation Bills.

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

Rule 3906. Committee of the Whole Amendments.

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

Rule 3907. Concurrent Resolutions, When Printed.

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

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

Rule 3908. Embellished Printing of Certain Resolutions.

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

Rule 3909. House Resolutions.

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

ARTICLE 41. JOURNAL AND CALENDAR

Rule 4101. Journal; Preparation.

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

Rule 4102. Entering in Journal.

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

Rule 4103. Resolutions in Journal.

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

Rule 4104. Messages from the Governor in Journal.

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

Rule 4105. Calendar; Preparation.

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

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

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

Rule 4107. Copies of Journals and Calendars.

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

ARTICLE 43. MISCELLANEOUS

Rule 4301. Employees; Employment.

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

Rule 4302. Special Order.

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

Rule 4303. Petitions; Presentation.

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

Rule 4304. Petitions; Endorse Name.

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

Rule 4305. Open Meetings.

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

ARTICLE 45. EXECUTIVE REORGANIZATION ORDERS

Rule 4501. Referral of Executive Reorganization Orders.

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

Rule 4502. Committee Report on Executive Reorganization Orders.

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

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

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

Rule 4504. Special Order of Business for ERO.

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

Rule 4505. Nonapplication to Bills.

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

Rule 4506. Nonaction When Moot.

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

ARTICLE 47. IMPEACHMENT

Rule 4701. Impeachment; Powers.

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

Rule 4702. Same; Select Committee.

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

Rule 4703. Same; Reference.

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

Rule 4704. Same; Report.

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

Rule 4705. Same; Call into Session.

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

Rule 4706. Same; Procedure.

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

ARTICLE 49. REPRIMAND, CENSURE OR EXPULSION OF MEMBERS

Rule 4901. Complaint.

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

Rule 4902. Select Committee; Consideration of Complaint.

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

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

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

Rule 4903. Action by House.

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

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Journal

of the

House

2016 REGULAR SESSION
JANUARY 11 THROUGH ADJOURNMENT JUNE 1, 2016

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

EXPLANATION OF ABBREVIATIONS

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

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

EXPLANATION OF PAGE NUMBERING

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

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

Journal of the House

FIRST DAY

Hall of the House of Representatives,
Topeka, KS, Monday, January 11, 2016, 2:00 p.m.

This being the day fixed by the constitution of the State of Kansas for the assembling of the 2016 session of the legislature, the House was called to order at 2:00 p.m. by Speaker Ray Merrick.

Speaker Merrick announced the appointment of Susan Kannarr as Chief Clerk, Foster Chisholm as Sgt. At Arms and the Rev. Eunice Brubaker as the House Chaplain for 2016.

The roll was called with 119 members present.
Rep. Seiwert was excused on verified illness.
Rep. Sloan was excused on legislative business.
Reps. Hedke, Kelley, Lunn and Winn were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord God,
As we begin this new session,
help us to remember that
we are servants building a future not of our own.
We will plant seeds that one day will grow.
We will water seeds already planted
knowing they hold promise for the future.
We will provide yeast
that will produce outcomes beyond our capabilities.
There is liberty in knowing we cannot do everything,
yet this liberty enables us to do something
to the best of our abilities.
We may never see the end results,
but we are okay with that because we realize we are
the servants, not the master builder –
we are the servants for a future that is not of our own.
I pray this in Your Son's Name,
Amen.

The Pledge of Allegiance was led by Rep. Smith.

COMMUNICATIONS FROM STATE OFFICERS

To all to whom these presents shall come, Greetings:

I, Kris Kobach, Secretary of State of the State of Kansas, do hereby certify that Ben Scott, Topeka, Kansas, was appointed by the Governor effective November 20, 2015, for the unexpired term of State Representative for the 58th Legislative District, to fill the vacancy created by the resignation of Harold Lane.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed my official seal. Done at the City of Topeka, this 20th day of November, A.D. 2015.

Kris W. Kobach
Secretary of State

COMMUNICATIONS FROM STATE OFFICERS

To all to whom these presents shall come, Greetings:

I, Kris Kobach, Secretary of State of the State of Kansas, do hereby certify that Ken Rahjes, Agra, Kansas, was appointed by the Governor effective December 29, 2015, for the unexpired term of State Representative for the 110th Legislative District, to fill the vacancy created by the resignation of Travis Couture-Lovelady.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed my official seal. Done at the City of Topeka, this 29th day of December, A.D. 2015.

Kris W. Kobach
Secretary of State

COMMUNICATIONS FROM STATE OFFICERS

To all to whom these presents shall come, Greetings:

I, Kris Kobach, Secretary of State of the State of Kansas, do hereby certify that Henry Helgerson, Eastborough, Kansas, was appointed by the Governor effective January 5th, 2016, for the unexpired term of State Representative for the 83rd Legislative District, to fill the vacancy created by the resignation of Carolyn Bridges.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed my official seal. Done at the City of Topeka, this 5th day of January, A.D. 2016.

Kris W. Kobach
Secretary of State

COMMUNICATIONS FROM STATE OFFICERS

To all to whom these presents shall come, Greetings:

I, Kris Kobach, Secretary of State of the State of Kansas, do hereby certify that Chuck Weber, Wichita, Kansas, was appointed by the Governor effective January 11, 2016, for the unexpired term of State Representative for the 85th Legislative District, to fill the vacancy created by the resignation of Steven R. Brunk.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed my official seal. Done at the City of Topeka, this 11th day of January, A.D. 2016.

Kris W. Kobach
Secretary of State

COMMUNICATIONS FROM STATE OFFICERS

Dear Mr. Speaker:

This letter is to advise you that the Office of Chief Clerk has received the following communications during the interim since adjournment of the 2015 Regular Session of the Legislature:

From Susan Mosier, MD, Secretary, Department of Health and Environment, the Application from the Kansas Association of Sleep Professionals for credentialing Polysomnographic Technologists.

From Derek Schmidt, Attorney General, pursuant to K.S.A. 22a-243, the 2015 annual report of the Kansas State Child Death Review Board.

From Dennis L. Mesa, Executive Director, Kansas Housing Resources Corporation, the audited financial statements for the fiscal year ending June 30, 2015.

From Ed Eilert, Chairman, Johnson County Education Research Triangle, in accordance with the requirements of K.S.A. 19-5005(e), its Annual Report concerning the financial activites of the Authority.

From Tim Shallenburger, President, Kansas Development Finance Authority, the statutorily required financial statements for the fiscal years ended June 30, 2014 and 2015.

From Robin Lewis, Chair, Kansas Advisory Group on Juvenile Justice and Delinquency Prevention, the Annual Report to the Governor.

From William B. Swearer, Chair, Kansas Commission on Judicial Qualifications, the Annual Report for 2014.

From Bob Page, President and Chief Executive Officer, The University of Kansas Hospital, the 2015 Annual Report.

From Alan D. Conroy, Executive Director, and Judy McNeal, Chief Fiscal Officer, Kansas Public Employees Retirement System, the 2015 Comprehensive Annual Financial Report, also available online at http://www.kpers.org/annualreport2015.pdf.

From Alan D. Conroy, Executive Director, Kansas Public Employees Retirement System,the required report on alternative investments as of December 31. 2015.

From Scott W. Miller, Director of Investments, in compliance with K.S.A. 75-4222(h), the Annual Freport of the Pooled Money Investment Board for Fiscal Year 2015.

From the Office of Governor Sam Brownback:

Executive Directive No. 15-462, Authorizing Personnel Transactions and Authorizing Expenditure of Federal Funds.

Executive Directive No. 15-463, Authorizing Expenditure of Federal Funds.

Executive Directive No. 15-464, Authorizing Fund Transfers.

Executive Directive No. 15-465, Authorizing Personnel Transactions.

Executive Directive No. 15-466, Authorizing Expenditure of Federal Funds.

Executive Directive No. 15-467, Authorizing Expenditure of Federal Funds.

Executive Directive No. 15-468, Authorizing Expenditure of Federal Funds.

Executive Directive No. 15-469, Authorizing Expenditure of Federal Funds.

Executive Directive No. 15-470, Authorizing Personnel Transactions.

Executive Order No. 15-04, a Drought Watch, replacing Executive Order No. 14-04.

Executive Order No. 15-05, Preservation and Protection of Religious Freedom.

Executive Order No. 15-06, Designation of the **KANSAS**WORKS State Board as the State Workforce Development Board.
Executive Order No. 15-07, Protecting Kansas From Terrorism.
Executive Order No. 16-01, Protecting Kansas From Terrorism.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Burroughs, **HR 6029**, by Reps. Merrick and Burroughs, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6029---**

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

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

Ray Merrick, speaker,
Peggy Mast, speaker pro tem,
Gene Vickrey, majority leader,
Tom Burroughs, minority leader,
Susan Kannarr, chief clerk,
Foster Chisholm, sergeant at arms,
and awaits the pleasure of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Burroughs, **HR 6030**, by Reps. Merrick and Burroughs, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6030---**

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

Be it resolved by the House of Representatives of the State of Kansas: That the members of the 2016 regular session of the legislature shall occupy the same seats assigned pursuant to 2015 House Resolution No. 6021 with the following exceptions: Edmonds, seat No. 66; Helgerson, seat No. 54; Pauls, seat No. 23; Rahjes, seat No. 25; Scott, seat No. 57; Weber, seat No. 82.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following prefiled bills were introduced and read by title:

HB 2436, AN ACT concerning motor vehicles; relating to drivers' licenses, examinations, motorcycles; amending K.S.A. 2015 Supp. 8-240 and repealing the existing section, by Representative Merrick.

HB 2437, AN ACT concerning maintenance of effort requirements; prohibition on acceptance, by Representative Claeys.

HB 2438, AN ACT concerning fire districts; adding territory of adjoining cities; amending K.S.A. 19-3605 and 19-3623 and repealing the existing sections, by Representative Merrick.

HB 2439, AN ACT concerning the division of workforce development of the department of commerce; abolishing the division and transferring its powers, functions, assets and liabilities to the department of labor; amending K.S.A. 2015 Supp. 72-4427, 72-4460, 74-32,151, 74-32,160, 74-5002y, 74-50,209 and 75-5701b and repealing the existing sections; also repealing K.S.A. 2015 Supp. 74-5002s, 74-5002t, 74-5002u, 74-5002v, 74-5002w, 74-5002x and 75-5701a, by Representative Claeys.

HB 2440, AN ACT concerning firearms; relating to the personal and family protection act; relating to the carrying of concealed handguns in public areas; amending K.S.A. 2015 Supp. 75-7c20 and repealing the existing section, by Representative Claeys.

HB 2441, AN ACT concerning the legislative post audit committee; auditing unified school districts; amending K.S.A. 2015 Supp. 46-1133 and repealing the existing section, by Committee on Legislative Post Audit Committee.

HB 2442, AN ACT concerning the legislative division of post audit; relating to information technology audits; amending K.S.A. 2015 Supp. 46-1135 and repealing the existing section, by Committee on Legislative Post Audit Committee.

HB 2443, AN ACT concerning economic development; relating to promotion of the unmanned aircraft systems industry in Kansas and establishing a director and office to develop and coordinate a plan for such promotion; amending K.S.A. 2015 Supp. 74-4911f and repealing the existing section, by Representative Claeys.

HB 2444, AN ACT concerning taxation; relating to income tax, addition and subtraction modifications; sales and compensating use tax, rates, food and distribution thereof; amending K.S.A. 2015 Supp. 79-32,117, 79-3602, 79-3603, 79-3620, 79-3703 and 79-3710 and repealing the existing sections, by Representative Hutton.

HB 2445, AN ACT concerning the pet animal act; relating to euthanasia; amending K.S.A. 2015 Supp. 47-1718 and repealing the existing section, by Representatives Kiegerl and Hildabrand.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2446, AN ACT concerning insurance; relating to motor vehicle liability insurance; increasing minimum policy limit for property damage; amending K.S.A. 40-3107 and repealing the existing section, by Committee on 2015 Special Committee on Insurance.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On emergency motion of Rep. Burroughs, **HCR 5020,** by Reps. Merrick and Burroughs, as follows, was introduced and adopted:

HOUSE CONCURRENT RESOLUTION No. **HCR 5020---**

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

Be it resolved by the House of Representatives of the State of Kansas, the Senate

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

In accordance with **HCR 5020**, Speaker Merrick appointed Reps. Campbell, Ewy and Sawyer to wait upon the Governor.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On emergency motion of Rep. Burroughs, **HCR 5021**, by Reps. Merrick and Burroughs, as follows, was introduced and adopted:

HOUSE CONCURRENT RESOLUTION No. **HCR 5021---**

A CONCURRENT RESOLUTION providing for a joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor.

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Senate and the House of Representatives meet in joint session in Representative Hall at 5:00 p.m. on January 12, 2016, for the purpose of hearing the message of the Governor.

Be it further resolved: That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Governor.

Be it further resolved: That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Lieutenant Governor.

In accordance with **HCR 5021**, Speaker Merrick appointed Reps. Campbell, Ewy and Lusker to escort the Governor.

Reps. Hutchins, Ryckman, Sr. and Whipple to escort the Lt. Governor.

Reps. Barker, Estes and Curtis to escort the Supreme Court.

Reps. Barton, Whitmer and Ousley to escort the Senate.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following prefiled bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2445**.
Appropriations: **HB 2437, HB 2443**.
Commerce, Labor and Economic Development: **HB 2439**.
Education: **HB 2441**.
Federal and State Affairs: **HB 2440**.
Local Government: **HB 2438**.
Taxation: **HB 2444**.
Transportation: **HB 2436**.
Veterans, Military and Homeland Security: **HB 2442**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2381**, **HB 2371**, **HB 2208**, **Sub HB 2362**, **SB 59** from the Calendar under the heading General Orders and referral to

Committee on Appropriations.

Also, the withdrawal of **HB 2100** from Committee on Children and Seniors and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2426** from Committee on Commerce, Labor and Economic Development and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2021**, **HB 2026**, **HB 2067**, **HB 2176, HB 2204**, **HB 2249**, **HB 2286**; **Sub SB 155** from Committee on Insurance and referral to Committee on Insurance and Financial Institutions.

Also, the withdrawal of **HB 2374**; **SB 55** from the Committee on Financial Institutions and referral to Committee on Insurance and Financial Institutions.

STANDING COMMITTEES OF THE HOUSE
2016 LEGISLATIVE SESSION

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

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

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

Carlin, *Ranking Minority Member*; Henry

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

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

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

Burroughs, *Ranking Minority Member*; Ruiz

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

Victors, *Ranking Minority Member*; Ousley, Wilson

Commerce, Labor and Economic Development: Hutton, *Chairperson*; Mason, *Vice Chairperson*; Billinger, W. Carpenter, Claeys, Corbet, E. Davis, Hemsley, Kleeb, F. Patton, Suellentrop, Weber, C., K. Williams

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

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

Highberger, *Ranking Minority Member*; Finney, Kuether

Education: Highland, *Chairperson*; Lunn, *Vice Chairperson*; Barker, Barton, Boldra, Bradford, Bruchman, Grosserode, Hedke, Hutchins, K. Jones, Kelley, Macheers, Rhoades, C. Smith

Winn, *Ranking Minority Member*; Lusk, Ousley, Trimmer

Education Budget: Grosserode, *Chairperson*; Sutton, *Vice Chairperson*; Bollier, Hildabrand, Huebert, O'Brien, Peck

Winn, *Ranking Minority Member*; Henry

Elections: Kahrs, *Chairperson*; Esau, *Vice Chairperson*; Bollier, Campbell, Dierks, Hill, Huebert, O'Brien, Peck, Scapa
Sawyer, *Ranking Minority Member*; Alcala, Carmichael

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

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

General Government Budget: Waymaster, *Chairperson*; McPherson, *Vice Chairperson*; Concannon, Garber, Hineman, Rahjes, Sutton
Wolfe Moore, *Ranking Minority Member*; Curtis

Health and Human Services: Hawkins, *Chairperson*; Dove, *Vice Chairperson*; B. Carpenter, Edmonds, Estes, Hildabrand, D. Jones, Kelly, Osterman, R. Powell, Schwab, Thompson, Whitmer
Ward, *Ranking Minority Member*; Henderson, Houston, Wilson

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

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

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

Local Government: Huebert, *Chairperson*; Phillips, *Vice Chairperson*; Campbell, Esau, Francis, Kahrs, Kiegerl, Lewis, Peck, Scapa
Alcala, *Ranking Minority Member*; Carmichael, Scott

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

Rules and Journal: Barker, *Chairperson*; Kahrs, Macheers, Pauls, Schwab
Sawyer, *Vice Chairperson*; Trimmer

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

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

Transportation: Proehl, *Chairperson*; Ryckman Sr., *Vice Chairperson*; Doll, Ewy, Goico, Houser, Read, Rooker, Schwartz, Seiwert, Sloan, Thimesch, Todd
Lusker, *Ranking Minority Member*; Ballard, Helgerson, Victors

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

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

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

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

SELECT COMMITTEE

Pursuant to Rule 1103, Speaker Merrick appointed a select committee to be designated as the **Committee on Insurance and Financial Institutions** with the appointments of Rep. Schwab, Chair; Rep. Kelly, Vice-chairperson; Rep. Houston, Ranking Minority Member; Reps. Anthimides, Barton, Billinger, Bradford, Campbell, Doll, Dove, Esau, Estes, Frownfelter, Goico, Hawkins, Henderson, Hill, D. Jones, K. Jones, Ousley, Scapa, Scott and Smith as members.

INTRODUCTION OF GUESTS

Speaker Merrick introduced Dr. Diane Steere, of Wichita. Dr. Steere is the 68th President of the Kansas Academy of Family Physicians. She is in private practice at Wichita Family Medicine Specialists in Wichita and an associate volunteer professor for the KU School of Medicine-Wichita. She graduated from the University of Dayton in Dayton, Ohio and is a graduate of the Michigan State University College of Human Medicine for MD. Dr. Steere completed her residency at Wesley Family Medicine Residency Program in Wichita.

The association sponsors the doctor of the day program and provides daily assistance for health concerns of those serving the Statehouse during the session.

COMMITTEE ASSIGNMENT CHANGES

Speaker Merrick announced the appointment of Rep. Ruiz to temporarily replace Rep. Winn on Committee on Federal and State Affairs, January 11–18, 2016.

Also, the appointment of Rep. Burroughs to temporarily replace Rep. Winn on Committee on House Education and Committee House Education Budget, January 11-18, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, January 12, 2016.

Journal of the House

SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, January 12, 2016, 11:00 a.m.

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

The roll was called with 119 members present.
Reps. Kiegerl and Seiwert were excused on verified illness.
Reps. Sloan and Wilson were excused on legislative business.
Reps. Kelley and Winn were excused on excused absence by the Speaker.
Present later: Rep. Kelley

Prayer by Chaplain Brubaker:

Lord God in Heaven,
today our leaders get back to work--
their responsibilities they cannot shirk.
As in the prayer of St. Thomas Aquinas I pray for them
this viable and possible stratagem:
give them a keen understanding, a retentive memory,
and the ability to grasp things correctly and fundamentally.
Grant them the talent of being exact in their explanations
and the ability to express themselves with thoroughness and charm.
Point out the beginning, direct the progress,
and help in the completion.
For our new representatives, I pray for them:
For Scott,
I pray his suggestions will hit the spot.
For Rahjes,
may his solutions be gracious.
For Helgerson,
he’s come back to complete what he earlier begun.
And for Weber,
may his contributions be ever so clever.
This I pray in Jesus' Name.
Amen.

The Pledge of Allegiance was led by Rep. Thimesch.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2447, AN ACT concerning crimes, punishment and criminal procedure; relating to the secretary of corrections; program credits; amending K.S.A. 2015 Supp. 21-6821 and repealing the existing section, by Committee on Joint Committee on Corrections and Juvenile Justice Oversight.

HB 2448, AN ACT concerning crimes, punishment and criminal procedure; relating to unlawful tampering with electronic monitoring equipment; amending K.S.A. 2015 Supp. 21-6322 and repealing the existing section, by Committee on Joint Committee on Corrections and Juvenile Justice Oversight.

HB 2449, AN ACT concerning the judicial branch; relating to severability of the provisions of 2015 House Bill No. 2005, chapter 81 of the 2015 Session Laws of Kansas; repealing K.S.A. 2015 Supp. 20-1a18, by Committee on Appropriations.

COMMUNICATIONS FROM STATE OFFICERS

From Derek Schmidt, Attorney General, pursuant to K.S.A. 75-723, the 2015 annual report of the Abuse, Neglect and Exploitation Unit.

From Robin Jennison, Secretary, Kansas Department of Wildlife, Parks and Tourism, a welcome letter to Kansas Legislators with a list of contacts for the KDWPT.

From Scott Frank, Legislative Post Auditor, Legislative Division of Post Audit, Annual Report to the 2016 Legislature.

From Shari Feist Albrecht, Chair and Ryan A. Hoffman, Director, Conservation Division, Kansas Corporation Commission; Oil and Gas Remediation Site Status Report, 2016 and the Abandoned Oil and Gas Well Status Report, 2016.

From Jon A. Roberts, Chair, Central Interstate Low-Level Radioactive Waste Commission, in accordance with Article IV.M.2. of the Central Interstate Low-Level Radioactive Waste Compact, the Annual Report for the fiscal year ending June 30, 2015.

From Earnest A. Lehman, Chairman, Kansas Electric Transmission Authority, the 2015 Annual Report of KETA.

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

MESSAGES FROM THE SENATE

Announcing adoption of **SR 1755**, a resolution relating to the organization of the 2016 Senate and selection of the following officers:

Susan Wagle, President,
Jeff King, Vice President,
Terry Bruce, Majority Leader,
Anthony Hensley, Minority Leader,
Corey Carnahan, Secretary,
Charles (Nick) Nicolay, Sergeant-at-Arms,

and awaits the pleasure of the House of Representatives.

Announcing adoption of **HCR 5020**, a concurrent resolution relating to a committee to wait upon the Governor and advise him the 2016 session of the legislature is duly organized and ready to receive communication. Senators Kelly and Bowers are appointed as Senate members of the committee to wait upon the Governor.

Announcing adoption of **HCR 5021**, a concurrent resolution providing for joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor. The following escorts are appointed for the State of the State:

Escort the Governor: Senators Wolf and Francisco

Escort the Lt. Governor: Senators Denning and Faust-Goudeau

Escort the Supreme Court: Senators Love and Hawk

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6031**—

by Representative Ryckman, Sr.

A RESOLUTION congratulating and commending Bethany Ellis for her work as the high school state president of SkillsUSA Kansas.

WHEREAS, Bethany Ellis is the high school state president of the SkillsUSA Kansas organization, which serves students in Kansas public high schools and colleges who are preparing for careers in technical, skilled and service occupations. The organization today has 79 school chapters and serves more than 3,600 members annually; and

WHEREAS, Bethany Ellis competed in the 2015 SkillsUSA Kansas State Championship and placed first in the categories of Architectural Drafting and Engineering Technology and fourth in the Job Skill Demonstration category. Bethany then advanced to the 2015 SkillsUSA National Leadership and Skills Conference, where she placed 34th in the Architectural Drafting category; and

WHEREAS, Bethany Ellis lives in Meade, Kansas, and is currently a senior at Meade High School. Bethany is the first student from Meade High School to become a state officer in SkillsUSA Kansas. Bethany has been accepted into the University of Kansas School of Architecture, Design & Planning, where she plans to start attending during the 2016 fall semester: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend Bethany Ellis for her work as the high school state president of SkillsUSA Kansas, that we wish her continued success in her academic and personal pursuits and encourage her to use her significant gifts to improve the future of her home state; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative Ryckman Sr.

On motion of Rep. Vickrey, the House recessed until 5:00 p.m.

EVENING SESSION

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

It being the hour in accordance with **HCR 5021** to meet in joint session with the Senate to hear the message of the Governor, Reps. Barton, Whitmer and Ousley escorted President Wagle and members of the Senate to seats in the House.

Reps. Barker, Estes and Curtis and Senators Love and Hawk escorted the Supreme Court to seats in the House.

Reps. Hutchins, Ryckman, Sr. and Whipple and Senators Denning and Faust-Goudeau escorted the Lt. Governor to a seat in the House.

Reps. Campbell, Ewy and Lusker and Senators Wolf and Francisco escorted the Governor to the rostrum.

Governor Sam Brownback's Complete Text of the State of the State

Mr. Speaker, Madam President, Legislators, Cabinet Members, Justices, honored guests…Kansans all.

Welcome.

Welcome back to our annual ritual.

First, please join me in recognizing the First Lady of Kansas, my wife Mary.

And welcome also to Ruth Colyer, wife of Lt. Governor, Jeff Colyer.

There is someone who has been a part of this ritual for a long time – and that is Associated Press reporter John Hanna, who is covering his 30th consecutive State of the State address.

That's a great milestone, John, exceeded only by Martin Hawver who is covering his 40th address.

Here, we celebrate freedom.

Here, we practice self-government.

Here, the people rule.

And here we crown no royalty…except in baseball.

Well, soccer too, and football and basketball hopefully.

And as our region's latest champions showed us, with the right fundamentals and teamwork, we can accomplish anything in time.

It was precisely five years ago tonight when I first addressed this body on the State of our State.

And just look at what has happened in those five years:

More than 388,000 low income Kansans now pay zero income taxes.

KPERS is out of the bankruptcy zone. Our funded liability percentage is up by 13% since 2012.

K-12 spending is at an all-time high. Up by more than $300 Million.

More than half the people who were on welfare are now off it and more importantly, they are getting out of poverty.

We have embraced innovation and modernization in our Medicaid system, providing more services and better outcomes for 20,000 more Kansans than before.

More than 96,000 Kansas children have participated in innovative reading programs.

Over 3,000 high school students have participated in the Jobs for America's Graduate Program and graduated at a rate of 93%.

Participation in technical education has tripled since we began the program.

We are graduating 2,100 more engineers from our state universities.

We have controlled spending, reformed tax policy, and reduced burdensome regulations.

We have consolidated agencies, eliminated wasteful programs, and overhauled workers compensation.

We lifted the Major League Soccer Cup Trophy with Sporting KC.

And we have seen the Wichita State Shockers join basketball's "big dance" every year since 2012.

Working together, we've created an economic environment that has seen Kansas gain more than 78,000 private sector jobs and achieve its lowest unemployment rate in fourteen years.

Working together, we've created an economic environment where hard-working Kansans have seen their wages increase more than 10%.

Kansans are finding good jobs, right here in our state.

Working together, we've created an economic environment where new filings for businesses increased by 15%.

Working together last year, we created a stable regulatory environment that will see nine new wind farms come on line this year, at an investment of nearly $3 billion.

Kansas is once again a national leader in wind energy development.

Mr. Speaker, Madam President, it is for these reasons - and many more- that I can report to you that the State of our State is STRONG.

Kansas is strong. And Kansas is GROWING.

It's often said that Kansas feeds the world.

And we will continue to provide for our fellow Americans and support the global economy

By providing food:

Wheat, beef, and now dairy.

By providing energy:

Oil and gas, ethanol, and renewable.

By providing air travel:

From our manufacturers in Wichita and suppliers across South Central Kansas.

By providing recreation:

The National Water Trail, the Flint Hills Nature Trail, NASCAR and world class hunting and fishing.

Wildcat football.

Jayhawk Basketball.

And finally, by providing a business climate where the Financial Services Industry can grow and prosper under the leadership of the industry executives and Insurance Commissioner Ken Selzer.

One of the biggest challenges we face in much of Kansas is the future of our water.

One of my passions as Governor is to prepare the state to be in a better position for the future. To do that we've got to prepare today and in some cases we have to sacrifice some now so our kids and grandkids have better options.

The work we have accomplished to preserve and extend water resources in Kansas in the last three years has been significant.

The first Local Enhanced Management Area has been in operation for three years in 99 square miles of Northwest Kansas. They have reduced their water use by roughly 20 percent, and maintained their net income. That should extend the useful life of the Ogallala in that area by 25 years.

That is solid progress but more needs to happen.

We are, right now, dredging John Redmond Reservoir, the first federal reservoir to be dredged in the nation.

Whether it's dredging projects or reducing our demands on the Ogallala, it's going to take time and some sacrifice.

We are going to continue implementing action items in the Long Term Vision for Kansas Water.

With most natural resources, we aren't just taking them to use for today. We are borrowing them from the future.

Perhaps no one individual has done more to protect our water than the recipient of the first Water Legacy Award.

Wayne Bossert was the long-time director of Groundwater Management District #4. Now retired, he led the organization at the time it formed the state's first LEMA in Thomas and Sheridan County, to help preserve the aquifer.

Wayne–thank you for your vision to protect this vital resource for the future.

Speaking of the future. I'd like to talk about our investment in our children.

By far the biggest item funded by state government is education. That is as it should be.

But education in the 21st century can no longer be based on 19th century models.

Parents and educators across the state have sought innovative options, from alternative teacher certification and merit pay to scholarships backed by tax credits.

We must have an educational system that has a range of options in which our students can learn and prosper and grow.

Education is not done by money or buildings. It is done by teachers.

Teaching isn't a job or a vocation. It's a calling. I know. I have taught. Two of my children teach.

Former students are prized people to teachers. The bond of teacher and student never

breaks.

Teachers need money to care for their needs. That's why Kansans invest in education: so good teachers are able to do their calling and teach.

Yet today, of the more than $4 billion the state puts into education funding, not nearly enough goes toward instruction.

That's highly inefficient, if not immoral, denying Kansans from putting their education dollars were they want it…behind a good teacher.

I call on the legislature to design a new education funding system that puts more of our money into instruction. That provides bonuses for exceptional teachers and recognizes their true value to our future and the souls of our students.

To keep Kansas strong we must also keep it safe.

In December, the Kansas Highway Patrol graduated its 55th class of troopers. It was the largest class in recent years.

I saw fathers pin badges on sons. I saw families stand proudly with their wife, husband, father, son or daughter as they received their badges. But I was most moved by the sight of twin brothers – one becoming a trooper and the other pinning on his badge.

Jonathan Blank became a KHP trooper that day, after serving as a U.S. Marine with two tours of duty in Iraq. He received his badge from his brother, Linden Blank also a U.S. Marine who served – and was gravely injured – in Afghanistan.

Please join me in recognizing these two outstanding young men from Augusta Kansas, who put the welfare of others before their own safety. Jonathan and Linden – thank you.

Elected officials have a responsibility to protect our citizens from all threats, foreign and domestic.

In this, the President has refused to lead.

He has prioritized his agenda and the feelings of the radical Islamic terrorists over the safety of Americans. He is unwilling to take simple actions to improve our security.

Therefore, we must act.

It is my responsibility, as Governor of this great state to do what we can to protect the citizens of Kansas.

And we must act to maintain the security of our state.

Last summer, in response to the attack on recruiting facilities in Tennessee, I ordered Adjutant General Tafanelli to complete a comprehensive security assessment of all Kansas National Guard facilities.

Included in his report was a plan to arm and train additional personnel and make security enhancements to our National Guard facilities. My budget proposal includes funding to support these activities.

I call on legislators from both sides of the aisle to strongly support this request and send a clear message to our troops that we stand with them.

In November, in response to the horrific terrorist attacks in Paris I directed all state agencies to immediately cease the placement of refugees from countries where potential

terrorists can arise, due to our inability to verify their background. More than thirty other Governors across the nation joined in this call.

Governors, both Republican and Democrat, continue to question the federal government's ability to properly screen people claiming to be refugees. Governors must have the information they need to protect the people they serve.

Instead of simply pausing his resettlement plan and working with the governors to address their legitimate security concerns, President Obama has chosen to pursue a path that puts Americans at risk.

Mr. President, this will not work.

We must – and will – act to protect the citizens of Kansas.

Last year we also learned that President Obama has resurrected his plan to close the terrorist detention facility in Guantanamo Bay, Cuba and transfer terrorists to the United States.

His own Secretary of Defense knows it is not a good idea.

His own Attorney General knows it would be illegal.

The President does not care.

Therefore, we must be prepared to act. And we are.

Every member of the Kansas Congressional Delegation, the Lieutenant Governor, the Attorney General, and I each stand at the ready to thwart every action the President takes to transfer terrorists to Kansas.

Kansas was founded by people of strength. People who understood the value of hard work, of friendship, of faith.

The strength of Kansas lies in the hearts and minds of our people. Here the people rule. All of our people.

James Madison, writing in the Federalist Papers, warned of the dangers of placing too much power in the noble elites that could control our judicial process. This warning rings true today.

Kansas is the only state in the country where the selection of Supreme Court justices is controlled by a handful of lawyers.

Kansas, however, is grounded in the principal of representative democracy.

The current selection method used for the Supreme Court removes the people of

Kansas from the process of selecting judges.

It places the process in the hands of those lawyers who regularly appear in front of the judges they select.

Well, enough is enough.

The Legislature should put before Kansas voters a proposed Constitutional amendment for a more democratic selection process for our Supreme Court justices.

We must have faith in the people. Here the people rule.

Since 1999, when the property tax lid was lifted, Kansans have seen those tax rates increased by 24 percent, and property tax revenue increase by 92%.

Understandably, people do not like this.

Your property taxes should not grow faster than your paycheck.

They carry heavy burdens on all Kansans, especially those living on fixed incomes.

Last year, you acted to place a lid on property taxes. That was a positive step.

The ability to raise taxes at the local level should not be made without consent and input from local citizens.

Voters should have the ability to make their voices heard with an up or down vote on any proposal that raises property taxes in excess of inflation.

I would welcome legislation that strengthens the property tax lid by closing the existing loopholes and puts it in place sooner.

Here, the people rule. Here, the people have a voice.

Kansans value self-sufficiency and independence.

But some Kansans are still struggling. And we have an obligation to help them.

We implemented common-sense requirements for those on welfare with the goal of providing economic opportunity instead of government dependency.

We said, if you have no disabilities and no children at home, you should work or train for work at least 20 hours per week.

The results are in. The reforms have worked.

Our caseloads are 70% lower today than they were before we made the change.

The work participation rate among enrollees nearly tripled.

The amount of time able-bodied adults spend on food stamps has been cut in half.

And those leaving welfare are better off!

Before work requirements, 93% of able-bodied adults on welfare were in poverty. Most were in severe poverty and not working at all.

But within a year of leaving welfare, their incomes had more than doubled – an increase of 127% on average.

The number of enrollees who have risen out of poverty tripled.

These are real people. These are our friends and families and neighbors. We've seen what happens when they get off welfare and have hope of a better life.

In Franklin County, a man had been trapped on welfare since early 2009. He had been on food stamps for four and a half years, with no end in sight.

He wasn't working and had no earned income. But that all changed when the work requirement went into effect.

He began working. And after a year, he was earning $45,000 a year.

We have even seen the marriage rate go up as the numbers of men and women who are out of poverty and working has gone up.

We're moving people out of poverty, out of dependency, and into self-sufficiency. We're giving them the hope of a better life.

Our work to help struggling Kansans must continue.

That includes supporting access to quality health care.

When we took office in 2011, I asked Lt. Governor Dr. Jeff Colyer to modernize and transform the State's Medicaid program. Previous administrations had cut reimbursement rates and reduced services, yet costs were still out of control.

Today, we have higher reimbursement rates for providers, more services for clients and, most importantly, we have better, measurable health outcomes for Kansans who participate in KanCare.

We have also saved nearly $1 Billion over the projected cost estimates for the old Medicaid program. We have proven that a Kansas solution is better than one from Washington, DC.

KanCare is working. ObamaCare is failing.

I grew up in a town with a population of 268. I do understand rural hospitals are often the lifeblood of their community.

ObamaCare has increased healthcare costs in Kansas and especially hurt rural healthcare.

It was ObamaCare that cut Medicare reimbursements to rural hospitals.

It was ObamaCare that *caused* the problem. We should not expand ObamaCare to *solve* the problem.

Tonight, I am asking Lt. Governor Colyer to assemble a working group to address the problems of health care delivery in rural Kansas and to present a proposal to me by this time next year.

As a fifth generation rural Kansan and a physician, I can think of no one better suited to take on this vital task than Dr. Colyer.

I believe this working group should have frontline stakeholders involved, including a rural hospital administrator and a rural physician at the same table as top policy makers.

We will welcome input from diverse organizations, but let's be realistic. Congress recently voted to defund expansion. We cannot rely on yet another ObamaCare false promise

We *can* and should find a Kansas solution that will improve rural healthcare access and outcomes.

Ensuring the health and safety of Kansans means protecting all Kansans at every stage of life.

We must keep working to protect our most innocent Kansans, the unborn. We have become the shining city on the hill and the champions for life.

As Harriet Beecher Stowe wrote: "Every nation that carries in its bosom great and unredressed injustice has in it the elements of this last convulsion."

Kansas was founded on the principal that every life has dignity, that every life has beauty, that every life has value.

Every year since I became Governor we have enacted pro-life legislation.

We have come a long way, but there is still work to be done.

In 2011, I signed legislation stopping most taxpayer funding from going to Planned

Parenthood. The time has come to finish the job.

Planned Parenthood's trafficking of baby body parts is antithetical to our belief in human dignity.

Today, I am directing Secretary Susan Mosier to ensure that not a single dollar of taxpayer money goes to Planned Parenthood through our Medicaid program. I welcome legislation that would enshrine this directive in state law.

As we begin this year's legislative session, I leave you with this timeless question:

The Ancients asked of God, "Who is man that you are mindful of him?" They saw an Earth so big and awe inspiring. A sky so vast. Stars without number. They felt small and insignificant.

Modern man suffers no such humility.

We deem ourselves masters of our own destiny. The Earth our ship to guide and life a voyage where we choose the destinations.

So who is right?

We conquer one problem but new ones arise in increasing number. We are perplexed when things don't go as we think they should.

Maybe our forefathers were closer to right than we thought. What if God is bigger than we can think and we actually are smaller than we can believe?

Wouldn't that give us the proper awe of a sunset and thankfulness for our lives and blessings?

With that in mind, I invite each of us to be thankful and enjoy the chance to serve our fellow citizens in such a wonderful role. To also think more highly of others than we do of ourselves — even if they are of a different political persuasion.

I'll seek to do this. I also invite each of us to contemplate and consider the reasons we are here. In this job. At this time. In this place.

Questions to which our ancestors would quickly and humbly reply, "To love God and one another."

God bless you all. Have a great session.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, January 13, 2016.

Journal of the House

THIRD DAY

Hall of the House of Representatives,
Topeka, KS, Wednesday, January 13, 2016, 11:00 a.m.

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

The roll was called with 120 members present.
Rep. Seiwert was excused on verified illness.
Rep. Bollier was excused on legislative business.
Reps. Gonzalez, Wilson and Winn were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord God in Heaven,
For this new day, we are grateful
and ask that You help us to spend our time wisely;
to choose our words carefully;
to check our attitudes before reacting;
and to take the time to truly listen to one another.
The very fact that we begin the day
by coming before You and asking for Your help
is the very thing that pleases You most.
So, I come before You today on behalf of these leaders
and ask that You again show Your faithfulness to them
throughout the day.
I pray in Christ's Name,
Amen.

The Pledge of Allegiance was led by Rep. Burroughs.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2450, AN ACT regulating traffic; relating to maximum speed limits on certain separated multilane highways; violations; amending K.S.A. 2015 Supp. 8-1558, 8-1560c and 8-1560d and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2451, AN ACT concerning children and minors; relating to mandatory reporting of suspected child abuse or neglect; amending K.S.A. 2015 Supp. 38-2223 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2452, AN ACT concerning crimes, punishment and criminal procedure; relating to the criminal use of weapons; amending K.S.A. 2015 Supp. 21-6301 and repealing the existing section. WHEREAS, The provisions of K.S.A. 2015 Supp. 21-6301(a) and (b), as amended by this act, shall be known and may be cited as the Kansas protection against terrorists act; Now, therefore,, by Representative Ward.

HB 2453, AN ACT concerning insurance; relating to sickness and accident insurance; specially designed policies; wraparound policies; amending K.S.A. 2015 Supp. 40-2,193 and repealing the existing section, by Committee on Insurance and Financial Institutions.

HB 2454, AN ACT concerning insurance; relating to accident and sickness insurance; policy provisions; requiring health services to be rendered by participating providers, by Committee on Insurance and Financial Institutions.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill, appearing on the January 12, 2016, Calendar as "To Be Referred," was referred to committee as indicated:

Insurance and Financial Institutions: **HB 2446**.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2449**.
Corrections and Juvenile Justice: **HB 2447, HB 2448.**

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Ryckman, Sr., **HR 6031**, A RESOLUTION congratulating and commending Bethany Ellis for her work as the high school state president of SkillsUSA Kansas, was adopted.

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

Today we honor Becky Warren, Kansas State Director for SkillsUSA; Mike Koehn, lead Industrial Arts advisor at Meade High School; and Bethany Ellis, architectural design student, local District and State President of SkillsUSA,.

SkillsUSA is a partnership of students, teachers and industry, working together to ensure America has a skilled workforce. SkillsUSA helps each student excel. They provide educational programs, events and competitions that support career and technical education (CTE) in the nation's classrooms.

Rep. Ryckman, Sr., introduced Mike Koehn and Bethany Ellis to the members of body.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Hoffman in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that **SB 278** be passed.

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

HB 2455, AN ACT concerning certain controlled substances; amending K.S.A. 2015 Supp. 65-2837a and repealing the existing section, by Committee on Health and Human Services.

HB 2456, AN ACT enacting the interstate medical licensure compact, by Committee on Health and Human Services.

HB 2457, AN ACT concerning schools; relating to the tax credit for low income students scholarship program act; amending K.S.A. 2015 Supp. 72-99a02, 72-99a03, 72-99a04 and 72-99a07 and repealing the existing sections, by Committee on Federal and State Affairs.

COMMITTEE ASSIGNMENT CHANGES

Speaker Merrick announced the appointment of Rep. Ward to replace Rep. Wilson on Committee on Children and Seniors on Thursday, January 14.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, January 14, 2016.

Journal of the House

FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, January 14, 2016, 11:00 a.m.

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

The roll was called with 119 members present.
Rep. Seiwert was excused on verified illness.
Rep. Sloan was excused on legislative business.
Reps. Kelley, Kiegerl, Read and Winn were excused on excused absence by the Speaker.
Present later: Rep. Kelley

Prayer by Chaplain Brubaker:

Almighty God,
Thank You for the privilege of being here today.
The issues have been placed before these leaders.
Some are new...some they have been working on for a while.
Help these leaders to follow Your encouragement to
consider it pure joy as they face trials or issues of many kinds.
The reason you tell us to consider it joy is because
Your purpose is for Your wisdom to be made known.
Every problem and concern that these leaders face
are opportunities for them to know of Your wisdom and faithfulness.
The bigger and more complex the problems,
the greater and deeper Your wisdom is revealed and shared.
So, today, be with them as they meet in various meetings,
and show them Your wisdom and faithfulness.
I pray in Christ's Name, Amen.

The Pledge of Allegiance was led by Rep. Williams.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2458, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; possession of a controlled substance; amending K.S.A. 2015 Supp. 21-6604 and 21-6805 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2459, AN ACT concerning crimes, punishment and criminal procedure; relating to unlawfully tampering with electronic monitoring equipment; amending K.S.A. 2015 Supp. 21-6322 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2460, AN ACT concerning the Kansas offender registration act; regarding violations of the act; amending K.S.A. 2015 Supp. 22-4903 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2461, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; certified drug abuse treatment program; amending K.S.A. 2015 Supp. 21-6824 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2462, AN ACT concerning crimes, punishment and criminal procedure; relating to theft; amending K.S.A. 2015 Supp. 21-5801 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2463, AN ACT concerning crimes, punishment and criminal procedure; relating to criminal history; juvenile adjudications; amending K.S.A. 2015 Supp. 21-6810 and 21-6811 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2464, AN ACT concerning crimes, punishment and criminal procedure; relating to probation and postrelease supervision; violation sanctions; amending K.S.A. 2015 Supp. 22-3716 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Corrections and Juvenile Justice: **HB 2451**.
Education: **HB 2457**.
Federal and State Affairs: **HB 2452**.
Health and Human Services: **HB 2455, HB 2456**.
Insurance and Financial Institutions: **HB 2453, HB 2454**.
Transportation: **HB 2450**.

COMMUNICATIONS FROM STATE OFFICERS

From Tracy Streeter, Kansas Water Office, 2016 Kansas Water Authority's Annual Report.

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

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 278, AN ACT designating Cowley county the official stone bridge capital of Kansas, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 1; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter,

W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Rahjes, Rhoades, Rooker, Rubin, Ruiz, Jr. Ryckman, Sr. Ryckman, Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Whipple, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: McPherson.

Present but not voting: None.

Absent or not voting: Kelley, Kiegerl, Read, Seiwert, Sloan, Winn.

The bill passed.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Waymaster in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that Committee report recommending a substitute bill to **Sub HB 2151** be adopted.

Also, on motion of Rep. Frownfelter to re-refer **Sub HB 2151** to Committee on Judiciary, the motion did not prevail; and the substitute bill be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2449** be passed.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No.1, by Representative Kevin Jones, congratulating Samuel Tyler Wood in recognition for achievement of Eagle Scout;

Request No.2, by Representative Kevin Jones, congratulating Stephen Todd Callow in recognition for achievement of Eagle Scout;

Request No.3, by Representative Kevin Jones, congratulating Aaron Paul Kubacka in recognition for achievement of Eagle Scout;

Request No.4, by Representative Kevin Jones, congratulating Isaac Scott Kubacka in recognition for achievement of Eagle Scout;

Request No.5, by Representative Kevin Jones, congratulating Peyton Keith Fields in recognition for achievement of Eagle Scout;

Request No.6, by Representative Rick Billinger, congratulating Adam Elliott, on being named an Apple Distinguished Educator;

Request No.7, by Representative Rick Billinger, congratulating Northwest Kansas Technical College, on being named an Apple Distinguished School for 2015-2017;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2465, AN ACT concerning criminal procedure; relating to competency; amending K.S.A. 22-3301 and repealing the existing section, by Committee on Judiciary.

HB 2466, AN ACT concerning municipalities; relating to sanctuary ordinances and resolutions and the prohibition thereof, by Committee on Judiciary.

HB 2467, AN ACT concerning alcoholic beverages; relating to microbreweries; authorizing the production of hard cider; amending K.S.A. 2015 Supp. 41-102 and 41-308b and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2468, AN ACT concerning schools; relating to the possession of weapons on school property; amending K.S.A. 72-89a01 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2469, AN ACT concerning alcoholic beverages; relating to microbreweries; amending K.S.A. 2015 Supp. 41-308b and repealing the existing section, by Committee on Federal and State Affairs.

REPORT ON ENROLLED RESOLUTIONS

HR 6029, HR 6030 reported correctly enrolled and properly signed on January 14, 2016.

On motion of Rep. Vickrey the House adjourned pro forma until 8:00 a.m. on Friday, January 15, 2016.

Journal of the House

FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, January 15, 2016, 8:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker Merrick in the chair.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Corrections and Juvenile Justice: **HB 2458, HB 2459, HB 2460, HB 2461, HB 2462, HB 2463, HB 2464**.
Federal and State Affairs: **HB 2467, HB 2468, HB 2469**.
Judiciary: **HB 2465, HB 2466**.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, January 19, 2016.

Journal of the House

SIXTH DAY

Hall of the House of Representatives,
Topeka, KS, Tuesday, January 19, 2016, 11:00 a.m.

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

The roll was called with 121 members present.
Rep. Seiwert was excused on verified illness.
Reps. Goico, Kelley and Schwab were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Joe Cowell, pastor, First Assembly of God, Cheney, and guest of Rep. Whitmer:

> Our Heavenly Father, Creator of the Universe, and Lord of our lives,
>
> We come before you today in need of your intervention and assistance.
>
> We acknowledge that you are our Lord, our Light, and our Salvation, Who shall we fear.
>
> We acknowledge that you are the Strength of Our Lives, of whom shall we be afraid.
>
> For I am persuaded that though a great enemy encamp round about me and war break out against me on every side.
>
> In Your Presence and Power WE STAND CONFIDENT.
>
> Give us Strength today O Mighty God to make the decisions that might prove difficult and unpopular to others but are RIGHT AND Just in Your eyes.
>
> Give us Knowledge to choose the path we should take as we prove your Word to be a Lamp unto our feet and a Light unto our path.
>
> Give us Wisdom to know how to lead well the people underneath our care, to govern and administer Justice to all within our territory.
>
> Give us Grace as we are all fallen men and woman void of any righteousness in and of ourselves needing grace to give us Hope in the midst of despair and hopelessness.
>
> Grant us Your protection for our families and loved ones who have sacrificed so much so that we can do the job that we have been appointed to do.
>
> Just as you led the Children of Israel with a Pillar of fire

by night and a Cloud by day, May You guide us O Mighty God in paths of righteousness for Your Name sake.

May our hearts stay tender and broken before you as we humble ourselves before your Awesome Presence in order that you might Lift us up.

Bless the Men and Women of this state legislature. May it be evident to all that God has heard our prayer this day.

Unto Him who is able to do exceedingly, abundantly above all we could ask think or imagine according to the power that works in us to him be glory in the church and in Christ Jesus throughout all generations, for ever and ever!

Amen.

The Pledge of Allegiance was led by Rep. Waymaster.

PERSONAL PRIVILEGE

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

Remarks in recognition of the Revered Dr. Martin L. King, Jr.

The Rev. Dr. Martin L. King, Jr., was in Memphis, Tennessee, to lend his support to the sanitation workers. He delivered his "I've Been to the Mountain Top" speech on April 3, 1968.

"You know, several years ago, I was in New York City autographing the first book that I had written. And while sitting there autographing books, a demented black woman came up. The only question I heard from her was "Are you Martin Luther King?" And I was looking down writing, and I said, "Yes." And the next minute I felt something beating on my chest. Before I knew it I had been stabbed by this demented woman. I was rushed to Harlem Hospital. It was a dark Saturday afternoon. And that blade had gone through, and the X-rays revealed that the tip of the blade was on the edge of my aorta, the main artery. And once that's punctured, your drowned in your own blood—that's the end of you.

It came out in the *New York Times* the next morning, that if I had merely sneezed, I would have died. Well, about four days later, they allowed me, after the operation, after my chest had been opened, and the blade had been taken out, to move around in the wheel chair in the hospital. They allowed me to read some of the mail that came in, and from all over the states and the world, kind letters came in. I read a few, but one of them I will never forget. I had received one from the President and the Vice-President. I've forgotten what those telegrams said. I'd received a visit and a letter from the Governor of New York, but I've forgotten what that letter said. But there was another letter that came from a little girl, a young girl who was a student at the White Plains High School. And I looked at that letter, and I'll never forget it. It said simply,

Dear Dr. King,

I am a ninth-grade student at the White Plains High School.

And she said, While it should not matter, I would like to mention that I'm a white

And she said, While it should not matter, I would like to mention that I'm a white girl. I read in the paper of your misfortune, and of your suffering. And I read that if you had sneezed, you would have died. And I'm simply writing you to say that I'm so happy that you didn't sneeze.

And I want to say tonight—I want to say tonight that I too am happy that I didn't sneeze. Because if I had sneezed, I wouldn't have been around here in 1960 when students all over the South started sitting-in at lunch counters. And I knew that as they were sitting in, they were really standing up for the best in the American dream, and taking the whole nation back to those great wells of democracy which were dug deep by the Founding Fathers in the Declaration of Independence and the Constitution.

If I had sneezed, I wouldn't have been around here in 1961, when we decided to take a ride for freedom and ended segregation in inter-state travel.

If I had sneezed, I wouldn't have been around here in 1962, when Negroes in Albany, Georgia, decided to straighten their backs up. And whenever men and women straighten their backs up, they are going somewhere, because a man can't ride your back unless it is bent.

If I had sneezed—If I had sneezed I wouldn't have been here in 1963, when the black people of Birmingham, Alabama, aroused the conscience of this nation, and brought into being the Civil Rights Bill.

If I had sneezed, I wouldn't have had a chance later that year, in August, to try to tell America about a dream that I had had.

If I had sneezed, I wouldn't have been down in Selma, Alabama, to see the great Movement there.

If I had sneezed, I wouldn't have been in Memphis to see a community rally around those brothers and sisters who are suffering.

I'm so happy that I didn't sneeze.

And they were telling me--. Now, it doesn't matter, now. It really doesn't matter what happens now. I left Atlanta this morning, and as we got started on the place, there were six of us. The pilot said over the public address system, "We are sorry for the delay, but we have Dr. Martin Luther King on the plane. And to be sure that all of the bags were checked, and to be sure that nothing would be wrong on the plane, we had to check out everything carefully. And we've had the plane protected and guarded all night."

And then I got into Memphis. And some began to say the threats, or talk about the threats that were out.

Well, I don't know what will happen now. We've got some difficult days ahead. But it really doesn't matter with me now, because I've been to the mountaintop.

And I don't mind.

Like anybody, I would like to live a long life. Longevity has its place. But I'm not concerned about that now. I just want to do God's will. And He's allowed me to go up to the mountain. And I've looked over. And I've seen the Promised Land. I may not get there with you. But I want you to know tonight, that we, as a people, will get to the promised land!"

The Rev. Dr. Martin Luther King was killed on April 4, 1968.

Famous quotes from the Rev. Dr. Martin Luther King----

"The time is always right to do what is right"

"Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that."

"Injustice anywhere is a threat to justice everywhere."

"Our lives begin to end the day we become silent about things that matter."

"The ultimate measure of a man or woman is not where he/she stands in moments of comfort and convenience, but where she/he stands at times of challenge and controversy."

As we celebrate the 87th birthday of Rev. Dr. Martin Luther King, we are reminded of what he called life's persistent and urgent question-- What are you doing for others? In that spirit, I hope we are doing everything we can to make a difference in the lives of Kansans. They believe in us. They trust us. We were given the honor and privilege to represent them.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2470, AN ACT regulating traffic; concerning overtaking and passing school buses, cameras, penalties; amending K.S.A. 2015 Supp. 8-1556, 8-2106 and 8-2118 and repealing the existing sections, by Committee on Education.

HB 2471, AN ACT concerning the Kansas board of barbering; disciplinary authority; amending K.S.A. 65-1810, 65-1812, 65-1819 and 65-1820a and K.S.A. 2015 Supp. 65-1824 and repealing the existing sections, by Committee on Health and Human Services.

HB 2472, AN ACT concerning the state board of tax appeals; relating to orders; judicial review; amending K.S.A. 2015 Supp. 74-2426 and 77-618 and repealing the existing sections, by Committee on Judiciary.

HB 2473, AN ACT concerning motor vehicles; relating to license plates, providing for the Alzheimer's disease awareness license plate, by Committee on Transportation.

HB 2474, AN ACT concerning taxation; providing for the extinguishment of tax liens for unpaid personal property taxes under certain circumstances; amending K.S.A. 2015 Supp. 79-2026 and repealing the existing section, by Committee on Taxation.

HB 2475, AN ACT concerning property taxation; relating to redevelopment districts, capital outlay levy; amending K.S.A. 72-8803 and K.S.A. 2015 Supp. 12-1770a and 72-8801 and repealing the existing sections, by Committee on Taxation.

HB 2476, AN ACT concerning property taxation; relating to collection; delinquent real property tax, claims against the county; amending K.S.A. 79-2011 and repealing the existing section, by Committee on Taxation.

HB 2477, AN ACT concerning motor vehicles; relating to registration, proof of payment of real and personal property taxes; amending K.S.A. 2015 Supp. 8-173 and repealing the existing section, by Committee on Taxation.

HB 2478, AN ACT concerning telecommunications; relating to prepaid wireless devices; creating the public safety prepaid wireless communications device committee, by Representative Sloan.

HB 2479, AN ACT concerning agriculture; relating to noxious weeds; amending K.S.A. 2-1314b, 2-1320, 2-1323, 2-1330 and 2-1332 and K.S.A. 2015 Supp. 2-1314, 2-1315, 2-1316, 2-1317, 2-1318, 2-1319, 2-1322 and 2-1331 and repealing the existing sections; also repealing K.S.A. 2-1316a, 2-1325, 2-1326, 2-1328 and 2-1329 and K.S.A. 2015 Supp. 2-1327 and 2-1334, by Committee on Agriculture and Natural Resources.

HB 2480, AN ACT concerning livestock; relating to marks and brands; amending K.S.A. 47-418, 47-421 and 47-426 and K.S.A. 2015 Supp. 47-414, 47-414a, 47-416, 47-417, 47-417a, 47-420, 47-422, 47-428, 47-446 and 47-1011a and repealing the existing sections; also repealing K.S.A. 47-423, 47-436, 47-438, 47-439, 47-440, 47-445 and 47-447 and K.S.A. 2015 Supp. 47-418a, 47-432, 47-433, 47-434, 47-435, 47-437, 47-441, 47-442 and 47-448, by Committee on Agriculture and Natural Resources.

HB 2481, AN ACT concerning water; relating to multi-year flex accounts; amending K.S.A. 2015 Supp. 82a-708c and repealing the existing section, by Committee on Agriculture and Natural Resources.

HB 2482, AN ACT concerning the nurse educator service scholarship; relating to the definition of school of nursing; amending K.S.A. 2015 Supp. 74-32,220 and repealing the existing section, by Committee on Appropriations.

HB 2483, AN ACT concerning postsecondary education; relating to postsecondary career technical education performance-based funding; amending K.S.A. 2015 Supp. 72-4490 and repealing the existing section, by Committee on Appropriations.

COMMUNICATIONS FROM STATE OFFICERS

From State of Kansas, Board of Indigents' Defense Services, Annual Report Fiscal Year 2015.

From Kansas Department of Wildlife, Parks and Tourism, Division of Tourism, Annual Report FY15.

From Martha K. Gabehart, Executive Director, Kansas Commission on Disability Concerns, KCDC FY 2015 Annual Report.

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

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Sub HB 2151, AN ACT concerning grand juries; summoning; jury instructions; witnesses; amending K.S.A. 2014 Supp. 22-3001 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 101; Nays 20; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Campbell, Carlin, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwartz, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson.

Nays: Alcala, Ballard, Burroughs, Carmichael, Clayton, Finney, Helgerson, Henderson, Highberger, Houston, Kuether, Lusk, Ousley, Ruiz, Scott, Tietze, Todd,

Ward, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Goico, Kelley, Schwab, Seiwert.

The substitute bill passed.

REPORT ON ENROLLED RESOLUTIONS

HCR 5020, **HCR 5021**; **HR 6031** reported correctly enrolled and properly signed on January 19, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, January 20, 2016.

Journal of the House

SEVENTH DAY

Hall of the House of Representatives,
Topeka, KS, Wednesday, January 20, 2016, 11:00 a.m.

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

The roll was called with 120 members present.
Rep. Seiwert was excused on verified illness.
Rep. Estes was excused on legislative business.
Reps. Goico, Kiegerl and Wolfe Moore were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Doyle Pryor, senior pastor, First Southern Baptist Church, Topeka:

> Heavenly Father,
>
> I ask Your blessings today on the ladies and gentlemen who are tasked with the leadership of our great state. I pray that you would protect their families, their businesses and their own hearts during this session. Draw them close to Yourself. I know that leadership is ordained of You, so help them be worthy, and honor the high calling of service and ministry to their fellow man.
>
> We know Your Word says that You can do exceeding abundantly more than we could ever ask or imagine; So give them great imaginations and ingenuity on behalf of this great state.
>
> Heavenly Father we acknowledge that You are all-knowing and from everlasting to everlasting, You know everything in our past and in our future, so if we knew what you knew, we would want what you want. Help us to know you so well that we would want what you want. I pray that these men and women would legislate well, so that Kansas will be a better place to live, work and raise as family at the end of this session than it was in the beginning.
>
> I thank you for the incredible example of leadership and sacrifice You provided on the cross, and it is in the matchless name of Jesus I pray, Amen.

The Pledge of Allegiance was led by Rep. Wilson.

INTRODUCTION OF GUESTS

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

It is my pleasure as a 2016 member of the Kansas House of Representatives to recognize Northwest Kansas Technical College for being selected as an Apple Distinguished School for 2015-2017. Congratulations on being recognized as an exemplary learning environment for innovation, leadership, and educational excellence.

The administration and faculty have shown that they demonstrate the Five Best Practices of an Apple Distinguished School: visionary leadership, innovative learning and teaching, ongoing professional training, compelling evidence of success, and a flexible learning environment.

Apple has engaged with educators for over thirty years to explore and enhance the experience of teaching and learning. Apple's education mission is to provide a learning environment that supports the way students live and how they will learn. We applaud Northwest Kansas Technical College for advancing this mission, ensuring that all students are prepared for future success in work and life.

In past years, Apple has given Northwest Kansas Technical College several different awards. Northwest Tech was the first two-year college to be awarded both the Apple Distinguished Program Award and the Apple Distinguished School Award. It was also the first two-year college in the United States to implement an iPad 1:1 program.

The Apple Distinguished Educator Program began in 1994 and it has grown into a worldwide community of over 2,000 visionary educators who are doing amazing things with Apple Technology. This year I am very proud to announce an individual award for an instructor at Northwest Tech. Adam Elliott, the Computer Graphics Teacher, has been named an Apple Distinguished Educator.

Adam is the first individual in the 2-year sector from the state of Kansas to receive the Distinguished Educator Award. Mr. Elliott is a Goodland, Kansas native and a 2009 graduate of Forth Hays State University.

Rep. Billinger introduced Dr. Ed Mills; Ron Kaus; Brad Bergsma; Apple Representative, Nathan Ray and Adam Elliott, Apple Distinguished Educator. He presented them with a framed House certificate.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2484, AN ACT concerning charitable gaming; relating to disclosure of licensee information; amending K.S.A. 2015 Supp. 75-5133 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2485, AN ACT concerning insurance; relating to risk-based capital instructions; effective date; amending K.S.A. 2015 Supp. 40-2c01 and repealing the existing section, by Committee on Insurance and Financial Institutions.

HB 2486, AN ACT concerning school districts; relating to capital improvements; creating the school district bond project review board; amending K.S.A. 2015 Supp. 75-2319 and repealing the existing section, by Committee on Education.

HB 2487, AN ACT concerning legislators; relating to subsistence allowances; amending K.S.A. 2015 Supp. 46-137a and repealing the existing section, by Representative Trimmer.

HB 2488, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; lump-sum death benefit; amending K.S.A. 74-4989 and K.S.A. 2015 Supp. 74-49,315 and repealing the existing sections, by Committee on Pensions and Benefits.

HB 2489, AN ACT concerning the Kansas public employees retirement system; relating to death and long-term disability benefits; employer payments to group insurance reserve fund; Kansas public employees retirement system act of 2015; accidental death benefit; annuity interest rate; amending K.S.A. 74-4916 and K.S.A. 2015 Supp. 74-4927 and 74-49,313 and repealing the existing sections, by Committee on Pensions and Benefits.

HB 2490, AN ACT concerning the plant pest and agriculture commodity certification act; relating to certain definitions; relating to plant pest containment; amending K.S.A. 2015 Supp. 2-2113, 2-2114, 2-2116 and 2-2117 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

HB 2491, AN ACT concerning water; relating to the water appropriation act; annual water use report; amending K.S.A. 2015 Supp. 82a-732 and repealing the existing section, by Committee on Agriculture and Natural Resources.

HB 2492, AN ACT concerning conservation; establishing the Kansas conservation reserve enhancement program, by Committee on Agriculture and Natural Resources.

HB 2493, AN ACT concerning property taxation; relating to cities and counties, election requirements for certain budget increases; amending K.S.A. 2015 Supp. 79-2925b and repealing the existing section, by Committee on Taxation.

HB 2494, AN ACT concerning taxation; repealing certain obsolete or expired sections; amending K.S.A. 79-5a03 and K.S.A. 2015 Supp. 74-2439 and repealing the existing sections; also repealing K.S.A. 79-310a, 79-319, 79-319a, 79-322, 79-506, 79-1408 and 79-1472 and K.S.A. 2015 Supp. 79-1409 and 79-1494, by Committee on Taxation.

HB 2495, AN ACT concerning property taxation; relating to classification of certain improvements, timeframe for appeals; amending K.S.A. 2015 Supp. 79-262 and repealing the existing section, by Committee on Taxation.

HB 2496, AN ACT concerning property taxation; relating to personal property sold or transferred before the tax has been paid; amending K.S.A. 2015 Supp. 79-2109 and repealing the existing section, by Committee on Taxation.

HB 2497, AN ACT concerning the department of revenue; relating to driver's license examiners, unclassified service; amending K.S.A. 2015 Supp. 75-2935 and repealing the existing section, by Committee on Taxation.

HB 2498, AN ACT concerning sales taxation; relating to the community improvement district sales tax administration fund; amending K.S.A. 2015 Supp. 12-6a31 and repealing the existing section, by Committee on Taxation.

HB 2499, AN ACT concerning sales tax authority; relating to the Sherwood improvement district; amending K.S.A. 19-2765 and repealing the existing section, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2479, HB 2480, HB 2481**.
Education Budget: **HB 2482, HB 2483**.
Health and Human Services: **HB 2471**.
Taxation: **HB 2472, HB 2474, HB 2475, HB 2476, HB 2477**.
Transportation: **HB 2470, HB 2473**.
Utilities and Telecommunications: **HB 2478**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2058** from Committee on Appropriations and referral to Committee on Health and Human Services.

COMMUNICATIONS FROM STATE OFFICERS

From Mike Michael, Director, State Employee Health Plan, Division of Health Care Finance, Kansas Department of Health and Environment; in compliance with K.S.A. 75-6509, Kansas State Employees Health Care Commission 2015 Annual Report.

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

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, January 21, 2016.

Journal of the House

EIGHTH DAY

Hall of the House of Representatives,
Topeka, KS, Thursday, January 21, 2016, 11:00 a.m.

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

The roll was called with 119 members present.
Rep. Seiwert was excused on verified illness.
Rep. Doll was excused on legislative business.
Reps. Goico, Hedke, Johnson and Mason were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Dave Froese, pastor, Koerner Heights Church, Newton, and guest of Rep. Schroeder:

> Wonderful Counselor, Almighty God, Everlasting Father, Prince of Peace; I come to you in humble gratitude this morning. We are blessed in so many ways. We live in a state of magnificent grandeur and bountiful provision. We are blessed with opportunity and freedom. We have been given a wonderful state in which to live and nurture our families. Thank you!
>
> However, the challenges and opportunities before the people of Kansas and our leaders are significant. We have been given the opportunity to protect and nurture the blessings we enjoy but we are inadequate on our own to make the best decisions. There are times we struggle to make the right choices and walk in unity.
>
> Lord, God, I have always been able to trust you with the challenges of each day. Your love and compassion has strengthened me. Through Jesus, I have always been able to walk into your presence with confidence. It is in Your presence that I have been able to receive mercy and find grace to help me in my time of need. You have been my way, my truth, and my life.
>
> Therefore, I pray for each representative and their staff this morning. Thank you so much for their willingness to serve our state. Open up their minds and hearts to an understanding of the issues that enable them to see truth. Take them deeper than the presenting problems so that

they can solve the issues at the deepest level. Give them wisdom to know the right decisions to make, courage to make the right decisions, and cooperation to implement in unity.

I ask for Your hand of blessing on this House this day!

In Jesus' Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Schroeder.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2500, AN ACT concerning the citizens' utilities ratepayers board; enacting the Kansas ratepayers protection act; amending K.S.A. 66-1222 and 66-1223 and repealing the existing sections, by Representatives Ward and Kuether.

HB 2501, AN ACT Concerning crimes, punishment and criminal procedure; relating to jurisdiction and venue; crime committed with an electronic device; amending K.S.A. 2015 Supp. 22-2619 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2502, AN ACT concerning civil procedure; relating to habeas corpus; time limitations in motion to attack sentence; amending K.S.A. 60-1507 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2503, AN ACT concerning motor vehicles; relating to vehicle registration, fees; creating the Kansas highway patrol staffing and training fund; amending K.S.A. 2015 Supp. 8-145 and repealing the existing section, by Committee on Transportation.

HB 2504, AN ACT concerning school districts; relating to the realignment thereof; amending K.S.A. 2015 Supp. 72-1923 and repealing the existing section, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2490, HB 2491, HB 2492**.
Education: **HB 2486**.
Federal and State Affairs: **HB 2484**.
General Government Budget: **HB 2487**.
Insurance and Financial Institutions: **HB 2485**.
Pensions and Benefits: **HB 2488, HB 2489**.
Taxation: **HB 2493, HB 2494, HB 2495, HB 2496, HB 2497, HB 2498, HB 2499**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2199** from Committee on Appropriations and rereferral to Committee on Education.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Kleeb in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Kleeb, Committee of the Whole report, as follows, was adopted:
Recommended that **HB 2449** be passed.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Vickrey pursuant to House Rule 2311, **HB 2449** was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2449, AN ACT concerning the judicial branch; relating to severability of the provisions of 2015 House Bill No. 2005, chapter 81 of the 2015 Session Laws of Kansas; repealing K.S.A. 2015 Supp. 20-1a18, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Doll, Goico, Hedke, Johnson, Mason, Seiwert.

The bill passed.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 8, by Representative Virgil Peck Jr., congratulating Melvin "Bud" Betts on his 90th birthday;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2505, AN ACT concerning income taxation; relating to the low income exclusion; qualification; modifications to non-wage business income exemption; amending K.S.A. 2015 Supp. 79-32,110 and repealing the existing section, by Committee on Taxation.

HB 2506, AN ACT concerning governmental ethics; relating to false statements against candidates for elected state office; enacting the political accountability in campaigning act, by Committee on Elections.

HB 2507, AN ACT concerning elections; relating to ballots; removing city of residence from candidate information; amending K.S.A. 25-613 and 25-617 and K.S.A. 2015 Supp. 25-616 and repealing the existing sections, by Committee on Elections.

HB 2508, AN ACT concerning insurance; relating to financial examinations; requirements; amending K.S.A. 40-2912 and K.S.A. 2015 Supp. 12-2620 and 44-584 and repealing the existing sections, by Committee on Insurance and Financial Institutions.

HB 2509, AN ACT concerning state agencies, relating to the office of information technology services, executive chief information technology officer; concerning agency budgets for information technology security; amending K.S.A. 2015 Supp. 75-7205 and repealing the existing section, by Committee on Vision 2020.

HB 2510, AN ACT concerning water; relating to the state water plan; amending K.S.A. 70a-102, 70a-105 and 82a-951 and K.S.A. 2015 Supp. 2-2204, 65-166a, 82a-903 and 82a-2101 and repealing the existing sections, by Committee on Vision 2020.

HB 2511, AN ACT concerning water; relating to lakes and reservoirs; municipal water suppliers; municipal water wells; state fishing lakes; amending K.S.A. 82a-951 and 82a-1205 and K.S.A. 2015 Supp. 32-991 and 82a-2101 and repealing the existing sections, by Committee on Vision 2020.

HB 2512, AN ACT relating to accountants; concerning professional licensure requirements; early access to the certified public accountant examination; amending K.S.A. 2015 Supp. 1-302a and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

HB 2513, AN ACT concerning the legislature; relating to length of regular session, by Committee on Appropriations.

HB 2514, AN ACT concerning pet animals; relating to the Kansas pet animal act; amending K.S.A. 47-1704 and K.S.A. 2015 Supp. 47-1701 and 47-1725 and repealing the existing sections, by Committee on Federal and State Affairs.

On motion of Rep. Vickrey the House adjourned pro forma until 8:00 a.m. on Friday, January 22, 2016.

Journal of the House

NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, January 22, 2016, 8:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker pro tem Mast in the chair.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2515, AN ACT concerning crimes, punishment and criminal procedure; relating to abolition of the death penalty; creating the crime of aggravated murder; sentences of imprisonment for life without the possibility of parole; establishing the Kansas death penalty abolition fund; amending K.S.A. 2015 Supp. 21-5419, 21-6614, 21-6618, 21-6620, 21-6622, 21-6628, 21-6629, 21-6806, 22-3717, 22-4902, 22-4906, 38-2255, 38-2271, 38-2312, 38-2365, 39-970, 65-5117, 72-1397 and 75-52,148 and repealing the existing sections; also repealing K.S.A. 2015 Supp. 21-5401, 21-6614f, 21-6617 and 21-6619, by Representatives Becker, Anthimides, Ballard, Bradford, Clark, Concannon, Dierks, Doll, Henry, Highberger, Houser, Houston, Kuether, O'Brien, Sawyer, Schroeder and Sutton.

HB 2516, AN ACT concerning the department of health and environment; relating to the asbestos control act, licensing requirements; air fee fund, transfers; amending K.S.A. 65-5301, 65-5303, 65-5304, 65-5307, 65-5309 and 65-5311 and K.S.A. 2015 Supp. 65-5310 and 65-5314 and repealing the existing sections; also repealing K.S.A. 65-5308, by Committee on Energy and Environment.

HB 2517, AN ACT concerning the secretary of health and environment; relating to solid waste, vehicle tire disposal, tire tax; abolishing the solid waste grant advisory committee; amending K.S.A. 65-3415a and 65-3424d and K.S.A. 2015 Supp. 65-3424g and repealing the existing sections; also repealing K.S.A. 2015 Supp. 65-3426, by Committee on Energy and Environment.

HB 2518, AN ACT concerning vital statistics; relating to electronic filing of death certificates and related documentation; amending K.S.A. 2015 Supp. 65-2412 and repealing the existing section, by Committee on Health and Human Services.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2510** (jointly), **HB 2511** (jointly), **HB 2514**.
Appropriations: **HB 2513**.

Commerce, Labor and Economic Development: **HB 2512**.
Corrections and Juvenile Justice: **HB 2501**.
Education: **HB 2504**.
Elections: **HB 2506, HB 2507**.
Energy and Environment: **HB 2500**.
Insurance and Financial Institutions: **HB 2508**.
Judiciary: **HB 2502**.
Taxation: **HB 2505**.
Transportation: **HB 2503**.
Vision 2020: **HB 2509**, **HB 2510** (jointly), **HB 2511** (jointly).

COMMUNICATIONS FROM STATE OFFICERS

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

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

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, January 25, 2016.

Journal of the House

TENTH DAY

Hall of the House of Representatives,
Topeka, KS, Monday, January 25, 2016, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 117 members present.
Reps. Ryckman, Sr. and Seiwert were excused on verified illness.
Reps. Kelley, Lusk, Sawyer, Victors, Whitmer and Wolfe Moore were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Jeff Clinger, pastor, First United Methodist Church, Topeka, and guest of Rep. Tietze:

> God of each and every one of us, we pause before you now at the start of another day's work.
> Help us to truly pause.
> Clear our minds of all that this morning has already contained.
> Clear our minds of the many tasks that are ahead of us this day.
> Clear our minds of our worries about family and friends and community.
> Clear our minds of anxieties about the work before us here.
> Clear our minds of our agendas, those we impose on others and on our work.
> Clear our minds and help us to truly pause this morning that we might breathe deeply of your presence. And as your spirit moves within us, around us, and among us…
> Help us to remember that we are created in your image.
> Help us remember that we are called to use our gifts for the good of all of your creation.
> Help us to remember the call to love you and to love our neighbor in all that we do.
> We are grateful for your loving presence, O God.
> We are grateful for the privilege to serve.
> We pray all of these things in your Holy name, Amen.

The Pledge of Allegiance was led by Rep. D. Jones.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2519, AN ACT concerning the state highway fund; relating to the approved uses by the department of transportation; amending K.S.A. 2015 Supp. 68-416 and repealing the existing section, by Committee on Transportation.

HB 2520, AN ACT designating a portion of U.S. highway 400 as the John Troy, Pete Hughes and Earl Seifert highway, by Committee on Transportation.

HB 2521, AN ACT regulating traffic; relating to size, weight and load of vehicles; annual emergency response permits; amending K.S.A. 2015 Supp. 8-1911 and repealing the existing section, by Committee on Transportation.

HB 2522, AN ACT concerning the division of vehicles; relating to drivers' licenses and identification cards; facial imaging; amending K.S.A. 2015 Supp. 8-240, 8-243 and 8-1324 and repealing the existing sections, by Committee on Veterans, Military and Homeland Security.

HB 2523, AN ACT concerning animal care; relating to the Kansas veterinary practice act; posting hours of animal supervision; amending K.S.A. 2015 Supp. 47-816 and repealing the existing section, by Committee on Agriculture and Natural Resources.

HB 2524, AN ACT concerning legal public holidays; relating to state offices, by Committee on Federal and State Affairs.

HB 2525, AN ACT concerning immigration; relating to the employment of unauthorized aliens, by Committee on Federal and State Affairs.

HB 2526, AN ACT concerning firearms; relating to the personal and family protection act; relating to carrying concealed handguns in postsecondary educational institution buildings; amending K.S.A. 2015 Supp. 75-7c20 and repealing the existing section, by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Energy and Environment: **HB 2516, HB 2517**.
Health and Human Services: **HB 2518**.
Judiciary: **HB 2515**.

CHANGE OF REFERENCE

Speaker pro tem Mast announced the withdrawal of **HB 2018** from Committee on Appropriations and rereferral to Committee on Corrections and Juvenile Justice.

COMMUNICATIONS FROM STATE OFFICERS

From Alexandra Blasi, JD, MBA, Executive Secretary, Kansas Board of Pharmacy, pursuant to K.S.A. 65-4102(b), Report on Substances Proposed for Scheduling, Rescheduling or Deletion.

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

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **SB 248** be amended on page 1, in line 5, by striking "2014" and inserting "2015";

Also on page 1, in the title, in line 1 by striking "2014" and inserting "2015"; and the bill be passed as amended.

Committee on **Appropriations** recommends **SB 250** be amended on page 2, in line 29, by striking "2014" and inserting "2015";

On page 1, in the title, in line 2, by striking "2014" and inserting "2015"; and the bill be passed as amended.

Committee on **Veterans, Military and Homeland Security** recommends **HB 2442** be amended on page 1, in line 19, before the first "the" by inserting ":

(1) ";

Also in line 19, by striking the comma and inserting ";

(2) ";

Also on page 1, in line 21, by striking the comma and inserting:

";

(3) (A) the governor, if the entity being audited is an executive branch entity;

(B) the legislative coordinating council, if the entity being audited is a legislative entity; or

(C) the chief justice of the Kansas supreme court, if the entity being audited is a judicial entity;

(4) ";

Also on page 1, in line 22, by striking the comma and inserting ";

(5) ";

Also on page 1, in line 23, after "technology" by inserting a semicolon; also in line 23, after "and" by inserting:

"(6) ";

And the bill be passed as amended.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Mast announced the appointment of Rep. Ruiz to replace Rep. Victors on Committee on Agriculture and Natural Resources on Monday, January 25.

Also, Rep. Highberger is appointed to replace Rep. Victors on Committee on Children and Seniors on Tuesday, January 26.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, January 26, 2016.

Journal of the House

ELEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, January 26, 2016, 11:00 a.m.

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

The roll was called with 120 members present.
Reps. Grosserode and Seiwert were excused on verified illness.
Rep. Hoffman was excused on legislative business.
Reps. DeGraaf and Patton were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord God,
Thank You for this another day You have given us.
For these leaders, today I pray for their discomfort.
Bless them with discomfort at
easy answers, half truths, and superficial responses.
Bless them with anger at
injustice, oppression and exploitation of people
so that You may lead them in working for
justice, freedom and peace.
Bless them with tears for those who suffer from
pain, rejection, starvation and alienation
so that You may reach out Your hand to
comfort them and turn the pain to joy.
Bless them with enough foolishness to believe that
You can make a difference in this state,
so that You can do through them
what others claim cannot be done.
This I pray in the Name of Christ,
Amen.

The Pledge of Allegiance was led by Rep. Ballard.

INTRODUCTION OF GUESTS

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

Today I am pleased to introduce to the Kansas House of Representatives Emporia State University's 17th President, Dr. Allison Garrett who began her tenure on January 4, 2016.

President Garrett brings to Emporia State a wealth of experience in higher education, government and corporate America. She worked nearly four years as executive vice president at Abilene Christian University, five years as senior vice president for academic affairs at Oklahoma Christian University and three years as associate professor of law at Faulkner University.

Earlier she had spent 16 years as an attorney, two years as a U.S. Securities and Exchange Commission attorney, and 10 years with Wal-Mart Stores, Inc., where she rose from corporate counsel to vice president and general counsel of the corporate division.

Garrett earned a bachelor's degree in English from Oklahoma Christian University, followed by a juris doctorate from the University of Tulsa College of Law and a master of laws degree in securities regulation from Georgetown University Law Center.

A native of Neosho, Missouri, Garrett moves to Emporia with her husband, Chip, and youngest son, Noah, a junior at Emporia High School. The couple has two other children. Daughter Tori is a sophomore at Oklahoma Christian University. Oldest son, Ethan, is an accountant and lives in Edmond, Oklahoma, with his wife, Danielle.

I know Dr. Garrett has already met many of you and looks forward to building a great working relationship with the legislature. Allison, as we thank you for your service, my colleagues join me in welcoming you to Kansas and to the Kansas House of Representatives.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2527, AN ACT concerning motor vehicles; relating to veterans distinctive plates; decals for certain military medals or badges; amending K.S.A. 2015 Supp. 8-1,156 and repealing the existing section, by Committee on Veterans, Military and Homeland Security.

HB 2528, AN ACT concerning taxation; relating to motor vehicles fuel taxes, rates, permits and distribution of moneys; amending K.S.A. 2015 Supp. 79-3492b, 79-34,118, 79-34,141 and 79-34,142 and repealing the existing sections, by Committee on Transportation.

HB 2529, AN ACT concerning motor vehicles; relating to registration, fees, certain vehicles; amending K.S.A. 2015 Supp. 8-143 and repealing the existing section, by Committee on Transportation.

HB 2530, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2016, June 30, 2017, and June 30, 2018, for the state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures

and acts incidental to the foregoing; amending K.S.A. 2015 Supp. 74-50, 107, 74-99b34, 75-6609 and 79-34,161 and repealing the existing sections.

HB 2531, AN ACT repealing K.S.A. 72-5441, 72-5442, 72-5443, 72-5444 and 72-5447 and K.S.A. 2015 Supp. 72-5436, 72-5438, 72-5439, 72-5440, 72-5445 and 72-5446; concerning certain postsecondary teachers; relating to due process, by Committee on Education.

HB 2532, AN ACT concerning education; relating to financial literacy; amending K.S.A. 2015 Supp. 72-1127 and repealing the existing section, by Committee on Education.

HB 2533, AN ACT concerning schools; creating the student online personal protection act, by Committee on Education.

HB 2534, AN ACT concerning schools; relating to restraint and seclusion of students; amending K.S.A. 2015 Supp. 72-89d02, 72-89d03, 72-89d04, 72-89d05, 72-89d06 and 72-89d08 and repealing the existing sections, by Committee on Children and Seniors.

HB 2535, AN ACT concerning the department of health and environment; relating to solid waste, disposal, recycling, hypodermic needles and other sharps; amending K.S.A. 65-3409 and repealing the existing section, by Committee on Energy and Environment.

HB 2536, AN ACT concerning accountants; relating to licensure; amending K.S.A. 2015 Supp. 1-307, 1-308, 1-311, 1-312, 1-321 and 1-322 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2537, AN ACT concerning gaming; amending K.S.A. 74-8836 and K.S.A. 2015 Supp. 74-8741, 74-8744, 74-8746, 74-8747, 74-8814 and 75-6204 and repealing the existing sections, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2523**.
Appropriations: **HB 2519**.
Federal and State Affairs: **HB 2525, HB 2526**.
General Government Budget: **HB 2524**.
Transportation: **HB 2520, HB 2521, HB 2522**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2134** from the Calendar under the heading General Orders and referral to Committee on Insurance and Financial Institutions.

Also, the withdrawal of **HB 2319** from Committee on Taxation and rereferral to Committee on Health and Human Services.

COMMUNICATIONS FROM STATE OFFICERS

From Mark A. Bruce, Superintendent, Kansas Highway Patrol, pursuant to K.S.A. 60-4117, 2015 Annual Report, State Forfeiture Fund.

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

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6032**—
By Representatives Highland and Ryckman, Sr.

HR 6032—A RESOLUTION congratulating and commending the members of the 2016 Kansas Teacher of the Year team.

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

WHEREAS, Two teachers – one elementary and one secondary – in each of the state's four United States congressional districts were selected as finalists for recognition as the Kansas Teacher of the Year, with the winner being chosen from among the eight finalists. The Kansas Teacher of the Year is awarded the Hubbard Foundation Kansas Teacher of the Year Ambassadorship, which enables the person selected to devote significant time during the second semester to activities supporting the mission of the program. The 2016 Kansas Teacher of the Year and the finalists were honored at an awards banquet on November 21, 2015. All members received a cash award as well as mementos of the event; and

WHEREAS, The Kansas Teacher of the Year is nominated to represent Kansas in the National Teacher of the Year program, a project of the Council of Chief State School Officers, presented by Voya Financial; and

WHEREAS, The 2016 Kansas Teacher of the Year is Justin Coffey, Dodge City USD 443; and the regional finalists are Kristoffer R. Barikmo, Blue Valley USD 229; Lucinda M. Crenshaw, Lawrence USD 497; Shelly Jennings, Maize USD 266; Sheila E. Koup, Eureka USD 389; Nona Mason, Goodland USD 352; B. Jolene Pennington, Paola USD 368; and Anna Sahadeo, De Soto USD 232: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend the members of the 2016 Kansas Teacher of the Year team and wish Mr. Coffey success in the national competition; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall provide eight enrolled copies of this resolution to the Commissioner of Education for forwarding to the members of the 2016 Kansas Teacher of the Year team.

REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **HB 2441** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2538, AN ACT concerning firearms; relating to the minimum age requirement for concealed carry licensees; amending K.S.A. 2015 Supp. 75-7c04 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2539, AN ACT concerning counties; relating to unsafe structures; amending K.S.A. 12-1751 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2540, AN ACT concerning the uniform controlled substances act; relating to substances included in schedules I, III and IV; amending K.S.A. 65-4127e and K.S.A. 2015 Supp. 65-4105, 65-4109 and 65-4111 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2541, AN ACT concerning retirement; relating to the Kansas public employees deferred compensation act; sharing of account information; tax treatment; local governmental unit plan option; amending K.S.A. 2015 Supp. 74-49b10, 74-49b14 and 74-49b15 and repealing the existing sections, by Committee on Pensions and Benefits.

HB 2542, AN ACT concerning retirement and benefits; relating to the Kansas public employees retirement system and systems thereunder; providing a cost-of-living adjustment for certain retirants, by Committee on Pensions and Benefits.

HB 2543, AN ACT concerning elections; requiring a manual audit of certain election results, by Committee on Elections.

HB 2544, AN ACT concerning elections; relating to voter registration; allowing voter registration on election days; amending K.S.A. 2015 Supp. 25-2311, 25-2316c and 25-3602 and repealing the existing sections, by Committee on Elections.

HB 2545, AN ACT concerning criminal procedure; relating to arrest warrants; search warrants; amending K.S.A. 2015 Supp. 22-2302 and 22-2502 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, January 27, 2016.

Journal of the House

TWELFTH DAY

Hall of the House of Representatives,
Topeka, KS, Wednesday, January 27, 2016, 11:00 a.m.

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

The roll was called with 120 members present.
Reps. Ballard and Seiwert were excused on verified illness.
Reps. Burroughs, Henderson and Wolfe Moore were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Eternal God,
We thank You for this day in which You have given us
to be good stewards of our time,
actions, words, and responsibilities.
Thank You for Your grace, Your love,
and the many blessings that are ours through You.
Forgive us for falling short of Your grace
and Your call upon our lives.
Help us to walk humbly,
serve graciously, and lead righteously.
We ask for Your forgiveness
for the smallness of actions on some occasions
and the inability to work together
when so many are adversely affected.
In truth, we do not see the entire picture,
of how things should and will work out.
So help us to trust in You to give
wisdom, courage, strength, and compassion.
This I pray in Christ's name,
Amen.

The Pledge of Allegiance was led by Rep. Thompson.

INTRODUCTION OF GUESTS

Rep. Houser introduced members of the Cherokee County Sheriff"s Department to the House. Deputy Brad Knight was recognized for his selfless act of bravery during a flood water rescue. Also assisting in the rescue was Deputy Tim Reitz.

Rep. Houser presented Deputy Knight with a framed House certificate.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2546, AN ACT concerning property taxation; relating to time for payment of taxes; amending K.S.A. 2015 Supp. 79-2004 and 79-2004a and repealing the existing sections, by Committee on Vision 2020.

HB 2547, AN ACT concerning wildlife, parks and tourism, relating to the mined land wildlife area, by Representatives Lusker, Alcala, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, DeGraaf, Dierks, Doll, Edmonds, Ewy, Finch, Finney, Francis, Frownfelter, Garber, Goico, Gonzalez, Hawkins, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Houser, Houston, Huebert, Hutchins, Jennings, Johnson, D. Jones, Kelly, Kleeb, Kuether, Lewis, Lusk, Mason, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rooker, Rubin, Ruiz, Ryckman Sr., Sawyer, Schroeder, Schwab, Scott, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Wilson, Winn and Wolfe Moore.

HB 2548, AN ACT concerning sureties; relating to justification and approval; amending K.S.A. 22-2806 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2549, AN ACT concerning law enforcement; relating to requests for law enforcement assistance from foreign jurisdictions, by Committee on Federal and State Affairs.

HB 2550, AN ACT concerning the Kansas law enforcement training act; relating to open records, exemptions; amending K.S.A. 2015 Supp. 74-5611a and repealing the existing section, by Committee on Judiciary.

HB 2551, AN ACT concerning sales taxation; relating to authorization for the Sherwood improvement district to impose a sales tax; amending K.S.A. 19-2765 and repealing the existing section, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2530**.
Calendar and Printing: **HB 2537**.
Children and Seniors: **HB 2534**.
Commerce, Labor and Economic Development: **HB 2536**.
Corrections and Juvenile Justice: **HB 2540**, **HB 2545**.

Education: **HB 2531**, **HB 2532**, **HB 2533**.
Elections: **HB 2543**, **HB 2544**.
Energy and Environment: **HB 2535**.
Federal and State Affairs: **HB 2538**.
Local Government: **HB 2539**.
Pensions and Benefits: **HB 2541**, **HB 2542**.
Taxation: **HB 2528**.
Transportation: **HB 2527**, **HB 2529**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2510**, **HB 2511** from Committee on Agriculture and Natural Resources and Committee on Vision 2020 (jointly) and rereferral to Committee on Agriculture and Natural Resources.

Also, the withdrawal of **HB 2157**, **HB 2181** from Committee on Transportation and referral to Committee on Taxation.

COMMUNICATIONS FROM STATE OFFICERS

From Keith Bradshaw, Director of Fiscal and Asset Management, Kansas Department of Transportation, current bond schedule and an updated State Highway Fund Transfer summary.

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

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Highland, **HR 6032**, A RESOLUTION congratulating and commending the members of the 2016 Kansas Teacher of the Year team, was adopted.

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

I would like to welcome to the House, Regional Finalists for the Kansas Teacher of the Year: Kristoffer R. Barikmo, Blue Valley USD 229; Lucinda M. Crenshaw, Lawrence USD 497; Shelly Jennings, Maize USD 266; Sheila E. Koup, Eureka USD 389; Nona Mason, Goodland USD 352; B. Jolene Pennington, Paola USD 368; Anna Sahadeo, De Soto USD 232 and The 2016 Kansas Teacher of the Year, Justin Coffey, Dodge City USD 443.

We extend our sincere congratulations and commend the members of the 2016 Kansas Teacher of the Year team and wish Mr. Coffey success in the national competition.

CONSENT CALENDAR

No objection was made to **HB 2441** appearing on the Consent Calendar for the first day.

REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **HB 2463**, **HB 2464** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2447** be amended on page 3, following line 27, by inserting:

"(1) The secretary of corrections shall make the good time and program credit calculations authorized by section 1 of chapter 54 of the 2015 Session Laws of Kansas no later than January 1, 2016.

(2) The secretary of corrections shall make the program credit calculations authorized by the amendments to this section by this act no later than January 1, 2017.";

Also on page 3, in line 28, before "The" by inserting "(h)"; in line 33, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2459** be amended on page 1, in line 14, by striking all after "level"; by striking all in lines 15 through 17; in line 18, by striking all before "8"; in line 20, by striking all after "any"; in line 21, by striking all before the second "felony"; also in line 21, after the semicolon by inserting "and"; by striking all in lines 22 through 26;

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2462** be amended on page 1, in line 36, after the second "of" by inserting "at least $250 but"; and the bill be passed as amended.

Committee on **Education Budget** recommends **HB 2482** be amended on page 1, in line 14, after "in" by inserting "nurse education or"; also in line 14, after "nursing" by inserting "administration"; and the bill be passed as amended.

Committee on **Education Budget** recommends **HB 2483** be amended on page 1, in line 11, before the semicolon by inserting "while enrolled in an eligible career technical education program"; in line 17, by striking all after "(2)"; by striking all in lines 18 through 20; in line 21, by striking "(3)"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2469** be passed.

Committee on **Health and Human Services** recommends **HB 2455** be passed.

Committee on **Local Government** recommends **HB 2438** be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2552, AN ACT concerning legal public holidays; designating indigenous peoples day; amending K.S.A. 2015 Supp. 35-107 and 35-205 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2553, AN ACT concerning municipal courts; relating to assessments; the Kansas commission on peace officers' standards and training fund; amending K.S.A 12-4112 and K.S.A. 2015 Supp. 12-4117 and repealing the existing sections, by Committee on Judiciary.

HB 2554, AN ACT concerning agriculture; relating to the Kansas pet animal act; amending K.S.A. 47-1702, 47-1703, 47-1704, 47-1712, 47-1720, 47-1733 and 47-1734 and K.S.A. 2015 Supp. 47-1701, 47-1706, 47-1709, 47-1710, 47-1711, 47-1721, 47-1723, 47-1725, 47-1726 and 47-1731 and repealing the existing sections; also repealing K.S.A. 47-1717, 47-1719, 47-1732 and 47-1736, by Committee on Agriculture and Natural Resources.

HB 2555, AN ACT concerning the Kansas law enforcement training act, relating to qualifications of applicants for certification; definitions; amending K.S.A. 2015 Supp. 74-5605 and repealing the existing section, by Committee on Judiciary.

HB 2556, AN ACT concerning the grandparents as caregivers act; age requirement; deeming children under the act as foster children; amending K.S.A. 2015 Supp. 38-145 and repealing the existing section, by Representative Claeys.

HB 2557, AN ACT concerning consumer protection and common interest communities; amending K.S.A. 2015 Supp. 58-4609 and repealing the existing section, by Committee on Local Government.

HB 2558, AN ACT concerning local governments; relating to regulation of election campaign workers, by Committee on Local Government.

HB 2559, AN ACT concerning state agencies; relating to minimum staffing requirements, by Committee on Appropriations.

HB 2560, AN ACT concerning state employees; relating to working conditions, by Committee on Appropriations.

HB 2561, AN ACT concerning sales taxation; relating to exemptions; the Kansas DUI impact center, inc.; amending K.S.A. 2015 Supp. 79-3606 and repealing the existing section, by Committee on Insurance and Financial Institutions.

COMMITTEE ASSIGNMENTS CHANGES

Speaker Merrick announced the appointment of Rep. Burroughs to replace Rep. Henderson on Committee on Insurance and Financial Institutions, January 27.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, January 28, 2016.

Journal of the House

THIRTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, January 28, 2016, 11:00 a.m.

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

The roll was called with 118 members present.
Reps. Kiegerl and Seiwert were excused on verified illness.
Reps. Dove and Sloan were excused on legislative business.
Reps. Claeys, Frownfelter and Schwab were excused on excused absence by the Speaker.

Prayer by guest chaplain, Anthony Mattia, senior pastor, Trinity Baptist Church, Wamego, and guest of Rep. Highland:

> Let us pray. Father, as we begin this session, let us remember that we are all flawed, sinful human beings who need your tender mercy, forgiveness and grace. As we gather, we pray for these 125 legislators that, by popular vote of the people, where given the awesome responsibility to represent their districts and this great state of Kansas we all love.
>
> St. Paul writes in Romans 13, that as elected officials, we are ministers of God to do good. Father, we have gathered here this January 28, 2016, by your divine providence for such a time as this to do the people's business.
>
> I pray now, Lord, that you would enfold each of these legislators in your arms. Father, may your manifest presence permeate this state house, the chamber halls, the offices and the committee meetings and give wisdom, grace and balance as they make the tough decisions that must be made. May they do not only the people's business, but your business also.
>
> In the name of Jesus Christ our Lord, we pray. Amen.

The Pledge of Allegiance was led by Rep. Highland.

SPECIAL CELEBRATION

In celebration of the 155th birthday of Kansas, Rep. Ballard led the House in singing "Home on the Range."

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2562, AN ACT concerning children; relating to retroactive child support; amending K.S.A. 2015 Supp. 23-2215 and repealing the existing section, by Representative S. Swanson.

HB 2563, AN ACT concerning motor vehicles; relating to the application fee for a restricted motorized bicycle driver's license; amending K.S.A. 2015 Supp. 8-235 and repealing the existing section, by Committee on Transportation.

HB 2564, AN ACT concerning motor vehicles; relating to vehicle registration, fees; creating the Eisenhower preservation fund; amending K.S.A. 2015 Supp. 8-145 and repealing the existing section, by Committee on Transportation.

HB 2565, AN ACT concerning motor vehicles; relating to registration fees; fee for reflectorized license plates; creating the license plate manufacturing fee fund; amending K.S.A. 2015 Supp. 8-143, 8-143j, 8-145 and 8-147 and repealing the existing sections, by Committee on Transportation.

HB 2566, AN ACT designating a portion of interstate highway 70 as the Kylie Jobe and Kyle Thornburg memorial highway; amending K.S.A. 2015 Supp. 68-1091 and repealing the existing section, by Committee on Transportation.

HB 2567, AN ACT concerning military members and veterans; relating to postsecondary educational institutions; tuition and fees; amending K.S.A. 2015 Supp. 48-3601 and repealing the existing section, by Committee on Veterans, Military and Homeland Security.

HB 2568, AN ACT concerning postsecondary institutions; relating to community college satellite campuses; property taxation; amending K.S.A. 71-501, 71-501a and 71-507 and repealing the existing sections, by Committee on Vision 2020.

HB 2569, AN ACT concerning property taxation; relating to the Kansas educational building fund; amending K.S.A. 2015 Supp. 76-6b01 and repealing the existing section, by Committee on Vision 2020.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2547**, **HB 2554**.
Appropriations: **HB 2559**, **HB 2560**.
Children and Seniors: **HB 2556**.
Corrections and Juvenile Justice: **HB 2548**.
Federal and State Affairs: **HB 2549**, **HB 2552**.
Judiciary: **HB 2550**, **HB 2553**, **HB 2555**.
Local Government: **HB 2557**, **HB 2558**.
Taxation: **HB 2551**, **HB 2561**.
Vision 2020: **HB 2546**.

CONSENT CALENDAR

No objection was made to **HB 2441** appearing on the Consent Calendar for the second day.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **HB 2440** be amended on page 1, in line 12, after "posted" by inserting "with either permanent or temporary signage approved by the governing body, or the chief administrative officer, if no governing body exists,";

On page 4, following line 3, by inserting:

"(4) "Restricted access entrance" means an entrance that is restricted to the public and requires a key, key card, code or similar device to allow entry to authorized personnel.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2467** be amended on page 4, in line 13, after the period by inserting "The term "wine" shall include hard cider and any other product that is commonly known as a subset of wine.";

On page 6, in line 8, after "after" by inserting "January 1, 2017, and"

And the bill be passed as amended.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 9, by Representative Michael Houser, commending Deputy Brad Knight for his selfless act of bravery during a water rescue;

Request No. 10, by Representative Kristey Williams, congratulating Rose Hill High School Boys Soccer Team for winning the 2015 State Championship;

Request No. 11, by Representative Sue Boldra, congratulating John Thomas Drees in recognition for achievement of Eagle Scout;

Request No. 12, by Representative Blake Carpenter, congratulating Matthew Neises in recognition for achievement of Eagle Scout;

Request No. 13, by Representative Ponka-We Victors, congratulating Calvin Smith Jr. for his leadership as Haskell Brave 2015-2016 at Haskell Indian Nations University;

Request No. 14, by Representative Ponka-We Victors, congratulating Barbara Wolfin for her leadership at Haskell Indian Nations University;

Request No. 15, by Representative Ponka-We Victors, congratulating Lori Hasselman for her leadership at Haskell Indian Nations University;

Request No. 16, by Representative Ponka-We Victors, congratulating Christopher Sindone for his leadership at Haskell Indian Nations University as Student Senate President;

Request No. 17, by Representative Ponka-We Victors, congratulating Brettnee Beartarck for her leadership as Miss Haskell 2015-2016 at Haskell Indian Nations University;

Request No. 18, by Representative Ponka-We Victors, congratulating David Waybenais for his leadership at Haskell Indian Nations University;
be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2570, AN ACT concerning property taxation; relating to technical colleges; authorizing a property tax levy by the governing board thereof, by Committee on Vision 2020.

HB 2571, AN ACT concerning community mental health centers; relating to license renewal; amending K.S.A. 2015 Supp. 75-3307b and repealing the existing section, by Committee on Appropriations.

HB 2572, AN ACT regulating traffic; concerning the operation of a motor vehicle; providing penalties for the use of a wireless communication device; amending K.S.A. 2015 Supp. 8-15,111 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2573, AN ACT concerning legislative meetings; relating to live audio streaming; concerning the director of legislative administrative services; information network of Kansas; amending K.S.A. 2015 Supp. 74-9302 and repealing the existing section, by Representatives Whitmer and B. Carpenter.

HB 2574, AN ACT concerning employment; relating to employment requirements for certain state contracts and certain state tax benefits; amending K.S.A. 2015 Supp. 12-17,166, 74-50,131, 74-50,212, 74-50,217, 79-32,154 and 79-32,243 and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

HB 2575, AN ACT concerning firearms; relating to the personal and family protection act; relating to carrying a concealed handgun in a public building; amending K.S.A. 2015 Supp. 75-7c20 and repealing the existing section, by Committee on Federal and State Affairs.

On motion of Rep. Vickrey the House adjourned pro forma until 8:00 a.m. on Friday, January 29, 2016.

Journal of the House

FOURTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, January 29, 2016, 8:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker Merrick in the chair.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2576, AN ACT relating to employment; concerning regulation of employers with regard to employee scheduling; declaring certain city ordinances and county resolutions to be against public policy; amending K.S.A. 2015 Supp. 12-16,130 and repealing the existing section, by Committee on Appropriations.

HB 2577, AN ACT making and concerning appropriations for the fiscal year ending June 30, 2017, and June 30, 2018, for the state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 38-2102 and K.S.A. 2015 Supp. 75-2319 and repealing the existing sections, by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2573**.
Commerce, Labor and Economic Development: **HB 2574**.
Education: **HB 2567**.
Federal and State Affairs: **HB 2575**.
Health and Human Services: **HB 2571**.
Judiciary: **HB 2562**.
Transportation: **HB 2563**, **HB 2564**, **HB 2565**, **HB 2566**, **HB 2572**.
Vision 2020: **HB 2568**, **HB 2569**, **HB 2570**.

COMMUNICATIONS FROM STATE OFFICERS

From Jerel Wright, Administrator, Kansas Department of Credit Unions, Special Order 2016-01, as required by Kansas Statute Annotated 17-2244.

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

MESSAGES FROM THE SENATE

Announcing passage of **SB 319**, **SB 321**.
Announcing passage of **HB 2449**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 319, **SB 321**

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, February 1, 2016.

Journal of the House

FIFTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, February 1, 2016, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 115 members present.

Reps. Bollier, Powell, Seiwert and Todd were excused on verified illness.

Reps. Johnson, Kelley, Rhoades, Schwartz, Tietze and Whipple were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Yahweh God,
Thank You for this new week.
Help each one not to focus on the
accomplishments, failures, or frustrations of last week,
but to use those as a foundation to build upon this week,
determined to be better leaders, colleagues and people.
For these leaders I pray for
resilience in seeking wisdom and truth;
positivity when faced with negativity;
hope when the situation seems desperate;
strength when opposing views feel oppressive;
courage when the way seems impossible;
and direction when the way seems to be hidden.
In Christ's Name I pray,
Amen.

The Pledge of Allegiance was led by Rep. O'Brien.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2578, AN ACT concerning schools; relating to the school sports head injury prevention act; amending K.S.A. 2015 Supp. 72-135 and repealing the existing section, by Committee on Health and Human Services.

HB 2579, AN ACT concerning health care facilities; relating to correction orders; civil penalties; amending K.S.A. 2015 Supp. 39-945 and 39-946 and repealing the existing sections, by Committee on Insurance and Financial Institutions.

HB 2580, AN ACT concerning insurance; relating to coverage of abortion services; amending K.S.A. 2015 Supp. 40-2,103, 40-19c09, 40-2246, 65-6731, 65-6733, 79-32,117, 79-32,138, 79-32,182b, 79-32,195 and 79-32,261 and repealing the existing sections; also repealing K.S.A. 2015 Supp. 40-2,190 and 40-2,191, by Representatives Kuether, Bollier, Carlin, Carmichael, Finney, Highberger, Ruiz, Tietze and Ward.

HB 2581, AN ACT repealing K.S.A. 2015 Supp. 65-4a10; relating to the administration of abortifacients, by Representatives Kuether, Bollier, Carlin, Carmichael, Finney, Highberger, Ruiz, Tietze and Ward.

HB 2582, AN ACT concerning the department of revenue; relating to driver's license examiners, unclassified service; amending K.S.A. 2015 Supp. 74-2015 and repealing the existing section, by Committee on Taxation.

HB 2583, AN ACT concerning taxation; relating to the taxation of electronic cigarettes, surcharge for the privilege of selling electronic cigarettes; repealing K.S.A. 2015 Supp. 79-3399, by Committee on Taxation.

HB 2584, AN ACT concerning the veterans benefit lottery game; disposition of net profits; establishing the veterans benefit lottery game fund and the national guard benefit lottery game fund; amending K.S.A. 2015 Supp. 74-8724 and repealing the existing section, by Committee on Veterans, Military and Homeland Security.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2577**.
Commerce, Labor and Economic Development: **HB 2576**.
Judiciary: **SB 319**, **SB 321**.

COMMUNICATIONS FROM STATE OFFICERS

From Lana Gordon, Secretary of Labor, Kansas Department of Labor, 2015 Annual Report.

From Honorable Frank J. Yeoman, Jr., Chair, Board of Directors, Kansas Guardianship Program, 2015 Annual Report.

From Ken Selzer, CPA, Commissioner of Insurance, Kansas Insurance Department, 2015 Annual Report of the Kansas Workers Compensation Fund.

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

CONSENT CALENDAR

Objection was made to **HB 2441** appearing on the Consent Calendar; the bill was placed on the Calendar under the heading General Orders.

REPORTS OF STANDING COMMITTEES

Committee on **Insurance and Financial Institutions** recommends **HB 2446** be amended on page 1, in line 7, after "issued" by inserting "or renewed on or after January 1, 2017,";

On page 3, following line 16, by inserting:

"(j) Commencing with the 2026 legislative interim period, and at least every 10 years thereafter, a legislative interim study committee shall study the issue of whether the minimum limits of liability in subsection (e) should be adjusted.";

Also on page 3, in line 18, after "after" by inserting "January 1, 2017, and"; and the bill be passed as amended.

Committee on **Insurance and Financial Institutions** recommends **HB 2485** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Judiciary** recommends **SB 133**, as amended by Senate Committee, be amended on page 1, in line 7, by striking "2014" and inserting "2015";

On page 3, in line 2, after "officers" by inserting "in providing such medical assistance"; in line 15, after "officers" by inserting "in providing such medical assistance"; in line 21, after "officers" by inserting "in providing such medical assistance";

On page 4, in line 4, by striking "2014" and inserting "2015"; in line 8, by striking "2014" and inserting "2015"; in line 14, by striking "2014" and inserting "2015"; in line 18, by striking "2014" and inserting "2015";

On page 1, in the title, in line 3, by striking "2014" and inserting "2015"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2585, AN ACT establishing the foster care oversight task force, by Committee on Children and Seniors.

REPORT ON ENGROSSED BILLS

HB 2449 reported correctly engrossed January 29, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, February 2, 2016.

Journal of the House

SIXTEENTH DAY

Hall of the House of Representatives,
Topeka, KS, Tuesday, February 2, 2016, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 120 members present.
Reps. Powell, Seiwert, Sutton and Todd were excused on verified illness.
Rep. Kelley was excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord God,
Thank You for this new day
in which we are free to enjoy Your mercies and blessings.
As they fulfill their responsibilities throughout the day,
remind our leaders that
You know them and call them by name.
You have created them to do You some definite service.
You have given them some work which You have not given to others.
You have given them a mission that is necessary for Your purpose.
You have made them a part of Your great work.
You have created them for good, not for naught.
Now, give them the strength, wisdom and courage
to walk forward in this charge.
In Your Son's Name I pray,
Amen.

The Pledge of Allegiance was led by Rep. Patton.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2586, AN ACT concerning public health and welfare; relating to long-acting reversible contraception, by Representatives Bollier, Ballard, Boldra, Burroughs, Carlin, Carmichael, Clark, Doll, Finney, Highberger, Houston, Kuether, Rooker, Sloan, C. Smith, Victors, Ward, Wilson and Winn.

HB 2587, AN ACT concerning immigration; relating to sanctuary policies and the prohibition thereof; relating to the duty of law enforcement to cooperate in immigration enforcement, by Committee on Federal and State Affairs.

HB 2588, AN ACT concerning schools; relating to the student data privacy act; concerning the school performance accreditation system; amending K.S.A. 2015 Supp. 72-6216, 72-6217 and 72-6479 and repealing the existing sections, by Committee on Education.

HB 2589, AN ACT concerning public assistance; relating to school attendance requirements for eligibility; amending K.S.A. 2015 Supp. 39-709 and 72-1111 and repealing the existing sections, by Representative Waymaster.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Children and Seniors: **HB 2585**.
Federal and State Affairs: **HB 2580, HB 2581, HB 2584**.
Health and Human Services: **HB 2578, HB 2579**.
Taxation: **HB 2582, HB 2583**.

CHANGE OF REFERENCE

Speaker pro tem Mast announced the withdrawal of **HB 2436** from Committee on Transportation and referral to Committee on Vision 2020.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6033**—
By Representative Billinger

HR 6033—A RESOLUTION recognizing the city of Kanorado as the top city in Kansas.

A RESOLUTION recognizing the city of Kanorado as the top city in Kansas.

WHEREAS, The city of Kanorado, located in Sherman County, has an elevation of 3,908 feet, making it the highest elevated city in the state of Kansas: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize the city of Kanorado as the top city in Kansas.

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Billinger.

CONSENT CALENDAR

No objection was made to **HB 2485** appearing on the Consent Calendar for the first day.

REPORTS OF STANDING COMMITTEES

Committee on **Insurance and Financial Institutions** recommends **HB 2454** be passed.

Committee on **Judiciary** recommends **HB 2289** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2289," as follows:

"Substitute for HOUSE BILL NO. 2289
By Committee on Judiciary

"AN ACT concerning driving; relating to driving under the influence of alcohol or drugs; test refusal or failure; suspension of license; administrative hearing; procedure; amending K.S.A. 2015 Supp. 8-1002 and 8-1020 and repealing the existing sections.";

And the substitute bill be passed.

(**Sub HB 2289** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **SB 44** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 44," as follows:

"House Substitute for SENATE BILL NO. 44
By Committee on Judiciary

"AN ACT concerning the commercial real estate broker lien act; relating to conditions, recording and notice of lien; amending K.S.A. 58-30a03, 58-30a07 and 58-30a09 and repealing the existing sections.";

And the substitute bill be passed.

(**H Sub for SB 44** was thereupon introduced and read by title.)

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

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

HB 2590, AN ACT concerning school districts; authorizing income tax contributions for the benefit of school districts, by Committee on Education.

HB 2591, ACT concerning firearms; relating to the personal and family protection act; relating to licensure of active duty military personnel; amending K.S.A. 2015 Supp. 75-7c04 and 75-7c05 and repealing the existing sections, by Committee on Veterans, Military and Homeland Security.

HB 2592, AN ACT concerning crimes, punishment and criminal procedure; relating to burglary; aggravated burglary; amending K.S.A. 2015 Supp. 21-5807 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2593, AN ACT concerning crimes, punishment and criminal procedure; relating to evidence; videotaping of certain felony interrogations, by Committee on Corrections and Juvenile Justice.

HB 2594, AN ACT concerning utilities; relating to the sale of electricity, renewable energy suppliers; concerning the state corporation commission; amending K.S.A. 66-1,170 and K.S.A. 2015 Supp. 66-104 and repealing the existing sections, by Representative Sloan.

HB 2595, AN ACT concerning restaurants, retail food establishments and vending machines; relating to regulation of consumer incentive items and labeling of food by political subdivisions, by Committee on Appropriations.

HB 2596, AN ACT concerning education; relating to the financing thereof; instruction and curriculum; creating the classroom-based funding act; amending K.S.A. 2015 Supp. 10-1116a, 12-1770a, 12-1775a, 72-1046b, 72-1398, 72-1414, 72-1923, 72-

5333b, 72-64b01, 72-64c03, 72-64c05, 72-6624, 72-6625, 72-6757, 72-67,115, 72-7535, 72-8187, 72-8230, 72-8233, 72-8236, 72-8251, 72-8316, 72-8415b, 72-8804, 72-8908, 72-99a02, 74-4939a, 74-8925, 74-99b43, 79-201x, 79-2001 and 79-2925b and repealing the existing sections; also repealing K.S.A. 2015 Supp. 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, 72-6476, 72-6477, 72-6478, 72-6479, 72-6480 and 72-6481, by Committee on Education Budget.

HOUSE CONCURRENT RESOLUTION No. **HCR 5022—**
By Committee on Federal and State Affairs

A CONCURRENT RESOLUTION urging Congress to propose the regulation freedom amendment to the United States Constitution.

WHEREAS, The growth and abuse of federal regulatory authority threaten our constitutional liberties, including those guaranteed by the Bill of Rights in the First, Second, Fourth and Fifth Amendments of our Constitution; and

WHEREAS, Federal regulators must be more accountable to elected representatives of the people and not immune from such accountability; and

WHEREAS, The United States House of Representatives has passed with bipartisan support the REINS Act to require that Congress approve major new federal regulations before they can take effect; and

WHEREAS, Even if enacted, a law may be repealed or waived by a future Congress and President; and

WHEREAS, An amendment to the United States Constitution does not require the President's approval and cannot be waived by a future Congress and President: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Kansas Legislature does hereby urge the United States Congress to vote to propose the regulation freedom amendment to the United States Constitution as follows:

"Whenever one quarter of the members of the United States House of Representatives or the United States Senate transmits to the President their written declaration of opposition to a proposed federal regulation, it shall require a majority vote of the House of Representatives and the Senate to adopt that regulation."; and

Be it further resolved: That the Secretary of State shall send an enrolled copy of this resolution to each member of Congress, the Speaker of the House of Representatives and the President of the Senate of every state legislature in the United States.

REPORT ON ENROLLED RESOLUTIONS

HR 6032 reported correctly enrolled and properly signed on February 2, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, February 3, 2016.

Journal of the House

SEVENTEENTH DAY

Hall of the House of Representatives,
Topeka, KS, Wednesday, February 3, 2016, 11:00 a.m.

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

The roll was called with 123 members present.
Reps. Gonzalez and Seiwert were excused on verified illness.

Rep. Dove sang "The Lord's Prayer" for the members of the House.

Our Father which art in heaven,
Hallowed be thy name.
Thy kingdom come,
Thy will be done in earth,
as it is in heaven.
Give us this day our daily bread.
And forgive us our debts,
as we forgive our debtors.
And lead us not into temptation,
but deliver us from evil:
For thine is the kingdom,
and the power, and the glory,
for ever. Amen.

The Pledge of Allegiance was led by Rep. Victors.

INTRODUCTION OF GUESTS

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

In 1884, Haskell boarding school was established for American Indian children in Lawrence, KS. The early years of the boarding school were traumatic for Indian children and their families. The children were required to stay at the boarding school for four years without contact with family and tribes in an attempt to disconnect them with their traditional way of life. My great great grandfather William Bigsnake was one of the children removed from his home in Oklahoma and transferred to Haskell boarding school at the age of 8 years old. He passed away at the age of nine from smallpox and is buried at Haskell Indian Nations University. Despite the hardships that occurred, Haskell changed over time by increasing the level of education and programs.

In 1993, Haskell became Haskell Indian Nations University with the first of four baccalaureate degree programs. Some famous notable graduates from Haskell include Olympic athletes Jim Thorpe and Billy Mills. Also, both of my parents graduated from Haskell as well.

Today, I would like to recognize some of Haskell's outstanding students. Chris Sindone, pursuing a degree in Business and is from the Pawnee, Otoe, Ioway, Kiowa, Cheyenne, and Oglala Lakota Nation. He is the student congress President for American Indian Higher Education consortium and the current student senate president at Haskell Indian Nations University. Barbara Wolfin is currently a Haskell EcoAmbassador (a student-led initiative that focused on Haskell wetlands) and wetlands protection organization club president and is from the Pit river Nation. David Waybenais is a student in the environmental science department and has participated in the Native American and Pacific Islander research experience, Lori Hasselman is a member of the Delaware and Shawnee nation and is a Native American journalist association fellow for 2015-2016. She is editor of the school's newspaper and was Haskell student of the year in 2015. Miss Haskell for 2015-2016, Brettnee Beartrack is a member of the Kiowa/Apache tribe majoring in Business Administration. Haskell Brave is Calvin Smith and he is from the Navajo Nation majoring in American Indian Studies.

Rep. Victors presented the students with House certificates.

Rep. Osterman recognized tribal leaders who were in attendance.

INTRODUCTION OF GUESTS

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

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Seventeen years ago, a fresh-faced young woman with long red hair and a splash of freckles started her first teaching job in Clay Center, Kansas. Her challenge lay ahead teaching Pre-Algebra, Algebra I, Algebra A and B, and Geometry to both high school and middle school students. We did not know then that Kristin Wright would go on to touch the lives of many more students in another capacity. During the ensuing years she gained a husband, a masters degree in school counseling, two children and she is currently pursuing a PhD in Counselor Education and Supervision. In 2001 Kristin moved from the teacher role to middle school counselor and in 2012 she transitioned to the PK-3 school in Clay Center. Kristin has served as a school counselor with enthusiasm, creativity and compassion. It's not all work and no play for Kristin. She is a distance runner and an accomplished golfer. In December of 2015, Kristen was named the 2015-2016 *Outstanding School Counselor of the Year* by the Kansas School Counselor Association. Her biggest achievement however, is the many lives she has touched in the course of her career as a teacher and counselor.

I would like to introduce Kristin Wright and her husband Wes. Will you please join me in recognizing and thanking Kristin for her contribution to making Kansas students strong and resilient and Kansas Public Schools great.

Later today she will be recognized in the Senate by her cousin, Caryn Tyson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2597, AN ACT concerning telecommunications; relating to rural telephone companies; universal service support, recovery of costs; amending K.S.A. 66-2001 and K.S.A. 2015 Supp. 66-1,187, 66-2005, 66-2008 and 66-2017 and repealing the existing sections, by Committee on Utilities and Telecommunications.

HB 2598, AN ACT concerning water; relating to rural water districts; amending K.S.A. 82a-617 and repealing the existing section, by Representative K. Jones.

HB 2599, AN ACT concerning the healing arts; relating to anatomic pathology billing; amending K.S.A. 2015 Supp. 65-2837 and repealing the existing section, by Committee on Health and Human Services.

HB 2600, AN ACT concerning public assistance; relating to recovery of assistance debt; verification of identity and income; fraud investigations; child care subsidies; work requirements; lifetime benefit limits; amending K.S.A. 39-719b and K.S.A. 2015 Supp. 39-702 and 39-709 and repealing the existing sections, by Committee on Health and Human Services.

HB 2601, AN ACT designating a portion of interstate highway 70 as the Kyle Jobe and Kyle Thornburg memorial highway; amending K.S.A. 2015 Supp. 68-1009 and repealing the existing section, by Committee on Transportation.

HB 2602, AN ACT concerning social welfare; relating to the Kansas program of medical assistance; income and resource exemptions; amending K.S.A. 2015 Supp. 39-709 and repealing the existing section, by Committee on Insurance and Financial Institutions.

HB 2603, AN ACT concerning compensating use tax; relating to remittance, income tax return form and instructions, by Committee on Taxation.

HB 2604, AN ACT concerning sales taxation; relating to exemptions, Gove county healthcare endowment foundation, inc.; amending K.S.A. 2015 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

HB 2605, AN ACT concerning motor vehicles; relating to vehicle registration, failure or refusal to pay tolls; amending K.S.A. 2015 Supp. 8-173 and repealing the existing section, by Committee on Appropriations.

HB 2606, AN ACT concerning animal care; relating to the Kansas veterinary practice act; licensure; creating a license to practice equine dentistry; amending K.S.A. 47-818 and K.S.A. 2015 Supp. 47-815, 47-816, 47-817, 47-822, 47-829 and 47-830 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

HB 2607, AN ACT concerning child care facilities; relating to individuals maintaining or residing, working or volunteering therein; background checks; amending K.S.A. 2015 Supp. 65-516 and repealing the existing section, by Committee on Health and Human Services.

HB 2608, AN ACT concerning the Kansas trauma registry; relating to confidential reporting; pertaining to the disclosure of certain information; amending K.S.A. 2015 Supp. 75-5667 and repealing the existing section, by Committee on Health and Human Services.

HB 2609, AN ACT concerning property taxation; relating to taxing subdivisions, approval of budgets, resolution and election requirements; amending K.S.A. 2015 Supp. 79-2925b and repealing the existing section, by Committee on Taxation.

HB 2610, AN ACT designating the junction of interstate highway 70 and commerce parkway in Ellis county as the chief warrant officer 4 David Carter fallen veterans memorial interchange, by Committee on Transportation.

HB 2611, AN ACT concerning civil actions; relating to people wrongfully convicted of crimes; compensation, by Committee on Corrections and Juvenile Justice.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Commerce, Labor and Economic Development: **HB 2595**.
Corrections and Juvenile Justice: **HB 2592**, **HB 2593**.
Education: **HB 2588**, **HB 2596**.
Federal and State Affairs: **HB 2586**, **HB 2591**, **HCR 5022**.
Health and Human Services: **HB 2589**.
Judiciary: **HB 2587**.
Taxation: **HB 2590**.
Utilities and Telecommunications: **HB 2594**.

COMMUNICATIONS FROM STATE OFFICERS

From Lee E. Tafanelli, Major General, Kansas National Guard, The Adjutant General, 2015 Annual Report for the Adjutant General's Department.

From Elaine Frisbie, Kansas Board of Regents, as directed by K.S.A. 76-717, Annual Report on Exceptions to the Minimum Admission Standards at State Universities.

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

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6034**—
By Representative Hineman

HR 6034—A RESOLUTION recognizing February 5, 2016, as National Wear Red Day.

A RESOLUTION recognizing February 5, 2016, as National Wear Red Day.

WHEREAS, Heart disease and stroke kill one in three women in the U.S., yet 80% of cardiac events may be prevented; and

WHEREAS, Cardiovascular diseases and stroke kill one woman every 80 seconds in the U.S.; and

WHEREAS, An estimated 44 million women in the U.S. are affected by cardiovascular diseases; and

WHEREAS, Only one in five American women believe that heart disease is her greatest health threat, yet 90% of women have one or more risk factors for developing heart disease; and

WHEREAS, Women comprise only 24% of participants in all heart-related studies; and

WHEREAS, Women are less likely to call 911 for themselves when experiencing symptoms of a heart attack than they are if someone else were having a heart attack; and

WHEREAS, Only 36% of African-American women and 34% of Hispanic women know that heart disease is their greatest health risk, compared with 65% of Caucasian women; and

WHEREAS, Women involved with the American Heart Association's Go Red For Women movement live healthier lives, and nearly 90% have made at least one healthy behavior change; and

WHEREAS, Go Red For Women encourages women to take charge of their health and schedule a well-woman visit to learn about their health status and risk for diseases: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize February 5, 2016, as National Wear Red Day to raise awareness of the importance of the ongoing fight against heart disease and stroke by wearing the color red and urge all citizens to show their support for women by commemorating this day; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Hineman.

CONSENT CALENDAR

No objection was made to **HB 2485** appearing on the Consent Calendar for the second day.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Schwab in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that committee report to **HCR 5005** be adopted.

Roll call was demanded on motion to recommend **HCR 5005** favorably for passage.

On roll call, the vote was: Yeas 69; Nays 53; Present but not voting: 1; Absent or not voting: 2.

Yeas: Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Corbet, E. Davis, DeGraaf, Dove, Edmonds, Esau, Estes, Ewy, Garber, Goico, Grosserode, Hawkins, Hedke, Hemsley, Henry, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, Peck, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schwab, Schwartz, C. Smith, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Nays: Alcala, Alford, Ballard, Becker, Bollier, Burroughs, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, Dierks, Doll, Finch, Finney, Francis, Frownfelter, Gallagher, Helgerson, Henderson, Hibbard, Highberger, Hill, Hineman, Houston, Jennings, Kelly, Kuether, Lewis, Lusk, Lusker, Moxley, Ousley, F. Patton, Phillips,

Proehl, Rooker, Ruiz, Sawyer, Schroeder, Scott, Sloan, S. Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: R. Powell.

Absent or not voting: Gonzalez, Seiwert.

The motion prevailed and **HCR 5005** be adopted as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **HB 2512** be amended on page 1, in line 25, by striking all after the period; by striking all in lines 26 through 28; in line 29, by striking all before the period and inserting "Final official transcripts and any document verifying completion of such education requirements must be received by the board or the examination service within 120 days after the applicant has taken the first section of the examination"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2468** be amended on page 1, in line 26, by striking all after "(d)"; by striking all in lines 27 through 29; in line 30, by striking "(e)";

On page 3, in line 5, after "gas" by inserting ", and which is of 0.18 caliber or less and has a muzzle velocity that does not exceed 700 feet per second"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HCR 5008** be amended on page 1, in line 16, after "to" by inserting "reasonable"; and the resolution be adopted as amended.

Committee on **Judiciary** recommends **SB 17**, as amended by Senate Committee, be amended on page 1, in line 16, by striking all after the period; in line 17, by striking "legislature" and inserting:

"(b) The judge of the court of appeals member and the district judge members";

Also on page 1, in line 18, by striking "shall have been" and inserting "is"; in line 19, after the period by inserting "The resident lawyer members shall be appointed by the governor for a term of four years and until a successor is appointed and qualified."; in line 22, by striking all after the period; in line 23, by striking all before "shall" and inserting "Vacancies of the judge members"; in line 24, after the period by inserting "Vacancies of the resident lawyer members shall be filled by appointment by the governor for the unexpired term.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2612, AN ACT concerning refugees; enacting the refugee absorptive capacity act, by Committee on Federal and State Affairs.

HB 2613, AN ACT concerning municipalities; concerning townships; relating to the

costs of municipal audits; amending K.S.A. 2015 Supp. 75-1122 and repealing the existing section, by Committee on Federal and State Affairs.

REPORT ON ENROLLED BILLS

HB 2449 reported correctly enrolled, properly signed and presented to the Governor on February 2, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, February 4, 2016.

Journal of the House

EIGHTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, February 4, 2016, 11:00 a.m.

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

The roll was called with 122 members present.
Reps. Kiegerl and Seiwert were excused on verified illness.
Rep. Henry was excused on legislative business.

Prayer by Chaplain Brubaker:

Lord God,
For this new day You have given us,
we are thankful and desire to live it to the fullest.
Lord, as these leaders face making tough decisions today
I ask that You surround them with Your wise counsel.
In choosing their decisions, help them to adequately
evaluate the positive and negative attributes,
but to avoid the paralysis of analysis.
Help them to not make a hasty decision,
but also not to delay too long.
Help them to not be influenced by their own personal desires
but to choose what is best for the people of Kansas.
Help them to carry out their decision-making process objectively
and be guided by Your wisdom.
These things I ask in Christ's Name,
Amen.

The Pledge of Allegiance was led by Rep. Mason.

INTRODUCTION OF GUESTS

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

This month as we take time to recognize and honor individuals for Black History from our past and present who have made a special contribution through their life work or achievements, I have with me this morning, Mrs. Phyllis Bass, whose life and achievements have reached across political lines as well as generations of men and women and children and she is deserving of both honor and recognition.

Phyllis A. Bass was born in Iola, KS on November 5, 1929 to Vernon "Bus" Garner and Gladys Williams Garner. She married Wendell M. Bass, Sr. and they had 3 children: Wendell Jr., Elliott and Ralph.

Coming from some of the early Black settlers of Kansas, she learned that Blacks could be respected and successful with education and hard work. Being married to Wendell, she learned from his parents that there were many successful Blacks right there in Iola. Her husband's grandfather was among the first formally trained Black doctors in the United States, graduating in the second class of Meharry Medical School in Nashville, Tenn.

He penned his short autobiography beginning with these words, "Hoping that one day this may be of worth to my children and family, I thought I would write a short story of my life, which has been one of hardship. I was a slave born on the Plantation of Major John Bass." These words served as a daily inspiration to Phyllis and her family.

She spent the next 40 years researching the genealogy of the Bass family. Her search ended with finding the plantation where Grandpa Bass was born and actually staying in the original plantation house. She has also written a book about her search for these roots.

Phyllis started her first Black History Museum in the Ward Chapel AME Church in Iola, KS. Her love for history, especially Black history, led her to Leavenworth, KS, where she became the director of the Richard Allen Cultural Center. This museum started as a small house. With her direction and trust in God a $500,000.00 addition was added to it which was paid for when the builders finished.

She immediately began a tutoring program for kids which have produced many successful students. One such student was KU basketball great Wayne Simien, Jr. She has given tours to people from all over the world including General Petraeus, writer Lerone Bennett, Jr. and U.S. Representatives Nancy Boyda and Emanuel Cleaver. Her motto for the center was ten two letter words, "If it is to be, it is up to me." She also worked with General Colin Powell and Commander Philpott in raising $1.3 million to erect the Buffalo Soldier Monument at Fort Leavenworth.

Phyllis has received many awards, including:

The Commanders Award for Civilian Achievement from General Caldwell of Fort Leavenworth.

She was honored by Kansas City Community College as one of 5 women to bring history forward.

She received a citation from the President of the United States Congressional Black Caucus, Emanuel Cleaver.

She received a standing ovation from the History Class at the University of Kansas for her Black History Presentation.

Phyllis has taken Black History programs into prisons, schools, churches and has even taken exhibits to the States of Washington and California. She is a firm believer in God and will tell everyone, "God did not put us here on this earth to take up space."

She finally retired at the age of 85.

Rep. Barton welcomed Mrs. Bass, members of her family; Mrs. Edna Wagner, Director of the Richard Allen Cultural Center and Gloria Wallace, a volunteer at the center to the House. He presented Mrs. Bass with a framed House certificate.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2614, AN ACT concerning the state board of pharmacy; powers, duties and functions thereof; amending K.S.A. 65-669, 65-1633, 65-1635, 65-1648, 65-1660 and 65-7007 and K.S.A. 2015 Supp. 65-1626, 65-1627, 65-1636, 65-1637, 65-1642, 65-1643, 65-1645, 65-1655, 65-1663, 65-1669, 65-1676, 65-2837a and 65-4202 and repealing the existing sections; also repealing K.S.A. 2015 Supp. 65-1637b and 65-1651a, by Committee on Health and Human Services.

HB 2615, AN ACT concerning charitable healthcare providers; relating to continuing education credits for gratuitous care; amending K.S.A. 2015 Supp. 65-2809 and 75-6102 and repealing the existing sections, by Committee on Health and Human Services.

HB 2616, AN ACT concerning sales taxation; relating to certain cash rebates on sales or leases of new motor vehicles; amending K.S.A. 2015 Supp. 79-3602 and repealing the existing section, by Committee on Taxation.

HB 2617, AN ACT concerning workers compensation; relating to the medical administrator; electronic filing for administrative hearings; amending K.S.A. 44-534 and 44-536a and K.S.A. 2015 Supp. 44-510i and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

HB 2618, AN ACT concerning the department of corrections; relating to the prison-made goods act of Kansas; authorized sales; amending K.S.A. 2015 Supp. 75-5275 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2619, AN ACT concerning the department of administration; relating to competitive bids; bidding procedures; amending K.S.A. 2015 Supp. 75-3739 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2620, AN ACT concerning crimes, punishment and criminal procedure; relating to delinquent time lost on parole; amending K.S.A. 2015 Supp. 75-5217 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2621, AN ACT concerning crimes, punishment and criminal procedure; relating to release procedures; mandatory postrelease supervision; amending K.S.A. 2015 Supp. 22-3717 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2598**, **HB 2606**.
Federal and State Affairs: **HB 2612**.
Health and Human Services: **HB 2599**, **HB 2600**, **HB 2607**, **HB 2608**.
Insurance and Financial Institutions: **HB 2602**.
Judiciary: **HB 2611**.
Local Government: **HB 2613**.
Taxation: **HB 2603**, **HB 2604**, **HB 2609**.
Transportation: **HB 2601**, **HB 2605**, **HB 2610**.
Utilities and Telecommunications: **HB 2597**.

MESSAGES FROM THE SENATE

Announcing passage of **SB 19**, **Substitute for SB 22**, **Substitute for SB 182**, **SB 242**, **SB 313**.

Announcing passage of **HB 2049**, as amended by **Senate Substitute for HB 2049**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 19, **Sub SB 22**, **Sub SB 182**, **SB 242**, **SB 313**

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Hineman, **HR 6034**, A RESOLUTION recognizing February 5, 2016, as National Wear Red Day, was adopted.

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

Eighteen years ago my wife Betsy dropped dead. She was tending to a group of preschoolers at the preschool she owned and operated in our hometown when she suddenly dropped to the floor and passed out. Fortunately an adult aide was present who quickly called 911. As the call went out the first to respond were a retired EMT who was picking up his mail at the post office next door and the courthouse custodian who had heard the request on the sheriff's scanner at the courthouse.

Those two individuals, along with other volunteers who joined them later, performed CPR on Betsy until the EMS service arrived. After multiple attempts with the paddles of a defibrillator the EMTs were finally able to revive and stabilize Betsy. I was present at the time and I can tell you that it seemed like an eternity. She was then transported to Lane County Hospital and further stabilized for an ambulance trip to Scott City Airport twenty three miles away. At the airport she was transferred to an airplane operated by Eagle Med and was flown to Wesley Hospital in Wichita.

The team of cardiologists and electrophysiologists at Wesley soon determined that Betsy had experienced a sudden cardiac arrest. Her heart had slipped into ventricular fibrillation, where the heart is merely quivering and no longer effectively pumping blood through her body. The solution to that problem was to insert an automatic implantable cardioverter device into her chest. That device functions to monitor her heart and deliver therapy to shock her heart back into normal rhythm when necessary. In the past eighteen years the device has activated only twice but we were certainly glad it was available when needed. The most recent event occurred a few years ago when she attempted to relive her youth and get up on a slalom water ski. The doctor later told her "don't do that anymore". Due to rapid technological advances and the fact that batteries don't last forever, Betsy is now on her third implanted device.

I share this story with you for two reasons. Obviously this event has led both Betsy and me to a deep appreciation of the effective rural health care delivery system which functioned to save her life that day. We are forever indebted to that system and all the people who played a part. The event has transformed me into a staunch supporter of

rural health care, and I stand ready to take whatever steps we have available to preserve and support that system.

Secondly, and in keeping with the observation of Wear Red for Women Day, Betsy's experience serves as a powerful reminder and raises awareness of women's heart health issues. Betsy was too young in 1998 for any of us to be concerned about possible health issues. She was, and is, fit, and her body type would not suggest any potential problem. And that is the important message for today. Women's heart health issues often strike without warning and without the obvious symptoms which more typically accompany men's heart health issues. A cardiac emergency can happen to any of us at any time, and it is important for all of us to prepare as best we can. If you don't know CPR techniques, learn them. There may come a time when you are the only person available to deliver that therapy when an emergency occurs. Learn where automatic defibrillators are located, including in this very chamber. Become familiar with the signs of cardiac emergencies and be prepared to act when and if an emergency presents.

CONSENT CALENDAR

No objection was made to **HB 2485** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2485, AN ACT concerning insurance; relating to risk-based capital instructions; effective date; amending K.S.A. 2015 Supp. 40-2c01 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Henry, Kiegerl, Seiwert.

The bill passed.

HCR 5005, A PROPOSITION to amend the constitution of the state of Kansas by revising article 3 thereof, relating to the judiciary, was considered on final action.

On roll call, the vote was: Yeas 68; Nays 54; Present but not voting: 0; Absent or not voting: 3.

Yeas: Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Corbet, E. Davis, DeGraaf, Dove, Edmonds, Esau, Estes, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, Peck, R. Powell, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schwab, Schwartz, C. Smith, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Nays: Alcala, Alford, Ballard, Becker, Bollier, Burroughs, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, Dierks, Doll, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Helgerson, Henderson, Hibbard, Highberger, Hill, Hineman, Houston, Jennings, Kelly, Kuether, Lewis, Lusk, Lusker, Moxley, Ousley, F. Patton, Phillips, Proehl, Rooker, Ruiz, Sawyer, Schroeder, Scott, Sloan, S. Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Henry, Kiegerl, Seiwert.

A two-thirds majority of the members elected to the House having not voted in the affirmative, the resolution was not adopted.

EXPLANATIONS OF VOTE

Mr. Speaker: I understand judicial decisions cannot be predetermined. Regardless what the Governor wants I cannot in good conscience vote in favor of the Federal model of judicial selection that has given us justices that have imposed and repeatedly upheld Roe v. Wade, and now gay marriage, on the residents of the State of Kansas. Both of those rulings are morally lacking. I vote No on **HCR 5005**. – Don Schroeder

Mr. Speaker: As a defender of the unborn and a solid pro-life voter, I reject the notion advanced by some that this proposal is about protecting the unborn. It is not. My vote today is for separation of the powers of government and preservation of a fair, impartial and independent judiciary. I will not be bullied by special interest groups into voting for a measure which I know is wrong. I vote no on **HCR 5005**. – Don Hineman, Russ Jennings, Steven R. Becker

Mr. Speaker: Our system of government relies on a system of checks and balances between its three branches. That system works most effectively when the judicial branch is insulated from partisan politics. The proposed constitutional amendment would inject partisan politics into what should be neutral, objective judicial decisions. I stand firmly behind the system of merit selection of supreme court justices that has served Kansas well for the last 65 years. I vote no on **HCR 5005**. – Dennis "Boog" Highberger

Mr. Speaker: I vote AYE on **HCR 5005**. I do so, however, not because of any political party or faction therein, President of the United States, United States Supreme Court Justice, Governor, state supreme court justice, state district court judge, or court

decision, known or unknown. Instead, I vote AYE because the Kansas Bill of Rights declares, "All political power is inherent in the people." The people of my legislative district are deeply divided on this issue. To that end, I vote AYE to allow the people to exercise their inherent political power to vote on their foundational, controlling document – the Kansas Constitution. – LANE HEMSLEY, CHUCK SMITH, JACK THIMESCH, RICK BILLINGER, PEGGY MAST, KEN CORBET, KYLE HOFFMAN, PETE DEGRAAF

MR. SPEAKER: Our decision today should be based on the National embarrassment of the U.S. Supreme Court declaring the Kansas Supreme Court being inept over the Carr's brothers' decision, by an 8 to 1 margin. I vote yes on having a different method to select our judges. I vote yes on **HCR 5005**. – MARIO GOICO, DANIEL R. HAWKINS, MARK HUTTON, JOHN BRADFORD

MR. SPEAKER: I vote NO on **HCR 5005**. **HCR 5005** unnecessarily politicizes the Kansas Supreme Court and the method by which justices are selected. While supporters of this "federal model" claim it protects democracy, the truth is more sinister. This resolution is a power grab by those who disagree with decisions made by the court. We depend on the courts to uphold the Constitution and their rulings to be fair, impartial, and apolitical. Politicians who think they can decide which cases courts may hear or how the court should rule threaten all of our rights. – ED TRIMMER, LOUIS RUIZ, TOM BURROUGHS, JOHN WILSON, SYDNEY CARLIN, BEN SCOTT, PONKA-WE VICTORS, RODERICK HOUSTON

MR. SPEAKER: I vote yes on **HCR 5005**. A yes vote does <u>not</u> change the method in which Kansas Supreme Court Justices are selected – it merely allows Kansas voters the opportunity to decide if they wish to keep the current judicial selection process or change it to one that is more democratic.
I am not an elitist who considers myself to be smarter than Kansas voters. I say let the people vote! I trust them to make the right decision. I vote yes on **HCR 5005**. – VIRGIL PECK, JR., RANDY GARBER

MR. SPEAKER: I vote no on **HCR 5005** because it replaces a common sense Kansas solution for selecting our courts with a D.C. based system that puts politicians in the driver's seat. Kansas voters adopted our current system by a large majority. They vote on every supreme court judge every six years. They have the power in our current system. The last thing we need in Kansas is more of the Washington D.C. way of doing things. I vote no to keep Kansas Courts instead of Obama's Courts. – LARRY HIBBARD, SUSAN CONCANNON

MR. SPEAKER: The History of our Federal Supreme Court has taught us that having a Democratic selection process strengthens the legitimacy and respect of our Court without infringing upon the independence of the co-equal branch. I support allowing the people of Kansas to vote on whether to adopt the Federal Model of Judicial Selection. Therefore, I vote yes on **HCR 5005**. – JAMES TODD

MR. SPEAKER: I vote yes on **HCR 5005.** Our Supreme Court and Court of Appeals judges are currently selected by a Supreme Court Nominating Commission, not by the people. Kansas is currently the ONLY state with a judicial selection like this. The higher court system has proven time and time again they do not uphold the values of

this great state and are consistently overruled on the basis of constitutionality by the U.S. Supreme Court. Today, I vote yes for **HCR 5005** in order to put the voices and values of Kansans first. – Marc Rhoades, Les Mason

Mr. Speaker: Amy James, who was friends with the victims of the Carr brothers, gave testimony about the suffering she and others endured because of the failure of the Kansas Supreme Court to follow the law and use reasoned judgment. Her testimony says: "This is the fifth case where the Kansas Supreme court has been overturned by the U.S. Supreme Court just on the death penalty, and there are more cases coming. We have a problem. Actually we have six problems. They are the six Kansas Supreme Court justices—making six figure salaries while they ignore the oath they took." I vote yes on **HCR 5005**. – Dennis Hedke, Michael Houser

Mr. Speaker: Today, I vote yes for **HCR 5005.** Our Supreme Court is currently selected by an attorney-controlled Supreme Court Nominating Commission. This process, found only in Kansas, limits the voices of our citizens and magnifies the voice of an elite few, legal practitioners. I believe in giving the citizens of Kansas a voice in the judicial selection process. I vote yes today on **HCR 5005** in order to reverse the current undemocratic selection process and give the citizens of this great state a greater voice. – Bill Sutton

Mr. Speaker: The judicial selection process in Kansas has been the subject of much controversy over the past several years. This vote is about nothing more than giving the people of Kansas a chance to vote on the way our state places Supreme Court Justices on the bench. A vote against this is a vote against giving our constituents a direct voice on this issue. For that reason, I vote yes on **HCR 5005. –** John Whitmer, Willie Dove, Will Carpenter, John Bradford, Kevin Jones

Mr. Speaker: Kansas voters purposefully put our current system in place in response to corruption and political scandal that stained our courts. They knew that concentrating too much power in the hands of one person or one branch of government was an invitation to cronyism and corruption. Because of that, Kansas voters reacted by approving the merit selection process we have today. Kansas voters continue to have the final say with the option to retain or remove the justices every cycle through the election process. The federal model in **HCR 5005** gives the power to politicians instead of the people of Kansas. I vote no on **HCR 5005**. – Don Hill, Tom Moxley, Susie Swanson, Linda Gallagher, Lonnie Clark.

Mr. Speaker: Today I vote no on **HCR 5005** because I trust the wisdom of the people of Kansas. Our current Kansas system of judicial selection is the result of a vote of the people and both houses of their legislature. It reflects their desire to keep politics and political scandal out of our courts. It reflects their desire to see judges selected because of what they know, not who they know. It reflects our common sense approach that uses Kansas solutions instead of Washington D.C. style politics, and it ensures that our courts are fair and impartial. – Blaine Finch, Melissa Rooker, Greg Lewis, Stephanie Clayton, Barbara Bollier, Diana Dierks.

Mr. Speaker: Today, I vote yes for **HCR 5005**. Our Supreme Court and Court of Appeals judges are currently selected by a Supreme Court Nominating Commission.

This process, found only in Kansas, limits the voices of our citizens and magnifies the voice of an elite few, legal practitioners. I believe in giving the citizens of Kansas a voice in the judicial selection process. I vote yes today on **HCR 5005** in order to reverse the current undemocratic selection process and give the citizens of this great state a greater voice. – CHUCK WEBER, LESLIE OSTERMAN, TONY BARTON, CONNIE O'BRIEN, BLAKE CARPENTER.

MR. SPEAKER: **HCR 5005** will provide the citizens of our great state the right to vote on whether they want the current flawed merit selection process or the democratic federal model.

Our current judicial selection process is undemocratic and overly-politicized and gives complete power to a handful of lawyers instead of to the citizens of our great state. **HCR 5005** will break the stranglehold special interest groups have on our current judicial selection process and give the power back to where it belongs....the citizens of our state. I vote yes on **HCR 5005**. – MARK KAHRS, KRISTEY WILLIAMS, KEITH ESAU, STEVEN ANTHIMIDES, RANDY POWELL, BRETT HILDABRAND, MARTY READ.

MR. SPEAKER: I vote No on **HCR 5005** because the current system ensures that qualified candidates are nominated in a non-partisan manner. Whether or not I agree with specific Supreme Court decisions or individual justice's positions, I support an independent Judiciary. The State Constitution already provides the voters the opportunity to retain or not retain Supreme Court Justices. I do not wish to turn the current non-partisan Kansas Supreme Court nomination decisions into the federal system of nominating Justices based on who supports the Governor or other interests. – TOM SLOAN.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Grosserode in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2438** be passed.

Committee report to **SB 248** be adopted; and the bill be passed as amended.

Committee report to **SB 188** be adopted; also, on motion of Rep. Highland, **SB 188** be amended, as amended by House Committee, on page 1, in line 7, by striking "2014" and inserting "2015";

On page 6, in line 29, by striking "2016" and inserting "2017"; in line 32, by striking "2014" and inserting "2015";

On page 1, in the title, in line 3, by striking "2014" and inserting "2015"; and the bill be passed as amended.

Committee report to **SB 133** be adopted; also on motion of Rep. Whitmer to amend **SB 133**, the motion did not prevail; and the bill be passed as amended.

Committee report to **HB 2446** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **HB 2018** be amended on page 1, in line 10, after "age" by inserting "but less than 18 years of age"; also in line 10, by striking the colon; in line 11, by striking "(1)"; also in line 11, by striking all after "age"; by striking all in line 12; in line 13, by striking "child"; in line 17, after "age" by inserting "but less than 18 years of age"; in line 22, after the semicolon, by inserting "and"; in line 23, by striking all after "age"; by striking all in line 24; in line 25, by striking "child"; in line 26, after "a" by inserting ":

(A) Class A, person misdemeanor, except as provided in subsection (c)(1)(B);

(B) ";

Also on page 1, in line 27, after "felony" by inserting "upon a second or subsequent conviction"; in line 34, by striking "a child" and inserting "an offender"; in line 36, by striking "child" and inserting "offender";

On page 2, in line 1, by striking "a person other than such"; also in line 1, after "nudity" by inserting "to more than one person"; in line 7, by striking "2014" and inserting "2015"; in line 17, by striking the second "and"; in line 18, after "(3)" by inserting ""transmission" means any form of communication, including, but not limited to, physical transmission of paper and electronic transmission that creates a record that may be retained and reviewed by a recipient thereof, and that may be directly reproduced in paper form by such a recipient through an automated process. Transmission also includes a request to receive a transmission of a visual depiction if such request results in a visual depiction being transmitted; and

(4)";

Also on page 2, in line 23, after "older" by inserting "but less than 16 years of age"; also in line 23, by striking all after "than"; in line 24, by striking all before the comma and inserting "19 years of age"; in line 27, by striking "A" and inserting "B"; in line 42, by striking "2014" and inserting "2015";

On page 3, in line 1, by striking "2014" and inserting "2015"; in line 32, by striking "2014" and inserting "2015"; in line 35, by striking "2014" and inserting "2015"; in line 38, by striking "2014" and inserting "2015";

On page 4, in line 28, by striking "2014" and inserting "2015";

On page 1, in the title, in line 4, by striking "2014" and inserting "2015"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2460** be amended on page 1, in line 34, after the period by inserting "If the offender is required to be registered under both a person and nonperson underlying crime, the violation shall be designated as a person crime.";

On page 2, in line 4, after the period by inserting "If the offender is required to be registered under both a person and nonperson underlying crime, the violation shall be designated as a person crime."; in line 18, after the period by inserting "If the offender is required to be registered under both a person and nonperson underlying crime, the violation shall be designated as a person crime."; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2471** be passed.

Committee on **Pensions and Benefits** recommends **HB 2489** be amended on page 5, in line 22, by striking all after "(A)"; by striking all in line 23; in line 24, by striking all before "The";

On page 7, in line 10, by striking all after the period; by striking all in line 11; in line 12, by striking all before "Effective"; in line 24, by striking all after the period; by striking all in line 25; in line 26, by striking all before "Effective";

On page 12, following line 20, by inserting:

"Sec. 4. K.S.A. 2015 Supp. 74-49b10 is hereby amended to read as follows: 74-49b10. (a) The board is authorized to enter into a voluntary participation agreement with any employee of the state whereby a portion of the employee's salary or compensation from the state shall be deferred and deducted each payroll period in accordance with subsection (b) and the Kansas public employees deferred compensation plan. Such participation agreement may require each participant to pay a service charge to defray all or part of any significant costs incurred and to be recovered by the state pursuant to ~~subsection (c) of~~ K.S.A. 2015 Supp. 74-49b09(c), and amendments thereto, as a result of the administration of this act.

(b) Pursuant to this act and such participation agreements, the director of accounts and reports, as a part of the system of regular payroll deductions and using funds either appropriated or otherwise available for such purpose, shall establish a system for the following purposes: (1) To defer each payroll period the amounts authorized in such participation agreements from the salary or compensation of each employee who has entered into a participation agreement; and

(2) to remit these moneys in accordance with the Kansas public employees deferred compensation plan.

(c) (1) Pursuant to section 401(a) of the federal internal revenue code, the board may establish a qualified plan under which the state may contribute a specified amount, subject to appropriations, to the deferred compensation plan for state employees who have entered into a voluntary participation agreement with the board under this section.

(2) Any state agency that has on its payroll persons participating in any qualified plan established under subsection (c)(1), shall pay from any moneys available to the state agency for such purpose an amount specified in the qualified plan, subject to appropriations for that purpose.

(d) The Kansas public employees deferred compensation plan shall exist and be in addition to, and shall not be a part of any retirement or pension system for employees. The state shall not be responsible for any loss incurred by any participant under the Kansas public employees deferred compensation plan established and approved pursuant to this act.

(e) Notwithstanding the provisions of K.S.A. 74-4909(10), and amendments thereto, for those employees who entered into a voluntary participation agreement pursuant to the provisions of this section or K.S.A. 2015 Supp. 74-49b15, and amendments thereto, and who are also members of a retirement system administered by the board, the board may share information from the participants' retirement or pension system accounts with a contracting party pursuant to the provisions of K.S.A. 2015 Supp. 74-49b09, and amendments thereto, for the purpose of facilitating the participants' comprehensive retirement income planning.

(f) Any amount of the employee's salary or compensation that is deferred on a pre-tax basis under ~~such~~ an authorized participation agreement shall continue to be included as regular compensation for all purposes of computing retirement and pension benefits earned by any such employee~~, but~~. Any sum so deferred or deducted shall not be subject to ~~any~~ state ~~or local~~ income taxes for the year in which such sum is ~~earned~~ contributed

but shall be subject to applicable state ~~and local~~ income taxes for the year in which ~~such sum is~~ distributions are received by the employee. Any amounts contributed to a Roth 457 plan under this act shall be subject to state withholding and income taxes for the year in which such sum is contributed to the plan, but shall not be subject to applicable state income taxes for the year in which distributions are received by the employee, unless the provisions of article 32 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, provide otherwise.

~~(f)~~ (g) A deferred compensation clearing fund shall be established in the state treasury in which all compensation deferred, deducted or contributed in accordance with this act and as provided for in each participation agreement shall be temporarily placed.

Sec. 5. K.S.A. 2015 Supp. 74-49b14 is hereby amended to read as follows: 74-49b14. (a) The board may enter into an agreement with any local government of the state of Kansas making the services under contracts entered into by the board under ~~subsection (b) of~~ K.S.A. 2015 Supp. 74-49b09(b), and amendments thereto, available to the local government, subject to the terms and conditions of those contracts and the agreement entered into between the board and the local governmental unit, if the local governmental unit meets all of the following conditions: (1) The local governmental unit meets the definition of eligible employer as defined in K.S.A. 74-4902, and amendments thereto;

(2) the governing body of the local governmental unit has enacted an ordinance or resolution adopting the terms of the deferred compensation plan for state employees established under K.S.A. 2015 Supp. 74-49b09, and amendments thereto, as the local government deferred compensation plan for the employees of that local governmental unit; and

(3) the governing body certified that the local governmental unit will make such local government deferred compensation plan available to its employees and will administer it in accordance with the provisions of this act, section 457 of the federal internal revenue code of 1986, and amendments thereto, and the deferred compensation plan established by the board under K.S.A. 2015 Supp. 74-49b09, and amendments thereto.

(b) Pursuant to section 401(a) of the federal internal revenue code, and subject to the provisions of K.S.A. 2015 Supp. 74-49b10, and amendments thereto, the board may establish a qualified plan under which local governmental units participating in the deferred compensation plan may contribute a specified amount to such plan.

(c) Except for such agreement, the board or any other state officer or employee shall not be involved nor incur any expense in the administration of a plan adopted by a local governmental unit under subsection (a) or (b), except to the extent that such costs are reimbursed under one or both of the methods identified in ~~subsection (c) of~~ K.S.A. 2015 Supp. 74-49b09(c), and amendments thereto.

~~(c)~~ (d) The state shall not be responsible for any loss incurred by or obligation of any local governmental unit participant under a local government deferred compensation plan established as provided pursuant to subsection (a) or (b).

Sec. 6. K.S.A. 2015 Supp. 74-49b15 is hereby amended to read as follows: 74-49b15. (a) Subject to the agreement entered into under the provisions of K.S.A. 2015 Supp. 74-49b14, and amendments thereto, the governing body of a local government unit may establish such conditions as the governing body deems advisable to govern the voluntary participation of its employees in the local government deferred compensation plan established by the local governmental unit under the provisions of K.S.A. 2015

Supp. 74-49b14, and amendments thereto.

(b) Any amount of an employee's salary or compensation that is deferred on a pre-tax basis under ~~such plan~~ an authorized participation agreement shall continue to be included as regular compensation for all purposes of computing retirement and pension benefits earned by such employee~~, but~~. Any sum so deferred or deducted shall not be subject to ~~any~~ state ~~or local~~ income tax for the year in which such sum is ~~earned~~ contributed but shall be subject to applicable state ~~and local~~ income taxes for the year in which ~~such sum is~~ distributions are received by the employee. Any amounts contributed to a Roth 457 plan under this act shall be subject to state withholding and income taxes for the year in which such sum is contributed to the plan, but shall not be subject to applicable state income taxes for the year in which distributions are received by the employee, unless the provisions of article 32 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, provide otherwise.";

Also on page 12, in line 21, by striking the second "and" and inserting a comma; in line 22, after "49,313" by inserting ", 74-49b10, 74-49b14 and 74-49b15";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "retirement; relating to"; in line 2, by striking all before "death"; in line 4, after "rate;" by inserting "Kansas public employees deferred compensation act; sharing of account information; tax treatment; local governmental unit plan option;"; in line 5, by striking the second "and" and inserting a comma; in line 6, after "49,313" by inserting ", 74-49b10, 74-49b14 and 74-49b15"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2622, AN ACT concerning the state board of regents; relating to general educational development credential fees; relating to tuition and fees of private and out-of-state postsecondary institutions; concerning the Kansas private and out-of-state postsecondary educational institution act; amending K.S.A. 2015 Supp. 72-4530, 74-32,163, 74-32,165 and 74-32,181 and repealing the existing sections; also repealing K.S.A. 2015 Supp. 74-32,166 and 74-32,176, by Committee on Education.

HB 2623, AN ACT concerning utilities; relating to electric transmission lines, right to construct, by Committee on Energy and Environment.

HB 2624, AN ACT concerning compensation and expenses of legislators during the regular sessions of the legislature, by Committee on Federal and State Affairs.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2567** from Committee on Education and referral to Committee on Veterans, Military and Homeland Security.

Also, the withdrawal of **HB 2579** from Committee on Health and Human Services and referral to Committee on Insurance and Financial Institutions.

On motion of Rep. Vickrey, the House adjourned until 8:00 a.m., Friday, February 5, 2016.

Journal of the House

NINETEENTH DAY

Hall of the House of Representatives,
Topeka, KS, Friday, February 5, 2016, 8:00 a.m.

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

The roll was called with 118 members present.
Reps. Kiegerl and Seiwert were excused on verified illness.
Reps. Peck, Powell, Rhoades, Suellentrop and Todd were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Eternal God,
We thank You today for the opportunities
and privileges that You provide for us.
As each one goes throughout the day,
encourage us to guard our thoughts.
"Search me, O God, and know my heart;
test me and know my anxious thoughts."
Help us to watch our mouth – our words.
"May the words of my mouth and the meditation of my heart
be pleasing in your sight."
And thirdly, keep us mindful of our actions – our deeds.
"…let us not love with words or tongue but with actions and in truth."
These three things I come to You and request
on behalf of these leaders.
In Your Son's Name I pray, Amen.
(Ps. 139:23; Ps. 19:14; I John 3:18)

The Pledge of Allegiance was led by Rep. Sutton.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2625, AN ACT concerning STAR bonds and tax increment financing; relating to STAR bond urban redevelopment districts; STAR bond definitions; STAR bond projects; bonds, pledge of tax increment revenue; tax abatements or revenues, limitations; distribution of sales tax revenues from within STAR bond districts; creating

STAR bond administration funds; economic impact studies; base year assessed valuation; STAR bond financing limitations; tax increment financing, eligible areas; amending K.S.A. 2015 Supp. 12-1770a, 12-17,162, 12-17,163, 12-17,164, 12-17,166, 12-17,168, 12-17,169, 12-17,171, 12-17,172, 12-17,174, 12-17,177, 79-3620, 79-3620b and 79-3710 and repealing the existing sections, by Committee on Taxation.

HB 2626, AN ACT concerning taxation; relating to incentives for employment of persons who rely upon medicaid or other government subsidies in order to decrease such reliance; enacting the Kansas tax weight loss act, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Commerce, Labor and Economic Development: **HB 2617, HB 2618, HB 2619**.
Corrections and Juvenile Justice: **HB 2620, HB 2621**.
Education: **HB 2622**.
Energy and Environment: **HB 2623**.
Federal and State Affairs: **SB 242**.
General Government Budget: **HB 2624**.
Health and Human Services: **HB 2614**, **HB 2615**, **Sub SB 182**.
Judiciary: **SB 19**, **Sub SB 22**.
Taxation: **HB 2616**.
Veterans, Military and Homeland Security: **SB 313**.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2438, AN ACT concerning fire districts; adding territory of adjoining cities; amending K.S.A. 19-3605 and 19-3623 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Kiegerl, Peck, R. Powell, Rhoades, Seiwert, Suellentrop, Todd.

The bill passed.

HB 2446, AN ACT concerning insurance; relating to motor vehicle liability insurance; increasing minimum policy limit for property damage; amending K.S.A. 40-3107 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 2; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Corbet, McPherson.

Present but not voting: None.

Absent or not voting: Kiegerl, Peck, R. Powell, Rhoades, Seiwert, Suellentrop, Todd.

The bill passed, as amended.

SB 133, AN ACT concerning children and minors; relating to possession or consumption of alcoholic beverages; immunity from liability for minor seeking medical assistance; amending K.S.A. 2015 Supp. 41-727 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 92; Nays 27; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bruchman, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dierks, Doll, Dove, Edmonds, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Goico, Gonzalez, Grosserode, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Houser, Houston, Jennings, Johnson, D. Jones, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Mason, McPherson, Merrick, Moxley, Osterman, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Rooker, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schwartz, Scott, Sloan, C. Smith, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barton, Bradford, B. Carpenter, W. Carpenter, E. Davis, DeGraaf, Esau, Garber, Hawkins, Hedke, Hoffman, Huebert, Hutchins, Hutton, K. Jones, Kahrs, Kelley, Macheers, Mast, O'Brien, Read, Rubin, Scapa, Schroeder, Schwab, Sutton, Whitmer.

Present but not voting: None.

Absent or not voting: Kiegerl, Peck, R. Powell, Rhoades, Seiwert, Suellentrop.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **SB 133**. Government is masterful at eroding personal responsibility at all levels; society is taught choices have no consequences. Minors faced with potential death of a friend from over-intoxication, also being over-intoxicated themselves, have a basic human responsibility to help. If sincere fear of retribution from the law is at issue, anonymous calls and other methods of anonymous reporting or transportation exist. – KASHA KELLEY, JOSEPH SCAPA, RANDY GARBER

SB 188, AN ACT concerning school districts; relating to the Kansas uniform financial accounting and reporting act; relating to publication requirements; amending K.S.A. 2015 Supp. 72-8254 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 58; Nays 61; Present but not voting: 0; Absent or not voting: 6.

Yeas: Barker, Barton, Bradford, Bruchman, B. Carpenter, W. Carpenter, Claeys, Corbet, E. Davis, DeGraaf, Dove, Esau, Estes, Finch, Goico, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, Phillips, Proehl, Rahjes, Read, Rubin, Ryckman, Ryckman Sr., Scapa, Schwab, C. Smith, Sutton, Thimesch, Vickrey, Weber, C., Whitmer, K. Williams.

Nays: Alcala, Alford, Anthimides, Ballard, Becker, Billinger, Boldra, Bollier, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, Dierks, Doll, Edmonds, Ewy, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Helgerson, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Jennings, Kuether, Lewis, Lusk, Lusker, Moxley, Ousley, F. Patton, Rooker, Ruiz, Sawyer, Schroeder, Schwartz, Scott, Sloan, S. Swanson, Thompson, Tietze, Todd, Trimmer, Victors, Ward, Waymaster, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Kiegerl, Peck, R. Powell, Rhoades, Seiwert, Suellentrop.

The bill did not pass.

EXPLANATIONS OF VOTE

MR. SPEAKER: **SB 188** is a transparency bill for the sake of school patrons, parents, students, taxpayers, principals, and voting citizens. They deserve easy accessible and easily understood information about how their school districts are allocating public dollars. They should not have to wade through a blizzard of hidden information and multiple links to find out how taxpayer dollars are spent.

Education is over 50 percent of the general fund, so this bill would provide transparency for billions of taxpayer dollars. This bill is necessary to provide a remedy so current law is not ignored. I VOTE YES. – JERRY LUNN, JOHN RUBIN, CHARLES MACHEERS, BILL SUTTON, DENNIS HEDKE, JOHN E. BARKER, PEGGY MAST, JOHN BRADFORD, PETE DEGRAAF, JOHN WHITMER, KASHA KELLEY, RON HIGHLAND, JOSEPH SCAPA

MR. SPEAKER: We vote no on **SB 188**. Representatives Rhoades, Ousley and Boldra have been appointed to a committee to research and define accountability standards for

schools, to create a "dashboard" for school districts to adopt on their websites so that constituents know where the tax dollars are spent. **SB 188** is a duplication of the charge of this committee. – Sharon Schwartz, Sue Boldra, John Ewy

SB 248, AN ACT repealing K.S.A. 2015 Supp. 76-12a25; concerning key deposit funds, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Kiegerl, Peck, R. Powell, Rhoades, Seiwert, Suellentrop.

The bill passed, as amended.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Rubin, the House nonconcurred in Senate amendments to **S Sub for HB 2049** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Rubin, Gonzalez and Highberger as conferees on the part of the House.

REPORTS OF STANDING COMMITTEES

Committee on **Health and Human Services** recommends **HB 2456** be passed.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 19, by Representative Blake Carpenter, congratulating Derby High School Football Team for winning the 2015 6A State Championship;

Request No. 20, by Representative Blaine Finch, congratulating Delaney Murphy for being named the first Little Miss Wheelchair Kansas;

Request No. 21, by Representative Roderick Houston, commending Superintendent Joseph Cisro Gilkey, Jr. for 14 years of dedicated service to the Charles Pleas District in the Kansas Southwest Jurisdiction of the Church of God in Christ;

Request No. 22, by Representative John Bradford, congratulating Matthew Brooks in recognition for achievement of Eagle Scout;

Request No. 23, by Representative John Bradford, congratulating Samuel Charles Linder in recognition for achievement of Eagle Scout;

Request No. 24, by Representative Tony Barton, commending Mrs.Phyllis Bass for her work as director of the Richard Allen Cultural Center and he work in preservation of Black History;

Request No. 25, by Representative Susan Concannon, congratulating Lindy Richardson Lindquist for her induction in to the National 4-H Hall of Fame;

Request No. 26, by Representative Gail Finney, congratulating Rev. LeSean Tarkington for being named pastor of Great Chapel AME Church:

Request No. 27, by Representative Gail Finney, congratulating Rev. Godfrey Patterson for being named pastor of St Paul AME Church:

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2627, AN ACT concerning public health; relating to maternity centers; birth centers; amending K.S.A. 65-425, 65-431, 65-433, 65-436, 65-439 and 65-501 and K.S.A. 2015 Supp. 59-2123, 65-440, 65-503, 65-504, 65-505, 65-506, 65-507, 65-508, 65-512, 65-513, 65-523, 65-525 and 65-67a10 and repealing the existing sections, by Committee on Health and Human Services.

HB 2628, AN ACT establishing the school district pre-kindergarten program benefit lottery game; establishing the pre-kindergarten program benefit game fund, by Committee on Education.

HB 2629, AN ACT concerning hospitals; relating to vaccination prior to patient discharge, by Committee on Federal and State Affairs.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6035**—
By Representative Hawkins

A RESOLUTION designating February 2016 as Self-Care Month.

WHEREAS, Self-care is a lifelong daily habit of making healthy lifestyle choices, practicing good hygiene, preventing infection and illness, avoiding unhealthy choices, monitoring for signs and symptoms of changes in health, knowing when to consult a healthcare practitioner and knowing when it is appropriate to self-treat conditions; and

WHEREAS, The United States Food and Drug Administration deems over-the-counter medicines safe and effective for the self-care treatment of minor acute and chronic health conditions and symptoms such as pain, the common cold, allergies and other conditions that impact large segments of the population; and

WHEREAS, Over-the-counter medicines are either developed as new nonprescription medicines or switched from existing prescription medicines; and

WHEREAS, Over-the-counter medicines are self-care products that consumers purchase in pharmacies, supermarkets, retail stores and online; and

WHEREAS, Every dollar spent on over-the-counter medicines saves the United States healthcare system six to seven dollars each year – totaling $102 billion in annual savings; and

WHEREAS, Over-the-counter medicines help to ease the burden on healthcare practitioners, eliminating unnecessary medical examinations which could be avoided with appropriate self-care; and

WHEREAS, Kansas benefits when its citizens practice appropriate self-care, do not unnecessarily visit healthcare practitioners and are subsequently empowered by higher self-esteem, improved health and a reduced reliance on health services; and

WHEREAS, Kansas encourages its citizens to take advantage of self-care's potential to improve personal and public health, save personal and public treasury and strengthen the sustainability of the Kansas health care system; and

WHEREAS, Achieving self-care's potential is a shared opportunity for consumers, healthcare practitioners, policymakers and regulators: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize the importance of improving awareness of self-care and the value it represents to the citizens of Kansas; support increased consumer empowerment through the development of new over-the-counter medicines and the appropriate switch of certain prescription medicines to nonprescription; acknowledge that over-the-counter medicines can greatly improve and reduce costs to the public health system; encourage consumers, healthcare practitioners, policymakers and regulators to communicate the benefits of self-care; and designate February 2016 as Self-Care Month in Kansas.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, February 8, 2016.

Journal of the House

TWENTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, February 8, 2016, 11:00 a.m.

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

The roll was called with 121 members present.
Rep. Seiwert was excused on verified illness.
Reps. Goico, Sawyer and Suellentrop were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord God,
Thank you for this new week.
We ask for You to
guide our steps;
guard our hearts;
give us patience;
govern our decisions;
grant us wisdom;
galvanize our discussions;
gauge our rhetoric;
and gift us with a spirit of gratitude.
In Christ's Name I pray,
Amen.

The Pledge of Allegiance was led by Rep. Whipple.

PERSONAL PRIVILEGE

There being no objection, the following remarks of Reps. Estes and Ballard are spread upon the Journal:

The JAG-K program addresses the needs of students who may be at risk of not graduating and addresses their barriers. It includes adult mentoring, advisement and support. It serves high school and in some cases, junior high or middle school students as well

This program was adopted 3 years ago with 25 schools participating. The second year we grew to 50 schools and in this, our 3rd year, we serve 61 schools. Next year we are projected to be over 70.

The graduation rate of this very successful program is 93%. There are nearly 2000 students in the program and today we have 65 students and teachers visiting the capitol from many of our 61 schools, seated in the gallery.

Kathe Decker, former State Representative for the 64th District is with JAG-Kansas today and serves as their Vice President.

Students with the JAG-K program were recognized and welcomed by the members of the House.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2630, AN ACT concerning education; relating to special education for exceptional children; gifted children; amending K.S.A. 72-977 and 72-53,111 and K.S.A. 2015 Supp. 72-962, 72-973, 72-987, 72-1111, 72-11a03, 72-6464 and 72-8302 and repealing the existing sections, by Committee on Education.

HB 2631, AN ACT concerning motor fuels tax; relating to refunds, ready-mixed concrete vehicles; amending K.S.A. 79-3453 and repealing the existing section, by Committee on Taxation.

HB 2632, AN ACT concerning the pooled money investment board; establishing the board as a separate state agency and eliminating certain administrative and budgetary duties relating to the board from the state treasurer; amending K.S.A. 2015 Supp. 75-4222 and repealing the existing section, by Committee on Insurance and Financial Institutions.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Federal and State Affairs: **HB 2628**.
Health and Human Services: **HB 2627, HB 2629**.
Taxation: **HB 2625, HB 2626**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2024** from Committee on Appropriations and rereferral to Committee on Judiciary.

Also, the withdrawal of **HB 2319** from Committee on Health and Human Services and rereferral to Committee on Appropriations.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6036**—
By Representatives Todd and Boldra

A RESOLUTION designating February 9, 2016, as Kansas MS Action Day; recognizing the importance of moving closer to a world free of multiple sclerosis; and

expressing appreciation to the Mid America Chapter of the National Multiple Sclerosis Society for its work.

WHEREAS, Multiple sclerosis is an unpredictable, often disabling disease of the central nervous system that disrupts the flow of information within the brain and between the brain and body, with symptoms ranging from numbness and tingling to blindness and paralysis; and

WHEREAS, The progress, severity and specific symptoms of MS in any one person cannot yet be predicted, but advances in research and treatment are leading to a better understanding and moving us closer to a world free of MS; and

WHEREAS, Most people with MS are diagnosed between the ages of 20 and 50, with at least two to three times more women than men diagnosed with the disease. MS affects more than 2.3 million people worldwide, including 400,000 American and over 4,600 Kansans; and

WHEREAS, The Mid America Chapter of the National MS Society is committed to mobilizing the voices of people throughout Kansas who want to do something about MS now; and

WHEREAS, To fulfill this mission, the Society funds cutting-edge research, drives change through advocacy, facilitates professional education, collaborates with MS organizations around the world and provides services designed to help people with MS and their families move their lives forward; and

WHEREAS, Last year alone, through a comprehensive nationwide network, the Society devoted $122.2 million to help more than one million individuals connect to the people, information and resources they need. To move closer to a world free of MS, the Society also invested $54 million to support more than 380 new and ongoing research projects around the world; and

WHEREAS, Walk MS events are scheduled this spring in Kansas City, Hays, Hiawatha, Hutchinson, Lawrence, Manhattan, Salina, Topeka and Wichita; and

WHEREAS, On February 9, 2016, the National MS Society will sponsor MS Action Day at the Kansas State Capitol; and

WHEREAS, The mission of the National Multiple Sclerosis Society is to mobilize people and resources to drive research for a cure and to address the challenges of everyone affected by MS: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we declare February 9, 2016, as Kansas MS Action Day to raise awareness for this disease that has no known cause and no known cure. We recognize the importance of moving closer to a world free of multiple sclerosis and express appreciation to the Mid America Chapter of the National MS Society for its work.

INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, pursuant to House Rule 2303, Rep. Garber moved that the House reconsider its adverse action in not passing **SB 188** on Final Action (see previous action, HJ p. 2002). The motion did not prevail.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2480** be amended on page 5, in line 28, after "(a)" by inserting "Except as provided in subsection (b),"; in line 30, by striking all after "commissioner"; by striking all in lines 31 and 32; in line 33, by striking all before "shall";

On page 6, following line 20, by inserting:

"Sec. 11. K.S.A. 47-423 is hereby amended to read as follows: 47-423. Any person who causes to be brought into ~~any county of~~ the state from any other state for the purpose of grazing or feeding for a period of not to exceed ~~eight~~ 12 months, livestock which carry a brand or brands recorded in a recognized brand organization of any other state, shall ~~upon obtaining a permit from the commissioner~~ be exempt from the provisions of K.S.A. 47-420, and amendments thereto, for a period of ~~eight~~ 12 months. Out-of-state brands shall represent legal ownership for such 12-month period. After such time such brand or a new brand must be recorded in this state~~, or an extension of such permit obtained from the commissioner. Failure to comply with the provisions of this section will render the party so violating liable for all damages resulting from such failure~~.";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "47-421" by inserting ", 47-423"; in line 4, by striking "47-"; in line 5, by striking "423,"; in line 6, by striking the seventh comma and inserting "and"; in line 7, by striking "and 47-448"; and the bill be passed as amended.

Committee on **Appropriations** recommends **SB 161** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 161," as follows:

"House Substitute for SENATE BILL NO. 161

By Committee on Appropriations

"AN ACT making and concerning appropriations for the fiscal years ending June 30, 2016, June 30, 2017, and June 30, 2018, for the state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2015 Supp. 68-2320, 74-4914d, 74-4920, 74-50,107, 74-99b34, 75-2319, 75-6609 and 79-34,161 and repealing the existing sections..";

And the substitute bill be passed.

(**H Sub for SB 161** was thereupon introduced and read by title.)

Committee on **Corrections and Juvenile Justice** recommends **HB 2501** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Corrections and Juvenile Justice** recommends **HB 2545** be amended on page 1, in line 35, after "magistrate" by inserting "and the prosecutor shall promptly notify any victim"; also in line 35, after the period by inserting "For the purposes of this subsection, victim shall include any victim of an alleged crime that resulted in the issuance of the arrest warrant, or, if the victim is deceased, the victim's family.";

On page 2, in line 2, after "counsel" by inserting ", any victim"; in line 10, after "counsel" by inserting ", any victim"; in line 13, after "the" by inserting "physical, mental or emotional"; in line 36, after "counsel" by inserting ", any victim";

On page 3, in line 7, by striking "not"; in line 8, by striking "and shall not be" and inserting "that is not";

On page 5, in line 8, after "magistrate" by inserting "and the prosecutor shall promptly notify any victim"; in line 11, after "counsel" by inserting ", any victim"; in line 19, after "counsel" by inserting ", any victim";

On page 6, in line 2, after "counsel" by inserting ", any victim"; in line 16, by striking "not"; in line 17, by striking "and shall not be" and inserting "that is not"; in line 30, by striking "and"; in line 35, after "movement" by inserting "; and

(5) "victim" shall include any victim of an alleged crime that resulted in the issuance of the search warrant, or, if the victim is deceased, the victim's family"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2633, AN ACT enacting the KanCare bridge to a healthy Kansas program, by Committee on Federal and State Affairs.

HB 2634, AN ACT concerning agriculture; enacting the alternative crop research act; amending K.S.A. 2015 Supp. 21-5702 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2635, AN ACT concerning labor and employment; relating to the workers compensation and employment security boards nominating committee; office of chairperson; amending K.S.A. 2015 Supp. 44-551 and repealing the existing section, by Representative Carmichael.

HB 2636, AN ACT concerning labor and employment; relating to the workers compensation and employment security boards nominating committee; open meetings and open records; amending K.S.A. 2015 Supp. 44-551 and repealing the existing section, by Representative Carmichael.

HB 2637, AN ACT concerning workers compensation; relating to medical guides for the determination of permanent impairment; amending K.S.A. 2015 Supp. 44-510d and 44-510e and repealing the existing sections, by Representative Carmichael.

HB 2638, AN ACT concerning asset seizure and forfeiture; relating to notification; disposition of property; proceeds of sale; amending K.S.A. 65-7014 and K.S.A. 2015 Supp. 60-4107 and 60-4117 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2639, AN ACT concerning care and treatment of certain persons; enacting the emergency observation and treatment act; relating to mentally ill persons, persons with an alcohol or substance abuse problem and persons with co-occurring conditions; licensed crisis recovery centers; amending K.S.A. 59-2953, 59-2980, 59-29b53 and 59-29b80 and K.S.A. 2015 Supp. 59-2978 and 59-29b78 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2640, AN ACT concerning the Kansas human rights commission; relating to complaints; authorizing electronic submission of materials to the commission; amending K.S.A. 2015 Supp. 44-1005 and repealing the existing section, by Committee on General Government Budget.

HB 2641, AN ACT concerning motor vehicles; relating to applications for registration; amending K.S.A. 2015 Supp. 79-5108 and repealing the existing section, by Committee on General Government Budget.

HB 2642, AN ACT concerning planning and zoning; amending K.S.A. 2015 Supp. 12-752 and repealing the existing section, by Representative Carmichael.

REPORT ON ENGROSSED BILLS

HB 2446 reported correctly engrossed February 4, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, February 9, 2016.

Journal of the House

TWENTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, February 9, 2016, 11:00 a.m.

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

The roll was called with 120 members present.
Reps. Goico, Mason, Mast, Read and Tietze were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Creator God,
Thank You for the gift of this day
that holds many opportunities, privileges and responsibilities.
I sometimes wonder what Your thoughts are
when You look down upon each one of us
as we fulfill that which You have called us.
I know the desire of Your heart is that we will:
see people, issues and situations through Your eyes;
feel the concerns of the people with Your heart;
speak to the matters through Your mouth;
hear the anxieties and fears through Your ears;
and act and respond to the needs through Your actions.
Your Son set the perfect example before us,
help us to do likewise.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Ryckman, Sr.

PERSONAL PRIVILEGE

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

In Kansas on Shrove Tuesday we don't celebrate Mardi Gras, we celebrate Pancake Day. It's a friendly international celebration between Liberal, Kansas and Olney, England that is in its 67th year. The race started 500 years ago in Olney in 1445. A woman engrossed in using up cooking fats that were forbidden during lent was making pancakes. When she heard the church bells ring calling everyone to the shriving service, she grabbed her headscarf which was required then in church and ran to the

church with her skillet and pancake in hand and still wearing her apron. In the following years her neighbors got into the act and it became a race to see who could reach the church first and collect a "Kiss of Peace" from the Bell Ringer along with the blessing: "The Peace of the Lord Be Always With You."

In 1950 Liberal Jaycee President R.J. Leete contacted the Rev. Ronald Collins, Vicar of St. Paul's Church in Olney, Challenging their women to a race against the women of Liberal and as they say history was made. This race is a testament to community spirit and pride. On the morning of Pancake Day we all join together to eat pancakes as a community. The race is a lasting symbol of the spirit of goodwill and friendship between Liberal and Olney, as well as England and the United States, with that I say from the people of Liberal "May the Peace of the Lord be Always with You" and have a happy Pancake Day.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

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

HB 2643, AN ACT regulating traffic; concerning maximum speed limits, powers of the secretary of transportation; amending K.S.A. 8-1559 and repealing the existing section, by Committee on Transportation.

HB 2644, AN ACT regulating traffic; concerning weight limitations; amending K.S.A. 8-1909 and repealing the existing section, by Representatives Peck, Doll, Garber, Hibbard, Read and Thompson.

HB 2645, AN ACT concerning the mental health technician's licensure act; amending K.S.A. 65-4203 and 65-4208 and K.S.A. 2015 Supp. 65-4202 and 65-4212 and repealing the existing sections, by Committee on Health and Human Services.

HB 2646, AN ACT concerning public health; relating to pharmacists and certain other individuals; pertaining to the administration of vaccines; amending K.S.A. 2015 Supp. 65-1635a and repealing the existing section, by Committee on Health and Human Services.

HB 2647, AN ACT concerning civil actions; relating to immunity from liability; unattended persons and animals, by Committee on Corrections and Juvenile Justice.

HB 2648, AN ACT concerning the prison-made goods act of Kansas; relating to vocational building programs; sale of units; amending K.S.A. 2015 Supp. 75-5275 and 75-5275a and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HOUSE CONCURRENT RESOLUTION No. **HCR 5023—**

By Representatives B. Carpenter, Anthimides, Barton, Boldra, Bradford, W. Carpenter, Claeys, Corbet, DeGraaf, Dove, Esau, Estes, Ewy, Garber, Goico, Gonzalez, Hawkins, Hedke, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, D. Jones, K. Jones, Kahrs, Kelley, Kiegerl, Kleeb, Lunn, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, Peck, R. Powell, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Suellentrop, Sutton, Thimesch, Thompson, Todd, Vickrey, Weber, C., Whitmer and K. Williams

HCR 5023-- A CONCURRENT RESOLUTION reaffirming 10th Amendment rights.

WHEREAS, The 10th Amendment to the Constitution of the United States specifically provides that, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people"; and

WHEREAS, The 10th Amendment was part of the original Bill of Rights, which was proposed on September 25, 1789, ratified by three-fourths of the states, and went into effect on December 15, 1791; and

WHEREAS, The 10th Amendment limits the scope of federal power and prescribes that the federal government was created by the states specifically to be an agent of the states, rather than the states being agents of the federal government; and

WHEREAS, When taking the oath of office, all members of the Kansas Legislature solemnly swear that they will support the Constitution of the United States and the Constitution of the state of Kansas; and

WHEREAS, Many federal mandates are in direct violation of the 10th Amendment to the Constitution of the United States and infringe upon both the reserved powers of Kansas and the people's reserved powers; and

WHEREAS, The United States Supreme Court ruled in New York v. United States, 505 U.S. 144 (1992), that Congress may not simply commandeer the legislative and regulatory processes of the states by compelling them to enact and enforce regulatory programs; and

WHEREAS, The United States Supreme Court, in Printz v. United States, 521 U.S. 898 (1997), reaffirmed that the Constitution of the United States established a system of "dual sovereignty" that retains "a residuary and inviolable sovereignty" by the states: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That Kansas hereby claims sovereignty under the 10th Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government by the Constitution of the United States; and

Be it further resolved: That this resolution shall serve notice to the federal government of our demand to maintain the balance of powers where the Constitution of the United States established it; and

Be it further resolved: That we state our intentions to ensure that all government agencies and their agents and employees operating within the geographic boundaries of Kansas, or whose actions have an effect on the inhabitants, lands or water of Kansas, shall operate within the confines of the original intent of the Constitution of the United States; and

Be it further resolved: That the Secretary of State shall send an enrolled copy of this resolution to the President of the United States, the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives and each member of the congressional delegation of Kansas.

CORRECTION OF REFERENCE

Speaker Merrick announced **HB 2632**, appearing on the calendar as being referred to Committee on General Government Budget, should be referred to Committee on Insurance and Financial Institutions.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2634**.
Commerce, Labor and Economic Development: **HB 2635, HB 2636, HB 2637**.
Corrections and Juvenile Justice: **HB 2639**.
Education: **HB 2630**.
General Government Budget: **HB 2640**.
Health and Human Services: **HB 2633**.
Insurance and Financial Institutions: **HB 2632**.
Judiciary: **HB 2638**.
Local Government: **HB 2642**.
Taxation: **HB 2631**.
Transportation: **HB 2641**.

MESSAGES FROM THE GOVERNOR

HB 2449 approved on February 8, 2016.

MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **Senate Substitute for HB 2049** and has appointed Senators Smith, Knox and Haley as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6037**—
By Representative Hawkins

HR 6037—A RESOLUTION recognizing the Donated Dental Service Program's 20 years of service.

A RESOLUTION recognizing the Kansas Donated Dental Services Program's 20 years of service.

WHEREAS, The members of the Kansas Dental Association have been providing disabled and elderly Kansans with free dental care through the Kansas Donated Dental Services Program for 20 years, since its inception in 1996; and

WHEREAS, The Kansas Donated Dental Services Program is overseen by Dental Lifeline Network of Kansas; and

WHEREAS, The Kansas Donated Dental Services Program has provided $10 million in donated dental services to over 3,200 Kansans through the generosity of dentists and dental laboratories throughout the State of Kansas; and

WHEREAS, Seven hundred and six volunteer dentists and 99 volunteer dental laboratories generously donated treatment services to aid the seriously neglected dental problems of medically fragile, disabled and aged individuals throughout the state; and

WHEREAS, Compared to other states with a Donated Dental Services Program, dentist participation in the Kansas program ranks among the highest; and

WHEREAS, The strength, success, vitality and effectiveness of the State of Kansas and its communities depend in great measure upon concerned and devoted programs, such as the Kansas Donated Dental Services Program: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize and thank the Kansas Donated Dental Services Program and its volunteers for their generosity during the last 20 years and for continuing to provide free dental care to the citizens of Kansas; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to the Kansas Dental Association and the Kansas Donated Dental Services Program at 5200 SW Huntoon, Topeka, KS 66604.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Todd, **HR 6036**, A RESOLUTION designating February 9, 2016, as Kansas MS Action Day, was adopted.

There being no objection, the following remarks by Reps. Todd and Boldra are spread upon the Journal:

Remarks by Rep. Todd:

When I came to Topeka and was asked to help found a MS Caucus in the House, it was a no brainer. My mother fought MS all of my life. Whatever time I have available to me in public service will in part be used to raise awareness of this terrible disease. I will do my small part to work for a cure. My mother's passing has ended her struggle but the fight must continue on for others still living with MS.

The MS Society carries out three important functions. Raising awareness Multiple Sclerosis is one of them. Providing resources to individuals afflicted with MS is a cornerstone of the MS Societies mission. Ultimately, we want a cure. And it is the pursuit of new treatments and medications through clinical trials and academic research that will bring an end to the debilitating condition.

There is hope on the horizon for people with MS. There are doctors and researchers around the globe working hard to find new ways of treating MS.

One area that could potentially show promise is the use of Adult Stem Cells.

Some information I found on the MS Society's website:

In November 2015, the International Conference on Cell-Based Therapy for Multiple Sclerosis was convened in Lisbon, Portugal under the auspices of the International Advisory Committee on Clinical Trials in MS (a group jointly sponsored by the National MS Society and the European Committee for Treatment and Research in Multiple Sclerosis). The Conference was chaired by Jeffrey A. Cohen, MD (Cleveland Clinic, USA), Marcelo C. Pasquini, MD, MS (Medical College of Wisconsin, USA) and Neil Scolding, PhD, FRCP (Southmead Hospital Bristol, UK).

Participants reviewed current experience with, and value of, specific cell-based therapies. Invited speakers Drs. Saud Sadiq (Tisch MS Research Center of New York) and Richard Burt (Northwestern University) joined 70 other leading researchers and clinicians who conferred on clinical trials needed to provide answers about which types of cells, which route of delivery, and which types and stages of disease, would be the

most promising approach for treating MS.

In the news recently there are reports of progress in Stem Cell treatments. A clinical trial carried out in England and done with cooperation from Hospitals in the United States, Sweden, and Brazil, MS patients suffering from Relapse-Remitting MS (The most common form) are given a treatment that previously had been used for cancer patents. Known as, autologous haematopoietic stem cell transplant (HSCT).

With the treatment, patients undergo chemotherapy. The chemo largely destroys the patient's current immune system, white blood cells. They are then given a transplant (I believe bone marrow, but don't hold me to that) of their own stem cells in order to reboot the immune system. Because they are stem cells, they should return the immune system to a state prior to the development of MS.

This treatment is in its early development stages and I would caution anything other than hopeful optimism. But all breakthroughs must begin somewhere.

Please join with me in thanking everyone that works to treat people with MS, connect them with needed resources, advocate for needed changes, and carry out the research to ultimately find a cure.

Remarks by Rep. Boldra:

Our youngest daughter, was an avid athlete through high school and college. She graduated from Pepperdine Law School in 2008, was married in 2009, and was diagnosed with MS in 2010.

She has accepted and embraced her condition, and is a proud member of the Mid-American MS advisory board. She has an informational blog called "Optimistic with MS", where she chronicles her personal story and relays information about new treatments and new drugs.

She has a 3 year old and a 6 month old. She is an active assistant district attorney in Sedgwick County.

This year will mark her 5th anniversary on the MS advisory board and involvement in the search for a cure. She is committed to raising $5,000 for the MS walks in Wichita and Hays .

As a family, we walk and bike for MS. We walk to support research and we walk with the hope that a cure will come within her life time.

Every hour of every day, someone in America is diagnosed with MS. There is no known cause and no known cure.

CONSENT CALENDAR

No objection was made to **HB 2501** appearing on the Consent Calendar for the first day.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Schwartz in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2471** be passed over and retain a place on the calendar.

Committee report to **HB 2018** be adopted; and the bill be passed as amended.

On motion of Rep. Todd, **HB 2469** be amended on page 1, in line 10, after "thereof" by inserting ", if, however, the licensee holds a 10% or greater ownership interest in one or more entities that also hold a microbrewery license, then the aggregate number of barrels of domestic beer manufactured by all such licensees with such common ownership shall not exceed the 60,000 barrel limit"; and the bill be passed as amended.

Committee report to **HB 2467** be adopted; on motion of Rep. Frownfelter to amend **HB 2467**, the motion did not prevail; and the bill be passed as amended.

Committee report to **HB 2512** be adopted; on motion of Rep. Hemsley, **HB 2512** be amended, as amended by House Committee, on page 1, in line 29, by striking "Final official"; by striking all in lines 30 through 32; in line 33, by striking all before the period and inserting "The applicant shall submit final official transcripts and any documents verifying completion of the education requirements of subsection (a) to the board or the examination service within 120 days after the applicant has taken the first section of the examination. If final official transcripts and any documents verifying completion of such education requirements are not received by the board or the examination service within 120 days after the applicant has taken the first section of the examination, the applicant's grades for all sections of the examination may be voided, subject to notice and an opportunity for the applicant to be heard pursuant to the Kansas administrative procedures act"; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **HB 2540** be amended on page 18, in line 25, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Education** recommends **HB 2457** be amended on page 1, in line 23, by striking "250%" and inserting "185%";

On page 6, in line 1, by striking "100%" and inserting "90%"; in line 16, by striking all after "(d)"; by striking all in line 17; in line 18, by striking all before the period and inserting "For tax years 2014 and 2015, the total amount of credits allowed under this section is $10,000,000. Beginning in tax year 2016, in any tax year when the total amount of credits awarded is equal to or greater than 95% of the total amount of credits allowed, the total amount of credits allowed under this section for the next succeeding tax year shall increase by 25%. The state department of education and department of revenue shall publish information on their websites identifying the total amount of credits allowed under this section"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2518** be passed.

Committee on **Judiciary** recommends **Substitute for SB 18** be amended by substituting a new bill to be designated as "House Substitute for Substitute for SENATE BILL NO. 18," as follows:

"House Substitute for Substitute for SENATE BILL NO. 18
By Committee on Judiciary

"AN ACT concerning law enforcement; relating to audio and video recordings using a body camera or a vehicle camera; criminal investigation records exception under open records act; amending K.S.A. 2015 Supp. 45-217 and repealing the existing section."; and the substitute bill be passed.

(**H Sub for Sub SB 18** was thereupon introduced and read by title).

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2649, AN ACT concerning municipalities; relating to energy efficiency development boards; concerning energy efficiency improvements, assessment contracts, by Committee on Energy and Environment.

HB 2650, AN ACT establishing the school district benefit lottery game, by Committee on Education.

HB 2651, AN ACT concerning the Kansas probate code; relating to transfer-on-death deeds; amending K.S.A. 2015 Supp. 59-3504 and repealing the existing section, by Committee on Judiciary.

HB 2652, AN ACT concerning district courts; relating to vacancies in the office of judge of the district court; nominations for successor by district judicial nominating commission; amending K.S.A. 2015 Supp. 20-2909 and repealing the existing section, by Committee on Judiciary.

HB 2653, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; employment after retirement; special provisions for certain retirants; certain duties of the joint committee on pensions, investments and benefits; amending K.S.A. 2015 Supp. 46-2201, 74-4914 and 74-4937 and repealing the existing sections, by Committee on Pensions and Benefits.

HB 2654, AN ACT concerning the Kansas public employees retirement system; employment after retirement; exempting certain licensed health care professionals from earnings limitation; amending K.S.A. 2015 Supp. 74-4914 and repealing the existing section, by Committee on Pensions and Benefits.

HB 2655, AN ACT concerning the state capitol complex; relating to erecting a cornerstone memorial, by Representatives Anthimides, Campbell, Carmichael, Gonzalez, Hawkins, Hibbard, Lusker, Osterman, Proehl, Thompson and Waymaster.

HB 2656, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; employment after retirement; exempting certain retirants in school employment from earnings limitation; amending K.S.A. 2015 Supp. 74-4914 and repealing the existing section, by Committee on Pensions and Benefits.

HB 2657, AN ACT concerning private water utilities; creating the water consumer protection act; requiring water quality maintenance funds; creating the water quality assurance fund, by Representative Claeys.

COMMITTEE ASSIGNMENT CHANGES

Speaker Merrick announced the appointment of Rep. Burroughs to replace Rep. Tietze on Committee on Commerce, Labor and Economic Development on Tuesday, February 9, 2016.

REPORT ON ENROLLED RESOLUTIONS

HR 6034 reported correctly enrolled and properly signed on February 8, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, February 10, 2016.

Journal of the House

TWENTY-SECOND DAY

Hall of the House of Representatives,
Topeka, KS, Wednesday, February 10, 2016, 11:00 a.m.

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

The roll was called with 123 members present.
Reps. Goico and Mason were excused on excused absence by the Speaker.
Present later: Rep. Goico.

Prayer by Chaplain Brubaker:

Jehovah Jireh – God our Provider,
we come before You today grateful for all that
You provide and do for us.
We are so excited to work on the budget today…
said no one ever!
Yes, it is that time again where we need a miracle—
equal to that of feeding 5000 with five loaves of bread and two fish.
It's difficult enough for two people in a marriage
to come to agreement on their personal budget,
yet here we are asking for You to
take the uniquely created opinions and thoughts
of 125 people representing thousands of people
and come to a general consensus and agreement on the state budget.
Yes we need a miracle…
or perhaps on this Ash Wednesday we can be reminded
to have the mind of Christ,
emptying ourselves and making ourselves nothing,
looking not only to our own interests, but also to the interest of others.
Direct the decisions of our leaders today
and keep their attitudes and words in check.
In Your Son's Name I pray,
Amen.

The Pledge of Allegiance was led by Rep. Swanson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2658, AN ACT concerning abortion; relating to certain providers thereof; pertaining to required patient disclosures; amending K.S.A. 65-6708 and repealing the existing section, by Committee on Health and Human Services.

HB 2659, AN ACT concerning elections; relating to audits; concerning requirements for certain voting machines; amending K.S.A. 2015 Supp. 25-4403 and 25-4406 and repealing the existing sections, by Committee on Vision 2020.

HB 2660, AN ACT concerning certain state agencies; relating to the transfer of fees; notification of such transfer; amending K.S.A. 75-3036 and repealing the existing section, by Committee on Judiciary.

HB 2661, AN ACT concerning immigration; relating to the placement of certain refugees in this state, by Representatives Garber, Barton, Bradford, B. Carpenter, W. Carpenter, Claeys, DeGraaf, Dove, Hoffman, Hutchins, K. Jones, Kahrs, Kiegerl, McPherson, O'Brien, Osterman, Peck, R. Powell, Scapa, Seiwert, Thimesch and Whitmer.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2646**.
Commerce, Labor and Economic Development: **HB 2648**.
Federal and State Affairs: **HB 2650, HCR 5023**.
General Government Budget: **HB 2655**.
Health and Human Services: **HB 2645**.
Insurance and Financial Institutions: **HB 2649**.
Judiciary: **HB 2647, HB 2651, HB 2652**.
Pensions and Benefits: **HB 2653, HB 2654, HB 2656**.
Transportation: **HB 2643, HB 2644**.
Utilities and Telecommunications: **HB 2657**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2207** from Committee on Appropriations and rereferral to Committee on Education.

Also, the withdrawal of **HB 2315** from Committee on Elections and rereferral to Committee on Health and Human Services.

Also, the withdrawal of **HB 2534** from Committee on Children and Seniors and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2634** from Committee on Agriculture and Natural Resources and referral to Committee on Commerce, Labor and Economic Development.

Also, the withdrawal of **HB 2639** from Committee on Corrections and Juvenile Justice and referral to Committee on Judiciary.

COMMUNICATIONS FROM STATE OFFICERS

From Barbara J. Hickert, State LTC Ombudsman, per K.S.A. 75-7306, Kansas Long-Term Care Ombudsman Annual Report for State Fiscal Year 2015.

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

MESSAGES FROM THE SENATE

The Senate nonconcurs in House amendments to **SB 248**, requests a conference and has appointed Senators Masterson, Denning and Kelly as conferees on the part of the Senate.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Billinger, **HR 6033**, A RESOLUTION recognizing the city of Kanorado as the top city in Kansas, was adopted.

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

Kanorado, located on I-70 is the last city you see as you leave Kansas and is the first city you see as you leave Colorado on I-70.

Lots were deeded on July 5, 1888, and the original name was Lamborn.

On September 9, 1903, the post office name was changed to Kanorado; a small western Kansas town where the folks are welcoming and always ready to help their neighbors.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Hawkins, **HR 6035**, A RESOLUTION designating February 2016 as Self-Care Month, was adopted.

CONSENT CALENDAR

Objection was made to **HB 2501** appearing on the Consent Calendar; the bill was placed on the Calendar under the heading General Orders.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2018, AN ACT concerning visual depictions of children; creating the crimes of unlawful transmission of a visual depiction of a child and unlawful possession of a visual depiction of a child; relating to sexual exploitation of a child; amending K.S.A. 2015 Supp. 21-5510 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf,

Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Mason.

The bill passed, as amended.

HB 2467, AN ACT concerning alcoholic beverages; relating to microbreweries; authorizing the production of hard cider; amending K.S.A. 2015 Supp. 41-102 and 41-308b and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 5; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Frownfelter, Houston, Kahrs, Peck, Scott.

Present but not voting: None.

Absent or not voting: Goico, Mason.

The bill passed, as amended.

HB 2469, AN ACT concerning alcoholic beverages; relating to microbreweries; amending K.S.A. 2015 Supp. 41-308b and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 4; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher,

Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelley, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: DeGraaf, Kahrs, Kiegerl, Peck.

Present but not voting: None.

Absent or not voting: Goico, Mason.

The bill passed, as amended.

HB 2512, AN ACT relating to accountants; concerning professional licensure requirements; early access to the certified public accountant examination; amending K.S.A. 2015 Supp. 1-302a and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 17; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clayton, Concannon, Corbet, Curtis, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finney, Francis, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highland, Hildabrand, Hineman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Wolfe Moore.

Nays: Carlin, Clark, E. Davis, DeGraaf, Dierks, Finch, Frownfelter, Highberger, Hill, Hoffman, Kuether, Phillips, Rubin, Ruiz, Tietze, Todd, Winn.

Present but not voting: None.

Absent or not voting: Goico, Mason.

The bill passed, as amended.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Proehl in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that pursuant to House Rule 2311, Rep. Vickery moved that House Rule 1704 be suspended for the purpose of allowing Reps. W. Carpenter, Grosserode, Kleeb, Schwartz, Henry and Trimmer to speak more than twice on **H Sub for SB 161**.

The motion prevailed.

Committee report to **H Sub for SB 161** be adopted;

Roll call was demanded on motion of Rep. Johnson, to amend **H Sub for SB 161** on page 55, in line 17, after "for" by inserting "the first quarter of"; in line 19, after "to" where it appears for the first time, by inserting "four times"; also in line 19, after "amount" by inserting ", plus 8%,"; in line 20, after the period, by inserting "For the final three quarters of the fiscal year ending June 30, 2017, the board shall certify the employer rate of contribution for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, at 10.81%.

(19) An amount of money corresponding to the employer rate of contribution for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, for the first quarter of the fiscal year ending June 30, 2017, established in subsection (18) shall be paid by the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, to the Kansas public employees retirement fund on or before September 30, 2016."

On roll call, the vote was: Yeas 89; Nays 34; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Francis, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Macheers, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Pauls, Peck, Phillips, Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Jr. Ryckman, Sr. Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, Whitmer, Williams.

Nays: Alcala, Ballard, Bollier, Burroughs, Carlin, Carmichael, Clayton, Curtis, Finch, Finney, Frownfelter, Helgerson, Henderson, Henry, Highberger, Houston, Kelley, Kuether, Lusk, Lusker, Ousley, Patton, Rooker, Ruiz, Sawyer, Scott, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Goico, Mason.

The motion prevailed.

Also, on further motion of Rep. Johnson, **H Sub for SB 161** be amended on page 60, following line 37, by inserting:

"Sec. 105. K.S.A. 75-3722 is hereby amended to read as follows: 75-3722. (a) An allotment system will be applicable to the expenditure of the resources of any state agency, under rules and regulations established as provided in K.S.A. 75-3706, and amendments thereto, only if in the opinion of the secretary of administration on the advice of the director of the budget, the use of an allotment plan is necessary or beneficial to the state. In making this determination the secretary of administration shall take into consideration all pertinent factors including:

(1) Available resources~~,~~;

(2) current spending rates~~,~~;

(3) work loads~~,~~;

(4) new activities, especially any proposed activities not covered in the agency's request to the governor and the legislature for appropriations~~,~~;

(5) the minimum current needs of each agency~~,~~;

(6) requests for deficiency appropriations in prior fiscal years~~,~~;

(7) unexpended and unencumbered balances~~,~~; and

(8) revenue collection rates and prospects.

(b) Whenever for any fiscal year it appears that the resources of the general fund or any special revenue fund are likely to be insufficient to cover the appropriations made against such general fund or special revenue fund, the secretary of administration, on the advice of the director of the budget, shall, in such manner as he or she may determine, inaugurate the allotment system so as to assure that expenditures for any particular fiscal year will not exceed the available resources of the general fund or any special revenue fund for that fiscal year.

(c) (1) The allotment system shall not apply to the legislature or to the courts or their officers and employees. During the fiscal year ending June 30, 2017, the allotment system provided by this section shall not apply to any item of appropriation for employer contributions for the state of Kansas and participating employers who are eligible employers as specified in K.S.A. 74-4931(1), (2) and (3), and amendments thereto, under the Kansas public employees retirement system pursuant to K.S.A. 74-4939, and amendments thereto.

(2) Agencies affected by decisions of the secretary of administration under this section shall be notified in writing at least ~~thirty (30)~~ 30 days before such decisions may become effective and any affected agency may, by written request addressed to the governor within ~~ten (10)~~ 10 days after such notice, ask for a review of the decision by the finance council. The finance council shall hear appeals and render a decision within ~~twenty (20)~~ 20 days after the governor receives requests for such hearings.";

On page 64, in line 22, before "K.S.A" by inserting "K.S.A. 75-3722 and";

And by renumbering sections accordingly;

On page 1, in the title, in line 6, after "amending" by inserting "K.S.A. 75-3722 and"

Also, roll call was demanded on motion of Rep. Lusker to amend **H Sub for SB 161** on page 39, by striking all in lines 25 through 40 and inserting "(b) During fiscal year 2017, the secretary of transportation shall continuously monitor the implementation of the recommendations of the Kansas statewide efficiency review concerning the department of transportation, which was conducted during fiscal year 2016: **Provided,** That on September 30, 2016, December 31, 2016, March 31, 2017, and June 30, 2017, the secretary of transportation shall determine and certify to the director of accounts and reports the amount: (1) That is determined by the the secretary of transportation to be actual or projected cost savings as a result of the implementation of such efficiency recommendations concerning the department of transportation during the preceding three months; and (2) of the payments received by the department of transportation for the leasing of the excess bandwidth on such department's communication system during the preceding three months: **Provided further,** That upon receipt of such certification; determining the amount of the payments and upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711(c), and amendments thereto, the director of accounts and reports shall transfer such amounts

from the state highway fund to the state general fund: **Provided however,** That the aggregate amount of such transfers during fiscal year 2017 pursuant to this subsection shall not exceed $25,000,000."

On roll call, the vote was: Yeas 39; Nays 84; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Ballard, Burroughs, Carlin, Carmichael, Clark, Clayton, Curtis, DeGraaf, Dierks, Edmonds, Finney, Frownfelter, Helgerson, Henderson, Henry, Highberger, Hill, Hineman, Houston, Kiegerl, Kuether, Lewis, Lusk, Lusker, Ousley, Rooker, Ruiz, Sawyer, Scott, S. Swanson, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Concannon, Corbet, E. Davis, Doll, Dove, Esau, Estes, Ewy, Finch, Francis, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Lunn, Macheers, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Goico, Mason.

The motion did not prevail.

Also, on motion of Rep. Ward to amend **H Sub for SB 161**, Rep Hawkins requested a ruling on the amendment violating the Pay Go Rule. (Rule 2110). The Rules Chair ruled the amendment violates the Pay Go Rule. Rep. Ward challenged the ruling of the Rules Chair, the question being "Shall the Rules Chair be sustained?"

On roll call, the vote was: Yeas 85; Nays 37; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, B. Carpenter, W. Carpenter, Claeys, Clark, Corbet, Davis, DeGraaf, Dierks, Dove, Esau, Estes, Ewy, Finch, Francis, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Macheers, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Patton, Pauls, Peck, Phillips, Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Jr. Ryckman, Sr. Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber, Whitmer, Williams.

Nays: Alcala, Ballard, Bollier, Burroughs, Campbell, Carlin, Carmichael, Clayton, Concannon, Curtis, Doll, Edmonds, Finney, Frownfelter, Gallagher, Helgerson, Henderson, Henry, Highberger, Hill, Houston, Kuether, Lusk, Lusker, Ousley, Ruiz, Sawyer, Scott, Sloan, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Goico, Mason, Thompson.

The Rules Chair was sustained.

Also, on motion of Rep. Bradford to amend **H Sub for SB 161**, Rep. Rubin requested a ruling on the amendment violating the Pay Go Rule (Rule 2110). The amendment was subsequently withdrawn.

Also, roll call was demanded on motion of Rep. Ballard to amend **H Sub for SB 161**, on page 19, in line 9, by subtracting $3,000,000 from the dollar amount and by adjusting the dollar amount in line 9 accordingly; following line 10, by inserting:
"Osawatomie state hospital – operating
expenditures (494-00-1000-0100)..... $472,736
Larned state hospital – operating
expenditures (410-00-1000-0103)..... $792,980";
On page 20, by striking all in lines 9 through 13; by striking all in lines 19 through 23;
And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly
On roll call, the vote was: Yeas 45; Nays 75; Present but not voting: 1; Absent or not voting: 4.
Yeas: Alcala, Ballard, Burroughs, Carlin, Carmichael, Clark, Concannon, Curtis, Dierks, Doll, Edmonds, Ewy, Finney, Francis, Frownfelter, Gallagher, Helgerson, Henderson, Henry, Hibbard, Highberger, Hill, Houston, K. Jones, Kuether, Lewis, Lusk, Lusker, Moxley, Ousley, Ruiz, Sawyer, Scott, C. Smith, S. Swanson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.
Nays: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Clayton, Corbet, E. Davis, DeGraaf, Dove, Esau, Estes, Finch, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kahrs, Kelley, Kelly, Kleeb, Lunn, Macheers, Mast, McPherson, Merrick, O'Brien, Osterman, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwartz, Seiwert, Suellentrop, Sutton, Thimesch, Thompson, Waymaster, Weber, C., Whitmer, K. Williams.
Present but not voting: Kiegerl.
Absent or not voting: Goico, Mason, Schwab, Sloan.
The motion did not prevail.

Also, on motion of Rep. Waymaster, **H Sub for SB 161** be amended on page 46, in line 2, after the colon by inserting "*And provided however,* That the expenditure limitation established by this section shall not apply to the university of Kansas medical center:"

Also, on motion of Rep. Hutton, **H Sub for SB 161** be amended on page 21, following line 2, by inserting:
"(p) On the effective date of this act, of the $10,637,411 appropriated for the above agency for the fiscal year ending June 30, 2017, by section 109(a) of chapter 104 of the 2015 Session Laws of Kansas from the state general fund in the Parsons state hospital and training center – operating expenditures account (507-00-1000-0100), the sum of

$117,068 is hereby lapsed.";

On page 23, following line 12, by inserting:

"(d) On July 1, 2016, the provisions of section 3(c) of chapter 4 of the 2015 Session Laws of Kansas are hereby declared null and void and shall have no force and effect.";

On page 45, in line 22, after "the" by inserting "state of Kansas and";

On page 49, in line 20, by striking the period

Also, on motion of Rep. DeGraaf, **H Sub for SB 161** be amended on page 60, by striking all in lines 38 through 43;

By striking all on pages 61 and 62;

On page 63, by striking all in lines 1 through 13;

On page 64, in line 23, by striking ", 75-6609";

And by renumbering sections accordingly;

On page 1, in the title, in line 7, by striking ", 75-6609"

Also, roll call was demanded on motion of Rep. W. Carpenter to amend **H Sub for SB 161** on page 21, in line 26, following "*Provided,*" by inserting "That the Kansas children's cabinet shall make appropriation recommendations on the expenditures of moneys in the CIF grants account to the governor regarding children and youth programs and services: *Provided further,* That the governor shall make the final determination concerning the allocation of funding in the CIF grants account: *And provided further,*"

On roll call, the vote was: Yeas 72; Nays 49; Present but not voting: 0; Absent or not voting: 4.

Yeas: Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Campbell, B. Carpenter, W. Carpenter, Claeys, Corbet, E. Davis, DeGraaf, Dove, Esau, Estes, Ewy, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lunn, Macheers, Mast, McPherson, Merrick, O'Brien, Osterman, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, C. Smith, Suellentrop, Sutton, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Nays: Alcala, Alford, Ballard, Becker, Bollier, Bruchman, Burroughs, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, Dierks, Doll, Edmonds, Finch, Finney, Francis, Frownfelter, Gallagher, Helgerson, Henderson, Henry, Highberger, Hill, Hineman, Houston, Jennings, Kuether, Lewis, Lusk, Lusker, Moxley, Ousley, Rooker, Ruiz, Sawyer, Scott, Sloan, S. Swanson, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Goico, Johnson, Mason, Seiwert.

The motion prevailed.

Also on motion of Rep. Finney to amend **H Sub for SB 161**, the motion was subsequently withdrawn.

Also, roll call was demanded on motion of Rep. Ward to amend **H Sub for SB 161** on page 46, following line 5, by inserting the following:

"Sec. 99. Notwithstanding the provisions of any other statute, during the fiscal years ending June 30, 2016, June 30, 2017, and June 30, 2018, no state agency named in chapters 4, 81 or 104 of the 2015 Session Laws of Kansas, this or other appropriation act of the 2016, 2017 or 2018 regular session of the legislature shall expend any moneys appropriated for the fiscal years ending June 30, 2016, June 30, 2017, and June 30, 2018, from the state general fund or in any special revenue fund or funds for any state agency to privatize the operations of the Larned state hospital or the Osawatomie state hospital without prior specific authorization in an act of the legislature or in an appropriation act of the legislature.";
And by renumbering sections accordingly

On roll call, the vote was: Yeas 68; Nays 51; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Ballard, Barker, Becker, Bollier, Bruchman, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, E. Davis, Dierks, Doll, Edmonds, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Hedke, Helgerson, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Jennings, K. Jones, Kahrs, Kelley, Kuether, Lewis, Lusk, Lusker, Moxley, Ousley, F. Patton, Phillips, R. Powell, Rahjes, Rooker, Rubin, Ruiz, Sawyer, Scapa, Schroeder, Schwab, Scott, Sloan, S. Swanson, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Alford, Barton, Billinger, Boldra, Bradford, B. Carpenter, W. Carpenter, Claeys, Corbet, DeGraaf, Dove, Esau, Estes, Garber, Gonzalez, Grosserode, Hawkins, Hemsley, Highland, Hildabrand, Hoffman, Houser, Hutchins, Hutton, Johnson, D. Jones, Kelly, Kiegerl, Kleeb, Lunn, Macheers, Mast, McPherson, Merrick, O'Brien, Osterman, Peck, Proehl, Read, Rhoades, Ryckman, Ryckman Sr., Schwartz, C. Smith, Suellentrop, Sutton, Thimesch, Todd, Waymaster, Weber, C., Whitmer.

Present but not voting: None.

Absent or not voting: Anthimides, Goico, Huebert, Mason, Pauls, Seiwert.

The motion prevailed.

Also, on further motion by Rep. Ward to amend **H Sub for SB 161**, the amendment was subsequently withdrawn.

Also, on motion of Rep. Carlin to amend **H Sub for SB 161**, the motion did not prevail.

Also, roll call was demanded on motion of Rep. Winn to amend **H Sub for SB 161** on page 22, in line 2, after "program" by inserting ": *And provided however,* That the provisions of this subsection shall not apply to the parents as teachers program"

On roll call, the vote was: Yeas 52; Nays 69; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Alford, Ballard, Barker, Billinger, Bollier, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Curtis, Dierks, Doll, Ewy, Finney, Frownfelter, Gallagher, Gonzalez, Helgerson, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Hutchins, Kuether, Lewis, Lusk, Lusker, Moxley, O'Brien, Ousley, F. Patton, Proehl, Rahjes, Rooker, Ruiz, Sawyer, Scott, Sloan, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Anthimides, Barton, Becker, Boldra, Bradford, Bruchman, B. Carpenter, W.

Carpenter, Claeys, Concannon, Corbet, E. Davis, DeGraaf, Dove, Edmonds, Esau, Estes, Finch, Francis, Garber, Goico, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lunn, Macheers, Mast, McPherson, Merrick, Osterman, Peck, Phillips, R. Powell, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, C. Smith, Suellentrop, Sutton, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Mason, Pauls, Seiwert, S. Swanson.

The motion did not prevail.

Also, roll call was demanded on motion of Rep. Ward to amend **H Sub for SB 161**, on page 46, following line 5, by inserting:

"Sec. 99. On the effective date of this act, notwithstanding the provisions of any statute, no state agency shall expend any moneys appropriated from the state general fund or from any special revenue fund or funds for the fiscal years ending June 30, 2016, June 30, 2017, or June 30, 2018, as authorized by chapters 4, 81 or 104 of the 2015 Session Laws of Kansas, this or any other appropriations act of the 2016, 2017 or 2018 regular session of the legislature, to integrate, consolidate or otherwise alter the structure of the following KanCare waiver programs: medical services; behavioral health services; transportation; nursing facilities; other long-term care; autism, frail elderly; technology assistance; physical disability; traumatic brain injury; intellectual/developmental disability; or serious emotional disturbance.";

And by renumbering sections accordingly

On roll call, the vote was: Yeas 57; Nays 64; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Anthimides, Ballard, Billinger, Bollier, Burroughs, Carlin, Carmichael, Clark, Clayton, Curtis, E. Davis, Dierks, Doll, Edmonds, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Helgerson, Henderson, Henry, Highberger, Hill, Hineman, Houston, Kahrs, Kelley, Kelly, Kuether, Lewis, Lusk, Lusker, Moxley, Ousley, F. Patton, Phillips, R. Powell, Rooker, Ruiz, Sawyer, Scott, Sloan, C. Smith, S. Swanson, Tietze, Trimmer, Victors, Ward, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Alford, Barker, Barton, Becker, Boldra, Bradford, Campbell, B. Carpenter, W. Carpenter, Claeys, Concannon, Corbet, DeGraaf, Dove, Esau, Ewy, Garber, Goico, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kiegerl, Kleeb, Lunn, Macheers, Mast, McPherson, Merrick, O'Brien, Osterman, Peck, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Suellentrop, Sutton, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C., Whitmer.

Present but not voting: None.

Absent or not voting: Bruchman, Mason, Pauls, Seiwert.

The motion did not prevail.

Also, on motion of Rep. Helgerson to amend **H Sub for SB 161**, the amendment was subsequently withdrawn;

and **H Sub for SB 161** be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **HB 2620** be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2662, AN ACT concerning certain claims against the state, making appropriations, authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain disbursements, procedures and acts incidental to the foregoing, by Committee on Joint Committee on Special Claims Against the State.

HB 2663, AN ACT concerning education; relating to the financing and instruction thereof; making and concerning appropriations for the fiscal years ending June 30, 2017, June 30, 2018, and June 30, 2019, for the department of education; creating the school district finance and quality performance act of 2016; amending K.S.A. 2015 Supp. 10-1116a, 12-1677, 12-1770a, 12-1775a, 12-1776a, 72-978, 72-1046b, 72-1398, 72-1414, 72-1923, 72-3607, 72-3711, 72-3712, 72-3715, 72-5333b, 72-64b01, 72-64c03, 72-64c05, 72-6622, 72-6624, 72-6625, 72-6757, 72-67,115, 72-7535, 72-8187, 72-8190, 72-8230, 72-8233, 72-8236, 72-8237, 72-8249, 72-8250, 72-8251, 72-8302, 72-8309, 72-8316, 72-8415b, 72-8804, 72-8908, 72-9509, 72-9609, 72-99a02, 74-4939a, 74-8925, 74-99b43, 75-2319, 79-201x, 79-213, 79-2001 and 79-2925b and repealing the existing sections; also repealing K.S.A. 2015 Supp. 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, 72-6476, 72-6477, 72-6478, 72-6479, 72-6480 and 72-6481, by Representative Helgerson.

HB 2664, AN ACT concerning institutions of higher education; establishing an intercollegiate adaptive sport grant program for students with disabilities; relating to the state board of regents; authorizing income tax contributions; creating the intercollegiate adaptive sport contribution program fund; making and concerning appropriations for the fiscal year ending June 30, 2017, by Representatives Whipple, B. Carpenter, Clayton, Concannon, Esau, Ewy, Hutchins, O'Brien, Osterman, Sawyer, Schroeder, Sloan, Sutton, Trimmer, Whitmer and Winn.

HB 2665, AN ACT concerning city and county inspections of rental properties, by Committee on Appropriations.

HB 2666, AN ACT concerning crimes, punishment and criminal procedure; relating to the secretary of corrections; good time credits; amending K.S.A. 2015 Supp. 21-6821 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2667, AN ACT concerning crimes and punishment; relating to a mandatory term of imprisonment of 35 years for certain sex offenders; amending K.S.A. 2015 Supp. 21-6627 and repealing the existing section, by Representatives Whipple, Burroughs, Clayton, Trimmer and Winn.

HB 2668, AN ACT concerning employees; relating to protection of victims of domestic violence; amending K.S.A. 2015 Supp. 44-1132 and repealing the existing section, by Representatives Whipple, Ballard, Clayton, Concannon, Curtis, Ruiz, Sawyer, Trimmer and Winn.

HB 2669, AN ACT concerning taxation; enacting the food sales tax refund act; repealing the food sales tax credit; repealing K.S.A. 2015 Supp. 79-32,271, by Representatives Whipple, Curtis, Highberger, Sawyer, Trimmer and Winn.

HB 2670, AN ACT concerning income taxation; relating to credits, earned income tax credit; amending K.S.A. 2015 Supp. 79-32,205 and repealing the existing section, by Representatives Whipple, Curtis, Highberger, Sawyer, Trimmer and Winn.

HB 2671, AN ACT concerning taxation; providing homestead property tax refunds for renters; amending K.S.A. 2015 Supp. 79-4501, 79-4502, 79-4508, 79-4509, 79-4511 and 79-4522 and repealing the existing sections, by Representatives Whipple, Curtis, Highberger, Sawyer, Trimmer and Winn.

HB 2672, AN ACT concerning income taxation; relating to addition and subtraction modifications; certain business income; amending K.S.A. 2015 Supp. 79-32,117 and repealing the existing section, by Representatives Helgerson and Trimmer.

HB 2673, AN ACT concerning waste; relating to litter control; requiring certain beverage containers to be redeemable and establishing the returnable container deposit fund, by Representatives Helgerson and Trimmer.

HB 2674, AN ACT concerning elections; relating to campaign finance; limiting fundraising of certain state officers, by Representative Alcala.

HB 2675, AN ACT establishing the Kansas efficiency fund, Kansas rainy day fund and sales tax on food rate reduction fund in the state treasury; disposition of moneys identified as savings from the Kansas statewide efficiency review; relating to the sales tax rate on food; making and concerning appropriations for the fiscal year ending June 30, 2017, for certain agencies; amending K.S.A. 75-6704 and K.S.A. 2015 Supp. 79-3602, 79-3603, 79-3620, 79-3703 and 79-3710 and repealing the existing sections, by Representatives Helgerson and Trimmer.

HB 2676, AN ACT concerning schools; enacting the local control of Kansas education act; relating to the student data privacy act; amending K.S.A. 2015 Supp. 72-6216, 72-6217, 72-6218 and 72-6479 and repealing the existing sections, by Representatives Scapa, Barton, Bradford, B. Carpenter, Claeys, DeGraaf, Dove, Estes, Garber, Goico, Houser, Hutchins, D. Jones, K. Jones, Kiegerl, Lunn, Macheers, O'Brien, Pauls, Peck, R. Powell, Rahjes, Read, Rhoades, Rubin, Seiwert, Sutton, Vickrey, Weber, C. and Whitmer.

HB 2677, AN ACT concerning licensure by state agencies; relating to felony convictions; amending K.S.A. 74-120 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2678, AN ACT concerning the attorney general; relating to duties to investigate and prosecute; law enforcement officers, by Committee on Corrections and Juvenile Justice.

HB 2679, AN ACT relating to public employees; providing for annual pay increases, by Representative Alcala.

HB 2680, AN ACT concerning income taxation; relating to apportionment of income; allowing a water's-edge election for certain taxpayers, by Representatives Sawyer, Burroughs, Carmichael, Curtis, Henry, Kuether, Ruiz, Tietze and Wolfe Moore.

HB 2681, AN ACT concerning crimes, punishment and criminal procedure; relating to diversion; Kansas sentencing commission; amending K.S.A. 22-2907 and 22-2912 and K.S.A. 2015 Supp. 74-9101 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

REPORT ON ENGROSSED BILLS

HB 2018, HB 2467, HB 2469, HB 2512 reported correctly engrossed February 9, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, February 11, 2016.

Journal of the House

TWENTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, February 11, 2016, 11:00 a.m.

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

The roll was called with 124 members present.
Rep. Seiwert was excused on verified illness.

Prayer by guest chaplain, Pastor Kenneth Harder, Emmanuel Mennonite Church, Meade, and guest of Rep. Estes:

> Father in Heaven,
> I thank you for the opportunity to approach your throne. You say in your Word that if any lacks wisdom they should ask and you would give it generously. I'm asking for wisdom for these folks so they can govern, make decisions and vote wisely on the issues. I ask also for unity that this body could come together and speak as one voice where before they were divided. Get us out of the budget shortfalls that we find ourselves in. Birth in this group of representatives a plan that can sustain us and allow for a budget surplus once again. I thank you that everything belongs to you, so help us be good stewards of your resources, let us act as though we know it is not ours but yours, and I thank you that you in your grace have allowed us to benefit from them. Bless the speaker and the governor and every representative. May God bless America and this great State of Kansas.
> In the Name of Jesus Christ our Savior, AMEN!

The Pledge of Allegiance was led by Rep. Trimmer.

INTRODUCTION OF GUESTS

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

The Governor signed a Proclamation that today, February 11, 2016 is Kansas Phi Theta Kappa All-State Academic Team Day. And today I am proud to introduce to you the Phi Theta Kappa All State Academic Team. Ten of those scholars are here on the

Floor and the others are in the gallery.

Phi Theta Kappa is an International Honor Society for two-year colleges that symbolizes excellence in higher education and a commitment to students. Students with a GPA of 3.5 or higher are invited to join.

Phi Theta Kappa's mission is two-fold:

> To recognize and encourage the academic achievement of two-year college students, and
>
> To provide opportunities for individual growth and development through participation in honors, leadership, service and fellowship programming.

Fifty-six students have been named to the All Kansas Academic Team and they represent all nineteen community colleges from across the state and were named to this team based upon their academic achievement, leadership and community service.

Because of their academic achievement, service and leadership they have been awarded scholarships and stipends to complete their education and I wanted to be sure you were aware of this impressive group of young scholars from the Kansas Community Colleges.

Rep. Proehl welcomed students in the gallery and the following students who accompanied him: Nurali Mamedov – Independence Community College; Reina Garcia – Coffeyville Community College; Alayna Hernandez – Kansas City Kansas Community College; Kaitlin Jurging – Butler Community College; Kendall Elliott – Labette Community College; Ruthanne Wark – Neosho County Community College-Ottawa; Angela Sas – Johnson County Community College; Johnathan Dallman – Highland Community College; Alexis Vaughan – Garden City Community College; Kayla Drybread – Neosho County Community College.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Reps. Victors, Boldra and Schwartz are spread upon the Journal:

Today is Kansas Farm Bureau day at the capitol, I have asked my colleagues the Chair and Vice chair of the House agricultural committee to join me in recognizing the Kansas Farm Bureau's Women's Leadership committee which was started in 1919. This is the first time in Kansas history, have there been women in leadership of the House agricultural committee. Therefore, as ranking minority of the committee, I wanted to highlight and recognize some of our hard working women farmers of Kansas. The Kansas Farm Bureau Women's Leadership Committee contributes an essential perspective to the organization, broadening opportunities for women to become increasingly involved in all aspects of Farm Bureau, actively participating in the implementation of priority issues involving agriculture education, improving the quality of life in rural communities, promotion of the industry and agricultural advocacy.

Kansas is a leader in agriculture. Women in agriculture are sometimes overlooked in America for all their hard work they contribute to our economy. I'm proud to say more women are stepping up to the plate to handle agriculture business as well as taking care of the home. Today, I would like to thank the Kansas Farm Bureau's women's leadership committee and all the women who take care of our agriculture in Kansas.

Reps. Victors, Boldra and Schwartz welcomed the women of the Kansas Farm Bureau to the House. In attendance were Pam Meng, Doniphan Co.; Debbie Kueser, Anderson Co.; Christy Springer, Wilson Co.; Lexy Goyer, Cowley Co.; Carrie Fraser, Cloud Co.; Gimmie Jo Jansonius, Phillips Co.; Sheryl MacNair, Hodgeman Co.; Carol Deaver, Finney Co.; Susan May, Decatur Co.; Marieta Hauser, Grant Co.; Paige Pratt, Morris Co.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

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

HB 2682, AN ACT concerning public assistance; relating to the Kansas program of medical assistance; waiver services, by Committee on Health and Human Services.

HB 2683, AN ACT concerning insurance; relating to motor vehicle liability insurance; increasing the minimum policy limit for bodily injury and property damage; amending K.S.A. 40-3107 and repealing the existing section, by Committee on Judiciary.

HB 2684, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; creating alternative incarceration credit; amending K.S.A. 2015 Supp. 21-6821 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2685, AN ACT concerning income tax; relating to credits; disabled veterans, property taxes, by Committee on Veterans, Military and Homeland Security.

HB 2686, AN ACT concerning postsecondary education; relating to postsecondary career technical education performance-based funding; amending K.S.A. 2015 Supp. 72-4490 and repealing the existing section, by Committee on Education Budget.

HOUSE CONCURRENT RESOLUTION No. **HCR 5024—**

By Representatives Barton, Anthimides, Bradford, B. Carpenter, Concannon, DeGraaf, Dove, Estes, Francis, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Highland, Hildabrand, Hoffman, Hutchins, Hutton, Johnson, K. Jones, Kahrs, Kelley, Kiegerl, Lunn, Macheers, Mast, McPherson, O'Brien, Osterman, F. Patton, Pauls, R. Powell, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schwab, Schwartz, C. Smith, Sutton, Thompson, Vickrey, Waymaster, Weber, C. and Whitmer

HR 5024-- A CONCURRENT RESOLUTION urging the President of the United States to obey the Constitution and abandon the threatened transfer of terrorist detainees to Fort Leavenworth.

WHEREAS, The President of the United States, Barack Obama, has threatened to move the terrorist detainees currently held at Naval Station Guantanamo Bay to Fort Leavenworth without regard to the wishes or the safety of the people of Kansas; and

WHEREAS, The President has threatened to close the detention facility at Naval Station Guantanamo Bay; and

WHEREAS, The threat of the transfer has been underscored by visits to Fort Leavenworth by officials of his Administration, preparing for the threatened transfer; and

WHEREAS, Many detainees that have been released have continued to fight against

this country and its allies; and

WHEREAS, This President and others have insisted that the mere existence of the detention facility at Guantanamo has inflamed terrorists around the world and aided in their recruitments; and

WHEREAS, Transferring the detainees to Fort Leavenworth will only transfer the ire of terrorists worldwide from Guantanamo to Fort Leavenworth; and

WHEREAS, This President has a demonstrated willingness to violate American law; and

WHEREAS, This President has said that he will go around the Congress to accomplish his agenda; and

WHEREAS, Closing the Naval Station at Guantanamo has been high on this President's agenda since before he was first elected; and

WHEREAS, The President has continually sought to weaken our standing in the world; and

WHEREAS, The terrorists have demonstrated an ability and willingness to conduct attacks in America, in furtherance of their savage war against America; and

WHEREAS, Detonating large bombs in civilian communities in the vicinity of Fort Leavenworth would be exactly the sort of demonstration that the terrorists would try; and

WHEREAS, Fort Leavenworth does not have the necessary facilities to hold and care for the detainees and would, for example, be forced to transport them through the city of Leavenworth to access medical care, thereby presenting additional soft, tempting targets for attacks; and

WHEREAS, The surrounding community does not have the law enforcement, emergency response resources or the physical capability to harden potential civilian targets in the surrounding area. Transferring detainees to Fort Leavenworth represents a predictable, direct and unnecessarily high risk to American citizens in the vicinity of Fort Leavenworth; and

WHEREAS, The Naval Station at Guantanamo is a high security facility designed to both house high risk detainees and be secure from attack by external forces. This facility has not been the object of an external terrorist attack and, if it had been attacked, it would not have represented a threat to American civilians or communities; and

WHEREAS, The intentional placement of detainees on American soil, physically within an American community, would unnecessarily and intentionally put American citizens at much greater risk. It follows that any move by the President or other members of the Federal, State or local government to move the detainees to Fort Leavenworth would mean intentionally and knowingly placing American citizens at greater risk, in violation of the government's sworn oath to support and defend them against enemies, foreign or domestic; and

WHEREAS, Officers from over one hundred countries attend classes at Fort Leavenworth; and

WHEREAS, Many of these officers would not bring their families nor be permitted by their countries to attend, if the detainees were transferred to Fort Leavenworth, thereby hurting the local economy; and

WHEREAS, These officers and their families represent an important bond and link among our nations. Their loss will not just affect the local economy, but would potentially have grave impacts on our future ability to effectively and successfully find

peaceful solutions to international problems: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Legislature of the State of Kansas urges the President of the United States to obey the Constitution of the United States and the laws of this country, the people of which have placed him in a position of great trust and responsibility and depend upon him to ensure that the laws be upheld and that their security be maintained; and

Be it further resolved: That the President must declare that the detention facility at Naval Station Guantanamo Bay will remain, and that the detainees will continue to be held there, until said detainees are given proper, lawful disposition, in accordance with the Laws of War and the best interests of the safety of the people of the United States and their allies; and

Be it further resolved: That the Secretary of State shall send enrolled copies of this resolution to President Obama, Vice President Biden and the Kansas congressional delegation.

CORRECTION OF REFERENCE

Speaker Merrick announced **HB 2681** appearing on the Calendar under Reference of Bills and Concurrent Resolutions as being referred to Committee on Judiciary, should be corrected to be referred to Committee on Corrections and Juvenile Justice.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2662**, **HB 2675**, **HB 2679**.
Corrections and Juvenile Justice: **HB 2666**, **HB 2677**, **HB 2681**.
Education: **HB 2663**, **HB 2664**, **HB 2676**.
Elections: **HB 2659**, **HB 2674**.
Energy and Environment: **HB 2673**.
Federal and State Affairs: **HB 2658**, **HB 2661**.
General Government Budget: **HB 2660**.
Judiciary: **HB 2667**, **HB 2668**, **HB 2678**.
Local Government: **HB 2665**.
Taxation: **HB 2669**, **HB 2670**, **HB 2671**, **HB 2672**, **HB 2680**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2639** from Committee on Judiciary and referral to Committee on Corrections and Juvenile Justice.

Also, the withdrawal of **HB 2655** from Committee on General Government Budget and referral to Committee on Vision 2020.

MESSAGES FROM THE SENATE

The Senate concurs in House amendments to **SB 133**.

Announcing passage of **Substitute for SB 99**; **SB 225**, **SB 243**, **SB 312**, **SB 341**, **SB 349**, **SB 373**.

Announcing passage of **HB 2387**, as amended.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

Sub SB 99, **SB 225**, **SB 243**, **SB 312**, **SB 341**, **SB 349**, **SB 373**.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Hawkins, **HR 6037**, A RESOLUTION recognizing the Donated Dental Service Program's 20 years of service, was adopted.

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

We're privileged to have with us in the Chamber and Gallery today some of the dentists who have volunteered and collectively donated over $10 million in dental care to underserved elder and medically compromised Kansans through the Donated Dental Services Program.

First started in 1996 collaboratively by the Kansas Dental Association and the Dental Lifeline Network, 3,265 Kansans have received treatment from over 700 volunteering dentists and dental labs during its 20 years of existence.

My guests today in the Chamber VIP-Section are three of the dentists who have served as President of the Dental Lifeline Network: Dr. Cindi Sherwood, Independence is the current President; Dr. Charles Squire, Wichita and Dr. R. Wayne Thompson, Shawnee.

This program truly transforms lives and the state of Kansas and its communities depend in great measure upon concerned and devoted volunteers and programs such as Kansas Donated Dental Services.

INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, Rep. Ward moved, pursuant to House Rule 2303, that the House reconsider its previous action of recommending **H Sub for SB 161** favorably for passage. Rep. Schwab raised a point of order that matters awaiting adjudication in a court shall not be debated or discussed during House proceedings. The Rules Chair ruled the challenge had no merit and the House should proceed with the motion to reconsider. The motion to reconsider did not prevail.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

H Sub for SB 161, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2016, June 30, 2017, and June 30, 2018, for the state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 75-3722 and K.S.A. 2015 Supp. 68-2320, 74-4914d, 74-4920, 74-50,107, 74-99b34, 75-2319 and 79-34,161 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 68; Nays 56; Present but not voting: 0; Absent or not voting: 1.

Yeas: Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Campbell, B. Carpenter, W. Carpenter, Claeys, Corbet, E. Davis, Dove, Esau, Estes, Ewy, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, C. Smith, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Nays: Alcala, Alford, Ballard, Becker, Bollier, Bruchman, Burroughs, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, DeGraaf, Dierks, Doll, Edmonds, Finch, Finney, Francis, Frownfelter, Gallagher, Helgerson, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Jennings, Kelley, Kuether, Lewis, Lusk, Lusker, Moxley, Ousley, F. Patton, Peck, Phillips, Rooker, Ruiz, Sawyer, Scott, Sloan, S. Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Seiwert.

The substitute bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote NO on **H Sub for SB 161**. For the last five year, Governor Brownback and conservative legislators mismanaged our state to a point of crisis. It is clear they would rather throw the future of Kansas away, than admit their mistakes and change course. Rather than producing a structurally balanced budget this budget begs, borrows and steals. It begs the people of Kansas are not paying attention. It borrows even more money from the state highway fund and KPERS. And it steals a future of safety and prosperity from our children. I vote NO. – BEN SCOTT, JOHN ALCALA, DENNIS (BOOG) HIGHBERGER

MR. SPEAKER: I will not "just do it" for a budget that is balanced with a borrow and spend mentality. I "just say no" to **H Sub for SB 161**. My parents raised me to be fiscally conservative, and having taught that to my own children it would be irresponsible to support the continued refusal of this administration to address the revenue crisis in the state of Kansas. – BARBARA BOLLIER

MR. SPEAKER: I vote no on **H Sub for SB 161**. I cannot support the continued sweep of funds, use of other one-time money, bankrupting our road systems and punishing our state employees. I am astonished that our body gives the Governor complete control of our budget allotments. This likely has huge negative consequences for programs important to every Kansan. – TOM MOXLEY

MR. SPEAKER: I vote No on **H Sub for SB 161**. I cannot support the continued use of one-time money, sweeping fee-funded agencies, bankruptcy of KDOT's maintenance program, under funding of social safety net and education programs, and punishment of state employees. We do not have a spending problem, we have a revenue problem and

a problem of short-sighted policies instead of maximizing long-term opportunities. – Tom Sloan, Don Hill, Linda Gallagher, Susie Swanson, Diana Dierks

Mr. Speaker: I cannot lend my support to a budgetary ideology that disrespects hardworking Kansans by handling their tax dollars in this irresponsible manner. This sweep, borrow and spend budget signifies commitment to a revenue plan that is dysfunctional, imbalanced, and relies heavily on the volatile revenue sources. In addition to that, it gives too much power to the executive branch. Kansans deserve a stable, sustainable revenue and budget plan. I vote NO on **H Sub for SB 161** – Stephanie Clayton

Mr. Speaker: I vote No on **H Sub for SB 161**: While I had planned to vote No on SB 161 for many of the reasons explained by my colleagues this morning, in my business if I received a 54 million dollar bill on my desk, I would not be writing any other checks until I figured out how to pay the bill. I therefore vote No on **H Sub for SB 161**.– John Carmichael

Mr. Speaker: This budget funds public safety and mental health care, while reducing overall spending and giving the Governor flexibility to manage the state's cash flow. It protects KPERS from across the board cuts and balances the budget for the rest of this fiscal year and the next. I vote YES on **H Sub for SB 161** – Randy Garber, Joseph Scapa, Tony Barton.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Hawkins, the House nonconcurred in Senate amendments to **HB 2387** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Hawkins, Dove and Ward as conferees on the part of the House.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2687, AN ACT concerning the judicial branch; relating to the supreme court, general administrative authority; amending K.S.A. 20-101, 20-115, 20-156, 20-159, 20-347 and 20-3102 and K.S.A. 2015 Supp. 75-3120g and 75-3120h and repealing the existing sections; reviving K.S.A. 20-319, 20-329, 20-342, 20-343, 20-345, 20-349 and 20-3011; reviving and amending K.S.A. 20-162, 20-318, 20-346a, 20-361, 20-2909, 20-2911, 20-2914 and 25-312a and K.S.A. 2013 Supp. 75-5541 and 75-5551 and repealing the revived sections; also repealing K.S.A. 19-4809, 19-4811, 20-104, 20-109, 20-110, 20-111, 20-112, 20-116, 20-139, 20-152, 20-153, 20-154, 20-157, 20-161, K.S.A. 20-162, as amended by section 7 of chapter 82 of the 2014 Session Laws of Kansas, 20-163, 20-168, 20-201, 20-202, 20-203, 20-204, 20-205, 20-206, 20-207, 20-208, 20-208b, 20-209, 20-210, 20-211, 20-212, 20-213, 20-310b, 20-311, 20-318, as amended by section 9 of chapter 82 of the 2014 Session Laws of Kansas, 20-319, as revived by

section 7 of this act, 20-319, as amended by section 10 of chapter 82 of the 2014 Session Laws of Kansas, 20-320, 20-321, 20-322, 20-323, 20-329, as revived by section 8 of this act, 20-329, as amended by section 11 of chapter 82 of the 2014 Session Laws of Kansas, 20-342, as revived by section 9 of this act, 20-342, as amended by section 12 of chapter 82 of the 2014 Session Laws of Kansas, 20-343, as revived by section 10 of this act, 20-343, as amended by section 13 of chapter 82 of the 2014 Session Laws of Kansas, 20-345, as revived by section 11 of this act, 20-345, as amended by section 14 of chapter 82 of the 2014 Session Laws of Kansas, 20-346a, as amended by section 15 of chapter 82 of the 2014 Session Laws of Kansas, 20-349, as revived by section 14 of this act, 20-349, as amended by section 16 of chapter 82 of the 2014 Session Laws of Kansas, 20-357, 20-361, as amended by section 17 of chapter 82 of the 2014 Session Laws of Kansas, 20-438, 20-917, 20-2909, as amended by section 19 of chapter 82 of the 2014 Session Laws of Kansas, 20-2911, as amended by section 20 of chapter 82 of the 2014 Session Laws of Kansas, 20-2914, as amended by section 21 of chapter 82 of the 2014 Session Laws of Kansas, 20-3011, as revived by section 19 of this act, 20-3011, as amended by section 22 of chapter 82 of the 2014 Session Laws of Kansas, 20-3014, 20-3015, 20-3019 and 25-312a, as amended by section 25 of chapter 82 of the 2014 Session Laws of Kansas; K.S.A. 2013 Supp. 75-5541, as amended by section 40 of chapter 82 of the 2014 Session Laws of Kansas, and 75-5551, as amended by section 41 of chapter 82 of the 2014 Session Laws of Kansas; and K.S.A. 2015 Supp. 20-1a17, 20-310a, 20-319, 20-329, 20-342, 20-343, 20-345, 20-349, 20-384, 20-3011 and 20-3301, by Committee on Appropriations.

HB 2688, AN ACT concerning crimes, punishment and criminal procedure; relating to assault; battery; law enforcement officers; amending K.S.A. 2015 Supp. 21-5412 and 21-5413 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

On motion of Rep. Vickrey, the House adjourned until 8:00 a.m., Friday, February 12, 2016.

Journal of the House

TWENTY-FOURTH DAY

Hall of the House of Representatives,
Topeka, KS, Friday, February 12, 2016, 8:00 a.m.

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

The roll was called with 111 members present.
Reps. Kiegerl and Seiwert were excused on verified illness.
Rep. Claeys was excused on legislative business.
Reps. Campbell, Frownfelter, Gonzalez, Kahrs, Mason, Peck, Powell, Rhoades, Ruiz, Ryckman, Jr. and Tietze were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Dear Lord,
Thank You for this another day that You have given us.
As we look back upon the week,
thank You for the footprints of your presence with us.
Thank You for working in the little things
as well as working in the big topics and discussions
that these leaders have had to handle this week.
Thank You for Your goodness in relation
to helping them work together when there are so many
ideas and philosophies.
May they not focus on any failures they may have had,
but build upon those to be stronger and even more effective leaders.
This I pray in the Name of Jesus,
Amen.

The Pledge of Allegiance was led by Rep. Phillips.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2689, AN ACT concerning consumer protection; relating to debt collection; contact by debt collection solicitors, by Committee on Agriculture and Natural Resources.

HB 2690, AN ACT concerning the applied behavior analysis licensure act; relating to definitions; licenses; requirements; fees; powers, duties and functions of the behavioral sciences regulatory board; amending K.S.A. 2015 Supp. 65-7501, 65-7502, 65-7503, 65-7504 and 74-7507 and repealing the existing sections; also repealing K.S.A. 2015 Supp. 65-7505, by Committee on Insurance and Financial Institutions.

HB 2691, AN ACT enacting the Kansas safe access act; providing for the legal use of cannabis for medical conditions; providing for the registration and functions of compassion centers; authorizing the issuance of identification cards; establishing the compassion board; providing for administration of the act by the department of health and environment, by Committee on Health and Human Services.

HB 2692, AN ACT concerning veterans; relating to disclosures for veterans' benefits and entitlements, by Committee on Veterans, Military and Homeland Security.

HB 2693, AN ACT concerning the secretary of agriculture; relating to the authority to promulgate rules and regulations, pesticide application; amending K.S.A. 2015 Supp. 2-2471 and repealing the existing section, by Committee on Energy and Environment.

HB 2694, AN ACT concerning crimes, punishment and criminal procedure; relating to driving under the influence; sentencing; amending K.S.A. 2015 Supp. 8-1567 and 21-6804 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2695, AN ACT concerning the uniform consumer credit code; enacting the respectful lending to Kansas seniors act; relating to consumer loans to senior citizens; maximum finance charges; terms; fees; disclosures; income tax exemption for interest income of certain loans; other requirements; amending K.S.A. 2015 Supp. 79-32,117 and repealing the existing section, by Committee on Federal and State Affairs.

CORRECTION OF REFERENCE

Speaker Merrick announced that **HB 2686** appearing on the Calendar under Reference of Bills and Concurrent Resolutions as being referred to Committee on Education, should be corrected to be referred to Committee on Education Budget.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Corrections and Juvenile Justice: **HB 2684**, **HB 2688**.
Education: **SB 312**.
Education Budget: **HB 2686**.
Federal and State Affairs: **SB 225**, **SB 243**.
Health and Human Services: **HB 2682**, **SB 341**.
Insurance and Financial Institutions: **HB 2683**.
Judiciary: **HB 2687**.
Taxation: **HB 2685**.
Transportation: **Sub for SB 99**, **SB 349**, **SB 373**.
Veterans, Military and Homeland Security: **HCR 5024**.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **HB 2536** be amended on page 4, in line 27, after "may" by inserting "deny an application for a permit,"; in line 28, by striking all after "may"; in line 29, by striking "permit,"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2484** be passed.

Committee on **Federal and State Affairs** recommends **SB 224** be amended on page 1, in line 7, by striking "2014" and inserting "2015";

On page 4, in line 28, by striking "2014" and inserting "2015";

On page 1, in the title, in line 3, by striking "2014" and inserting "2015"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2024**, be amended as recommended by Committee on Judiciary as reported in the Journal of the House on February 19, 2015, and the bill, as printed with amendments by House Committee, be passed as amended.

Committee on **Judiciary** recommends **HB 2553** be passed.

Committee on **Judiciary** recommends **SB 319** be amended on page 1, in line 15, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 321** be amended on page 1, in line 31, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2503** be passed.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 28, by Representatives Broderick Henderson and Valdenia Winn, congratulating Alayna Hermandez on being a member of Kansas City Kansas Community College Phi Theta Kappa Kansas All-State Academic Team;

Request No. 29, by Representatives Broderick Henderson and Valdenia Winn, congratulating Taylor Yoder on being a member of Kansas City, Kansas Community College Phi Theta Kappa Kansas All-State Academic Team;

Request No. 30, by Representative Russ Jennings, congratulating the Holcomb High School Football Team in recognition for winning the 2015 4A Division II State Football Championship;

Request No. 31 by Representative Becky Hutchins, congratulating Charles Scheidegger on his 100th birthday;

Request No. 32, by Representative Ken Rahjes, congratulating the Phillipsburg High School Football Team in recognition for winning the 2015 2-1A Division State Football Championship;

Request No. 33, by Representative Jene Vickrey, congratulating Thomas Dalton in recognition for achievement of Eagle Scout;

Request No. 34, by Representative Ponka-We Victors, congratulating Kansas Farm Bureau Women's Leadership Committee for leadership by strengthening agriculture and the lives of Kansans through advocacy, education and service;

Request No. 35, by Representative John L.Ewy, congratulating Jared Fellhoelter in recognition for achievement of Eagle Scout;

Request No. 36, by Representatives John L.Ewy, Ron Ryckman,Sr. and Kyle Hoffman congratulating Sheldon Carpenter for 42 years of service to The Iroquois Center for Human Development;

Request No. 37, by Representative Shannon Francis, congratulating Summer Parsons on winning the 2016 Liberal Pancake Day Race;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2696, AN ACT concerning law enforcement; relating to university police officers; jurisdiction; amending K.S.A. 2015 Supp. 22-2401a and 76-726 and repealing the existing sections, by Committee on Judiciary.

On motion of Rep. Vickrey, the House recessed until 12:00 p.m.

AFTERNOON SESSION

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

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2697, AN ACT concerning the Kansas general corporation code; relating to public benefit corporations; amending K.S.A. 2015 Supp. 17-7903 and 17-7919 and repealing the existing sections, by Committee on Judiciary.

HB 2698, AN ACT concerning school districts; relating to policies against bullying; amending K.S.A. 2015 Supp. 72-6479 and 72-8256 and repealing the existing sections, by Committee on Education.

HB 2699, AN ACT concerning asset forfeiture; relating to attorneys litigating forfeiture; attorney fees; amending K.S.A. 2015 Supp. 60-4107 and 60-4117 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2700, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; normal retirement; requiring certification that there is no prearranged agreement of employment with participating employers prior to retirement; providing certain penalties for violations thereof; amending K.S.A. 2015 Supp. 74-4914 and 74-4937 and repealing the existing sections, by Committee on Taxation.

HB 2701, AN ACT concerning property taxation; relating to oil and gas leases or properties; determination of value of production, evidence; amending K.S.A. 2015 Supp. 79-331 and repealing the existing section, by Committee on Taxation.

MESSAGES FROM THE SENATE

The Senate nonconcurs in House amendments to **House Substitute for SB 161**, requests a conference and has appointed Senators Masterson, Denning and Kelly as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2387** and has appointed Senators Ostmeyer, LaTurner and Faust-Goudeau as conferees on the part of the Senate.

Announcing passage of **SB 318**; **Substitute for SB 65**.

Announcing passage of **HB 2365,** as amended by **Senate Substitute for HB 2365**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

Sub SB 65, **SB 318**

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2490** be passed.

Committee on **Agriculture and Natural Resources** recommends **HB 2547** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Judiciary** recommends **HB 2062** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2062," as follows:

"Substitute for HOUSE BILL NO. 2062
By Committee on Judiciary

"AN ACT concerning the uniform commercial code; relating to the exclusion of con sumer transactions governed by federal law; secured transactions; amending K.S.A. 84-4a-108 and K.S.A. 2015 Supp. 84-9-408, 84-9-803, 84-9-805 and 84-9-807 and repealing the existing sections."; and the substitute bill be passed.

(**Sub HB 2062** was thereupon introduced and read by title.)

REPORT ON ENROLLED RESOLUTIONS

HR 6033, **HR 6035**, **HR 6036** reported correctly enrolled and properly signed on February 12, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, February 15, 2016.

Journal of the House

TWENTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, February 15, 2016, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 118 members present.
Reps. Helgerson and Seiwert were excused on verified illness.
Reps. Anthimides, Kahrs, Kelley, Sutton and Tietze were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord God,
As we begin another week
there are five things I pray for these leaders.
First of all I pray they may have favor with You.
May they listen to You as You give them personal direction, teaching and vision.
Secondly, I pray for favor with man.
This will be difficult because of hard decisions they have to make
that will eventually upset some people.
Give them wisdom, strength and boldness to do the right thing.
Thirdly, I pray for a pure vision—
vision that comes from Your wisdom, not just human wisdom.
Fourthly I pray for their health--
emotionally, physically and spiritually.
Lastly, I pray for their protection.
Please send angels to guard them and their families—
to go before them and do battle in their behalf.
These leaders willingly sacrifice their time, energy,
abilities, family, work and so much more.
Please surround them with Your presence this week.
I pray in Christ's Name, Amen.

The Pledge of Allegiance was led by Rep. Read.

INTRODUCTION OF GUESTS

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

I would like to introduce you to a dear friend of mine, Lindy Lindquist. I actually met Lindy through her husband, Jack when he served as Executive Director of Kansas Agriculture and Rural Leadership (KARL) and I was a participant. I could see that Lindy was loved by all and was commonly known as "Mother KARL". As I came to know Lindy, I discovered that, while I appreciate all she has done for the KARL program, she is so much more than Mother KARL. Lindy is here today so that we can honor her lifetime of achievement and success with the Kansas 4-H program.

When Lindy was a young K-State coed, her professors recognized her gifts and passion to help people learn. Subsequently they suggested she consider a career in Extension. It was sound advice for Lindy, as well as the youth and families of Kansas. No matter where the job took her, her goal was to increase the quality and quantity of experiences for youth and volunteers in the county and state. In Chase County, she and a co-worker recruited nearly 40% of eligible youth to the 4-H program. While in Douglas County, Lindy strengthened club programs, increased leadership development, and started outreach programs like school enrichment, project clubs, and day camps. She provided innovative leadership to statewide 4-H programs such as the Kansas 4-H Ambassadors, and Mini 4-H. After moving to the State 4-H office, she had a long list of responsibilities including Discovery Days, State Fair, Global Conference, National 4-H Conference, Collegiate 4-H, and National Judging Contests. When teen 4-H members expressed interest in starting a state 4-H youth council and the Kansas Youth Leadership Forum, she volunteered to assist them in meeting their goal. Perhaps the greatest impact she has made on 4-H is that 15 of her former 4-H members have become Extension agents.

Lindy has a long list of honors for her service, but the most notable came last fall when 4-H announced the names of the 16 individuals to be inducted into the National 4-H Hall of Fame at a special ceremony on October 9 at the National 4-H Youth Conference Center in Chevy Chase, Maryland. This honor was conferred upon my friend, Lindy Richardson Lindquist, for her excellence in citizenship, leadership, character and career accomplishments.

The 4-H program was founded in 1902 and has grown into the premier youth development organization that serves over 6 million youth nationwide. Today, help me recognize Lindy Richardson Lindquist for her induction to the National 4-H Hall of Fame, the 13th Kansan to ever receive that honor.

Rep. Concannon presented Lindy Lindquist with a framed House certificate.

PERSONAL PRIVILEGE

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

Thank you to the body for allowing me to address you today on a point of personal privilege. I stand before you to recognize Justice Antonin Scalia. Very few people in history have the opportunity to have such influence over the people of America. As I

reflected on his life over this past weekend, I saw three specific traits that should be noted as we seek to honor his life.

The first is that we should all honor the role of the Justices. Each of them, and certainly Justice Scalia, digs deep inside and does what he feels is the best interpretation of the law when making a decision. Whether we agree or disagree with those decisions, each of us would do well to quit labeling or name-calling our judges and instead show respect for the Justices decision-making capabilities.

Secondly, Justice Scalia was a man who focused intensely on following the Constitution. As we move forward and listen to all of the political rhetoric, let us remember that foremost in Justice Scalia's legacy was his passion for following the Constitution. In order to honor his memory, we should do the same. The rhetoric that is flowing now about his replacement should focus on what the Constitution says, not what our politics dictate.

Finally, in spite of having notable ideological differences, he and Ruth Bader Ginsburg were able to forge a deep and lengthy friendship. This ability to look beyond agreeing or disagreeing on interpretation of the law and instead discovering the goodness of another human being is something we all would do well to emulate. As I look around this chamber, I see colleagues that I hope will honor the life of Antonin Scalia by reaching out to those who you disagree with frequently, finding the time and/or the words to see beyond our differences, and to work together to effectively run our state.

At this time, I would ask for a moment of silence to remember Antonin Scalia.

Thank you good and faithful servant.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2702, AN ACT establishing an independent home and community-based services ombudsman, by Committee on Federal and State Affairs.

HB 2703, AN ACT concerning the authority of state agencies to enter into indebtedness on behalf of the state; relating to the issuance of bonds by the Kansas development finance authority; monthly reports by the authority; amending K.S.A. 74-8913 and K.S.A. 2015 Supp. 74-8905 and repealing the existing sections, by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Corrections and Juvenile Justice: **HB 2694**.
Education: **HB 2698**.
Energy and Environment: **HB 2693**.
Federal and State Affairs: **Sub SB 65**.
Health and Human Services: **HB 2691**.
Insurance and Financial Institutions: **HB 2690, HB 2695**.
Judiciary: **HB 2689, HB 2696, HB 2697, HB 2699**.
Pensions and Benefits: **HB 2700**.

Taxation: **HB 2701**.
Utilities and Telecommunications: **SB 318**.
Veterans, Military and Homeland Security: **HB 2692**.

CHANGE OF REFERENCE

Speaker pro tem Mast announced the withdrawal of **HB 2646** from Committee on Appropriations and referral to Committee on Health and Human Services.

Also, the withdrawal of **HB 2665** from Committee on Local Government and referral to Committee on Commerce, Labor and Economic Development.

Also, the withdrawal of **SB 318** from Committee on Utilities and Telecommunications and referral to Committee on Energy and Environment.

COMMUNICATIONS FROM STATE OFFICERS

From Laura Jurgensen, Kansas State Department of Education, according to Kansas School Safety and Security Act, K.S.A. 72-89b01 to 89b05, Information Relating to School Safety and Security.

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

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **H Sub for SB 161**.

Speaker pro tem Mast thereupon appointed Reps. Ryckman, Schwartz and Henry as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 248**.

Speaker pro tem Mast thereupon appointed Reps. Ryckman, Schwartz and Henry as conferees on the part of the House.

CONSENT CALENDAR

No objection was made to **HB 2547** appearing on the Consent Calendar for the first day.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Schwartz to concur in Senate amendments to **S Sub for HB 2365**, Rep. Ryckman offered a substitute motion to nonconcur in Senate amendments to **S Sub for HB 2365** and that a conference committee be appointed. The substitute motion prevailed.

Speaker pro tem Mast thereupon appointed Reps. Ryckman, Schwartz and Henry as conferees on the part of the House.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2513** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2513," as follows:

"Substitute for HOUSE BILL NO. 2513
By Committee on Appropriations
"AN ACT concerning the legislature; relating to the length of regular sessions.";

And the substitute bill be passed.

(**Sub HB 2513** was thereupon introduced and read by title.)

Committee on **Appropriations** recommends **SB 241** be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 2015 Supp. 75-3739 is hereby amended to read as follows: 75-3739. In the manner as provided in this act and rules and regulations established thereunder:

(a) All contracts for construction and repairs, and all purchases of and contracts for supplies, materials, equipment and contractual services to be acquired for state agencies shall be based on competitive bids, except that competitive bids need not be required in the following instances:

(1) For contractual services, supplies, materials, or equipment when, in the judgment of the director of purchases, no competition exists;

(2) when, in the judgment of the director of purchases, chemicals and other material or equipment for use in laboratories or experimental studies by state agencies are best purchased without competition, or where rates are fixed by law or ordinance;

(3) when, in the judgment of the director of purchases, an agency emergency requires immediate delivery of supplies, materials or equipment, or immediate performance of services;

(4) when any statute authorizes another procedure or provides an exemption from the provisions of this section;

(5) when compatibility with existing contractual services, supplies, materials or equipment is the overriding consideration;

(6) when repairs to a vehicle are required and it is impracticable to take the vehicle to multiple vendors to determine what is necessary to effectuate the repairs and the cost of such repairs;

(7) when a used item becomes available and is subject to immediate sale; or

~~(7)~~ (8) when, in the judgment of the director of purchases and the head of the acquiring state agency, not seeking competitive bids is in the best interest of the state.

When the director of purchases approves a purchase of or contract for supplies, materials, equipment, or contractual services in any instance specified in this subsection, the director may delegate authority to make the purchase or enter the contract under conditions and procedures prescribed by the director. Except for purchases or contracts entered into without a competitive bid under subsection (a)(3), (a)(4), (a)(6) or subsection (h), no purchase or contract entered into without a competitive bid for an amount in excess of $100,000 shall be entered into by the head of any state agency or approved by the director of purchases unless the director of purchases first posts an on-line notice of the proposed purchase or contract at least seven days before the purchase or contract is awarded. The director of purchases shall

provide notice thereof to members of the legislature at the beginning of each calendar year that such information will be posted and the director of the division of purchases shall provide the uniform resource locator (URL) and the number of times such information shall be available. In the event a written protest of the awarding of such a contract occurs during the seven-day notice period, the director of purchases shall request from the protestor the contact information, including name and mailing address, of the person or entity that has expressed an interest in supplying the goods or services and provide a copy of the specification to the person or entity that has expressed an interest in supplying the goods or services and verify that such person or entity is interested and capable of supplying such goods or services.

Upon satisfaction of the director of purchases regarding the validity of the protest and the existence of competition, the director of purchases shall proceed with a competitive procurement. A competitive procurement shall not be required when, in the judgment of the director of purchases, the validity of the protest cannot be determined or competition for such goods or services cannot be verified by the director of purchases.

The director of purchases shall prepare a detailed report at least once in each calendar quarter of all contracts over ~~$5,000~~ $10,000 entered into without competitive bids under subsection (a)(1), (2), (3), (5), (6) ~~or,~~ (7) or (8). The director shall submit the report to the legislative coordinating council, the chairperson of the committee on ways and means of the senate and the chairperson of the committee on appropriations of the house of representatives.

(b) (1) If the amount of the purchase is estimated to exceed $50,000, sealed bids shall be solicited by notice published once in the Kansas register not less than 10 days before the date stated in the notice for the opening of the bids. The director of purchases may waive this publication of notice requirement when the director determines that a more timely procurement is in the best interest of the state. The director of purchases also may designate a trade journal for the publication. The director of purchases also shall solicit such bids by sending notices by mail to prospective bidders and by posting the notice on a public bulletin board for at least 10 business days before the date stated in the notice for the opening of the bids unless otherwise provided by law. All bids shall be sealed when received and shall be opened in public at the hour stated in the notice.

(2) The director of purchases shall prepare a detailed report at least once in each calendar quarter of all instances in which the director waived publication of the notice of bid solicitations in the Kansas register as provided in this subsection. The director shall submit the report to the legislative coordinating council, the chairperson of the committee on ways and means of the senate and the chairperson of the committee on appropriations of the house of representatives.

(c) All purchases estimated to exceed approximately $25,000 but not more than $50,000, shall be made after receipt of sealed bids following at least three days' notice posted on a public bulletin board.

(d) All purchases estimated to be more than ~~$5,000~~ $10,000, but less than $25,000, may be made after the receipt of three or more bid solicitations by telephone, telephone facsimile or sealed bid, following at least three days' notice posted on a public bulletin board. Such bids shall be recorded as provided in ~~subsection (f) of~~ K.S.A. 75-3740(f), and amendments thereto. Any purchase that is estimated to be ~~less than $5,000~~ $10,000 or less may be purchased under conditions and procedures prescribed by the director of purchases. Purchases made in compliance with such conditions and procedures shall be

exempt from other provisions of this section.

(e) With the approval of the secretary of administration, the director of purchases may delegate authority to any state agency to make purchases of ~~less than $25,000~~ $50,000 or less under certain prescribed conditions and procedures. The director of purchases shall prepare a report at least once in each calendar quarter of all current and existing delegations of authority to state agencies as provided in this subsection. The director shall submit the report to the legislative coordinating council, the chairperson of the committee on ways and means of the senate and the chairperson of the committee on appropriations of the house of representatives.

(f) Subject to the provisions of subsection (e), contracts and purchases shall be based on specifications approved by the director of purchases. When deemed applicable and feasible by the director of purchases, such specifications shall include either energy efficiency standards or appropriate life cycle cost formulas, or both, for all supplies, materials, equipment and contractual services to be purchased by the state. The director of purchases may reject a contract or purchase on the basis that a product is manufactured or assembled outside the United States. No such specifications shall be fixed in a manner to effectively exclude any responsible bidder offering comparable supplies, materials, equipment or contractual services.

(g) Notwithstanding anything herein to the contrary, all contracts with independent construction concerns for the construction, improvement, reconstruction and maintenance of the state highway system and the acquisition of rights-of-way for state highway purposes shall be advertised and let as now or hereafter provided by law.

(h) The director of purchases may authorize state agencies to contract for services and materials with other state agencies, or with federal agencies, political subdivisions of Kansas, agencies of other states or subdivisions thereof, or private nonprofit educational institutions, without competitive bids.

(i) The director of purchases may participate in, sponsor, conduct, or administer a cooperative purchasing agreement or consortium for purchases of supplies, materials, equipment, and contractual services with federal agencies or agencies of other states or local units of government. Cooperative purchasing agreements entered into under this subsection shall not be subject to K.S.A. 75-3739 through 75-3740a, and amendments thereto.

(j) The director of purchases may delegate authority to any state agency to make purchases under certain prescribed conditions and procedures when the acquisition is funded, in whole or in part, from a grant. Except as otherwise provided in subsection (k) of this section, purchases made in compliance with such conditions and procedures shall be exempt from other provisions of this section. As used in this subsection the term "grant" means a disbursement made from federal or private funds, or a combination of these sources, to a state agency. Nothing in this subsection shall allow federal grant moneys to be handled differently from any other moneys of the state unless the requirements of the applicable federal grant specifically require such federal moneys to be handled differently.

(k) The director of purchases shall prepare a detailed report at least once each calendar quarter of all contracts over $5,000 for services, supplies, materials or equipment entered into pursuant to subsection (h), (i) or (j) and submit it to the legislative coordinating council, the chairperson of the committee on ways and means of the senate and the chairperson of the committee on appropriations of the house of

representatives.

(l) Except as otherwise specifically provided by law, no state agency shall enter into any lease of real property without the prior approval of the secretary of administration. A state agency shall submit to the secretary of administration such information relating to any proposed lease of real property as the secretary may require. The secretary of administration shall either approve, modify and approve or reject any such proposed lease.

(m) The director of purchases shall require all bidders on state contracts to disclose all substantial interests held by the bidder in the state.

(n) As used in article 37 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto, and other statutory provisions concerning state procurement, "sealed bids," "bulletin boards" and "mail" shall include electronic bids, electronic bulletin boards and electronic mail when such items are utilized in accordance with procedures prescribed by the director of purchases.";

Also on page 1, in line 29, after "75-3744" by inserting "and K.S.A. 2015 Supp. 75-3739";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 2, after the semicolon by inserting "concerning competitive bidding;"; also in line 2, after "75-3744" by inserting "and K.S.A. 2015 Supp. 75-3739"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2550** be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 2015 Supp. 74-5605 is hereby amended to read as follows: 74-5605. (a) Every applicant for certification shall be an employee of a state, county or city law enforcement agency, a municipal university police officer, a railroad policeman appointed pursuant to K.S.A. 66-524, and amendments thereto; an employee of the tribal law enforcement agency of an Indian nation that has entered into a tribal-state gaming compact with this state; a manager or employee of the horsethief reservoir benefit district pursuant to K.S.A. 2015 Supp. 82a-2212, and amendments thereto; or a school security officer designated as a school law enforcement officer pursuant to K.S.A. 72-8222, and amendments thereto.

(b) Prior to admission to a course conducted at the training center or at a certified state or local law enforcement agency, the applicant's appointing authority or agency head shall furnish to the director of police training and to the commission a statement certifying that the applicant has been found to meet the minimum requirements of certification established by this subsection. The commission may rely upon the statement of the appointing authority or agency head as evidence that the applicant meets the minimum requirements for certification to issue a provisional certification. Each applicant for certification shall meet the following minimum requirements:

(1) Be a United States citizen;

(2) have been fingerprinted and a search of local, state and national fingerprint files made to determine whether the applicant has a criminal record;

(3) not have been convicted of a crime that would constitute a felony under the laws of this state, a misdemeanor crime of domestic violence or a misdemeanor offense that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant as defined by rules and regulations of the commission;

(4) have graduated from a high school accredited by the Kansas state board of education or the appropriate accrediting agency of another state jurisdiction or have obtained the equivalent of a high school education as defined by rules and regulations of the commission;

(5) be of good moral character sufficient to warrant the public trust in the applicant as a police officer or law enforcement officer;

(6) have completed an assessment, including psychological testing approved by the commission, to determine that the applicant does not have a mental or personality disorder that would adversely affect the ability to perform the essential functions of a police officer or law enforcement officer with reasonable skill, safety and judgment;

(7) be free of any physical or mental condition which adversely affects the ability to perform the essential functions of a police officer or law enforcement officer with reasonable skill, safety and judgment; and

(8) be at least 21 years of age.

(c) The commission may deny a provisional or other certification upon a finding that the applicant has engaged in conduct for which a certificate may be revoked, suspended or otherwise disciplined as provided in K.S.A. 74-5616, and amendments thereto. When it appears that grounds for denial of a certification exist under this subsection, after a conditional offer of employment has been made to an applicant seeking appointment as a police officer or law enforcement officer, the applicant's appointing authority or agency head may request an order from the commission to determine whether a provisional certification will be issued to that applicant.

(d) As used in this section, "conviction" includes rendering of judgment by a military court martial pursuant to the uniform code of military justice, by a court of the United States or by a court of competent jurisdiction in any state, whether or not expunged; and any diversion <u>or deferred judgment</u> agreement entered into for a misdemeanor crime of domestic violence <u>or misdemeanor offense that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant as defined by rules and regulations of the commission</u> and any diversion <u>or deferred judgment</u> agreement entered into on or after July 1, 1995, for a felony.";

On page 2, in line 34, after "Supp." by inserting "74-5605 and"; also in line 34, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "to" by inserting "qualifications of applicants for certification;"; in line 2, after "Supp." by inserting "74-5605 and"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Mast announced the appointment of Rep. Ousley to replace Rep. Alcala on Committee on Elections on February 15.

Also, Rep. Burroughs to replace Rep. Tietze on Committee on Commerce, Labor and Economic Development for February 15, 16.

Also, Rep. Alcala to replace Rep. Ousley on Committee on Education on February 15.

Also, Rep. Scott to replace Rep. Lusk on Committee on Education on February 15.

Also, Rep. Lusk will replace Rep. Helgerson on Committee on Transportation on February 15.

Also, Rep. Ruiz to replace Rep. Houston on Committee on Veterans, Military & Homeland Security on February 16.

Also, Rep. Ruiz to replace Rep. Houston on Committee on Insurance and Financial Institutions on February 16, 17.

Also, Rep. Sawyer to replace Rep. Houston on Committee on Health & Human Services on February 16.

Also, Rep. Scott to replace Rep. Houston on Committee on Health and Human Services on February 17.

Also, Rep. Alcala to replace Rep. Tietze on Committee on Federal and State Affairs on February 16.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, February 16, 2016.

Journal of the House

TWENTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, February 16, 2016, 11:00 a.m.

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

The roll was called with 120 members present.

Rep. Seiwert was excused on verified illness.

Reps. Helgerson, Houston, Kahrs and Tietze were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Gracious God in heaven,
today as our leaders gather once again
to discuss and make difficult decisions,
remind them often throughout the day that:
their greatest victory is victory over self;
their greatest asset is confidence;
their greatest weight is final responsibility;
their greatest discipline is taking time to think;
their greatest handicap is pride;
their greatest opportunity is today;
their greatest loss is hope;
their greatest mistake is putting self before others;
their greatest prayer is wisdom;
and their greatest joy is adding value to others.
In Christ's Name I pray, Amen.

(adapted from "A Leader's Greatest Things" by John Maxwell)

The Pledge of Allegiance was led by Rep. B. Carpenter.

INTRODUCTION OF GUESTS

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

It is a great pleasure to have members of the Derby Panther football team here today. Their performance in last year's football season was nothing short of remarkable. Last year the Derby Panther Football team won the 6A State Championship. The Derby Panthers went 6-0 against other teams in the Wichita area. The Panthers overall record last season was 13-1. The Panthers averaged over 46 points per game versus an average

of 18 points scored against them. High school sports helps our youth build character and develop them into model citizens later in life. Coach Clark will be remembered by these students for years to come. I would like to recognize some of the students and faculty who helped make the championship victory possible.

Rep. B. Carpenter introduced Principal, Tim Hamblin; Head Coach, Brandon Clark; and players: Damar Simms (Damar has signed with the US Air Force Academy); Brady Rust (Brady is a shrine bowl selection and has signed with Butler County Community College); Ryan Stang (Ryan has accepted an engineering scholarship at WSU) and Trevor Hudson (Trevor has signed with Butler Community College).

The team was presented with a framed House certificate.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2704, AN ACT concerning the judicial branch; relating to salaries of justices, judges and nonjudicial employees; making and concerning appropriations for the fiscal year ending June 30, 2017; amending K.S.A. 75-3120f and K.S.A. 2015 Supp. 75-3120g, 75-3120h and 75-3120k and repealing the existing sections, by Committee on Appropriations.

HB 2705, AN ACT concerning court fees and funds; amending K.S.A. 2015 Supp. 8-2107, 20-362, 20-3021, 21-6614, 22-2410, 23-2510, 28-170, 28-170a, 28-172a, 28-177, 32-1049a, 38-2215, 38-2312, 38-2314, 59-104, 60-729, 60-2001, 60-2008, 60-2203a, 61-2704, 61-4001 and 65-409 and repealing the existing sections; reviving and amending K.S.A. 5-517 and 20-166 and K.S.A. 2013 Supp. 20-1a04, 28-172b, 74-7325, 74-7334 and 75-7021 and repealing the revived sections; also repealing K.S.A. 5-517, as amended by section 5 of chapter 82 of the 2014 Session Laws of Kansas, and 20-166, as amended by section 8 of chapter 82 of the 2014 Session Laws of Kansas; K.S.A. 2013 Supp. 20-1a04, as amended by section 6 of chapter 82 of the 2014 Session Laws of Kansas, 20-367, 21-6614d, 28-172b, as amended by section 28 of chapter 82 of the 2014 Session Laws of Kansas, 38-2312c, 60-2001b, 74-7325, as amended by section 38 of chapter 82 of the 2014 Session Laws of Kansas, 74-7334, as amended by section 39 of chapter 82 of the 2014 Session Laws of Kansas, and 75-7021, as amended by section 42 of chapter 82 of the 2014 Session Laws of Kansas; and K.S.A. 2015 Supp. 20-1a16, 20-1a17, 21-6614f, 28-178 and 28-179, by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2703**.
Health and Human Services: **HB 2702**.

COMMUNICATIONS FROM STATE OFFICERS

From Antonio Soave, Secretary of Commerce, in accordance with K.S.A. 12-17, 169(c), 2015 Annual Report for projects funded with special obligation or STAR bonds.

The complete report is kept on file and open for inspection in the office of the

Chief Clerk.

MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **Senate Substitute for HB 2365** and has appointed Senators Masterson, Denning and Kelly as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6038—**

By Representatives Barton, Anthimides, Billinger, Bradford, B. Carpenter, W. Carpenter, Corbet, DeGraaf, Dove, Edmonds, Esau, Finch, Garber, Hawkins, Hedke, Highland, Hoffman, Huebert, Hutchins, K. Jones, Kelley, Kiegerl, Macheers, Mason, Mast, Osterman, Pauls, Peck, R. Powell, Scapa, Schroeder, Schwab, C. Smith, Sutton, Weber, C., Whipple and Whitmer

A RESOLUTION urging all Kansans to become educated about human trafficking and slavery.

WHEREAS, Human trafficking is the fastest growing criminal industry in the world, second only to drug trafficking, with an estimated $150 billion in illegal profits; and

WHEREAS, According to the International Labor Organization, it is estimated that 20.9 million women, men and children are victims of human trafficking, with only .2% of victims identified; and

WHEREAS, Human trafficking and slavery, including sex and labor trafficking, affect women and children the most, comprising an estimated 80% of persons trafficked; and

WHEREAS, In 2000, the United States Congress passed the Trafficking Victims Protection Act, most recently reauthorized in 2013, providing the United States with tools to combat human trafficking at home and abroad; and

WHEREAS, In 2013, the Kansas Legislature enacted a comprehensive anti-human trafficking law, with a focus on criminal prosecution and victim support. The Kansas Legislature has since updated the law in 2014 and 2015; and

WHEREAS, The office of the Kansas Attorney General has focused on providing anti-trafficking training to law enforcement officers throughout the state, and in 2015, provided services to more than 400 human trafficking victims in Kansas; and

WHEREAS, Since 2014, the Kansas Department of Children and Families has worked to prevent human trafficking by providing recommendations for safety, placement and treatment for 80 youth, identified as possible victims of human trafficking; and

WHEREAS, The Kansas Legislature recognizes the considerable moral and economic harm of forced labor and human trafficking to both the State of Kansas and worldwide citizens, and that bringing a greater awareness of this problem will further help the victims of human trafficking; and

WHEREAS, By bringing awareness to forced labor and human trafficking within the State of Kansas, we bring the victims of human trafficking hope and promise of the American dream and for the natural born freedoms we should enjoy as American

citizens; and

WHEREAS, This battle is fought on many different fronts. Thus, the Kansas Legislature recognizes that increased public awareness will allow individual Kansans more opportunities to recognize and aid in the fight against this form of slavery: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we urge all Kansans to become educated about human trafficking and slavery and to work toward purging these criminal practices within the State of Kansas and beyond its borders; and

Be it further resolved: That we support increased education, stronger laws and the promotion of justice to reduce the exploitation of all people worldwide.

CONSENT CALENDAR

No objection was made to **HB 2547** appearing on the Consent Calendar for the second day.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Todd in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that **SB 247**, **HB 2490**, **HB 2518**, **HB 2454** be passed.

Committee report to **HB 2480** be adopted; also, on motion of Rep. Hibbard, **HB 2480** be amended on page 8, in line 15, by striking ", 47-448"

Also, on motion of Rep. Moxley, **HB 2480** be amended on page 6, in line 28, by striking all after the period; in line 29, by striking all before "After" and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2062** be adopted; and the substitute bill be passed.

Committee report recommending a substitute bill to **Sub HB 2289** be adopted; and the substitute bill be passed.

On motion of Rep. Ward to amend **HB 2456**, Rep. Hawkins requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment was germane.

Roll call was demanded on the motion of Rep. Ward to amend **HB 2456** on page 16, following line 38, by inserting:

"Sec. 2. K.S.A. 2015 Supp. 65-6230 is hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "enacting" and inserting "concerning healthcare; relating to"; also in line 1, after "compact" by inserting "; health care compact; repealing K.S.A. 2015 Supp. 65-6230"; following line 1, by inserting:

"WHEREAS, Medicare plays a vital role in providing financial security to older Kansans and those with disabilities; and

WHEREAS, 448,216 Kansans are covered by Medicare; and

WHEREAS, Medicare is paid for by payroll taxes paid by most employees, employers and people who are self-employed; and

WHEREAS, the Health Care Compact creates a direct threat to the health care of every older Kansan; and

WHEREAS, the Health Care Compact presents a real danger that state officials will reduce or eliminate benefits currently covered under Medicare.

Now, therefore:";

On roll call, the vote was: Yeas 33; Nays 86; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Ballard, Bollier, Burroughs, Carlin, Carmichael, Clayton, Curtis, Edmonds, Finney, Frownfelter, Gallagher, Henderson, Henry, Highberger, Hineman, Kuether, Lusk, Lusker, Moxley, Osterman, Ousley, Rooker, Ruiz, Sawyer, Scott, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Francis, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Helgerson, Hill, Houston, Kahrs, Seiwert, Tietze.

The motion of Rep. Ward did not prevail; and **HB 2456** be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **HB 2592** be passed.

Committee on **Education** recommends **HB 2207** be amended on page 1, in line 18, after "books" by inserting "and supplemental materials"; in line 19, after "textbooks" by inserting "and supplemental materials"; in line 20, after "studies" by inserting ", but that do not include social justice remedies"; in line 27, by striking ", but" and inserting "and"; also in line 27, by striking "not"; also in line 27, by striking the second comma; in line 28, by striking the fourth comma and inserting "and"; in line 29, by striking "and other racialized peoples"; and the bill be passed as amended.

Committee on **Education** recommends **HB 2532** be passed.

Committee on **Education** recommends **SB 193,** as amended by Senate Committee of the Whole, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 193," as follows:

"House Substitute for SENATE BILL NO. 193

By Committee on Education

"AN ACT concerning state educational institutions; relating to degree program transparency.";

And the substitute bill be passed.

(**H Sub for SB 193** was thereupon introduced and read by title.)

Committee on **Health and Human Services** recommends **HB 2369**, **HB 2571**, **HB 2578**, **HB 2599** be passed.

Committee on **Insurance and Financial Institutions** recommends **HB 2134**, be amended by adoption of the amendments recommended by the House committee on Financial Institutions as reported in the Journal of the House on March 24, 2015, and the bill, as printed with amendments by House committee be further amended:

On page 2, in line 1, by striking all before "or";

On page 3, in line 2, by striking "2014" and inserting "2015"; in line 41, by striking "2014" and inserting "2015";

On page 5, in line 20, by striking "18" and inserting "16";

On page 6, in line 12, by striking "2014" and inserting "2015"; in line 14, by striking "2016" and inserting "2017";

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

On page 1, in the title, in line 2, by striking "2014" and inserting "2015"; and the bill be passed as amended.

Committee on **Insurance and Financial Institutions** recommends **HB 2453** be passed.

Committee on **Judiciary** recommends **SB 159**, as amended by Senate Committee of the Whole, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 159," as follows:

"House Substitute for SENATE BILL NO. 159

By Committee on Judiciary

"AN ACT concerning children and families; enacting the host families act; relating to temporary care for children.";

And the substitute bill be passed.

(**H Sub for SB 159** was thereupon introduced and read by title.)

Committee on **Veterans, Military and Homeland Security** recommends **HCR 5024** be adopted.

Committee on **Vision 2020** recommends **HB 2285** be amended on page 1, in line 24, by striking "16" and inserting "14"; in line 29, by striking all after "(C)"; by striking all in line 30; in line 31, by striking "(D)";

On page 2, by striking all in lines 1 and 2; in line 22, by striking "2015" and inserting "2016"; in line 26, by striking "2015" and inserting "2016"; in line 41, by striking "2016" and inserting "2017";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

Committee on **Vision 2020** recommends **HB 2436, HB 2546** be passed.

CONFERENCE COMMITTEE REPORTS

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **H Sub for SB 161** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

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

RON RYCKMAN
SHARON SCHWARTZ
Conferees on part of House

TY MASTERSON
JIM DENNING
Conferees on part of Senate

On motion of Rep. Ryckman the conference committee report on **H Sub for SB 161** to agree to disagree, was adopted.

Speaker Merrick thereupon appointed Reps. Ryckman, Schwartz and Henry as second conferees on the part of the House.

COMMITTEE ASSIGNMENT CHANGES

Speaker Merrick announced the appointment of Rep. Victors to replace Rep. Houston on Committee on Vision 2020 on February 17.

REPORT ON ENROLLED RESOLUTIONS

HR 6037 reported correctly enrolled and properly signed on February 16, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, February 17, 2016.

Journal of the House

TWENTY-SEVENTH DAY

Hall of the House of Representatives,
Topeka, KS, Wednesday, February 17, 2016, 11:00 a.m.

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

The roll was called with 122 members present.
Reps. Barker and Seiwert were excused on verified illness.
Rep. Houston was excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Richard R. Raymer, pastor, Zion Lutheran Church, Beloit, and guest of Rep. Concannon:

> Gracious and loving God,
>
> Your compassion and mercy knows no bounds, continue to increase our kindness and the empathy of these legislators as they discern your will for the people and communities of the great state of Kansas.
>
> Give them clarity of thought, compassion, wisdom, and peace as they strive to serve and govern your people.
>
> This we ask in the name of your son Jesus, who lives and reigns with you and the Holy Spirit, one God, now and forever, Amen.

The Pledge of Allegiance was led by Rep. Kuether.

INTRODUCTION OF GUESTS

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

Every fall stadiums across the state fill the evening sky with the lights and the sounds of high school football games but there is much more going on than just a game. Student athletes learn to be a member of a team effort, the value of hard work and discipline, the importance of following the rules, work ethic, responsibility and personal commitment. Time management and priority setting are also learned. The student athlete must maintain minimum levels of performance in their academic studies. Today I am pleased to recognize the Holcomb High School football team. Twenty members of the team and their coaches join me here on the floor while the balance of the team are seated in the gallery. The 2015 Holcomb High School football team achieve the highest

level of performance on the gridiron by winning the 2015 4A Division II state championship. This championship team not only excelled on the field, they excel in the classroom too. The average GPA for the 51 member team is 3.15. The 16 members of the team joining me on the floor today have an average GPA of 3.81. Please join me in recognizing this championship team.

Rep. Jennings presented the team with a framed House certificate.

INTRODUCTION OF GUESTS

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

It is my honor to recognize the Rose Hill Boys' Soccer Team for becoming the first athletic program in Rose Hill History to win back-to-back State championships. This team won the 4A-1A Kansas State Soccer Championships in 2014 with an impressive record of 20 wins and 1 loss *AND AGAIN* in 2015 with another impressive record of 20 wins and 1 tie. This championship team includes 41 athletes of which 14 are seniors with a collective GPA of 3.25. With the permission of the Speaker, I'd like to honor and recognize the Rose Hill Boys' Soccer Team in the balcony. Representing the team on the floor, please help me recognize the four team captains: Chace Beckham, Chance Beckham (identical twins), Parker Smith, and Josh Treat and their coaches Assistant Coach Brent Nussbaum, Assistant Coach Phil McNany, and Head Coach Jerry Treat who has been coaching many of these boys since they were just eight years old AND who won the National Soccer Coaches Association "Coach of the Year" Award in 2015, and finally, Superintendent Randall Chickadonz.

Rep. Williams presented the team with a framed House certificate.

INTRODUCTION OF GUESTS

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

I am here before you today to recognize a great organization and their 28 years of service to our County. I can remember when this program was started... I was about 6, maybe 7 years old… By developing servant leaders through education and example, Leadership Butler provides people with tools and confidence to make their organizations and Butler County a place where we live well and laugh often.

· Primary focus is community leadership development for adults and youth.

· Leadership Butler Adult program began in 1988.

480 Adult Graduates - 89% still live in Kansas - 78% in the Butler County area.

·Youth Program began in 1993.

400 Youth Graduates - harder to track but 30% live in the Butler County area.

The Big Brothers Big Sister program in Butler County was started with the help of this youth program.

·Through the Alumni Association they offer opportunities for education on community issues facing Butler County - like coming to Topeka.

·Offer continuing education in leadership development.

·3 Youth Leadership Butler students have been awarded large scholarships through WSU - they attribute this to their participation in Youth Leadership Butler – (2 - $45,000) and (1 - $35,000).

·Help participants of both programs to further their education by offering scholarship recommendations - send out over 40 each year.

Adult Class Projects

(2003) – "*Leader Reader Program"* - class investigated children's books that pertain to "leadership" within their context, such as, listening, teamwork, character building, and vision.

(2004) – "*Friendship Boxes"* – class brought awareness to children, ages 0-3, about our diverse population and culture.

Youth Class Projects

(2009) – "*Stay Alive…Don't Text While You Drive"* - students designed 20 signs and contacted schools in Butler County to erect the signs at entrances.

(2013) – "*Distracted Driving*"- students produced a video showing the consequences of driving while distracted – not only texting but talking, loud radio, and siblings, etc.

As usual, in the many times that I have been to the Well, I could talk for hours but I won't today. Thank you Leadership Butler for making a difference in our community!

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2706, AN ACT concerning property taxation; relating to exemptions, Gove county healthcare endowment foundation, inc, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Federal and State Affairs: **HR 6038**.
Judiciary: **HB 2704, HB 2705**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2319** from Committee on Appropriations and rereferral to Committee on Taxation.

Also, the withdrawal of **HB 2645** from Committee on Health and Human Services and referral to Committee on Appropriations.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **House Substitute for SB 161**, and has appointed Senators Masterson, Denning and Kelly as second conferees on the part of the Senate.

CONSENT CALENDAR

No objection was made to **HB 2547** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2547, AN ACT concerning wildlife, parks and tourism, relating to the mined land wildlife area, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 2; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Grosserode, McPherson.

Present but not voting: None.

Absent or not voting: Barker, Houston, Seiwert.

The bill passed.

Sub HB 2062, AN ACT concerning the uniform commercial code; relating to the exclusion of consumer transactions governed by federal law; secured transactions; amending K.S.A. 84-4a-108 and K.S.A. 2015 Supp. 84-9-408, 84-9-803, 84-9-805 and 84-9-807 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Barker, Houston, Seiwert.

The substitute bill passed.

Sub HB 2289, AN ACT concerning driving; relating to driving under the influence of alcohol or drugs; test refusal or failure; suspension of license; administrative hearing; procedure; amending K.S.A. 2015 Supp. 8-1002 and 8-1020 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 7; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Grosserode, Hawkins, Helgerson, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Gonzalez, Hedke, Hemsley, Kahrs, Kelley, Mast, Rhoades.

Present but not voting: None.

Absent or not voting: Barker, Houston, Seiwert.

The substitute bill passed.

HB 2454, AN ACT concerning insurance; relating to accident and sickness insurance; policy provisions; requiring health services to be rendered by participating providers, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Barker, Houston, Seiwert.

The bill passed.

HB 2456, AN ACT enacting the interstate medical licensure compact, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 2; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwartz, Scott, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Schwab, Todd.

Present but not voting: None.

Absent or not voting: Barker, Houston, Seiwert.

The bill passed.

HB 2480, AN ACT concerning livestock; relating to marks and brands; amending K.S.A. 47-418, 47-421, 47-423 and 47-426 and K.S.A. 2015 Supp. 47-414, 47-414a, 47-416, 47-417, 47-417a, 47-420, 47-422, 47-428, 47-446 and 47-1011a and repealing the existing sections; also repealing K.S.A. 47-436, 47-438, 47-439, 47-440, 47-445 and 47-447 and K.S.A. 2015 Supp. 47-418a, 47-432, 47-433, 47-434, 47-435, 47-437, 47-441 and 47-442, was considered on final action.

On roll call, the vote was: Yeas 98; Nays 23; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Alford, Anthimides, Ballard, Becker, Billinger, Boldra, Bollier, Bruchman, Burroughs, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Goico, Gonzalez, Hawkins, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelly, Kiegerl, Kleeb, Lewis, Lusk, Lusker, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, Proehl, Rahjes, Read, Rooker, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, S. Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barton, Bradford, B. Carpenter, DeGraaf, Garber, Grosserode, Hedke, Highland, Hildabrand, Kelley, Kuether, Lunn, Macheers, McPherson, R. Powell, Rhoades, Rubin, Scapa, Suellentrop, Sutton, Todd, Ward, Whitmer.

Present but not voting: None.
Absent or not voting: Barker, Houston, Kahrs, Seiwert.
The bill passed, as amended.

EXPLANATION OF VOTE

Mr. Speaker: I vote yes on **HB 2480**. Years ago I saw a John Wayne movie, *The Man Who Shot Liberty Valance*. Texas cattle brought north of the picket wire carried ticks, and Foot and Mouth Disease. Later I learned, historically, some of that fictional herd grazed just south of my district on the west side of the Arkansas. We cannot allow these Texas cattle to cross our borders without proof of citizenship and proper branding. John Wayne said it, I believe it, that ends it. Notwithstanding that, I vote yes on **HB 2480**. – John Carmichael

HB 2490, AN ACT concerning the plant pest and agriculture commodity certification act; relating to certain definitions; relating to plant pest containment; amending K.S.A. 2015 Supp. 2-2113, 2-2114, 2-2116 and 2-2117 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 109; Nays 13; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Hawkins, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Lewis, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Esau, Grosserode, Hedke, Highland, Hildabrand, Kelley, Kuether, Lunn, McPherson, Rhoades, Tietze, Todd, Whitmer.

Present but not voting: None.

Absent or not voting: Barker, Houston, Seiwert.

The bill passed.

HB 2518, AN ACT concerning vital statistics; relating to electronic filing of death certificates and related documentation; amending K.S.A. 2015 Supp. 65-2412 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 111; Nays 11; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Curtis, E. Davis, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard,

Highberger, Highland, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., K. Williams, Wilson, Winn, Wolfe Moore.

Nays: B. Carpenter, Corbet, DeGraaf, Hildabrand, K. Jones, Kelley, Peck, Rhoades, Scapa, Whipple, Whitmer.

Present but not voting: None.

Absent or not voting: Barker, Houston, Seiwert.

The bill passed.

SB 247, AN ACT concerning municipal audits; relating to audit procedures; amending K.S.A. 75-1120a, 75-1121 and 75-1123 and K.S.A. 2014 Supp. 75-1122 and 75-1124 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 4; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Carmichael, Rubin, Scott, Ward.

Present but not voting: None.

Absent or not voting: Barker, Houston, Seiwert.

The bill passed.

CONFERENCE COMMITTEE REPORTS

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 161** submits the following report:

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

On page 4, following line 34, by inserting:

"Litigation expenditures .....$50,000";

On page 6, by striking all in lines 39 through 43;

On page 7, following line 16, by inserting:

"Sec. 27.

STATE CORPORATION COMMISSION

(a) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer $100,000 from the public service regulation fund of the state corporation commission to the state general fund.

Sec. 28.

STATE CORPORATION COMMISSION

(a) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer $100,000 from the public service regulation fund of the state corporation commission to the state general fund.";

On page 10, following line 30, by inserting:

"(g) During the fiscal year ending June 30, 2016, notwithstanding the provisions of K.S.A. 2015 Supp. 12-17,160 through 12-17,179, and amendments thereto, or any other statute, the above agency shall not expend any moneys appropriated for the fiscal year ending June 30, 2016, from the state general fund or in any special revenue fund or funds for such agency by chapter 104 of the 2015 Session Laws of Kansas, this or other appropriation act of the 2016 regular session of the legislature, to review, consider or approve a STAR bond project which is located in Wyandotte county except for refunding of existing bonds in Wyandotte county: *Provided however,* That if any legislation which provides amendments to the STAR bonds financing act, K.S.A. 2015 Supp. 12-17,160 through 12-17,179, and amendments thereto, and includes: (1) A claw-back provision for projects that fail to meet the 50% requirement; (2) a requirement that the economic impact and marketing study be commissioned and directed by a state agency, conducted by an independent consultant and paid for by the local government; (3) a clarification as to what should be the base year for an expanded district; (4) a requirement that the boundaries of the STAR bond district closely align with the redevelopment itself; (5) an evaluation by the above agency to assess any project's viability and a determination that the project meets the statutory requirements; (6) an assessment by the above agency on the impact the projects will have on revenues into the state general fund and a certification by the above agency that the project will not reduce sales tax revenues to the state general fund; (7) a clarification as to the above agency's authority to approve substantial changes to the project; (8) an evaluation of the practice to minimize the effect of existing businesses moving into the district; and (9) an evaluation of the method of revenue sharing on incremental sales tax growth above the base year, is passed by the legislature during the 2016 regular session and enacted into law, then the provisions of this subsection are hereby declared null and void and shall have no force and effect.";

On page 11, following line 15, by inserting:

"(f) During the fiscal year ending June 30, 2017, notwithstanding the provisions of K.S.A. 2015 Supp. 12-17,160 through 12-17,179, and amendments thereto, or any other statute, the above agency shall not expend any moneys appropriated for the fiscal year ending June 30, 2017, from the state general fund or in any special revenue fund or funds for such agency by chapter 104 of the 2015 Session Laws of Kansas, this or other appropriation act of the 2016 or 2017 regular session of the legislature, to review, consider or approve a STAR bond project which is located in Wyandotte county except for refunding of existing bonds in Wyandotte county: *Provided however,* That if any legislation which provides amendments to the STAR bonds financing act, K.S.A. 2015 Supp. 12-17,160 through 12-17,179, and amendments thereto, and includes: (1) A claw-

back provision for projects that fail to meet the 50% requirement; (2) a requirement that the economic impact and marketing study be commissioned and directed by a state agency, conducted by an independent consultant and paid for by the local government; (3) a clarification as to what should be the base year for an expanded district; (4) a requirement that the boundaries of the STAR bond district closely align with the redevelopment itself; (5) an evaluation by the above agency to assess any project's viability and a determination that the project meets the statutory requirements; (6) an assessment by the above agency on the impact the projects will have on revenues into the state general fund and a certification by the above agency that the project will not reduce sales tax revenues to the state general fund; (7) a clarification as to the above agency's authority to approve substantial changes to the project; (8) an evaluation of the practice to minimize the effect of existing businesses moving into the district; and (9) an evaluation of the method of revenue sharing on incremental sales tax growth above the base year, is passed by the legislature during the 2016 or 2017 regular session and enacted into law, then the provisions of this subsection are hereby declared null and void and shall have no force and effect.";

On page 14, by striking all in lines 23 through 30;

On page 15, by striking all in lines 4 through 11;

On page 16, by striking all in lines 12 through 38;

On page 22, following line 14, by inserting:

"(f) In addition to the other purposes for which expenditures may be made by the Kansas children's cabinet from the children's cabinet administration account of the Kansas endowment for youth fund for fiscal year 2017 by section 111(d) of chapter 104 of the 2015 Session Laws of Kansas, this or other appropriation act of the 2016 or 2017 regular session of the legislature, expenditures shall be made by the Kansas children's cabinet from the children's cabinet administration account for fiscal year 2017, to determine which state agency shall be the administrative authority for the programs and services funded by the CIF grants account of the children's initiatives fund during the fiscal year ending June 30, 2017: *Provided,* That if the Kansas children's cabinet determines that the administrative authority for any such program or service is different than the administrative authority for such program or service in fiscal year 2016, the Kansas children's cabinet shall certify such change to the director of the budget and the director of legislative research: *Provided further,* That upon receipt of such certification, the director of the budget shall direct the director of accounts and reports to create a new account in the children's initiatives fund in the newly appointed administrative authority and transfer any moneys authorized to be expended on such program or service during fiscal year 2017 from the CIF grants account of the children's initiatives fund to the newly created account of the children's initiatives fund: *Provided however,* That the provisions of this subsection shall not apply to the infants and toddlers program of the department of health and environment – division of public health.";

On page 25, following line 29, by inserting:

"(c) On July 1, 2016, of the $101,798,358 appropriated for the above agency for the fiscal year ending June 30, 2017, by section 127(a) of chapter 104 of the 2015 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of $6,215,861 is hereby lapsed.

(d) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Salina, college of technology .....$6,215,861";

On page 27, in line 43, after "(a)" by inserting "There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Geological survey (682-00-1000-0170)..... $100,000

(b) ";

On page 28, in line 17, after "(a)" by inserting "There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Geological survey (682-00-1000-0170)..... $100,000

(b) ";

On page 30, following line 14, by inserting:

"Evidence based juvenile programs .....$2,000,000";

Also on page 30, in line 29, by striking "$673,000" and inserting "$2,673,000"; by striking all in lines 35 through 43;

On page 31, by striking all in lines 1 through 5;

On page 46, following line 32, by inserting:

"Sec. 101. On the effective date of this act, notwithstanding the provisions of any statute, no state agency shall expend any moneys appropriated from the state general fund or from any special revenue fund or funds for the fiscal years ending June 30, 2016, or June 30, 2017, as authorized by chapters 4, 81 or 104 of the 2015 Session Laws of Kansas, this or any other appropriation act of the 2016 or 2017 regular session of the legislature, to include in the health care compact, pursuant to K.S.A. 2015 Supp. 65-6230, and amendments thereto, the administration of medicare (42 U.S.C. § 1395 et seq.) unless the Kansas legislature passes legislation and such legislation is enacted into law specifically authorizing inclusion of the medicare program in such compact.

Sec. 102. (a) During the fiscal year ending June 30, 2017, no expenditures shall be made by any state agency named in this act from moneys appropriated from the state general fund for fiscal year 2017 as authorized by chapter 4, 81 or 104 of the 2015 Session Laws of Kansas, this or other appropriation act of the 2016 or 2017 regular session of the legislature, to issue additional state obligations payable from the state general fund if the resulting annual debt service for all state obligations payable from the state general fund exceeds the limitation imposed by this section. The maximum annual debt service in fiscal year 2017 on state obligations payable from the state general fund may not exceed an amount equal to 4% of the average of state general fund revenues, excluding revenues constitutionally dedicated for purposes other than payment of state obligations, for the immediately preceding three fiscal years. Such amount shall be determined by the director of the budget in consultation with the director of legislative research.

(b) For the purposes of this section, "state obligations payable from the state general fund" means obligations, including, but not limited to, bonds and lease-purchase agreements in a principal amount greater than $250,000, which are authorized or reasonably expected to be repaid by appropriations from the state general fund. "State obligations payable from the state general fund" shall not include obligations with respect to which the state director of the budget certifies are reasonably expected to be

paid from sources other than the state general fund.

Sec. 103. During the fiscal year ending June 30, 2017, no expenditures shall be made by any state agency named in this act from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 as authorized by chapter 4, 81 or 104 of the 2015 Session Laws of Kansas, this or other appropriation act of the 2016 or 2017 regular session of the legislature, to issue bonds or other obligations in a principal amount greater than $5,000,000 issued to finance or refinance activities and projects of such state agency, using any entity other than the Kansas development finance authority in accordance with the provisions of K.S.A. 74-8901 et seq., and amendments thereto.

Sec. 104. (a) During the fiscal year ending June 30, 2017, in addition to the other purposes for which expenditures may be made by the secretary for children and families, from moneys appropriated from the state general fund or any special revenue fund or funds for the Kansas department for children and families for fiscal year 2017 by this act or any other appropriation act of the 2016 or 2017 regular session of the legislature, expenditures shall be made by the secretary for children and families from the state general fund or from any special revenue fund or funds for fiscal year 2017, for the secretary, on behalf of the state of Kansas, to sell and convey all of the rights, title and interest in the following tracts of real estate located in Neosho county, Kansas, subject to the provisions of this section:

The South Half of the Southeast Quarter (S/2 SE/4) of Section Nineteen (19), Township Twenty-seven (27) South, Range Eighteen (18) East of the 6th P. M., excepting therefrom five (5) tracts of land described as follows:

a. The North Ten (10) acres of the Southeast Quarter of this Southeast Quarter (SE/4 SE/4) of said section Nineteen (19);

b. Beginning at a point on Plummer Avenue, 330 feet south of the northeast corner of the South Half of the Southeast Quarter (S/2 SE/4) of said Section Nineteen (19), thence west parallel with the north line of said eighty, 1320 feet; thence south 330 feet on a line parallel with the east line of said eighty; thence east 1320 feet on a line parallel with the north line of said eighty; thence north along said east line to the point of beginning, containing 10 acres;

c. Beginning at a point 495 feet north of the southeast corner of said Section Nineteen (19), thence north 165 feet to the southeast corner of 10-acre tract previously sold to Guy Umbarger; thence west along the south line of said Umbarger 10-acre tract, 792 feet; thence south on a line parallel to the east line, 165 feet; thence east on a line parallel to said Umbarger tract to point of beginning, containing approximately 3 acres;

d. Beginning at the southeast corner of said Section Nineteen (19), thence west along the south line of said section 690 feet; thence northerly 445 feet; thence easterly 690 feet to a point on the east line of said section, 445 feet north of the southeast corner of said section; thence south along said east line 445 feet to the point of beginning. The above includes 30 feet of road right-of-way along the south side used for Seventh Street and 30 feet of road right-of-way along the east side used for Plummer Avenue. Including the road rights-of-way, the above includes 7.05 acres, more or less; and

e. Beginning at a point 30 feet north of and 690 feet west of the southeast corner of the Southeast Quarter (SE/4) of said Section Nineteen (19); thence west along right-of-way line of present road, 1950 feet, more or less, to the west line of said Southeast Quarter (SE/4); thence north along the west line of said Southeast Quarter (SE/4), 10

feet; thence east parallel to and 10 feet north of the present right-of-way, 1950 feet, more or less, to a point 690 feet west of and 40 feet north of the southeast corner of said Southeast Quarter (SE/4); thence south 10 feet to the point of beginning, containing .44 acres, more or less, condemned for highway purposes.

(b) During fiscal years 2016 and 2017, the real property described in subsection (a) shall be sold or conveyed to the Neosho memorial regional medical center, at the price agreed upon between the parties.

(c) No sale or conveyance of the real property described in subsection (a) shall be authorized or approved by the secretary for children and families without having first advised and consulted with the joint committee on state building construction.

(d) Prior to the sale or conveyance of the real property described in subsection (a), the state finance council shall approve the sale, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711(c), and amendments thereto. The matter may be submitted to the state finance council for approval at any time, including periods of time during which the legislature is in session.

(e) When the sale is made, the proceeds thereof shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the appropriate account of the state general fund or special revenue fund of the Kansas department for children and families as determined by the secretary for children and families. The secretary for children and families shall transmit a copy of such determination to the director of legislative research.

(f) The conveyance of real property authorized by this section shall not be subject to the provisions of K.S.A. 75-3043a or K.S.A. 2015 Supp. 75-6609, and amendments thereto.

(g) In the event that the secretary for children and families determines that the legal description of the parcel described by this section is incorrect, the secretary of administration may convey the property utilizing the correct legal description but the deed conveying the property shall be subject to the approval of the attorney general.

(h) On the effective date of this act, the provisions of section 175(b) of chapter 104 of the 2015 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.";

On page 55, in line 30, by striking "97" and inserting "98"; in line 42, by striking "97" and inserting "98";

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

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

Ron Ryckman
Sharon Schwartz
Conferees on part of House

Ty Masterson
Jim Denning
Conferees on part of Senate

On motion of Rep. Ryckman, the conference committee report on **H Sub for SB 161** was adopted.

On roll call, the vote was: Yeas 68; Nays 54; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Anthimides, Barton, Billinger, Boldra, Bradford, Campbell, B. Carpenter, W. Carpenter, Claeys, Corbet, E. Davis, Dove, Esau, Estes, Ewy, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, C. Smith, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Nays: Alcala, Ballard, Becker, Bollier, Bruchman, Burroughs, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, DeGraaf, Dierks, Doll, Edmonds, Finch, Finney, Francis, Frownfelter, Gallagher, Helgerson, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Jennings, Kelley, Kuether, Lewis, Lusk, Lusker, Moxley, Ousley, F. Patton, Peck, Phillips, Rooker, Ruiz, Sawyer, Scott, Sloan, S. Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Barker, Houston, Seiwert.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Huebert in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2441** be passed.

Committee report to **HB 2442** be adopted; and the bill be passed as amended.

Committee report to **HB 2536** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2554** be amended on page 2, in line 29, after "(c)" by inserting ""Ambient temperature" means the temperature surrounding the animal.

(d)";

Also on page 2, in line 38, by striking "four" and inserting "three";

On page 5, in line 8, by striking "(aa)" and inserting "(bb)"; also in line 9, by striking "(aa)" and inserting "(bb)"; in line 15, before "United" by inserting "As used in the Kansas pet animal act, "adequate veterinary medical care" shall not apply to United States department of agriculture licensed animal breeders or animal distributors."; in line 16, after "licensed" by inserting "animal"; also in line 16, after "breeders" by inserting "and animal distributors";

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

On page 7, in line 17, by striking "(aa)" and inserting "(bb)";

On page 11, in line 19, before "The" by inserting "(a)"; in line 21, by striking "(a)" and inserting "(1)"; in line 24, by striking "(b)" and inserting "(2)"; in line 26, by striking "(c)" and inserting "(3)"; in line 27, by striking "(d)" and inserting "(4)"; also in line 27, by striking "(e)" and inserting "(5)"; in line 28, by striking "(f)" and inserting "(6)"; also in line 28, by striking "(g)" and inserting "(7)"; also in line 28, by striking "(h)" and inserting "(8)"; also in line 28, by striking "(i)" and inserting "(9)"; in line 29, by striking "(j)" and inserting "(10)"; also in line 29, by striking "(k)" and inserting "(11)"; also in line 29, by striking "(l)" and inserting "(12)"; in line 32, by striking "(m)" and inserting "(13)";

On page 12, following line 2, by inserting:

"(b) The commissioner shall only adopt as rules and regulations for facility operations and husbandry standards for United States department of agriculture licensed animal distributors and animal breeders, and animal distributor and animal breeder premises the rules and regulations promulgated by the secretary of the United States department of agriculture, cited at 9 C.F.R. 3.1 through 3.12, pursuant to the provisions of the United States public law 91-579 (7 U.S.C. § 2131 et seq.), commonly known as the animal welfare act.

(c) Notwithstanding any provision in subsection (b), the commissioner may adopt a requirement that each licensee and permittee file with the commissioner evidence that animals entering or leaving the state are free from any visible symptoms of communicable disease. The commissioner may additionally require that United State department of agriculture licensed animal distributors and animal breeders comply with any provisions of this act or rules and regulations of the commissioner regarding maintenance and inspection of records, identification of animals, adequate veterinary care and access to and inspection of premises."; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2576** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2621** be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 2015 Supp. 21-6608 is hereby amended to read as follows: 21-6608. (a) The period of suspension of sentence, probation or assignment to community corrections fixed by the court shall not exceed two years in misdemeanor cases, subject to renewal and extension for additional fixed periods of two years. Probation, suspension of sentence or assignment to community corrections may be terminated by the court at any time and upon such termination or upon termination by expiration of the term of probation, suspension of sentence or assignment to community corrections, an order to this effect shall be entered by the court.

(b) The district court having jurisdiction of the offender may parole any misdemeanant sentenced to confinement in the county jail. The period of such parole shall be fixed by the court and shall not exceed two years and shall be terminated in the manner provided for termination of suspended sentence and probation.

(c) For all crimes committed on or after July 1, 1993, the duration of probation in felony cases sentenced for the following severity levels on the sentencing guidelines grid for nondrug crimes and the sentencing guidelines grid for drug crimes is as follows:

(1) For nondrug crimes the recommended duration of probation is:

(A) 36 months for crimes in crime severity levels 1 through 5; and

(B) 24 months for crimes in crime severity levels 6 and 7;

(2) for drug crimes the recommended duration of probation is 36 months for crimes in crime severity levels 1 and 2 committed prior to July 1, 2012, and crimes in crime severity levels 1~~,~~ and 2 ~~and 3~~ committed on or after July 1, 2012;

(3) for drug crimes the recommended duration of probation is 24 months for crimes in severity level 3 committed on or after July 1, 2012;

~~(3)~~(4) except as provided further, in felony cases sentenced at severity levels 9 and 10 on the sentencing guidelines grid for nondrug crimes, severity level 4 on the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, and severity level 5 of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, if a nonprison sanction is imposed, the court shall order the defendant to serve a period of probation of up to 12 months in length;

~~(4)~~(5) in felony cases sentenced at severity level 8 on the sentencing guidelines grid for nondrug crimes, severity level 3 on the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, and severity level 4 of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, and felony cases sentenced pursuant to K.S.A. 2015 Supp. 21-6824, and amendments thereto, if a nonprison sanction is imposed, the court shall order the defendant to serve a period of probation, or assignment to a community correctional services program, as provided under K.S.A. 75-5291 et seq., and amendments thereto, of up to 18 months in length;

~~(5)~~(6) if the court finds and sets forth with particularity the reasons for finding that the safety of the members of the public will be jeopardized or that the welfare of the inmate will not be served by the length of the probation terms provided in subsections (c)~~(3)~~(4) and (c)~~(4)~~(5), the court may impose a longer period of probation. Such an increase shall not be considered a departure and shall not be subject to appeal;

~~(6)~~(7) except as provided in subsections (c)~~(7)~~(8) and (c)~~(8)~~(9), the total period in all cases shall not exceed 60 months, or the maximum period of the prison sentence that could be imposed whichever is longer. Nonprison sentences may be terminated by the court at any time;

~~(7)~~(8) if the defendant is convicted of nonsupport of a child, the period may be continued as long as the responsibility for support continues. If the defendant is ordered to pay full or partial restitution, the period may be continued as long as the amount of restitution ordered has not been paid; and

~~(8)~~(9) the court may modify or extend the offender's period of supervision, pursuant to a modification hearing and a judicial finding of necessity. Such extensions may be made for a maximum period of five years or the maximum period of the prison sentence that could be imposed, whichever is longer, inclusive of the original supervision term.

(d) In addition to the provisions of subsection (a), a defendant who has a risk assessment of low risk, has paid all restitution and has been compliant with the terms of probation, assignment to a community correctional services program, suspension of sentence or nonprison sanction for a period of 12 months shall be eligible for discharge from such period of supervision by the court. The court shall grant such discharge unless the court finds by clear and convincing evidence that denial of such discharge will serve community safety interests.";

On page 13, in line 18, after "Supp." by inserting "21-6608 and"; also in line 18, by

striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after "Supp." by inserting "21-6608 and"; also in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Education** recommends **HB 2199**, **HB 2622** be passed.

Committee on **Energy and Environment** recommends **HB 2516** be amended on page 3, in line 10, by striking "air fee" and inserting "state general";

On page 5, in line 10, by striking "air fee" and inserting "state general"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2549** be amended on page 1, in line 8, after "Kansas" by inserting ", but within the United States"; in line 35, by striking "foreign"; in line 36, after "officers" by inserting "from jurisdictions located outside the state of Kansas, but within the United States who are";

On page 1, in the title, in line 2, by striking "foreign"; also in line 2, after "jurisdictions" by inserting "located outside the state of Kansas, but within the United States";

And the bill be passed as amended.

Committee on **Transportation** recommends **HB 2610** be amended on page 1, in line 7, by striking "4" and inserting "5"; in line 12, by striking "4" and inserting "5"; following line 13, by inserting:

"Sec. 2. The portion of United States highway 400 from the intersection with Queens road in Labette county, then east to the intersection with Udall road is hereby designated as the John Troy, Pete Hughes and Earl Seifert highway. Upon compliance with K.S.A. 2015 Supp. 68-10,114, and amendments thereto, the secretary of transportation shall place highway signs along the highway right-of-way at proper intervals to indicate that the highway is the John Troy, Pete Hughes and Earl Seifert highway.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 2, by striking "4" and inserting "5"; in line 3, after "interchange" by inserting "; designating a portion of U.S. highway 400 as the John Troy, Pete Hughes and Earl Seifert highway"; and the bill be passed as amended.

Committee on **Veterans, Military and Homeland Security** recommends **HB 2567** be amended on page 1, in line 23, by striking "present" and inserting "permanently stationed"; in line 24, by striking "for a period of time not less than two years"; in line 27, by striking "present" and inserting "permanently stationed"; in line 28, by striking all after "forces"; in line 29, by striking all before "or"; and the bill be passed as amended.

COMMITTEE ASSIGNMENT CHANGES

Speaker Merrick announced the appointment of Rep. Hildabrand to replace Rep. Kahrs on Committee on Elections on February 17.

Also, Rep. Vickrey is appointed to replace Rep. Smith on Committee on Education on February 17.

Also, Rep. Mast is appointed to replace Rep. Barker on Committee on Education on February 17.

Also, Rep. Ousley is appointed to replace Rep. Alcala on Committee on Elections on February 17.

Also, Rep. Alcala is appointed to replace Rep. Ousley on Committee on Education on February 17.

REPORT ON ENGROSSED BILLS

HB 2480 reported correctly engrossed February 16, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, February 18, 2016.

Journal of the House

TWENTY-EIGHTH DAY

Hall of the House of Representatives,
Topeka, KS, Thursday, February 18, 2016, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 122 members present.
Rep. Seiwert was excused on verified illness.
Reps. Kahrs and Rooker were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Compassionate and merciful God,
thank you for the blessing of this day.
Be with our representatives today in their work.
Give them clarity of vision and thought.
They are under constant pressure to conform
to the wishes of so many diverse voices.
Help them to listen to the right voice—
to run every thought and decision through the lens of truth and grace.
Refine their vision and keep them on the path You are leading them.
Bless them with strength, fortitude and patience.
Equip them with understanding and courage.
For the work that needs to be accomplished,
help them to work together in a spirit of collaboration.
In Christ's Name I pray,
Amen.

The Pledge of Allegiance was led by Rep. Rahjes.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Taxation: **HB 2706**.

COMMUNICATIONS FROM STATE OFFICERS

From Jeff McClannahan, Director of Utilities, Kansas Corporation Commission, 2016 Retail Rate Impact Report.

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

MESSAGES FROM THE SENATE

Announcing passage of **SB 325, SB 329, SB 334, SB 337, SB 358, SB 369, SB 370,** and **SB 390**.

The Senate adopts the Conference Committee report on **House Substitute for SB 161**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 325, SB 329, SB 334, SB 337, SB 358, SB 369, SB 370, SB 390

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Tietze, **HR 6039**, by Reps. Tietze, Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, Carpenter, Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, Jones, Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Whipple, Whitmer, Williams, Wilson, Winn and Wolfe Moore, as follows, was introduced and adopted:

HR 6039—A RESOLUTION honoring the life and memory of Andrea Burton.

WHEREAS, Andrea Burton, who worked for the Kansas Historical Society as coordinator of the Capitol Visitor Center for 10 years, passed away on October 27, 2015, at the age of 48, peacefully at her home after a battle with melanoma; and

WHEREAS, Andrea was born in Youngstown, Ohio on August 14, 1967. She attended Youngstown State University, where she graduated with a bachelor's degree in sociology in 1989. She then attended Kent State and graduated with a master's degree in sociology. While working towards her bachelor's degree, she met the love of her life, Russell Patrick Douglas Burton, and they were married on August 15, 1992, in Youngstown, Ohio; and

WHEREAS, At her job interview, Andrea brought a mock-up of the activity sheet, "I am a fan of the Capitol," which could be turned into a hand-held fan. It continues to be popular with thousands of young visitors to the Capitol who use it to record highlights of their visit; and

WHEREAS, Andrea's first office was a very small room under the stairs. Her Tour Center was a busy desk on the first floor. It was from these humble beginnings that Andrea and her staff progressed to give tours to 30,000 visitors, annually; and

WHEREAS, Andrea loved the Capitol, pre-restoration, mid-restoration and post-res-

toration, and would not hesitate to tell anyone. Different wings of the building were closed for years at a time, which made for some creative tour modifications. The construction was always very loud and extremely dusty, but she never complained; and

WHEREAS, One of Andrea's proudest achievements was being able to reopen the Capitol dome for public tours on January 23, 2006, for the first time in over 30 years. Andrea loved bringing people to the top of the dome. She loved climbing the 296 steps and then stepping outside to take in the view; and

WHEREAS, Andrea never met a visitor or tour group she did not like. She would willingly take one person on tour as well as 100; and

WHEREAS, The opening of the renovated Capitol in January 2014 increased attendance three-fold. Today, 90,000 people annually enjoy historic and dome tours; and

WHEREAS, The new Capitol Visitor Center provided Andrea with a real office and workroom, an auditorium, a classroom and exhibits that tell the story of Kansas people, places, the building and state government. She used these spaces to make the visitor experience better; and

WHEREAS, Andrea's work ethic inspired everyone, including her dedicated staff and loyal volunteers; and

WHEREAS, On October 27, 2015, Andrea went the 296 steps and beyond. In the Capitol dome, whether viewed from inside or from the ground level, Andrea's spirit will live on forever: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we honor the life and memory of Andrea Burton and extend our deepest sympathy to her family and friends; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send eight enrolled copies of this resolution to Representative Tietze.

INTRODUCTION OF GUESTS

There being no objection, the following remarks by Reps. Kuether and Tietze are spread upon the Journal:

Remarks by Rep. Kuether:

Andrea was my constituent – and it was such a privilege to see her smiling face, representing the people of Kansas, under the Dome. Andrea loved her job. She never met a stranger and her approach to life resulted in such satisfaction. She is missed and I wish Russell and the family God's speed and peace.

Rep. Tietze read HR 6039 to the members of the House, Andrea's family, friends and co-workers. She closed with these remarks:

We honor the life and memory of Andrea Burton and thank her family and friends for sharing her with us.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2441, AN ACT concerning the legislative post audit committee; auditing unified school districts; amending K.S.A. 2015 Supp. 46-1133 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Kahrs, Rooker, Seiwert.

The bill passed.

HB 2442, AN ACT concerning the legislative division of post audit; relating to information technology audits; amending K.S.A. 2015 Supp. 46-1135 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Kahrs, Rooker, Seiwert.
The bill passed, as amended.

HB 2536, AN ACT concerning accountants; relating to licensure; amending K.S.A. 2015 Supp. 1-307, 1-308, 1-311, 1-312, 1-321 and 1-322 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 1; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.
Present but not voting: Edmonds.
Absent or not voting: Kahrs, Rooker, Seiwert.
The bill passed, as amended.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Schwab in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2436** be passed.

Committee report to **HB 2489** be adopted; also, roll call was demanded on motion of Rep. Johnson, to amend **HB 2489** on page 9, in line 15, by striking the second "2016" and inserting "2017"; in line 19, by striking the second "2016" and inserting "2017"; also in line 19, by striking all after the period; by striking all in lines 20 through 23

On roll call, the vote was: Yeas 71; Nays 50; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Concannon, Corbet, E. Davis, Dove, Esau, Estes, Ewy, Francis, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, Kelly, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick,

O'Brien, Osterman, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwartz, C. Smith, Suellentrop, Sutton, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Nays: Alcala, Ballard, Becker, Bollier, Burroughs, Carlin, Carmichael, Clark, Clayton, Curtis, DeGraaf, Dierks, Doll, Edmonds, Finch, Finney, Frownfelter, Gallagher, Helgerson, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Jennings, K. Jones, Kelley, Kuether, Lewis, Lusk, Lusker, Moxley, Ousley, F. Patton, Peck, Ruiz, Sawyer, Scott, Sloan, S. Swanson, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Kahrs, Rooker, Schwab, Seiwert.

The motion of Rep. Johnson prevailed and **HB 2489** be passed as amended.

On motion of Rep. Trimmer, **HB 2503** be amended on page 1, in line 6, before "There" by inserting "(a) "; following line 14, by inserting:

"(b) The funds shall be used for the purposes set forth in this section and for no other governmental purposes. It is the intent of the legislature that the funds and the moneys deposited in this fund shall remain intact and inviolate for the purposes set forth in this section."

Also, on motion of Rep. Peck to amend, Rep. Proehl requested the amendment be divided. There was no challenge on the amendment being germane to the bill. The Rules Chair ruled the amendment could be divided into two parts.

On Part A, **HB 2503**, be amended on page 1, by striking all in lines 15 through 19;

On page 3, in line 6, after "(4)" by inserting " (A)"; in line 9, by striking the first comma and inserting a period; also in line 9, after "2013," by inserting "and until June 30, 2016,"; by striking all in lines 11 through 14 and inserting:

"(B) On and after July 1, 2016, $2 of each division of vehicles modernization surcharge collected and remitted to the secretary of revenue, shall be submitted to the state treasurer who shall credit such $2 to the Kansas highway patrol staffing and training fund.

Also, on motion of Rep. Kleeb to refer **HB 2503** to Committee on Appropriations, the motion prevailed.

Committee report to **HB 2610** be adopted; also, on motion of Rep. Goico, **HB 2610** be amended on page 1, following line 23, by inserting:

"Sec. 3. The junction of interstate highway 235 and central avenue in Sedgwick county is hereby designated as the Captain Chris Norgren memorial interchange. Upon compliance with K.S.A. 2015 Supp. 68-10,114, and amendments thereto, the secretary of transportation shall place signs along the highway right-of-way at proper intervals to indicate that the junction of interstate highway 235 and central avenue is the Captain Chris Norgren memorial interchange.";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking "designating"; in line 5, after "highway" by inserting "; the junction of interstate highway 235 and central avenue in Sedgwick county as the Captain Chris Norgren memorial interchange" and the bill be passed as amended.

On motion of Rep. Hildabrand, **HCR 5010** be amended on page 1, in line 20, after "by" by inserting "the Legislature of the state of Kansas, two-thirds of members elected to"; also on line 20, by striking all after "Representatives" and inserting "and two-thirds of members elected to"

Roll call demanded on motion to recommend **HCR 5010** favorably for adoption.

On roll call, the vote was: Yeas 77; Nays 44; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Concannon, Corbet, DeGraaf, Dove, Esau, Estes, Ewy, Finch, Francis, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Hibbard, Highland, Hildabrand, Hoffman, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, F. Patton, Pauls, Peck, R. Powell, Proehl, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, C. Smith, Suellentrop, Sutton, Thimesch, Thompson, Vickrey, Waymaster, Weber, C., Whipple, Whitmer, K. Williams.

Nays: Alcala, Ballard, Becker, Bollier, Burroughs, Carlin, Carmichael, Clark, Clayton, Curtis, Dierks, Doll, Edmonds, Finney, Frownfelter, Gallagher, Henderson, Henry, Highberger, Hill, Hineman, Houser, Houston, Jennings, Kuether, Lusk, Lusker, Moxley, Ousley, Phillips, Rahjes, Ruiz, Sawyer, Scott, Sloan, S. Swanson, Tietze, Todd, Trimmer, Victors, Ward, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: E. Davis, Kahrs, Rooker, Seiwert.

The motion prevailed and **HCR 5010** be adopted as amended.

Committee report to **HB 2447** be adopted; and the bill be passed as amended.

Roll call was demanded on motion of Rep. Carlin, to amend **HB 2501** on page 1, following line 6, by inserting:

"Section 1. K.S.A. 2015 Supp. 21-5428 is hereby amended to read as follows: 21-5428. (a) Blackmail is intentionally gaining or attempting to gain anything of value or compelling or attempting to compel another to act against such person's will, by threatening to:

(1) Communicate accusations or statements about any person that would subject such person or any other person to public ridicule, contempt or degradation; or

(2) disseminate any videotape, photograph, film~~,~~ or image obtained in violation of ~~subsection (a)(6) of~~ K.S.A. 2015 Supp. 21-6101(a)(6) or (a)(8), and amendments thereto.

(b) Blackmail as defined in:

(1) Subsection (a)(1) is a severity level 7, nonperson felony; and

(2) subsection (a)(2) is a severity level 4, person felony.

Sec. 2. K.S.A. 2015 Supp. 21-6101 is hereby amended to read as follows: 21-6101. (a) Breach of privacy is knowingly and without lawful authority:

(1) Intercepting, without the consent of the sender or receiver, a message by telephone, telegraph, letter or other means of private communication;

(2) divulging, without the consent of the sender or receiver, the existence or contents of such message if such person knows that the message was illegally intercepted, or if such person illegally learned of the message in the course of employment with an

agency in transmitting it;

(3) entering with intent to listen surreptitiously to private conversations in a private place or to observe the personal conduct of any other person or persons entitled to privacy therein;

(4) installing or using outside or inside a private place any device for hearing, recording, amplifying or broadcasting sounds originating in such place, which sounds would not ordinarily be audible or comprehensible without the use of such device, without the consent of the person or persons entitled to privacy therein;

(5) installing or using any device or equipment for the interception of any telephone, telegraph or other wire or wireless communication without the consent of the person in possession or control of the facilities for such communication;

(6) installing or using a concealed camcorder, motion picture camera or photographic camera of any type~~,~~ to secretly videotape, film, photograph or record, by electronic or other means, another~~,~~ identifiable person under or through the clothing being worn by that other person or another~~,~~ identifiable person who is nude or in a state of undress, for the purpose of viewing the body of, or the undergarments worn by, that other person, without the consent or knowledge of that other person, with the intent to invade the privacy of that other person, under circumstances in which ~~the~~that other person has a reasonable expectation of privacy; ~~or~~

(7) disseminating or permitting the dissemination of any videotape, photograph, film or image obtained in violation of subsection (a)(6); or

(8) disseminating or permitting the dissemination of any videotape, photograph, film or image of another identifiable person 18 years of age or older who is nude or in a state of undress and such identifiable person did not consent to such dissemination.

(b) Breach of privacy as defined in:

(1) Subsection (a)(1) through (a)(5) is a class A nonperson misdemeanor;

(2) subsection (a)(6) or (a)(8) is a:

(A) Severity level 8, person felony, except as provided in subsection (b)(2)(B); and

(B) severity level 5, person felony upon a second or subsequent conviction within the previous five years; and

(3) subsection (a)(7) is a severity level 5, person felony.

(c) Subsection (a)(1) shall not apply to messages overheard through a regularly installed instrument on a telephone party line or on an extension.

(d) The provisions of this section shall not apply to: (1) An operator of a switchboard, or any officer, employee or agent of any public utility providing telephone communications service, whose facilities are used in the transmission of a communication, to intercept, disclose or use that communication in the normal course of employment while engaged in any activity which is incident to the rendition of public utility service or to the protection of the rights of property of such public utility; (2) a provider of an interactive computer service, as defined in 47 U.S.C. § 230, for content provided by another person; (3) a radio common carrier, as defined in K.S.A. 66-1,143, and amendments thereto; and (4) a local exchange carrier or telecommunications carrier as defined in K.S.A. 66-1,187, and amendments thereto.

(e) The provisions of subsection (a)(8) shall not apply to a person acting with a bona fide and lawful scientific, educational, governmental, news or other similar public purpose.

(f) As used in this section, "private place" means a place where one may reasonably

expect to be safe from uninvited intrusion or surveillance.";

Also on page 1, in line 28, after "Supp." by inserting "21-5428, 21-6101 and"; also in line 28, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "to" by inserting "blackmail; breach of privacy;"; in line 3, after "Supp." by inserting "21-5428, 21-6101 and"; also in line 4, by striking "section" and inserting "sections"

On roll call, the vote was: Yeas 96; Nays 23; Present but not voting: 1; Absent or not voting: 5.

Yeas: Alcala, Alford, Anthimides, Ballard, Becker, Billinger, Boldra, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Goico, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Hildabrand, Hill, Hineman, Houston, Huebert, Hutchins, Jennings, Johnson, Kelly, Kleeb, Kuether, Lewis, Lusk, Lusker, Mason, Moxley, O'Brien, Osterman, Ousley, F. Patton, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rubin, Ruiz, Ryckman Sr., Sawyer, Scapa, Schwab, Schwartz, Scott, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barker, Barton, E. Davis, Garber, Gonzalez, Grosserode, Highland, Hoffman, Houser, Hutton, D. Jones, K. Jones, Kelley, Kiegerl, Lunn, Macheers, Mast, McPherson, Merrick, Pauls, Ryckman, Schroeder, Vickrey.

Present but not voting: DeGraaf.

Absent or not voting: Bollier, Kahrs, Rhoades, Rooker, Seiwert.

The motion of Rep. Carlin prevailed and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2479** be amended on page 2, following line 23, by inserting:

"(e) Within 90 days after the secretary makes an emergency declaration pursuant to this section, the secretary shall call a meeting of the state advisory committee to review and approve the emergency declaration. If the committee does not approve of such emergency declaration within such 90 days, the emergency declaration will no longer remain in effect.";

Also on page 2, in line 26, by striking "11" and inserting "13"; in line 34, by striking "11" and inserting "13";

On page 3, in line 7, by striking "and"; in line 9, after "council" by inserting ";

(8) one member shall represent a natural resource management professional from the Kansas biological survey and shall be appointed upon the recommendation of the director of the Kansas biological survey; and

(9) one member shall represent the Kansas pest control association and shall be appointed by the president of the Kansas pest control association";

Also on page 3, in line 26, by striking "six" and inserting "a majority"; in line 35, after "a" by inserting "science-based"; in line 36, before the semicolon by inserting ". Such assessment shall consider, at a minimum:

(A) The impact on the natural and agricultural environment, including potential toxicity to humans and livestock;

(B) the invasiveness of the species under consideration, determined based on the rate of spread and the potential for, and methods of, dispersal; and

(C) the potential for infestation in the state";

On page 6, following line 3, by inserting:

"(d) Beginning on December 31, 2017, and on December 31 every fourth year thereafter, the secretary shall report to the chairperson of the house standing committee on agriculture and natural resources and the chairperson of the senate standing committee on agriculture a list of the weeds considered noxious by the rules and regulations promulgated by the secretary.";

On page 7, in line 42, before "paid" by inserting "borne as follows: The Kansas department of agriculture to pay not more than $^{1}/_{4}$ thereof from any funds available, not less than $^{3}/_{4}$ thereof to be";

On page 9, following line 34, by inserting:

"(c) The secretary of agriculture shall collect information from each county regarding county weed budgets and expenditures made by each county associated with weed control, including labor, equipment and chemical costs. The secretary shall report this information the the legislature annually.";

On page 13, in line 31, by striking "for each violation" and inserting "up to a maximum fine of $2,500"; and the bill be passed as amended.

Committee on **Agriculture and Natural Resources** recommends **HB 2491** be amended on page 1, in line 18, after "$1,000" by inserting "per water right"; in line 29, by striking all after "penalty"; in line 30, by striking "section" and inserting ", suspend the water right indefinitely, or require use of telemetry"; following line 36, by inserting:

"(e) This section shall be part of and supplemental to the water appropriation act, K.S.A. 82a-701 et seq., and amendments thereto."; and the bill be passed as amended.

Committee on **Education** recommends **HB 2292** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2292," as follows:

"Substitute for HOUSE BILL NO. 2292

By Committee on Education

"AN ACT concerning schools; enacting the local control of Kansas education act; relating to the student data privacy act; amending K.S.A. 2015 Supp. 72-6216, 72-6217, 72-6218 and 72-6479 and repealing the existing sections.";

And the substitute bill be passed.

(**Sub HB 2292** was thereupon introduced and read by title.)

Committee on **General Government Budget** recommends **HB 2640** be passed.

Committee on **Health and Human Services** recommends **HB 2607** be amended on page 2, in line 6, by striking "with the"; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2582** be passed.

Committee on **Transportation** recommends **HB 2473** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2473," as follows:

"Substitute for HOUSE BILL NO. 2473

By Committee on Transportation

"AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the Alzheimer's disease awareness license plate; decals for certain military medals or badges; amending K.S.A. 2015 Supp. 8-1,156 and repealing the existing section.";

And the substitute bill be passed.

(**Sub HB 2473** was thereupon introduced and read by title.)

Committee on **Transportation** recommends **HB 2563** be amended on page 2, in line 32, after the period by inserting "As used in this subsection, "motorized bicycle" shall have the meaning ascribed to it in K.S.A. 8-126, and amendments thereto."; and the bill be passed as amended.

Committee on **Vision 2020** recommends **HB 2509** be amended on page 1, in line 11, by striking all after the period; by striking all in lines 12 and 13; in line 14, by striking all before "The"; in line 17, by striking "state" and inserting "executive branch"; in line 30, by striking "state" and inserting "executive branch"; in line 36, by striking "state" and inserting "executive branch";

On page 2, in line 1, by striking "state" and inserting "executive branch"; in line 2, by striking "state" and inserting "executive branch"; in line 3, by striking "state" and inserting "executive branch"; in line 5, by striking "state" and inserting "executive branch"; in line 6, by striking "state" and inserting "executive branch"; in line 7, by striking "and"; in line 8, after "(6)" by inserting "review and restructure, as necessary, current information technology security responsibilities for executive branch agencies;

(7) coordinate information technology security interests between institutions governed by the regents and executive branch agencies; and

(8) ";

Also on page 2, in line 10, after "(f)" by inserting "For the purpose of this section "executive branch agency" means those agencies under the authority of the governor.

(g) ";

Also on page 2, following line 12, by inserting:

"(h) Based on proven competency and exigent circumstances, the chief information technology officer may exempt an agency from this requirement. The competency and special circumstances must be reviewed annually.

(i) The chief information technology officer shall not sweep information technology funds nor personnel that are deemed by the agency as essential to the agency's meeting its statutory requirements to serve its constituency and public well-being, but are not directly associated with information technology security.

(j) Subsections (a) through (e) shall not apply to the information technology office of the Kansas lottery.

New Sec. 2. There is hereby established the Kansas information security office. The office shall be administered under the direction and supervision of the chief information security officer who shall be appointed by the governor. The chief information security officer shall be in the unclassified service under the Kansas civil service act and shall receive an annual salary fixed by the governor. The chief information security officer shall report to the chief information technology officer. The initial scope of re-

sponsibility of the Kansas information security office shall be executive branch agencies. The Kansas information security office's scope of responsibility shall be re-evaluated in fiscal year 2020.

(b) The provisions of the Kansas governmental operations accountability law apply to the Kansas information security office, and the office is subject to audit, review and evaluation under such law.

(c) The position of chief information security officer, whose duties shall be performed under the supervision of the executive chief information technology officer, shall:

(1) Manage the Kansas information security office organization;

(2) develop, implement and monitor a strategic, comprehensive information security and information technology risk-management plan;

(3) facilitate information security governance, including the formation of an information security steering committee or advisory board;

(4) create and manage a unified and flexible control framework to integrate and normalize requirements resulting from global laws, standards and regulations;

(5) facilitate a metrics and reporting framework to measure the efficiency and effectiveness of the state information security program;

(6) provide strategic risk guidance for information technology projects, including the evaluation and recommendation of technical controls;

(7) ensure that security programs are in compliance with relevant laws, regulations and policies;

(8) coordinate the use of external resources involved in the information security program, including, but not limited to, interviewing, negotiating contracts and fees, and managing external resources;

(9) understand and interact with related disciplines through committees to ensure the consistent application of policies and standards across all technology projects, systems and services, including, but not limited to, privacy, risk management, compliance and business continuity management;

(10) liaise with external agencies, such as law enforcement and other advisory bodies as necessary, to ensure a strong security posture;

(11) assist in the development of effective disaster recovery policies and standards and align them with enterprise business continuity management program goals;

(12) assist in the development of implementation plans and procedures to ensure that business-critical services are recovered, in the event of an information security incident;

(13) review and restructure, as necessary, current information technology security responsibilities for executive branch state agencies;

(14) coordinate information technology security interests among institutions governed by the regents and other state agencies;

(15) create a framework for roles and responsibilities with regard to information ownership, classification, accountability and protection;

(16) provide such services to other governmental agencies as resources permit; and

(17) perform such other functions and duties as provided by law or as directed by the chief information technology officer.";

Also on page 2, in line 23, after "executive" by inserting "branch";

On page 3, in line 21, after the semicolon by inserting "and"; by striking all in lines

22 through 27; following line 29, by inserting:

"(c) The provisions of subsection (b)(6) shall not apply to the information technology office of the Kansas lottery."

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

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking "agency budgets for information technology security" and inserting "the establishment of the Kansas information security office; appointment of the chief information security officer; chief information security officer duties"; and the bill be passed as amended.

Committee on **Vision 2020** recommends **HB 2655** be amended on page 1, in line 11, by striking "insure" and inserting "ensure"; and the bill be passed as amended.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 38, by Representative Becky Hutchins, congratulating Katherine Clark on her 100th birthday;

Request No. 39, by Representative Sydney Carlin, congratulating Scott Heise on his being named to the Manhattan Area Technical College Phi Theta Kappa Kansas All-State Academic Team;

Request No. 40, by Representative Sydney Carlin, congratulating Amber Clark on her being named to the Manhattan Area Technical College Phi Theta Kappa Kansas All-State Academic Team;

Request No. 41, by Representative Shannon Francis, congratulating Gaby Amparan for being names Miss Liberal 2016;

Request No. 42, by Representative Connie O'Brien, congratulating Shannon Marie Olson for receiving the Girl Scouts of America Gold Award;

Request No. 43, by Representative Connie O'Brien, congratulating Susan Redieck for receiving the Girl Scouts of America Gold Award;

Request No. 44, by Representative Greg Lewis, congratulating Lloyd Ratts on his 101st birthday;

Request No. 45, by Representative Greg Lewis, congratulating Harold Drake on his 100th birthday;

Request No. 46, by Representative Peggy Mast, congratulating Audrey Durst for winning the Coffey County Spelling Bee;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2707, AN ACT concerning alcoholic beverages; relating to licensure of manufacturers and drinking establishments; amending K.S.A. 41-2632 and K.S.A. 2015 Supp. 41-2623 and repealing the existing sections, by Committee on Federal and State Affairs.

CHANGE OF REFERENCE

Speaker pro tem Mast announced the withdrawal of **HB 2548** from Committee on Corrections and Juvenile Justice and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2598** from Committee on Agriculture and Natural Resources and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2601** from Committee on Transportation and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2664** from Committee on Education and referral to Committee on Appropriations.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Mast announced the appointment of Rep. Mast to replace Rep. Rhoades on Committee on Education on February 18.

REPORT ON ENGROSSED BILLS

HB 2442, HB 2536 reported correctly engrossed February 17, 2016.

On motion of Rep. Vickrey the House adjourned pro forma until 8:00 a.m. on Friday, February 19, 2016.

Journal of the House

TWENTY-NINTH DAY

Hall of the House of Representatives,
Topeka, KS, Friday, February 19, 2016, 8:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker pro tem Mast in the chair.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **SB 329, SB 337**.
Corrections and Juvenile Justice: **SB 325**.
Education: **SB 358**.
Federal and State Affairs: **HB 2707**.
Insurance and Financial Institutions: **SB 369, SB 370, SB 390**.
Judiciary: **SB 334**.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **HB 2595** be amended on page 3, following line 6, by inserting:
"(d) Nothing in this act restricts a political subdivision as defined herein from owning or managing a food service facility and from purchasing and serving food products according to the Kansas food code and their own policies as long as those policies are not laws or ordinances restricting any other entity."; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2681** be amended on page 2, following line 6, by inserting:
"(e) For all diversion agreement applications submitted pursuant to subsection (b), the district attorney shall forward a copy to the Kansas sentencing commission within 30 days after a decision has been made on the application.";
On page 5, in line 32 after "after" by inserting "January 1, 2017, and"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2688** be passed.

Committee on **Education** recommends **HB 2531** be passed.

Committee on **Elections** recommends **HB 2543** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2543," as follows:

"Substitute for HOUSE BILL NO. 2543

By Committee on Elections

"AN ACT concerning elections; relating to audits; timing for canvassing; concerning requirements for voting machines; amending K.S.A. 2015 Supp. 25-3104, 25-4403 and 25-4406 and repealing the existing sections.";

And the substitute bill be passed.

(**Sub HB 2543** was thereupon introduced and read by title.)

Committee on **General Government Budget Committee** recommends **HB 2660** be amended on page 1, in line 7, before "The" by inserting "(a)"; in line 16, after the period by inserting:

"(b) The following funds shall be used for the purposes set forth in the statutes concerning such funds and for no other governmental purposes. It is the intent of the legislature that the following funds and the moneys deposited in such funds shall remain intact and inviolate for the purposes set forth in the statutes concerning such funds: Board of accountancy fee fund, K.S.A. 1-204 and 75-1119b, and amendments thereto, and special litigation reserve fund of the board of accountancy; bank commissioner fee fund, K.S.A. 9-1703, 16a-2-302, 17-5610, 17-5701 and 75-1308, and amendments thereto, bank investigation fund, K.S.A. 9-1111b, and amendments thereto, consumer education settlement fund and litigation expense fund, of the state bank commissioner; securities act fee fund and investor education and protection fund, K.S.A. 17-12a601, and amendments thereto, of the office of securities commissioner of Kansas; credit union fee fund, K.S.A. 17-2236, and amendments thereto, of the state department of credit unions; court reporters fee fund, K.S.A. 20-1a02, and amendments thereto, and bar admission fee fund, K.S.A. 20-1a03, and amendments thereto, of the judicial branch; fire marshal fee fund, K.S.A. 31-133a and 31-134, and amendments thereto, and boiler inspection fee fund, K.S.A. 44-926, and amendments thereto, of the state fire marshal; food service inspection reimbursement fund, K.S.A. 36-512, and amendments thereto, of the Kansas department of agriculture; wage claims assignment fee fund, K.S.A. 44-324, and amendments thereto, and workmen's compensation fee fund, K.S.A. 74-715, and amendments thereto, of the department of labor; veterinary examiners fee fund, K.S.A. 47-820, and amendments thereto, of the state board of veterinary examiners; mined-land reclamation fund, K.S.A. 49-420, and amendments thereto, of the department of health and environment; conservation fee fund and well plugging assurance fund, K.S.A. 55-155, 55-176, 55-609, 55-711 and 55-901, and amendments thereto, gas pipeline inspection fee fund, K.S.A. 66-1,155, and amendments thereto, and public service regulation fund, K.S.A. 66-1503, and amendments thereto, of the state corporation commission; land survey fee fund, K.S.A. 58-2011, and amendments thereto, of the state historical society; real estate recovery revolving fund, K.S.A. 58-3074, and amendments thereto, of the Kansas real estate commission; appraiser fee fund, K.S.A. 58-4107, and amendments thereto, and appraisal management companies fee fund of the real estate appraisal board; amygdalin (laetrile) enforcement fee fund, K.S.A. 65-6b10, and amendments thereto; mortuary arts fee fund, K.S.A. 65-1718, and amendments thereto, of the state board of mortuary arts; board of barbering fee fund, K.S.A. 65-1817a, and amendments thereto, of the Kansas board of barbering;

cosmetology fee fund, K.S.A. 65-1951 and 74-2704, and amendments thereto, of the Kansas state board of cosmetology; healing arts fee fund, K.S.A. 65-2011, 65-2855, 65-2911, 65-5413, 65-5513, 65-6910, 65-7210 and 65-7309, and amendments thereto, and medical records maintenance trust fund, of the state board of healing arts; other state fees fund, K.S.A. 2015 Supp. 65-4024b, and amendments thereto, of the Kansas department for aging and disability services; board of nursing fee fund, K.S.A. 74-1108, and amendments thereto, of the board of nursing; dental board fee fund, K.S.A. 74-1405, and amendments thereto, and special litigation reserve fund, of the Kansas dental board; optometry fee fund, K.S.A. 74-1503, and amendments thereto, and optometry litigation fund, of the board of examiners in optometry; state board of pharmacy fee fund, K.S.A. 74-1609, and amendments thereto, and state board of pharmacy litigation fund, of the state board of pharmacy; abstracters' fee fund, K.S.A. 74-3903, and amendments thereto, of the abstracters' board of examiners; athletic fee fund, K.S.A. 2015 Supp. 74-50,188, and amendments thereto, of the department of commerce; hearing instrument board fee fund, K.S.A. 74-5805, and amendments thereto, and hearing instrument litigation fund of the Kansas board of examiners in fitting and dispensing of hearing instruments; commission on disability concerns fee fund, K.S.A. 74-6708, and amendments thereto, of the governor's department; technical professions fee fund, K.S.A. 74-7009, and amendments thereto, and special litigation reserve fund, of the state board of technical professions; behavioral sciences regulatory board fee fund, K.S.A. 74-7506, and amendments thereto, of the behavioral sciences regulatory board; governmental ethics commission fee fund, K.S.A. 25-4119e, and amendments thereto, of the governmental ethics commission; emergency medical services board operating fund, K.S.A. 75-1514, and amendments thereto, of the emergency medical services board; fire service training program fund, K.S.A. 75-1514, and amendments thereto, of the university of Kansas; uniform commercial code fee fund, K.S.A. 2015 Supp. 75-448, and amendments thereto, of the secretary of state; prairie spirit rails-to-trails fee fund of the Kansas department of wildlife, parks and tourism; water marketing fund, K.S.A. 82a-1315c, and amendments thereto, of the Kansas water office; insurance department service regulation fund, K.S.A. 40-112, and amendments thereto, of the insurance department; state fair special cash fund, K.S.A. 2-220, and amendments thereto, of the state fair board; and any other fund in which fees are deposited for licensing, regulating or certifying a person, profession, commodity or product.

(c) ";

Also on page 1, in line 18, after "are" by inserting "proposed to be"; in line 19, after "purposes" by inserting "in the governor's budget report submitted pursuant to K.S.A. 75-3721, and amendments thereto, or any introduced house or senate bill"; in line 20, after "moneys" by inserting "within the preceding 24-month period"; also in line 20, by striking all after the comma; by striking all in line 21; in line 22, by striking all before "Any" and inserting "by the fee agency within 30 days of such submission or introduction by electronic means, if the fee agency has an electronic address on record for such person or business entity. If no such electronic address is available, the fee agency shall send written notice by first class mail.

(d) ";

Also on page 1, in line 31, after the period by inserting:

"(e) The provisions of this section shall not apply to the 10% credited to the state general fund to reimburse the state general fund for accounting, auditing, budgeting,

legal, payroll, personnel and purchasing services, and any and all other state governmental services, as provided in K.S.A. 75-3170a, and amendments thereto.

(f) ";

And the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2614** be amended on page 2, following line 9, by inserting:

"(e) "Biological product" means a virus, a therapeutic serum, a toxin, an antitoxin, a vaccine, blood, a blood polypeptide, or an analogous product, arsphenamine or derivative or arphenamine, or any other trivalent organic arsenic compound which is applicable to the prevention, treatment or cure of a disease or condition of humans.";

Also on page 2, in line 22, by striking all after "means"; in line 23, by striking "manufacturer" and inserting "any person"; also in line 23, by striking "another" and inserting "a"; in line 25, by striking "prescription drug" and inserting "product";

On page 10, in line 9, by striking all after "Product"; by striking all in lines 10 and 11; in line 12, by striking all before the period and inserting "shall have the meaning as defined by part H of the federal drug supply chain security act, 21 U.S.C. § 351 et seq., 21 U.S.C. § 360eee";

On page 11, in line 20, after "product" by inserting "or to whom a manufacturer, repackager, wholesale distributor or dispenser transfers direct ownership of a product";

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

On page 22, in line 41, after "product" by inserting ", excluding a biological product,";

On page 25, in line 32, by striking "sHall" and inserting "shall";

And the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2615** be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 2015 Supp. 65-1431 is hereby amended to read as follows: 65-1431. (a) Each license to practice as a dentist or dental hygienist issued by the board, shall expire on December 1 of the year specified by the board for the expiration of the license and shall be renewed on a biennial basis. Each application for renewal shall be made on a form prescribed and furnished by the board. Every licensed dentist or dental hygienist shall pay to the board a renewal fee fixed by the board as provided in K.S.A. 65-1447, and amendments thereto.

(b) To provide for a staggered system of biennial renewal of licenses, the board may renew licenses for less than two years.

(c) On or before December 1 of the year in which the licensee's license expires, the licensee shall transmit to the board a renewal application, upon a form prescribed by the board, which shall include such licensee's signature, post office address, the number of the license of such licensee, whether such licensee has been engaged during the preceding licensure period in active and continuous practice whether within or without this state, and such other information as may be required by the board, together with the biennial licensure fee for a dental hygienist which is fixed by the board pursuant to K.S.A. 65-1447, and amendments thereto.

(d) (1) The board shall require every licensee to submit with the renewal application evidence of satisfactory completion of a program of continuing education

required by the board. The board by duly adopted rules and regulations shall establish the requirements for such program of continuing education as soon as possible after the effective date of this act.

(2) A dentist who is a charitable healthcare provider in Kansas who has signed an agreement to provide gratuitous services pursuant to K.S.A. 75-6102 and 75-6120, and amendments thereto, may fulfill one hour of continuing education credit by the performance of two hours of gratuitous services to medically indigent persons up to a maximum of six continuing education credits per licensure period.

(e) Upon fixing the biennial license renewal fee, the board shall immediately notify all licensees of the amount of the fee for the ensuing licensure period. Upon receipt of such fee and upon receipt of evidence that the licensee has satisfactorily completed a program of continuing education required by the board, the licensee shall be issued a renewal license authorizing the licensee to continue to practice in this state for a period of no more than two years.

(f) (1) Any license granted under authority of this act shall automatically be canceled if the holder thereof fails to apply for and obtain renewal prior to March 1 of the year following the December in which a renewal application is due.

(2) Any licensee whose license is required to be renewed for the next biennial period may obtain renewal, prior to February 1, by submitting to the board the required renewal application, payment of the biennial renewal fee and proof that such licensee has satisfactorily completed a program of continuing education required by the board. Any licensee whose license is required to be renewed for the next biennial period may obtain renewal, between February 1 and March 1, by submitting to the board the required renewal application, payment of the biennial renewal fee, payment of a penalty fee of not to exceed $500 as fixed by rules and regulations by the board and proof that such licensee has satisfactorily completed a program of continuing education required by the board. The penalty fee in effect immediately prior to the effective date of this act shall continue in effect until rules and regulations establishing a penalty fee under this section become effective.

(g) Upon failure of any licensee to pay the applicable renewal fee or to present proof of satisfactory completion of the required program of continuing education by February 1 of the year following the December in which a renewal application is due, the board shall notify such licensee, in writing, by mailing notice to such licensee's last registered address. Failure to mail or receive such notice shall not affect the cancellation of the license of such licensee.

(h) The board may waive the payment of biennial fees and the continuing education requirements for the renewal of licenses without the payment of any fee for a person who has held a Kansas license to practice dentistry or dental hygiene if such licensee has retired from such practice or has become temporarily or permanently disabled and such licensee files with the board a certificate stating either of the following:

(1) A retiring licensee shall certify to the board that the licensee is not engaged, except as provided in K.S.A. 65-1466, and amendments thereto, in the provision of any dental service, the performance of any dental operation or procedure or the delivery of any dental hygiene service as defined by the statutes of the state of Kansas; or

(2) a disabled licensee shall certify to the board that such licensee is no longer engaged in the provision of dental services, the performance of any dental operation or the provision of any dental hygiene services as defined by the statutes of the state of

Kansas by reason of any physical disability, whether permanent or temporary, and shall describe the nature of such disability.

(i) The waiver of fees under subsection (h) shall continue so long as the retirement or physical disability exists. Except as provided in K.S.A. 65-1466, and amendments thereto, in the event the licensee returns to the practice for which such person is licensed, the requirement for payment of fees and continuing education requirements shall be reimposed commencing with and continuing after the date the licensee returns to such active practice. Except as provided in K.S.A. 65-1466, and amendments thereto, the performance of any dental service, including consulting service, or the performance of any dental hygiene service, including consulting service, shall be deemed the resumption of such service, requiring payment of license fees.

(j) The Kansas dental board may adopt such rules and regulations requiring the examination and providing means for examination of those persons returning to active practice after a period of retirement or disability as the board shall deem necessary and appropriate for the protection of the people of the state of Kansas except that for an applicant to practice dental hygiene who is returning to active practice after a period of retirement or disability, the board shall authorize as an alternative to the requirement for an examination that the applicant successfully complete a refresher course as defined by the board in an approved dental hygiene school.";

On page 5, in line 3, by striking all before "up" and inserting "medically indigent persons"; also in line 3, by striking "eight" and inserting "20";

On page 7, in line 37, by striking "(5)" and inserting "(f)";

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

On page 8, in line 15, after "Supp." by inserting "65-1431,";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "Supp." by inserting "65-1431,"; and the bill be passed as amended.

Committee on **Insurance and Financial Institutions** recommends **HB 2508**, **HB 2579**, **HB 2632** be passed.

Committee on **Judiciary** recommends **HB 2502** be amended on page 2, in line 18, by striking "sole"; also in line 18, by striking "is" and inserting "shall be limited"; also in line 18, by striking "determine" and inserting "determining"; in line 19, after "limitation" by inserting "or whether the prisoner makes a colorable claim of actual innocence. As used herein, the term actual innocence requires the prisoner to show it is more likely than not that no reasonable juror would have convicted the prisoner in light of new evidence"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2652**, **HB 2696** be passed.

Committee on **Judiciary** recommends **SB 128**, as amended by Senate Committee, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 128," as follows:

"House Substitute for SENATE BILL NO. 128

By Committee on Judiciary

"AN ACT concerning district courts; relating to vacancies in the office of judge of the

district court; nominations for successor by district judicial nominating commission; amending K.S.A. 2015 Supp. 20-2909 and repealing the existing section.";

And the substitute bill be passed.

(**H Sub for SB 128** was thereupon introduced and read by title.)

Committee on **Local Government** recommends **HB 2557** be amended on page 1, by striking all in lines 6 through 24;

On page 2, in line 17, after the semicolon by inserting "or"; in line 18, by striking all after "owners"; by striking all in lines 19 through 28; in line 29, by striking "owners" and inserting "present at a meeting vote in favor of such loan. All unit owners shall be notified by certified mail, return receipt requested, of any meeting called to arrange a loan"; following line 29, by inserting:

"Sec. 2. K.S.A. 2015 Supp. 58-4618 is hereby amended to read as follows: 58-4618. (a) Except as provided in subsection (b), an association shall deliver any notice required to be given by the association under this act to any mailing or electronic mail address a unit owner designates. Otherwise, the association may deliver notices by:

(1) Hand delivery to each unit owner;

(2) hand delivery, United States mail postage paid, or commercially reasonable delivery service to the mailing address of each unit;

(3) electronic means, if the unit owner has given the association an electronic address; or

(4) any other method reasonably calculated to provide notice to the unit owner.

(b) (1) An association for a common interest community for a recreational lake development which contains more than 500 units where less than 50% of such units contain a residence shall comply with subsection (a) when providing notice for an annual meeting.

(2) For all other meetings such association shall:

(A) Post a notice on the association's website;

(B) send a notice by electronic mail to all unit owners who request such notice; and

(C) post a sign containing the meeting notice at the main entrance of the common interest community.

(c) The ineffectiveness of a good faith effort to deliver notice by an authorized means does not invalidate action taken at or without a meeting.

<u>(d) Foreclosure of liens pursuant to K.S.A. 58-3123 or 58-3710, and amendments thereto, or any authority contained in the association's declaration may not be initiated unless the foreclosure is effectuated in accordance with this section:</u>

<u>(1) Prior to initiating a foreclosure action against a unit owner for unpaid fees and assessments, the association shall file a lien against the unit which lien shall state the then current amount of fees and assessments due.</u>

<u>(2) Not less than 30 days written notice shall be mailed to the unit owner of the intent of the association to file a lien unless the default is cured within the 30-day period. The notice shall state the then current amount of assessments and fees due.</u>

<u>(3) The notice shall be mailed to the last known address of the unit owner as shown on the association's records and, if the subject unit address is different from the last known address, the notice shall also be mailed to the unit address. A copy of the notice shall also be sent to any mortgagee of the unit owner if the mortgagee has requested such notice in writing.</u>

(4) The notices required by this subsection shall be mailed by certified mail, return receipt requested.";

Also on page 2, in line 30, by striking "is" and inserting "and 58-4618 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "consumer protection and" and inserting "the Kansas uniform"; in line 2, by striking "communities" and inserting "owners bill of rights act"; also in line 2, after "58-4609" by inserting "and 58-4618"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2558** be passed.

Committee on **Transportation** recommends **HB 2522**, **HB 2643** be passed.

Committee on **Transportation** recommends **HB 2605** be amended on page 1, in line 15, by striking all after the first "the"; in line 16, by striking all before "any" and inserting "outstanding amount of"; in line 17, after "owing" by inserting "by the registered owner exceeds $100"; and the bill be passed as amended.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Monday, February 22, 2016.

Journal of the House

THIRTIETH DAY

Hall of the House of Representatives,
Topeka, KS, Monday, February 22, 2016, 10:00 a.m.

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

The roll was called with 124 members present.
Rep. Ewy was excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Almighty God,
Thank you for this new day You have given us.
The next couple of days are going to appear like
"The Longest Day"
and not your normal "9 to 5."
We have "Great Expectations" of what
these "Ordinary People" will accomplish.
Help them to have the wisdom of "Forrest Gump,"
not that of "Dumb and Dumber."
Help them to have the spirit of
"The Quiet Man" and not the "Raging Bull."
Encourage them to strive to be "Miss Congeniality."
Equip them with "True Grit" and a "Sixth Sense"
to be "The Miracle Worker"
in fulfilling the "High Hopes" of the people.
May their discussions not be that of "Much Ado About Nothing"
but instead be "Nothing But the Best."
Those moments when it appears that some are "Die Hard,"
do the work of "The Adjuster" so they will compromise.
As they are "Facing the Giants" this week,
remind them often that "God is Not Dead"
and that "Heaven is For Real."
And that "From Here to Eternity"
if they follow "The Ten Commandments,"
they will find "Hope and Glory."
I pray this in the name of "Jesus of Nazareth,"
Amen.

The Pledge of Allegiance was led by Rep. Concannon.

INTRODUCTION OF GUESTS

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

It is a distinct honor and privilege to introduce Delaney Murphy to the Kansas House this morning. Delaney is an inspiring and exceptional young lady from Ottawa. This year Delaney is 11 years old and working on finishing the 5th grade at Garfield Elementary.

I have had the privilege of knowing Delaney for several years and can tell you that her smile and her enthusiasm are infectious. But I wanted all of you to meet Delaney today because on March 15th of last year she was named the very first, Little Miss Wheelchair Kansas. Delaney served for five years as a flower attendee in the Ms. Wheelchair Kansas contest before being crowned herself.

The Little Miss Wheelchair Kansas program recognizes young girls who are wheelchair mobile, dynamic, spirited, positive, and who have something to say to the people in our state. Part of Delaney's job this year has been to attend various events, share her story, serve as an example for other youth with disabilities, and empower Kansans through her positive attitude.

Delaney wants to say thank you to her friend and guest, Ms. Carrie Sunday, the current Ms. Wheelchair Kansas. Carrie has been a steady source of support and constant help in this year as she has carried out those duties.

Her goal is to bring more awareness to children in wheelchairs and find ways to bring them together. She loves volunteering and helping other charities, playing baseball for the Miracle League, cheering on her brother Jackson, being an all-around great daughter for her parents Ryan and Kelly and of course, cheering for her favorite Major League team, the Kansas City Royals and the ever awesome Alex Gordon.

Please join me in honoring Delaney Murphy, the first Little Miss Wheelchair Kansas and a truly great young Kansan.

Rep. Finch presented Ms. Murphy with a framed House certificate.

INTRODUCTION OF GUESTS

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

The Kansas FFA Association was the twelfth state chartered by the National FFA Organization in 1928. The Association has a current membership of over 9,000 members in more than 175 chapters. Kansas FFA members are enrolled in agricultural education courses, conduct a Supervised Agricultural Experience Program and can participate in a variety of FFA competitions and activities.

This is a very exciting time for Kansas FFA. The Association is experiencing growth, new opportunities for its members and increasing support from the community, business and industry and former members. Kansas FFA provides leadership development opportunities for members. This year alone five new chapters were added in the following high schools: Bluestem (Leon), Emporia, Northern Heights (Allen), Southern Lyon County (Olpe & Hartford), and Sylvan-Lucas (Sylvan Grove).

Today's agricultural education students will be the leaders and innovators of the future—responsible for ensuring a safe and stable food and fiber supply for the growing world.

Kansas FFA is dedicated to making a positive difference in the lives of students by developing their potential for premier leadership, personal growth and career success through agricultural education.

Kansas FFA Association is led by the state officer team – six students who are freshman at Kansas State University serving as president, vice president, secretary, treasurer, reporter and sentinel. In addition, adult guidance and leadership is provided by the State Advisor and State Executive Secretary.

Rep. Schwartz introduced the 2015-2016 FFA Leadership Team: Karl Wilhelm, President, Holton; Bailey Peterson, Vice President, Buhler; Dean Klahr, Secretary, Holton; Lane Coberly, Treasurer, Chapman; Kyler Langvardt, Reporter, Chapman; Gabryelle Gilliam, Sentinel, Washington County.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2708, AN ACT concerning the mental health technician's licensure act; amending K.S.A. 65-4203 and 65-4208 and K.S.A. 2015 Supp. 65-4202 and 65-4212 and repealing the existing sections, by Committee on Health and Human Services.

HB 2709, AN ACT concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; providing certain death benefits to surviving spouses; amending K.S.A. 74-4959 and repealing the existing section, by Committee on Appropriations.

HB 2710, AN ACT concerning retirement and pensions; relating to the Kansas deferred retirement option program act; including agents of the Kansas bureau of investigation as members; amending K.S.A. 2015 Supp. 74-4986l and 74-4986p and repealing the existing sections, by Committee on Appropriations.

MESSAGES FROM THE SENATE

Announcing passage of **Substitute for SB 323; SB 314, SB 352, SB 361, SB 372, SB 375, SB 376, SB 395, SB 423**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 314, Sub SB 323, SB 352, SB 361, SB 372, SB 375, SB 376, SB 395, SB 423

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Kleeb, **HR 6040**, by Reps. Kleeb, Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carpenter, Carpenter, Claeys, Clark, Concannon, Corbet, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Francis, Gallagher,

Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, Jones, Jones, Kelley, Kelly, Kiegerl, Kuether, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, Moxley, Osterman, Patton, Peck, Phillips, Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, Whipple, Whitmer, Williams and Wolfe Moore, as follows, was introduced and adopted:

HR 6040—A RESOLUTION designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.

WHEREAS, Cancer is one of the leading causes of death around the world and has touched the life of nearly everyone, either directly or indirectly; and

WHEREAS, The disease is the cause of nearly one out of every four deaths in the United States; and

WHEREAS, By the end of 2016, approximately 1,685,210 new cases are expected to be diagnosed across the United States; and

WHEREAS, An estimated one-third of all cancers are preventable. Increased efforts to reduce tobacco use, reduce obesity, improve diet and physical activity and promote safe ultraviolet radiation exposure are key in limiting preventable cancer risks; and

WHEREAS, Regular use of established screening tests can preclude the development of cancer through identification and result in the removal or treatment of premalignant abnormalities. Screening tests can also significantly improve survival rates by detecting cancer at an early stage when treatment is more effective: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we designate February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month; recognize efforts to raise awareness for the reduction of cancer risks; and encourage the expansion of knowledge, early detection and work in the medical and scientific fields, to put an end to this deadly disease.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Reps. Kleeb and Carlin are spread upon the Journal:

Cancer is a disease that has touched the lives of nearly everyone. Each of us has a relative, friends, or co-worker who has battled the disease. Many of us have even fought cancer ourselves, or given care to a loved one with the disease. Even in our House family, we have had our own colleagues' spouses afflicted:

Diane, wife of Jack Thimesch

John, husband of Annie Kuether

John, husband of Sydney Carlin

Nancy, wife of Marvin Kleeb

And we continue to pray for Susan, wife of Mario Goico

Nationwide, nearly 1.6 million new cases of cancer will be diagnosed this year. In Kansas alone, an estimated 14,500 people are expected to be diagnosed with cancer, and 5,540 will die from the disease.

We as a legislature play an important role in supporting policies to improve cancer

prevention, treatment, quality of life and research.

An estimated one-third of all cancers are preventable. Increased efforts to reduce tobacco use, reduce obesity, improve diet and physical activity and promote safe ultraviolet radiation exposure are keys in limiting preventable cancer risks.

Regular use of established screening tests can preclude the development of cancer through identification and result in the removal or treatment of premalignant abnormalities. Screen tests can also significantly improve survival rates by detecting cancer at an early stage when treatment is more effective.

Let's embrace February as the newly designated Kansas Cancer Awareness Month to raise awareness for the reduction of cancer risks, encourage the appropriate screening, support Kansans and their families suffering from the disease, and remember those we have lost.

Rep. Kleeb introduced the following:

Judith Calhoun, American Cancer Society board member for the High Plains division; former Chair of the Newman division of nursing at Emporia State University
Gay Garrett, ACS volunteer
Stephanie Weiter, American Cancer Society
Hilary Gee, Kansas Government Relations Director for ACS CAN
Jordan Rickabaugh, Kansas Grassroots Manger for ACS CAN
Sue Jirkovsky-Landers (breast cancer survivor), Reach to Recovery Coordinator
Becky Duncan (breast cancer survivor), Reach to Recovery volunteer
Ruthie Blenz (undergoing treatment for non-Hodgkin's lymphoma), ACS volunteer
Priscilla Brunell, Hotel Partners Program Coordinator
Regina Bussiere, ACS volunteer
Jaquelan Bussiere, ACS volunteer

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2436, AN ACT concerning motor vehicles; relating to drivers' licenses, examinations, motorcycles; amending K.S.A. 2015 Supp. 8-240 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch,

Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ewy.

The bill passed.

HB 2447, AN ACT concerning crimes, punishment and criminal procedure; relating to the secretary of corrections; program credits; amending K.S.A. 2015 Supp. 21-6821 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 2; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Peck, Ward.

Present but not voting: None.

Absent or not voting: Ewy.

The bill passed, as amended.

HB 2489, AN ACT concerning retirement; relating to the Kansas public employees retirement system; death and long-term disability benefits; employer payments to group insurance reserve fund; Kansas public employees retirement system act of 2015; accidental death benefit; annuity interest rate; Kansas public employees deferred compensation act; sharing of account information; tax treatment; local governmental unit plan option; amending K.S.A. 74-4916 and K.S.A. 2015 Supp. 74-4927, 74-49,313, 74-49b10, 74-49b14 and 74-49b15 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 90; Nays 34; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, E. Davis, Dierks, Doll, Dove, Esau, Estes, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Phillips, R. Powell, Proehl,

Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schwab, Schwartz, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wolfe Moore.

Nays: Alcala, Ballard, Burroughs, Carlin, Carmichael, Clayton, Curtis, DeGraaf, Edmonds, Finch, Finney, Francis, Frownfelter, Henderson, Henry, Highberger, Houston, K. Jones, Kelley, Kuether, Lusk, Lusker, Ousley, Peck, Rooker, Ruiz, Schroeder, Scott, Tietze, Trimmer, Victors, Ward, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Ewy.

The bill passed, as amended.

HB 2501, AN ACT Concerning crimes, punishment and criminal procedure; relating to blackmail; breach of privacy; jurisdiction and venue; crime committed with an electronic device; amending K.S.A. 2015 Supp. 21-5428, 21-6101 and 22-2619 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 113; Nays 11; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Alford, Anthimides, Ballard, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, DeGraaf, Dierks, Doll, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rooker, Rubin, Ruiz, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barker, E. Davis, Dove, Hawkins, Hutton, Macheers, McPherson, Rhoades, Ryckman, Sutton, Whitmer.

Present but not voting: None.

Absent or not voting: Ewy.

The bill passed, as amended.

HB 2610, AN ACT designating the junction of interstate highway 70 and commerce parkway in Ellis county as the chief warrant officer 5 David Carter fallen veterans memorial interchange; a portion of U.S. highway 400 as the John Troy, Pete Hughes and Earl Seifert highway; the junction of interstate highway 235 and central avenue in Sedgwick county as the Captain Chris Norgren memorial interchange, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf,

Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ewy.

The bill passed, as amended.

HCR 5010, A CONCURRENT RESOLUTION making application to the Congress of the United States to call a convention for the purpose of proposing amendments to the Constitution of the United States that impose limits on the federal government, was considered on final action.

On roll call, the vote was: Yeas 77; Nays 47; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Barker, Barton, Billinger, Boldra, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Concannon, Corbet, DeGraaf, Dove, Esau, Estes, Finch, Francis, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Highland, Hildabrand, Hoffman, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, F. Patton, Pauls, Peck, R. Powell, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, C. Smith, Suellentrop, Sutton, Thimesch, Thompson, Vickrey, Waymaster, Weber, C., Whipple, Whitmer, K. Williams.

Nays: Alcala, Anthimides, Ballard, Becker, Bollier, Burroughs, Carlin, Carmichael, Clark, Clayton, Curtis, E. Davis, Dierks, Doll, Edmonds, Finney, Frownfelter, Gallagher, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houser, Houston, Kuether, Lusk, Lusker, Moxley, Ousley, Phillips, Proehl, Rooker, Ruiz, Sawyer, Scott, Sloan, S. Swanson, Tietze, Todd, Trimmer, Victors, Ward, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Ewy.

A two-thirds majority of the members elected to the House having not voted in the affirmative, the resolution was not adopted.

EXPLANATIONS OF VOTE

MR. SPEAKER: I share the concerns on Federal overreach and mismanagement. The overspending of the previous generation of elected officials and the resulting debt is a burden my generation will bear. Twice in the 20th century the country was close to calling a convention, one state away in 1969 and two away in 1983. The concern of a runaway convention prompted states to rescind their applications. I support a balanced

budget amendment but not a convention without firmer restrictions to protect the 1st, 2nd amendments and the Constitution. I vote no on **HCR 5010**. – James Eric Todd

Mr. Speaker: I vote yes on **HCR 5010**. In the past I had been uneasy about a concept I wasn't familiar with. However, I realized that myself and many other Kansas legislators have attended a somewhat similar event every summer in a major U.S. city since 1975. The National Conference of State Legislatures (NCSL) has drawn representatives sent from all 50 states to their annual meeting to discuss and propose ideas that could make state governments better. A conference of the states can only propose or suggest amendments, and like the work product of NCSL, they remain only ideas until 38 full state legislatures ratify them. – Jan Pauls

Mr. Speaker: Throughout the debate regarding **HCR 5010**, the Founding Fathers were often cited. I defer here to the words of President Washington, who cautioned against such things in his farewell address: "One method of assault may be to effect, in the forms of the Constitution, alterations which will impair the energy of the system, and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions…"

I vote NO on **HCR 5010**. — Stephanie Clayton, Linda Gallagher

Mr. Speaker: We have a responsibility to our state, our country, our children and our grandchildren to meet the obligations we each swore to uphold. The framers of our Constitution authored the document with intelligence, foresight, and an unequaled brilliance. They purposely placed the Article V within the Constitution, should congress fail to fulfill the oath they took. In fact, our framers believed that a convention of states would likely be called on a frequent basis—not waiting 239 years. It is time to regain our individual and states' voice and fulfill our obligation we promised to uphold thus, I vote yes on **HCR 5010**. – Peggy Mast, Randy Powell, Kyle Hoffman

Mr. Speaker: My greatest fear is that the legislators who would select the delegates to the constitutional convention will be the same ones who brought us Washington style politics, an extreme lack of transparency, fiscal mismanagement, and a growing debt. I am reminded of the old saying, "people who live in glass houses should not throw stones." I believe that before we worry about states rights, we should first get our state right. I vote no on **HCR 5010**. – Ed Trimmer, Annie Tietze, Tom Sawyer, Pam Curtis, Louis Ruiz, Ponka-We Victors, Roderick Houston, Ben Scott, John Alcala, Gail Finney, Kathy Wolfe-Moore

Mr. Speaker: I agree that the federal government in many ways is out of control. This is largely because Congress is unwilling or unable to do its job of defining policies and programs within which federal agencies must operate. Proposed Constitutional Amendments that might result from such a convention would take many years for sufficient states to ratify. This long delay would simply allow federal agencies to continue exercising authority. We must elect Presidents and members of Congress who will respect the separation of powers that our forefathers installed in the U.S. Constitution. I vote no on **HCR 5010**. – Tom Sloan, Don Hill

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Rhoades in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2578**, **HB 2620** be passed.

HB 2509, **HB 2640** be passed over and retain a place on the calendar.

Committee report to **HCR 5008** be adopted; and the resolution be adopted as amended.

Committee report to **HB 2285** be adopted; and the bill be passed as amended.

Committee report to **HB 2655** be adopted; and the bill be passed as amended.

On motion of Rep. Boldra, **HB 2532** be amended on page 1, in line 17, after "Sufficient" by inserting "mathematic, scientific and"

Also, on motion of Rep. Alcala, **HB 2532** be amended on page 1, following line 4, by inserting:

"New Section 1. (a) In order to equip students with the knowledge needed to understand and appreciate the contributions people with diverse backgrounds have made to American history and culture, the state board of education shall authorize and assist in the implementation of programs on teaching ethnic studies for grades seven through 12.

(b) The state board of education shall develop a curriculum, materials and guidelines that local boards of education and governing authorities of accredited nonpublic schools may use in implementing the program of instruction on ethnic studies.

(c) The state board of education shall develop state curriculum standards for ethnic studies, for grades seven through 12, within the existing history, social studies or civics curriculum or another appropriate subject-matter curriculum.

(d) The state board of education shall encourage school districts when selecting text books and supplemental materials for history, social studies, civics or other appropriate courses, to select those textbooks and supplemental materials which contain substantive information on ethnic studies.

(e) For the purpose of this section, "ethnic studies" means an interdisciplinary enterprise which acknowledges that race and ethnicity are social and cultural forces in the United States and around the world. "Ethnic studies" includes the perspectives of racial or ethnic groups, reflects narratives and points of view rooted in lived experiences of such groups and recognizes the contributions of specific individuals and national leaders. "Ethnic studies" includes and is limited to the experiences of African Americans, Asian Americans, Hispanics, Latinos and Native Americans.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, after "to" by inserting "subjects and areas of instruction; ethnic studies;" and the bill be passed as amended.

Committee report to **HB 2516** be adopted; and the bill be passed as amended.

Committee report to **HB 2567** be adopted; on motion of Rep. Rubin, **HB 2567** be amended, as amended by House Committee, on page 2, in line 1, by striking the second "and"; in line 10, by striking the second "who"

Also, on motion of Rep. Peck to amend **HB 2567**, Rep. Ruiz requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane; and the bill be passed as amended.

Committee report to **HB 2479** be adopted; and the bill be passed as amended.

Committee report to **HB 2462** be adopted; and the bill be passed as amended.

Committee report to **HB 2545** be adopted; on motion of Rep. Finch, **HB 2545** be amended, as amended by House Committee, on page 1, in line 35, by striking all after "magistrate"; in line 36, by striking all before "that"; also in line 36, after the period by inserting "The prosecutor shall promptly notify any victim.";

On page 2, in line 6, by striking ", any victim"; in line 14, by striking ", any victim"; in line 41, by striking ", any victim";

On page 5, in line 14, by striking all after "magistrate"; in line 15, by striking all before "that"; also in line 15, after the first period by inserting "The prosecutor shall promptly notify any victim."; in line 18, by striking ", any victim"; in line 26, by striking ", any victim"; in line 30, after "the" by inserting "physical, mental or emotional";

On page 6, in line 10, by striking ", any victim" and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Children and Seniors** recommends **HB 2585** be amended on page 1, in line 16, by striking ", the"; in line 17, after "(1)" by inserting "The"; following line 17, by inserting:

"(2) the number of children in foster care who are outside the county of original residence;";

Also on page 1, in line 18, before "average" by inserting "the"; in line 25, before "latest" by inserting "the"; in line 31, before "number" by inserting "the"; in line 32, before "number" by inserting "the";

On page 2, in line 17, after "member" by inserting "of the senate";

On page 3, following line 12, by inserting:

"(h) The provisions of this section shall expire on January 1, 2019.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

Committee on **Veterans, Military and Homeland Security** recommends **HB 2692** be amended on page 1, in line 10, by striking the second "veteran" and inserting "veterans"; in line 23, after "(1)" by inserting "and (a)(2)"; in line 27, by striking the second "or"; in line 28, after "course" by inserting "; or

(3) any institution accredited by the United States department of veterans affairs to represent or assist claimants for benefits"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2711, AN ACT concerning workers compensation; relating to benefit reductions due to retirement benefits; amending K.S.A. 2015 Supp. 44-501 and repealing the existing section, by Committee on Federal and State Affairs.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2455**, **HB 2509**, **HB 2531**, **Sub HB 2543**, **HB 2579**, **HB 2599**, **HB 2614**, **HB 2660** from the Calendar under the heading General Orders and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2617** from Committee on Commerce, Labor and Economic Development and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2649** from Committee on Insurance and Financial Institutions and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2677** from Committee on Corrections and Juvenile Justice and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2682** from Committee on Health and Human Services and referral to Committee on Appropriations.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Vickrey pursuant to House Rule 2311, **HCR 5008**, **HB 2285**, **HB 2655**, **HB 2532**, **HB 2516**, **HB 2567**, **HB 2479**, **HB 2578**, **HB 2462**, **HB 2545**, **HB 2620** were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HCR 5008, A PROPOSITION to amend the bill of rights of the constitution of the state of Kansas by adding a new section thereto, relating to the public right to hunt, fish and trap wildlife, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 7; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa,

Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Wolfe Moore.

Nays: Carlin, Carmichael, Henderson, Kuether, Ruiz, Tietze, Winn.

Present but not voting: None.

Absent or not voting: Ewy.

A two-thirds majority of the members elected to the House having voted in the affirmative, the resolution was adopted, as amended.

HB 2285, AN ACT concerning the legislature; relating to legislative documents; establishing the Kansas legislature paper-free task force; specifying members and powers and duties, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 18; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Curtis, E. Davis, Dierks, Doll, Dove, Edmonds, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Jennings, Johnson, D. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Scott, Seiwert, Sloan, C. Smith, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barton, B. Carpenter, Corbet, DeGraaf, Esau, Hedke, Hutton, K. Jones, Kelley, O'Brien, Peck, Rhoades, Scapa, Schwartz, Suellentrop, Sutton, Ward, Whitmer.

Present but not voting: None.

Absent or not voting: Ewy.

The bill passed, as amended.

HB 2655, AN ACT concerning the state capitol complex; relating to erecting a cornerstone memorial, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 5; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, McPherson, Merrick, Moxley, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith,

Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Hildabrand, D. Jones, Mast, O'Brien, Read.

Present but not voting: None.

Absent or not voting: Ewy.

The bill passed, as amended.

HB 2532, AN ACT concerning education; relating to subjects and areas of instruction; ethnic studies; financial literacy; amending K.S.A. 2015 Supp. 72-1127 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 43; Nays 81; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Anthimides, Ballard, Burroughs, Campbell, Carlin, Carmichael, Curtis, DeGraaf, Finney, Frownfelter, Gonzalez, Helgerson, Hemsley, Henderson, Henry, Highberger, Hill, Houston, D. Jones, Kleeb, Kuether, Lusk, Lusker, Ousley, Phillips, Rubin, Ruiz, Sawyer, Schroeder, Scott, Sloan, Suellentrop, S. Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, E. Davis, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Francis, Gallagher, Garber, Goico, Grosserode, Hawkins, Hedke, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Peck, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Ryckman, Ryckman Sr., Scapa, Schwab, Schwartz, Seiwert, C. Smith, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Ewy.

The bill did not pass.

EXPLANATION OF VOTE

MR. SPEAKER: This bill usurps the power of the Kansas State Board of Education, a constitutionally-authorized body comprised of members who were duly-elected by the people of Kansas. We ought not to do that. Instead we should let them do their jobs. I vote no on **HB 2532.** – DON HINEMAN, MELISSA ROOKER, CHARLES SMITH, KEN RAHJES, LINDA GALLAGHER

HB 2516, AN ACT concerning the department of health and environment; relating to the asbestos control act, licensing requirements; air fee fund, transfers; amending K.S.A. 65-5301, 65-5303, 65-5304, 65-5307, 65-5309 and 65-5311 and K.S.A. 2015 Supp. 65-5310 and 65-5314 and repealing the existing sections; also repealing K.S.A. 65-5308, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter,

W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ewy.

The bill passed, as amended.

HB 2567, AN ACT concerning military members and veterans; relating to postsecondary educational institutions; tuition and fees; amending K.S.A. 2015 Supp. 48-3601 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ewy.

The bill passed, as amended.

HB 2479, AN ACT concerning agriculture; relating to noxious weeds; amending K.S.A. 2-1314b, 2-1320, 2-1323, 2-1330 and 2-1332 and K.S.A. 2015 Supp. 2-1314, 2-1315, 2-1316, 2-1317, 2-1318, 2-1319, 2-1322 and 2-1331 and repealing the existing sections; also repealing K.S.A. 2-1316a, 2-1325, 2-1326, 2-1328 and 2-1329 and K.S.A. 2015 Supp. 2-1327 and 2-1334, was considered on final action.

On roll call, the vote was: Yeas 85; Nays 39; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, W. Carpenter, Claeys, Clark, Clayton, Concannon, Curtis, E. Davis, Dierks, Doll, Edmonds, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Goico, Gonzalez, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Hill, Hineman, Hoffman, Houston, Huebert, Jennings, Johnson, D. Jones, Kelly, Kiegerl, Kleeb, Lewis, Lusk, Lusker, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Read, Rooker, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, S. Swanson, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Winn, Wolfe Moore.

Nays: Alcala, Anthimides, Barton, Carmichael, B. Carpenter, Corbet, DeGraaf, Dove, Esau, Garber, Grosserode, Highberger, Highland, Hildabrand, Houser, Hutchins, Hutton, K. Jones, Kahrs, Kelley, Kuether, Lunn, Macheers, Mason, Mast, McPherson, Peck, R. Powell, Rhoades, Rubin, Scapa, Schroeder, Sutton, Tietze, Todd, Whipple, Whitmer, K. Williams, Wilson.

Present but not voting: None.

Absent or not voting: Ewy.

The bill passed, as amended.

HB 2578, AN ACT concerning schools; relating to the school sports head injury prevention act; amending K.S.A. 2015 Supp. 72-135 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 73; Nays 51; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Bradford, Campbell, B. Carpenter, W. Carpenter, Claeys, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dove, Esau, Estes, Francis, Garber, Goico, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hildabrand, Hineman, Hoffman, Huebert, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Pauls, Peck, R. Powell, Proehl, Rahjes, Rhoades, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwartz, Seiwert, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Waymaster, Whipple, Whitmer.

Nays: Alcala, Ballard, Boldra, Bollier, Bruchman, Burroughs, Carlin, Carmichael, Clark, Clayton, Dierks, Doll, Edmonds, Finch, Finney, Frownfelter, Gallagher, Gonzalez, Helgerson, Hibbard, Highberger, Highland, Hill, Houser, Houston, Hutchins, Hutton, Kiegerl, Kuether, Lewis, Lusk, Lusker, Moxley, Osterman, Ousley, F. Patton, Phillips, Read, Rooker, Ruiz, Schwab, Scott, Sloan, Tietze, Victors, Ward, Weber, C., K. Williams, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Ewy.

The bill passed.

HB 2462, AN ACT concerning crimes, punishment and criminal procedure; relating to theft; amending K.S.A. 2015 Supp. 21-5801 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 105; Nays 19; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thompson, Tietze, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Bruchman, Corbet, Edmonds, Finch, Hemsley, Houser, K. Jones, Kahrs, Kelley, Mason, Mast, Peck, Read, Scapa, Seiwert, Thimesch, Todd, Ward, Whitmer.

Present but not voting: None.

Absent or not voting: Ewy.

The bill passed, as amended.

HB 2545, AN ACT concerning criminal procedure; relating to arrest warrants; search warrants; amending K.S.A. 2015 Supp. 22-2302 and 22-2502 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 2; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Corbet, Hemsley.

Present but not voting: None.

Absent or not voting: Ewy.

The bill passed, as amended.

HB 2620, AN ACT concerning crimes, punishment and criminal procedure; relating to delinquent time lost on parole; amending K.S.A. 2015 Supp. 75-5217 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra,

Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Ward.

Present but not voting: None.

Absent or not voting: Ewy.

The bill passed.

REPORT ON ENGROSSED BILLS

HB 2447, HB 2489, HB 2501, HB 2610 reported correctly engrossed February 18, 2016.

HB 2503 reported correctly engrossed February 19, 2016.

REPORT ON ENGROSSED RESOLUTIONS

HCR 5010 reported correctly engrossed February 18, 2016.

On motion of Rep. Vickrey, the House adjourned until 9:00 a.m., Tuesday, February 23, 2016.

Journal of the House

THIRTY-FIRST DAY

Hall of the House of Representatives,
Topeka, KS, Tuesday, February 23, 2016, 9:00 a.m.

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

The roll was called with 123 members present.
Reps. Bruchman and Edmonds were excused on excused absence by the Speaker.
Present later: Reps. Bruchman and Edmonds

Prayer by guest chaplain, Major Chris Wallace, Deputy Division Chaplain, Fort Riley:

> Heavenly Father, the sacrifices we offer to You are a broken spirit and a contrite heart. As Soldiers and as Senators we serve others, citizens of a state and of a country we love. Together we pursue democracy and freedom with equal passion. And we desire harmony between our governmental and military bodies. We ask for congressional leaders sensitive to Your wisdom and military members with the character and competence to secure national pursuits.
>
> The Kansas Legislature has set a day to recognize the Armed Forces. So, we ask your blessing on the Department of Defense from leaders in the Pentagon to the privates at Fort Riley. Bless the missions the military is given – we audaciously ask for peace in the Middle East which would require Your good providence. We ask your guidance for our leaders who make decisions for the organization and advise beyond the military. We ask for Your protection on those who are deployed around the world, give them success and bring them home safely. And we ask Your blessing on the lives of our service members, civilian personnel and families. Grant them health and purpose.
>
> We ask all of this for Your honor and for our good. Amen.

The Pledge of Allegiance was led by Rep. Ruiz.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **SB 314**.
Appropriations: **HB 2708, SB 395**.
Commerce, Labor and Economic Development: **HB 2711, SB 352**.
Corrections and Juvenile Justice: **SB 375**.
Education: **Sub SB 323, SB 423**.
Health and Human Services: **SB 372**.
Judiciary: **SB 361, SB 376**.
Pensions and Benefits: **HB 2709, HB 2710**.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Clark, **HR 6041**, by Reps. Mast, Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, Carpenter, Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, Jones, Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Whipple, Whitmer, Williams, Wilson, Winn and Wolfe Moore, as follows, was introduced and adopted:

HR 6041—A RESOLUTION recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.

WHEREAS, Tens of millions of Americans have served in the United States Armed Forces during the past century; and

WHEREAS, Kansas is home to more than 200,000 veterans; and

WHEREAS, The Veterans of Foreign Wars, the American Legion and other Veterans Service Organizations, through local posts, provide a host of invaluable services to veterans across the United States, including benefits assistance, career services, financial assistance, homeless outreach and supporting services; and

WHEREAS, Along with Veterans Service Organizations, the family members of veterans are the bedrock of support and strength for our nation's Armed Forces and bear the most immediate and profound burden of the absence of their loved ones during the performance of their duties; and

WHEREAS, Various Veterans Service Organizations support veterans with behavioral health challenges and help them develop stronger connections with behavioral health providers, health care providers, employment assistance providers, institutions of higher learning, the judicial system, social services providers, local

businesses and the broader community as a whole: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we proudly recognize and honor families of our service members who, through their love, support, patriotism and countless contributions, also help ensure our continued freedom, liberty and way of life; and

Be it further resolved: That we recognize Veterans Service Organizations and the families of veterans as valuable resources to our state, and essential to the smooth transition and integration of veterans into our communities; and

Be it further resolved: That we stand in humble respect of the sacrifices made by Veterans Service Organizations and military families; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Mast.

INTRODUCTION OF GUESTS

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

It is my honor today to recognize these Veteran Service Organizations and the families of Veterans. Veteran Service Organizations exist to provide assistance to service members from the first days of their deployments, through the return home, and process of rehabilitation; whether it is from a physical wound or an invisible wound. Without their continued dedication and support, Veterans would not have the help they do today. Along with the support of Veteran Organizations, we also have the family members of Veterans to thank. They bear the most immediate weight when a service member deploys, returns home, or struggles in any certain way. We thank them for their dedication, patience and support to the service members. Behind me I have:

What's In Outdoors: Phil Taunton, Rue Armstrong, and TJ Orender
Patriot Outdoor Adventures: Nathan McClure
American Legion: Ron Whitney and Frank Lowery
American Gold Star Mothers: Debbie Austin and Dody Berg
VFW Post 1980: David Farley
USD 252 Honor Flight: Megan McCuire
Veterans of Foreign Wars
Remembering our Fallen: Debbie Austin

Please help me honor these organizations and the families, we cannot thank them enough!

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Goico, **HR 6042**, by Reps. Goico, Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, Carpenter, Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston,

Huebert, Hutchins, Hutton, Jennings, Johnson, Jones, Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Whipple, Whitmer, Williams, Wilson, Winn and Wolfe Moore, as follows, was introduced and adopted:

HR 6042—A RESOLUTION honoring and recognizing Kansans who are Korean War Veterans.

WHEREAS, On June 25, 1950, communist North Korea invaded the Republic of Korea with approximately 135,000 troops, thereby initiating the Korean War; and

WHEREAS, On June 27, 1950, President Harry S. Truman ordered the United States Armed Forces to help the Republic of Korea defend itself against the North Korean invasion; and

WHEREAS, The hostilities ended in a cease-fire, marked by the signing of the armistice at Panmunjom on July 27, 1953; and

WHEREAS, During the Korean War, approximately 1,789,000 members of the United States Armed Forces served in the theater of combat, with 54,246 casualties, of whom 33,739 were battle deaths, more than 103,284 wounded and approximately 8,055 listed as missing in action or prisoners of war; and

WHEREAS, The Korean War is called "The Forgotten War," because it came on the heels of World War II; and

WHEREAS, The invasion from North Korea, planned and executed with Russian support, was intended to ensure communism spread into the Republic of Korea and beyond; and

WHEREAS, The Kansans and other Americans who served in the armed forces during the Korean War were willing to pay the price freedom demanded and pushed back the spread of communism to sustain democracy in Korea; and

WHEREAS, In the 66 years since the outbreak of the Korean War, the Republic of Korea has emerged from a war-torn economy into one of the major economies in the world and one of the largest trading partners and military allies of the United States; and

WHEREAS, There were 435 Kansans who lost their lives in the Korean War. Their names and branch of service are listed on the Korean War Memorial in Overland Park, Kansas; and

WHEREAS, Three Kansas Korean War Veterans were awarded the Congressional Medal of Honor: Stanley Taylor Adams, Army, DeSoto, Kansas; Jack Arden Davenport, USMC, Mission, Kansas; and Father Emil Joseph Kapaun, Army, Pilsen, Kansas; and

WHEREAS, There were only 18,242 Korean War Veterans living in Kansas in September 2014, and it is fitting and just that we honor and bring recognition to our Kansas service members from the Korean War: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That on this 23rd day of February 2016, Kansas Military Appreciation Day, we recognize the historical importance of the Korean War, which began on June 25, 1950 and ended on July 27, 1953, when the armistice was signed; that there were only 18,242 Korean War Veterans in Kansas in 2014, with many passing each year; that we must honor the noble

service and sacrifice of these Kansas veterans now, while they are still with us, as well as other veterans of the United States Armed Forces and all veterans from allied countries who served in Korea; that all Americans, in particular Kansans, who served during the Korean War were valuable to the war effort – whether as cooks, tankers, engineers, enlisted personnel or officers – and all deserve our thanks and recognition; and we encourage all Kansans to participate in commemorative activities, pay solemn tribute to and never forget the veterans of the Korean War and their sacrifices, as exemplified by the Kansas Commission on Veterans' Affairs Operation Recognition Program, which grants high school diplomas to Korean War and other veterans who left high school to serve in the armed forces; and we reaffirm this commitment of Kansans from this day forward; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Goico.

INTRODUCTION OF GUESTS

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

I am honored to be standing here before you with Thomas Tschantz, representing his father who was a veteran in the Korean War and a crew member of mine during Desert Storm, Mark Sweeney.

First I want to recognize all the present and former members of the military that are here, please stand. This includes veterans in the gallery.

Thank you for your noble service and sacrifices for our country.

Four-hundred and thirty-five (435) Kansans lost their life during the Korean War. There were three (3) Kansans who were awarded the Congressional Medal of Honor – Stanley Taylor Adams, Army, DeSoto, Kansas; Jack Arden Davenport, USMC, Mission, Kansas; and Father Emil Joseph Kapaun, Army, Pilsen, Kansas.

This resolution honors and recognizes all veterans who served during the Korean War, especially all the Kansans.

The Korean War is known as the forgotten War because it came soon after World War II. However, in the fight for freedom, this War was as important as WWII.

This was a war triggered by Russian plans for expansion. Today, it shows the difference between living with communism versus living with freedom. You can see it by comparing North Korea and South Korea.

Today, South Korea is one of the major economies of the world. This divided country shows the contrast between a bloody communist dictatorship in the North and the hope and opportunities of freedom in the South.

Even though the Korean War happened sixty-six (66) years ago, today we still have the threat of this Russian plans to build a world empire. We see this in the news every day.

Veterans, we will never forget what you did. Your service provided freedom to people threatened with being slaves to communism. I can give you an example of my own personal life. I was born in Cuba. In Cuba like in North Korea, there is no freedom of assembly or religion. We cannot get together like we are here right now. There is no freedom of speech. If I were to say this speech in public, in a communist country like Cuba, I would be tortured and killed.

This is what happens today under communist regimes. For some unexplained reason the news media forgets to document the atrocities that communist regimes perpetrate on their people.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. K. Jones, **HR 6043**, by Rep. Jones, as follows, was introduced and adopted:

HR 6043—A RESOLUTION recognizing Norman Holle for his work in helping veterans with PTSD.

WHEREAS, Norman Holle has assisted numerous veterans in receiving the aid they need for Post-Traumatic Stress Disorder, or PTSD; and

WHEREAS, Many cases of PTSD remain unreported, undiagnosed and untreated due to a lack of awareness about PTSD and the persistent stigma associated with mental health conditions. PTSD significantly increases the risk of anxiety, depression, suicide, homelessness and drug- and alcohol-related disorders and deaths, especially when left untreated. Veterans deployed multiple times to combat zones often suffer the severest PTSD symptoms; and

WHEREAS, Numerous veterans suffering from PTSD have had their disability claims fail due to improper preparation or documentation. For the last 15 years, Norman Holle has conducted a weekly class to teach veterans who suffer from trauma ways to navigate the Veterans Administration's application process for the successful filing of PTSD disability claims. To date, Norman has helped 838 veterans suffering from severe PTSD receive 100% disability compensation and countless others receive some disability compensation and care through the Veterans Administration; and

WHEREAS, Norman Holle is a Vietnam veteran who served the United States Army in multiple roles, including Crew Chief, Loadmaster, First Aid Attendant, Door Gunner and Maintenance Crew Member. During his military career, Norman spent over 1,200 hours in the air in U-1A Otters. Norman was awarded numerous medals for his service, including an Air Medal with four Oak Leaf Clusters. Norman has been married to his wife, Carolyn, for 32 years: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize Norman Holle for his work in helping veterans with PTSD; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Norman Holle.

INTRODUCTION OF GUESTS

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

It is my pleasure today to talk to you about a great Kansan, Norman Holle. He is a Viet Nam veteran. He was a Crew Chief with the United States Army with over 1200 hours in the air on U1A Otter and also filled roles as Loadmaster, First Aid, Door Gunner, and of course Maintenance. He has medals from service in Viet Nam plus an Air Medal with 4 Oak Leaf Clusters.

Now, you might be expecting a fascinating combat story which could probably be

told, but really Norman is a perfect picture of laying down one's own life for others. He is a soldier that helps soldiers and their families day-in-and-day-out. He appreciates the military every day.

Norman selflessly volunteers help to veterans from all wars to receive the help they need for Post-Traumatic Stress Disorder (PTSD) and has done so for the last 15 years. He holds a class every Tuesday in order to teach veterans who suffer from trauma what to file and how to talk to the VA. Whether this trauma be by combat, sexual trauma, handling the wounded/dead on the battlefield, he helps them all.

While there is no cure for PTSD, these veterans receive the medical and mental help so that they can be productive members of society, learning how to deal with issues such as shopping in a grocery store, going to a movie, and leaving their safe place.

Norman has been married to his bride Carolyn for 32 years. To date he has had 838 veterans successfully received 100% disability due to PTSD as well as assisted in countless others receiving some disability and care by the VA.

Please join me in honoring Norman and all he does for veterans and their families.

INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, pursuant to House Rule 2303, Rep. Billinger moved the House reconsider its previous action of passing **HB 2578** and the bill be returned to that order of business, Emergency Final Action on Bills and Concurrent Resolutions. The motion prevailed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2578, AN ACT concerning schools; relating to the school sports head injury prevention act; amending K.S.A. 2015 Supp. 72-135 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 70; Nays 53; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anthimides, Barker, Barton, Becker, Bradford, Campbell, B. Carpenter, W. Carpenter, Claeys, Concannon, Corbet, E. Davis, DeGraaf, Dove, Esau, Estes, Ewy, Francis, Garber, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hildabrand, Hineman, Hoffman, Huebert, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Pauls, Peck, R. Powell, Proehl, Rahjes, Rhoades, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwartz, Seiwert, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Waymaster, Whitmer.

Nays: Alcala, Alford, Ballard, Billinger, Boldra, Bollier, Burroughs, Carlin, Carmichael, Clark, Clayton, Curtis, Dierks, Doll, Finch, Finney, Frownfelter, Gallagher, Goico, Gonzalez, Helgerson, Hibbard, Highberger, Highland, Hill, Houser, Houston, Hutchins, Hutton, Kuether, Lewis, Lusk, Lusker, Moxley, Osterman, Ousley, F. Patton, Phillips, Read, Rooker, Ruiz, Schwab, Scott, Sloan, Tietze, Victors, Ward, Weber, C., Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Bruchman, Edmonds.

The bill passed.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Johnson in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Vickrey, in accordance with subsection (a) of House Rule 1503, to move **SB 250** to the first measure of business to be considered on General Orders today, the motion prevailed.

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

Recommended that committee report to **SB 250** be adopted; on motion of Rep. Ryckman, **SB 250** be amended, as amended by House Committee, on page 1, following line 5, by inserting:

"Section 1. On the effective date of this act, notwithstanding the provisions of any statute, no state agency shall expend any moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or fiscal year 2017 as authorized by chapters 4, 81 or 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this or other appropriation act of the 2016 or 2017 regular session of the legislature, to demolish the Docking state office building or to reconstruct, relocate, or renovate the power plant or energy center: *Provided,* That pursuant to paragraph 9, project no. EVT0003634, of the state of Kansas construction contract, DA Form 141a, by and between the department of administration and McCarthy Building Companies, Inc., entered into on December 21, 2015, appropriated funds are withdrawn from the project and sufficient funds are not available to continue the function to be performed under such agreement or pay for the charges thereunder: *Provided further,* That no expenditures may be made from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or fiscal year 2017 as authorized by chapters 4, 81 or 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this or other appropriation act of the 2016 or 2017 regular session of the legislature by any state agency to sell, lease, transfer or otherwise convey the land on which building no. 3 (Docking state office building) is situated.

Sec. 2.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds or indirect cost recoveries authorized by law shall not exceed the following:

Prepayment loan and construction contract fund.....No limit

Provided, That during the fiscal year ending June 30, 2016, the moneys available in the prepayment loan and construction contract fund shall only be expended by the above agency for the prepayment of rental payments due and owing the assignee pursuant to the lease with option to purchase series 2015L, by and between the Kansas development finance authority and state of Kansas-department of administration, dated December 29, 2015, and for the amount due and owing to McCarthy Building Companies, Inc., pursuant to the state of Kansas construction contract entered into on

December 21, 2015.

(b) On the effective date of this act, the secretary of administration shall determine the amount of money necessary for the prepayment of rental payments due and owing the assignee pursuant to the lease with option to purchase series 2015L, by and between the Kansas development finance authority and state of Kansas-department of administration, dated December 29, 2015, plus the amount of money due and owing to McCarthy Building Companies, Inc., pursuant to paragraph 9, termination due to lack of funding appropriation, of the state of Kansas construction contract entered into on December 21, 2015. The secretary of administration shall certify to the director of accounts and reports the amount necessary to be transferred from the state general fund and any special revenue fund or funds in which the proceeds from the sale of bond series 2015L have been deposited to the prepayment loan and construction contract fund in order to fund all such amounts due and owing. Upon receipt of such certification and the documents as provided for in subsection (c), the director of accounts and reports shall transfer the amount of moneys from the state general fund and any special revenue fund or funds in which the proceeds from the sale of bond series 2015L have been deposited to the prepayment loan and construction contract fund that is required in accordance with the certification by the secretary of administration under this subsection. At the same time as the secretary of administration transmits this certification to the director of accounts and reports, the secretary of administration shall transmit a copy of such certification to the director of legislative research.

(c) The director of accounts and reports shall secure, prior to the expenditure of any moneys from the prepayment loan and construction contract fund, a written release and satisfaction of all claims and rights against the state of Kansas and any agencies, officers and employees of the state of Kansas regarding any respective claims and rights.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2016, by section 80(c) of chapter 104 of the 2015 Session Laws of Kansas, on the Docking state office building rehab, repair and razing fund of the department of administration is hereby decreased from no limit to $0.

(e) On the effective date of this act, the provisions of section 80(d) of chapter 104 of the 2015 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

Sec. 3.

DEPARTMENT OF ADMINISTRATION

(a) On July 1, 2016, the expenditure limitation established for the fiscal year ending June 30, 2017, by section 81(c) of chapter 104 of the 2015 Session Laws of Kansas, on the Docking state office building rehab, repair and razing fund of the department of administration is hereby decreased from no limit to $0.

(b) On July 1, 2016, the provisions of section 81(d) of chapter 104 of the 2015 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.";

Also on page 1, in line 6, before "K.S.A" by inserting "On July 1, 2016,"; also in line 6, by striking "2014" and inserting "2015";

On page 2, in line 29, before "K.S.A" by inserting "On July 1, 2016,"; in line 31, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "the joint committee on"; in line 2, after the semicolon by inserting "making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for various state agencies; concerning the Docking state office building;" and the bill be passed as amended.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Vickrey, pursuant to House Rule 2311, **SB 250** was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 250, AN ACT concerning the joint committee on state building construction; relating to the monthly reports of progress; amending K.S.A. 2015 Supp. 75-1264 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 1; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Helgerson.

Present but not voting: None.

Absent or not voting: Bruchman, Edmonds, Huebert.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: Six years ago the state spent $2 million refurbishing the Docking Power Plant. Then the Republican Governor and Republican Legislature decided to remove the state agencies from the building and tear it down. Now the Governor enters into a lease purchase for a new power plant at a cost of $20 million without a statutory cost/benefit analysis.

This spending of tens of millions of dollars by the administration and the lack of good fiscal oversight by the Legislature is a symptom of the greater economic mismanagement and incompetence that has plagued the state budget over the last five years. I vote no on **SB 250**. – HENRY HELGERSON

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Johnson in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2463**, **HB 2464**, **HB 2622**, **HB 2522**, **HB 2632**, **HB 2696** be passed.

HB 2557, HB 2681 be passed over and retain a place on the calendar.

Committee report to **HB 2460** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2473** be adopted; and the substitute bill be passed.

Committee report to **HB 2563** be adopted; and the bill be passed as amended.

Committee report to **HB 2502** be adopted; and the bill be passed as amended.

On motion to recommend **HB 2508** favorably for passage, the motion did not prevail.

On motion of Rep. Scapa to amend **HB 2558**, the motion did not prevail.

Also, on motion of Rep. Kleeb to amend **HB 2558**, the motion was withdrawn; and **HB 2558** be passed.

Committee report to **HB 2615** be adopted; and the bill be passed as amended.

On motion of Rep. Bradford to amend **HB 2643**, the motion did not prevail, and **HB 2643** be passed.

INTRODUCTION OF ORIGNAL MOTIONS

On emergency motion of Rep. Vickrey, pursuant to House Rule 2311, **HB 2463**, **HB 2464**, **HB 2460**, **HB 2622**, **Sub HB 2473**, **HB 2563**, **HB 2502**, **HB 2522**, **HB 2558**, **HB 2615**, **HB 2632**, **HB 2643**, **HB 2696** were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2463, AN ACT concerning crimes, punishment and criminal procedure; relating to criminal history; juvenile adjudications; amending K.S.A. 2015 Supp. 21-6810 and 21-6811 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 113; Nays 12; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley,

Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barton, Bruchman, Hoffman, K. Jones, Kahrs, Kelley, Mast, Peck, Scapa, Seiwert, Thimesch, Whitmer.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

HB 2464, AN ACT concerning crimes, punishment and criminal procedure; relating to probation and postrelease supervision; violation sanctions; amending K.S.A. 2015 Supp. 22-3716 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 2; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Wolfe Moore.

Nays: Ward, Winn.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

HB 2460, AN ACT concerning the Kansas offender registration act; regarding violations of the act; amending K.S.A. 2015 Supp. 22-4903 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 7; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley,

Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barton, Bruchman, Kahrs, Kuether, R. Powell, Scapa, Ward.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

HB 2622, AN ACT concerning the state board of regents; relating to general educational development credential fees; relating to tuition and fees of private and out-of-state postsecondary institutions; concerning the Kansas private and out-of-state postsecondary educational institution act; amending K.S.A. 2015 Supp. 72-4530, 74-32,163, 74-32,165 and 74-32,181 and repealing the existing sections; also repealing K.S.A. 2015 Supp. 74-32,166 and 74-32,176, was considered on final action.

On roll call, the vote was: Yeas 86; Nays 39; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Campbell, W. Carpenter, Claeys, Clayton, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Doll, Edmonds, Estes, Ewy, Finch, Francis, Gallagher, Goico, Gonzalez, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hill, Hineman, Hoffman, Houser, Hutton, Jennings, Johnson, D. Jones, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, C. Smith, Suellentrop, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Waymaster, Weber, C., K. Williams, Wilson, Wolfe Moore.

Nays: Alcala, Anthimides, Bruchman, Burroughs, Carlin, Carmichael, B. Carpenter, Clark, Curtis, Dove, Esau, Finney, Frownfelter, Garber, Grosserode, Helgerson, Henderson, Henry, Highberger, Hildabrand, Houston, Huebert, Hutchins, K. Jones, Kahrs, Kelley, Kuether, McPherson, Ousley, Peck, Ruiz, Scott, Sutton, Tietze, Victors, Ward, Whipple, Whitmer, Winn.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

Sub HB 2473, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the Alzheimer's disease awareness license plate; decals for certain military medals or badges; amending K.S.A. 2015 Supp. 8-1,156 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter,

W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: Alzheimer's is more than a disease affecting someone's brain. It is actually a story of trial and tribulation that consists of a family losing a loved one through a process that can test the inner spirit of everyone affected. It is a story that encompasses so many areas of inner struggle for the family members who must experience a loved one losing their recognition and cognitive skills. It is a story of dedication and learning to cling to the memories of your loved one for as long as you can.

I want to thank Jennifer Nauertc for inspiring this bill. Thus, I vote yes on **Sub HB 2473**. – PEGGY MAST

HB 2563, AN ACT concerning motor vehicles; relating to the application fee for a restricted motorized bicycle driver's license; amending K.S.A. 2015 Supp. 8-235 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 19; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houston, Huebert, Hutton, Jennings, Johnson, D. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mast, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, K. Williams, Wilson, Wolfe Moore.

Nays: Alcala, B. Carpenter, Corbet, Edmonds, Henderson, Highberger, Houser, Hutchins, K. Jones, Kiegerl, Mason, McPherson, Ousley, Ruiz, Suellentrop, Sutton,

Ward, Whitmer, Winn.
Present but not voting: None.
Absent or not voting: None.
The bill passed, as amended.

HB 2502, AN ACT concerning civil procedure; relating to habeas corpus; time limitations in motion to attack sentence; amending K.S.A. 60-1507 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 111; Nays 14; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Wolfe Moore.

Nays: Alcala, Carlin, Carmichael, Curtis, Finney, Frownfelter, Henderson, Henry, Highberger, Houston, Kuether, Ruiz, Tietze, Winn.
Present but not voting: None.
Absent or not voting: None.
The bill passed, as amended.

HB 2522, AN ACT concerning the division of vehicles; relating to drivers' licenses and identification cards; facial imaging; amending K.S.A. 2015 Supp. 8-240, 8-243 and 8-1324 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.
Present but not voting: None.
Absent or not voting: None.
The bill passed.

HB 2558, AN ACT concerning local governments; relating to regulation of election campaign workers, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 3; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Campbell, Kuether, Tietze.
Present but not voting: None.
Absent or not voting: None.
The bill passed.

HB 2615, AN ACT concerning charitable healthcare providers; relating to continuing education credits for gratuitous care; amending K.S.A. 2015 Supp. 65-1431, 65-2809 and 75-6102 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 1; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: Hemsley.
Absent or not voting: None.
The bill passed, as amended.

HB 2632, AN ACT concerning the pooled money investment board; establishing the board as a separate state agency and eliminating certain administrative and budgetary duties relating to the board from the state treasurer; amending K.S.A. 2015 Supp. 75-4222 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 1; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Carmichael.
Present but not voting: None.
Absent or not voting: None.
The bill passed.

HB 2643, AN ACT regulating traffic; concerning maximum speed limits, powers of the secretary of transportation; amending K.S.A. 8-1559 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 19; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Francis, Frownfelter, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lunn, Lusk, Lusker, Macheers, Mason, McPherson, Merrick, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson.

Nays: Alcala, Bollier, Finney, Gallagher, Helgerson, Henderson, Henry, Houston, Hutchins, Lewis, Mast, Moxley, Peck, Read, Ruiz, Schroeder, S. Swanson, Winn, Wolfe

Moore.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

HB 2696, AN ACT concerning law enforcement; relating to university police officers; jurisdiction; amending K.S.A. 2015 Supp. 22-2401a and 76-726 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On emergency motion of Rep. Burroughs, **HCR 5025**, by Reps. Merrick and Burroughs was introduced and adopted.

HCR 5025 – A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for a period of time during the 2016 regular session of the legislature.

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the legislature shall adjourn at the close of business of the daily session convened on February 23, 2016, and shall reconvene on March 2, 2016, pursuant to adjournment of the daily session convened on February 23, 2016; and

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

Be it further resolved: That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a(a) and (b),

and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

Be it further resolved: That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the legislative coordinating council, the president of the senate or the speaker of the house of representatives, and members of a conference committee attending a meeting of the conference committee authorized by the president of the senate and the speaker of the house of representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation and travel expenses or allowances as provided by K.S.A. 75-3212, and amendments thereto.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2453**, **HB 2471**, **HB 2540**, **HB 2553**, **HB 2554**, **HB 2557**, **HB 2585**, **HB 2607**, **HB 2681**, **HB 2692** from the Calendar under the heading General Orders and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2486**, **HB 2698** from Committee on Education and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2686** from Committee on Education Budget and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2699** from Committee on Judiciary and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2509** from Committee on Appropriations and rereferral to Committee on Vision 2020.

REPORT ON ENGROSSED BILLS

HB 2285, **HB 2462**, **HB 2479**, **HB 2516**, **HB 2545**, **HB 2567**, **HB 2578**, **HB 2620**, **HB 2655** reported correctly engrossed February 22, 2016.

REPORT ON ENGROSSED RESOLUTIONS

HCR 5008 reported correctly engrossed February 22, 2016.

REPORT ON ENROLLED RESOLUTIONS

HR 6039 reported correctly enrolled and properly signed on February 23, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, March 2, 2016.

The following bills were stricken from the Calendar under Rule 1507: **HB 2459**, **HB 2491**, **HB 2508**, **HB 2546**, **HB 2550**, **HB 2592**, **HB 2621**, **HB 2640**, HB **2652**, **HB 2688.**

Journal of the House

THIRTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, March 2, 2016, 11:00 a.m.

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

The roll was called with 121 members present.

Reps. Bollier, Goico, Sloan and Wolfe Moore, were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Almighty God,
Thank You for the blessing of this day
and for the short yet needed break.
Today, our leaders come back together to make
serious decisions for our state.
Our future is at stake
so be with them as they deliberate.
Help them not to hesitate,
yet thoughtful thinking and time help them take.
May their discussions not be filled with hate,
rather, help them to be productive in their debate.
Help them never to under estimate
how their decisions can determine our fate.
This feeble attempt at rhyming is over,
But when it is all said and done,
what I am requesting is that Your presence
be with these leaders today.
This I ask in Christ's Name,
Amen.

The Pledge of Allegiance was led by Rep. Doll.

PERSONAL PRIVILEGE

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

As we return from a week off for turnaround, the past week for us in Hesston has been anything but dull. I hardly know what to say, but think a few comments are in order.

First and foremost, we live in a different world than it was a few years ago. In light of the events of the past week in Hesston, I would like to publicly express my highest regards, especially for Hesston Police Chief Doug Schroeder for his heroic act of neutralizing an active shooter at the Excel facility. The shooter died as a result of the incident after Chief Schroeder and he exchanged gunfire. Chief Schroeder is the head of an outstanding department and, yes, we still feel very safe in Hesston thanks to Chief Schroeder's leadership.

Also a special thanks to Harvey County Sheriff T. Walton for providing backup and support to the Hesston Police. He and his department are outstanding and professional. There have been many local, State and Federal officers in Hesston this week and words can hardly express the gratitude for them, and what they do by putting themselves in harm's way to protect everyone.

Expressions of sympathy are in order for families of those killed, and prayers of support and healing for those injured and wounded. Hesston has many individuals who have done heroic acts of compassion for co-workers, friends and strangers.

Hesston is a community with strong faith. If you look at the history of Hesston, it is unusual in that it does not have a grain elevator like most plains towns and cities, but was begun as a Christian college town, spurred on by the donation of land for that purpose. Hesston College is still viable and brings in students from many different countries.

It is that faith in God that makes the community resilient. Twenty six years ago, an F5 tornado ripped through the middle of town. At that time, the community pulled together with compassion and grace, working as one to rebuild what was shattered. Now as well, the community relies on faith in God for strength to once again rebuild, this time relationships and emotions.

What is most important in situations like this? Three things are more important than anything else. Those are Faith, family and friends. In that order. Everything else falls away as insignificant compared to those. What do you place your faith in? Only faith in Christ Jesus can save your soul.

As we go about deliberating in this body, I encourage you to be considerate and remember what is really important. Strong faith, strong families, and strong friends. Those things are why we are '#hesstonstrong!'

The House observed a moment of silence for those slain and injured in Hesston.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2712, AN ACT concerning weights and measures; relating to charging for services; unlawful acts; technical representatives; amending K.S.A. 2015 Supp. 83-214, 83-219 and 83-302 and repealing the existing sections, by Committee on Appropriations.

HB 2713, AN ACT concerning corporations; relating to the Kansas general corporation code; business entity standard treatment act; amending K.S.A. 17-1289, 17-2036, 17-2718, 17-4634, 17-6001, 17-6004, 17-6006, 17-6007, 17-6008, 17-6009, 17-6010, 17-6101, 17-6102, 17-6104, 17-6106, 17-6301, 17-6302, 17-6304, 17-6401, 17-6402, 17-6404, 17-6405, 17-6407, 17-6408, 17-6409, 17-6410, 17-6412, 17-6413, 17-

6414, 17-6415, 17-6416, 17-6420, 17-6422, 17-6425, 17-6426, 17-6501, 17-6502, 17-6503, 17-6505, 17-6506, 17-6508, 17-6509, 17-6510, 17-6512, 17-6513, 17-6514, 17-6515, 17-6516, 17-6517, 17-6518, 17-6521, 17-6522, 17-6523, 17-6603, 17-6605, 17-6701, 17-6702, 17-6703, 17-6705, 17-6706, 17-6707, 17-6708, 17-6710, 17-6712, 17-6801, 17-6803, 17-6804, 17-6805, 17-6805a, 17-6807, 17-6808, 17-6809, 17-6810, 17-6811, 17-6812, 17-6813, 17-6902, 17-6903, 17-6904, 17-6905, 17-6906, 17-6907, 17-6908, 17-6909, 17-6910, 17-6911, 17-6913, 17-7001, 17-7003, 17-7101, 17-7102, 17-7201, 17-7203, 17-7204, 17-7205, 17-7206, 17-7208, 17-7209, 17-7211, 17-7212, 17-7213, 17-7215, 17-7302, 17-7305, 17-7307, 17-7404, 17-7503, 17-7504, 17-7505, 17-7510 and 17-7512 and K.S.A. 2015 Supp. 17-6002, 17-6305, 17-6601, 17-6602, 17-7002, 17-7207, 17-7506, 17-76,139, 17-7903, 17-7908, 17-7918, 17-7919, 17-7924, 17-7925, 17-7927, 17-7928, 17-7929, 17-7931, 17-7934, 56-1a606, 56-1a607, 56a-1201 and 56a-1202 and repealing the existing sections; also repealing 17-12,100, 17-12,101, 17-12,102, 17-12,103, 17-12,104 and 17-6704, by Committee on Appropriations.

HB 2714, AN ACT concerning property taxation; relating to valuation, appeals, procedure; state of board of tax appeals, filing fees, procedure, appeals to district court; amending K.S.A. 79-309, 79-501, 79-504, 79-1412a and 79-1456 and K.S.A. 2015 Supp. 74-2426, 74-2433, 74-2438, 74-2438a, 77-618, 79-425a, 79-503a, 79-1448, 79-1476 and 79-2005 and repealing the existing sections, by Committee on Taxation.

HOUSE CONCURRENT RESOLUTION No. **HCR 5026—**
by Representatives E. Davis and S. Swanson

HCR 5026– A CONCURRENT RESOLUTION recognizing the following celebrations and observances in support of organ, eye, tissue, bone marrow, stem cell and cord blood donation and transplantation, and to express gratitude for those who have already given the gift of life. In March, Kansans observe National Eye Donor Month and National Kidney Month. In April, Kansans observe Donate Life Month and on April 15, Kansas will join the rest of the nation to celebrate National Donate Life Blue and Green Day, where the public will be asked to wear their best blue and green outfits in support of giving the gift of life and sight.

WHEREAS, For more than a decade, the month of April has highlighted the saving and healing of lives. Donate Life America and Donate Life state teams, like Donate Life Kansas, fill the month of April with powerful stories that share the lifesaving message of donation and transplantation. The goal of National Donate Life Month is to make LIFE possible by educating and motivating individuals to register their decision to be organ, eye, tissue, bone marrow, stem cell and cord blood donors; and

WHEREAS, 51% of Americans have registered their decision to donate and 60% of adults in Kansas have joined the Kansas Donor Registry – the need for more registered organ, eye and tissue donors increases; and

WHEREAS, Despite a record number of 30,000 organ transplants saving lives in 2015, 8,500 from deceased donors and 6,000 from living donors; despite more than one million tissue transplants enhancing the lives of others; and despite 48,000 gifts of sight, the need for more transplants continues to far surpass the number of donated organs and tissues each year; and

WHEREAS, Despite these successes, one person is added to the wait list every 10 minutes, leading to 125,000 Americans waiting for their life-saving transplant, and

2,600 of those individuals are from Kansas and Missouri. The organ most needed across the country is the kidney; the growing number of those in need of transplant and lack of available organs means 22 people are dying every day, while waiting for LIFE to be possible; and

WHEREAS, Each year, more than 20,000 people in the United States are diagnosed with life-threatening illnesses requiring a bone marrow, stem cell or cord blood transplant. Seventy percent find their best match is from the generosity of a stranger, rather than a family member; and therefore, are in need of someone like you to donate your healthy marrow.

WHEREAS, One Kansas sunflower has the potential to create an entirely new field of flowers. As individuals, we each have a similar potential to make LIFE possible for many when we register our decision to become an organ, eye and tissue donor. One organ donor can save the lives of up to eight people, restore sight to two people through cornea donation and heal countless others through tissue, bone marrow, stem cell and cord blood donation.

WHEREAS, Registered donors are LIFE donors. Everyone is a potential donor, and a decision to donate can save or enhance the lives of more than 50 people.

WHEREAS, Kansans are urged to take five minutes out of their day to register their decision to make LIFE possible through organ, eye and tissue donation at DonateLifeKansas.com. Kansans are urged to let their family know they have made their decision. Donors are urged to always reaffirm this decision when renewing their driver's license by indicating, "Yes, I want to be a donor."

WHEREAS, Hundreds of thousands of persons needing organ donations are depending on the people of Kansas to become organ donors. Kansans can also join the 27 million persons worldwide who have volunteered to join the National Bone Marrow Donor Registry by going to BeTheMatch.org. Now, therefore:

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That we recognize and celebrate National Eye Donor Month and National Kidney Month in March and in April, celebrate National Blue and Green Day and National Donate Life Month in Kansas, urging all residents to join us in support of this humanitarian action of giving the gift of life and sight to our fellow neighbors, residents and citizens; and

Be it further resolved: That this legislative body pause in its deliberations to memorialize the donor heroes from Kansas, pay tribute to those waiting for their life-saving call and honor those residents who have joined the Kansas Donor Registry and the National Bone Marrow Registry; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to the Donate Life Team Kansas.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2554, HB 2598** from Committee on Appropriations and rereferral to Committee on Agriculture and Natural Resources.

Also, the withdrawal of **HB 2534, HB 2585** from Committee on Appropriations and rereferral to Committee on Children and Seniors.

Also, the withdrawal of **HB 2617** from Committee on Appropriations and rereferral to Committee on Commerce, Labor and Economic Development.

Also, the withdrawal of **HB 2540, HB 2548, HB 2677, HB 2681** from Committee on Appropriations and rereferral to Committee on Corrections and Juvenile Justice.

Also, the withdrawal of **HB 2486, HB 2531, HB 2664, HB 2698** from Committee on Appropriations and rereferral to Committee on Education.

Also, the withdrawal of **HB 2686** from Committee on Appropriations and rereferral to Committee on Education Budget.

Also, the withdrawal of **Sub HB 2543** from Committee on Appropriations and rereferral to Committee on Elections.

Also, the withdrawal of **HB 2453, HB 2579, HB 2649** from Committee on Appropriations and rereferral to Committee on Insurance and Financial Institutions.

Also, the withdrawal of **HB 2660** from Committee on Appropriations and rereferral to Committee on General Government Budget.

Also, the withdrawal of **HB 2708** from Committee on Appropriations and referral to Committee on Health and Human Services.

Also, the withdrawal of **HB 2455, HB 2471, HB 2599, HB 2607, HB 2614, HB 2645, HB 2682** from Committee on Appropriations and rereferral to Committee on Health and Human Services.

Also, the withdrawal of **HB 2553, HB 2699** from Committee on Appropriations and rereferral to Committee on Judiciary.

Also, the withdrawal of **HB 2557** from Committee on Appropriations and rereferral to Committee on Local Government.

Also, the withdrawal of **HB 2601** from Committee on Appropriations and rereferral to Committee on Transportation.

Also, the withdrawal of **HB 2692** from Committee on Appropriations and rereferral to Committee on Veterans, Military and Homeland Security.

MESSAGES FROM THE GOVERNOR

MESSAGE FROM THE GOVERNOR REGARDING COMPACTS WITH TRIBAL NATIONS

In consultation with the Attorney General and the Department of Revenue, and pursuant to my authority under Article 1, Section 3 of the Constitution of the State of Kansas, I have entered into the following Compacts:

Compact Relating to Cigarette and Tobacco Sales, Taxation and Escrow Collection with the Prairie Band Potawatomi Nation as of February 17, 2016; and

Compact Relating to Cigarette and Tobacco Sales and Taxation with the Iowa Tribe of Kansas and Nebraska as of February 22, 2016.

I hereby give notice of these executive actions and transmit the Compacts to the Legislature for the required approvals pursuant to applicable law.

Dated: February 22, 2016

SAM BROWNBACK
Governor of Kansas

COMPACT RELATING TO CIGARETTE AND TOBACCO SALES, TAXATION AND ESCROW COLLECTION

THIS COMPACT RELATING TO CIGARETTE AND TOBACCO SALES, TAXATION AND ESCROW COLLECTION ("**Compact**") is entered into between the Prairie Band Potawatomi Nation (along with its agencies, boards, commissions and political subdivisions, the "**Nation**") and the State of Kansas (along with its agencies, boards, commissions and political subdivisions, the "**State**"). The Nation and the State are each referred to herein as a "**Party**" and collectively referred to herein as the "**Parties.**"

Recitals

WHEREAS, the Nation is a federally-recognized Indian tribe possessing and exercising inherent sovereign powers of self-government, as defined and recognized by treaties, federal laws and federal court decisions, and that it has responsibilities and needs similar to other governments;

WHEREAS, the State is a state within the United States of America possessing and exercising full powers of state government, as defined and recognized by the United States Constitution, federal laws, federal court decisions, the Kansas Constitution, State laws and State court decisions, and that it has responsibilities and needs similar to other governments;

WHEREAS, both the State and the Nation recognize that pursuant to applicable law each is a sovereign with dominion over their respective territories and governments and that entry into this Compact is not intended nor shall it be construed to cause the sovereignty of either to be diminished;

WHEREAS, the Nation is situated on and occupies a federally-established Indian Reservation situated within the borders of the State;

WHEREAS, federal law recognizes that tribal jurisdiction exists on Qualified Nation Lands regarding the rights of the Nation to pass its own laws and be governed by them;

WHEREAS, it is in the best interests of both the State and the Nation to prevent disputes between the Parties regarding possession, transport, distribution, and Sale of Cigarettes and other Tobacco Products, including but not limited to taxation and escrow collection, in the State of Kansas, on Compact Lands;

WHEREAS, each of the State and the Nation recognize the financial, cultural, educational, and economic contributions of the other;

WHEREAS, each of the State and the Nation respects the sovereignty of the other, and recognizes and supports the other's governmental responsibilities to provide for and govern its citizens, members and territory; Kansas recognizes the Nation's inherent sovereign right to existence, self-government and self-determination; and the Nation recognizes the Kansas's inherent sovereign right to existence, self-government and self-determination;

WHEREAS, the Parties are of the opinion that cooperation between the Nation and the State is mutually productive and beneficial and recognize the need to develop and maintain good Nation/State governmental relations;

WHEREAS, it is in the best interests of the State to continue to reduce the financial burdens imposed on the State by Cigarette smoking and that said costs continue to be borne by Tobacco Product Manufacturers rather than by Kansas to the extent that such Tobacco Product Manufacturers either determine to enter into a settlement with Kansas or are found culpable by the courts;

WHEREAS, on November 23, 1998, the State became party to the MSA;

WHEREAS, certain Tobacco Product Manufacturers, which are party to the MSA, are obligated, in return for a release of past, present and certain future claims against them as described therein, to pay substantial sums to State (tied in part to their volume of Sales); to fund a national foundation devoted to the interests of public health; and to make substantial changes in their advertising and marketing practices and corporate culture, with the intention of reducing underage smoking;

WHEREAS, it would be contrary to the policy of State if Tobacco Product Manufacturers who determine not to enter into such a settlement could use a resulting cost advantage to derive large, short-term profits in the years before liability may arise without ensuring that State will have an eventual source of recovery from them if they are proven to have acted culpably;

WHEREAS, Kansas entered into a Secondary Settlement Agreement with certain participating Tobacco Product Manufacturers in 2012 settling State's obligations under the MSA and disputes regarding certain payment adjustments under the MSA with respect to NPMs (as that term is defined below) for calendar years 2003-2012;

WHEREAS, as part of said Secondary Settlement Agreement, State has agreed to undertake certain diligent enforcement efforts of its Cigarette and other Tobacco Product laws and more specifically, its MSA laws on Qualified Tribal Lands within the borders of State;

WHEREAS, State recognizes the importance to State of forming an alliance with Nation to assist State in its diligent enforcement efforts;

WHEREAS, State further recognizes that the Nation will incur certain economic costs in assisting State in its diligent enforcement efforts which Nation should not be required to endure;

WHEREAS, it is altogether just and proper that State compensate the Nation for its assistance to State in State's diligent enforcement obligation under the MSA and the Secondary Settlement Agreement; and

WHEREAS, the State and the Nation agree that it will serve the interests of both the State and the Nation for the Nation to be able to generate revenue for governmental purposes through the collection of certain Tribal taxes in accordance with this Compact and resolve their differences regarding the State's collection of escrow on certain Cigarettes Sold on Compact Lands.

Compact

NOW, THEREFORE, in consideration of the foregoing recitals which are made a contractual part hereof, and in consideration of the mutual promises contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

ARTICLE I
DEFINITIONS

Section 1.01. Definitions. Whenever used in this Compact, the following capitalized words and phrases shall have the following meanings:

"**AAA**" shall mean the American Arbitration Association.

"**Approved Manufacturer**" shall mean, subject to Section 4.02(c), a Tobacco Product Manufacturer which is (A) in compliance with the Escrow Statutes and the Fire Safety Statutes, and (B) listed on the KSAG's directory of compliant manufacturers pursuant to K.S.A. 50-6a04(B). The KSAG's directories of compliant Tobacco Product Manufacturers can be found on the KSAG's website.

"**Auditor**" shall have the meaning set forth for such term in Section 6.02.

"**Business Day**" shall mean any day that the governmental offices of the Nation are open for business.

"**Carton**" shall mean a container of two hundred (200) Cigarettes, whether consisting of either eight or ten Packs.

"**Cigarette**" shall mean any product that contains nicotine, is intended to be burned or heated under ordinary conditions of use and consists of or contains:

(1) any roll of tobacco wrapped in paper or in any substance not containing tobacco;

(2) tobacco, in any form, that is functional in the product, which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, Consumers as a Cigarette; or

(3) any roll of tobacco wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, Consumers as a Cigarette described in clause (1) above.

The term "Cigarette" includes "roll-your-own" (i.e., any tobacco which, because of its appearance, type, packaging or labeling is suitable for use and likely to be offered to, or purchased by, Consumers as tobacco for making Cigarettes). For purposes of this definition, 0.09 ounces of "roll-your-own" tobacco shall constitute one individual "Cigarette."

"**Compact**" shall have the meaning set forth for such term in the initial paragraph.

"**Compact Lands**" shall mean only the following Qualified Nation Lands:

(A) those Qualified Nation Lands within the boundaries of the Nation's reservation granted in Article 4 of the Treaty with the Potawatomi Nation, ratified July 22, 1846 (9 Stat. 853), as modified by the Treaty with the Potawatomi, ratified April 15, 1862 (12 Stat. 1191), and by the Treaty with the Potawatomi, ratified July 25, 1868 (15 Stat. 531); and

(B) those Qualified Nation Lands described in (1) a Kansas Warranty Deed to the United States of America in trust for the Prairie Band Potawatomi Nation found in the Jackson County Register of Deeds Office in Book 305 of RB on pages 302-303, (2) a Kansas Warranty Deed to the United States of America in trust for the Prairie Band Potawatomi Nation found in the Jackson County Register of Deeds Office in Book 305 of RB on pages 587-588, (3) a Kansas Warranty Deed to the United States of America in trust for the Prairie Band Potawatomi Nation found in the Jackson County Register of Deeds Office in Book 500 on pages 234-235, and (4) a Kansas Warranty Deed to the United States of America in trust for the Prairie Band Potawatomi Nation found in the Jackson County Register of Deeds Office in Book 500 on pages 257-258.

"**Consumer**" shall mean the individual or entity purchasing or receiving Cigarettes or other Tobacco Products for final use.

"**Dispute**" shall have the meaning set forth for such term in Section 7.01(b).

"**Dispute Party**" shall have the meaning set forth for such term in Section 7.01(b).

"**Effective Date**" shall have the meaning set forth for such term in Section 3.01.

"**Escrow Statutes**" shall mean Chapter 50, Article 6a of the Kansas Statutes Annotated.

"**Fire Safety Statutes**" shall mean Chapter 31, Article 6 of the Kansas Statutes Annotated.

"**Indian Tribe**" shall mean any Indian tribe, band, nation or other organized group or community that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians under the laws of the United States.

"**KDOR**" shall mean the Kansas Department of Revenue.

"**KSAG**" shall mean the Office of the Attorney General of the State of Kansas.

"**Licensed Distributor**" shall mean the Nation, any Nation Affiliate, or any individual or entity subject to the Nation's regulatory and tax jurisdiction, in each case conducting business pursuant to a valid tobacco distributor license issued by the Nation.

"**Licensed Retailer**" shall mean the Nation or any Nation Affiliate conducting business pursuant to a valid tobacco retailer license issued by the Nation.

"**MSA**" shall mean the settlement agreement (and related documents) entered into on November 23, 1998 by the State and leading United States Tobacco Product

Manufacturers; provided, however, that such term does not include the Secondary Settlement Agreement.

"**Nation**" shall have the meaning set forth for such term in the initial paragraph.

"**Nation Affiliate**" shall mean an entity directly or indirectly wholly owned by the Nation. Solely for purposes of this definition, the phrase "wholly owned by" means ownership of one hundred percent (100%) of an equity interest, or the equivalent thereof.

"**Nation Claim Parties**" shall mean, collectively, the Nation, the Nation Tax Commission, and any Nation Affiliate to the extent such Nation Affiliate is either a Licensed Retailer or Licensed Distributor.

"**Nation Tax Commission**" shall mean the Prairie Band Potawatomi Tax Commission, or such other successor commission, board, committee, council, department or agency charged under Nation law with administration and enforcement of Nation tax laws.

"**NPM**" shall have the meaning set forth for the term "Non-participating manufacturer" in K.S.A. §50-6a07(g).

"**Pack**" shall mean one package of either twenty (20) or twenty-five (25) Cigarettes.

"**Parties**" or "Party" shall have the meaning set forth for such terms in the initial paragraph.

"**PM**" shall mean a "participating manufacturer" as that term is used in the Escrow Statutes.

"**Qualified Tribal Lands**" shall mean:

(1) All land within the borders of the State that is within the limits of any Indian reservation under the jurisdiction of the United States, notwithstanding the issuance of any patent, including rights-of way running through such reservation;

(2) all dependent Indian communities within the borders of the State;

(3) all Indian allotments within the borders of the State, the Indian titles to which have not been extinguished, including rights-of-way running through such allotments; and

(4) any lands within the borders of the State, the title to which is either held in trust by the United States for the benefit of any Indian Tribe or individual, or held by any Indian Tribe or individual subject to restriction by the United States against alienation and over which an Indian Tribe exercises governmental power.

"**Qualified Nation Lands**" shall mean the Nation's Qualified Tribal Lands.

"**Rules**" shall have the meaning set forth in Section 7.02(b).

"**Sale**" (and any correlative term, such as "**Sell**," "**Seller**," or "**Sold**," shall have the correlative meaning) shall mean any sale, barter, trade, exchange, or other transfer of ownership for value of Cigarettes or other Tobacco Products, no matter how characterized.

"**Secondary Settlement Agreement**" shall mean the 2003 NPM adjustment settlement agreement, which shall include the 2012 term sheet agreement, related to the MSA and to which State is a party.

"**State**" shall have the meaning set forth for such term in the initial paragraph.

"**Tobacco Product**" shall mean any product, including any component, part, or accessory, made or derived from tobacco that is intended for human consumption through smoking, chewing or both, including but not limited to Cigarettes, Cigarette tobacco, roll-your-own tobacco, smokeless tobacco, cigars, pipe tobacco, dissolvables, gels, waterpipe tobacco, and electronic cigarettes.

"**Tobacco Product Manufacturer**" shall mean an entity that after the Effective Date directly (and not exclusively through any affiliate):

(1) manufactures Cigarettes anywhere that such manufacturer intends to be Sold in the United States, including Cigarettes intended to be Sold in the United States through an importer;

(2) is the first purchaser anywhere for resale in the United States of Cigarettes manufactured anywhere that the manufacturer does not intend to be sold in the United States; or

(3) becomes a successor of an entity described in paragraph (1) or (2).

The term "Tobacco Product Manufacturer" shall not include an affiliate of a Tobacco Product Manufacturer unless such affiliate itself falls within any of paragraphs (1) through (3) above. Solely for purposes of this definition, the term "affiliate" shall mean a person who directly or indirectly owns or controls, is owned or controlled by, or is under common ownership or control with, another person. Solely for purposes of the preceding sentence, the terms "owns," "is owned" and "ownership" mean ownership of any equity interest, or the equivalent thereof, of 10% or more, and the term "person" means an individual, partnership, committee, association, corporation or any other organization or group of persons.

"**Units Sold**" shall mean, with respect to a particular Tobacco Product Manufacturer for a particular year, the number of individual Cigarettes Sold in the State, including, without limitation, any Cigarettes Sold on any Qualified Tribal Lands within the State, by the applicable Tobacco Product Manufacturer, whether directly or through a distributor, retailer or similar intermediary or intermediaries, during the year in question, for which the State has the authority under federal law to impose excise or a similar tax or to collect escrow deposits, regardless of whether such taxes were imposed or collected by the State.

Section 1.02. Other Definitional Provisions.

(a) All capitalized terms defined in this Compact shall have the defined meanings when used as a capitalized term in any certificate or other document made or delivered pursuant hereto unless otherwise defined therein.

(b) As used herein and in any certificate or other document made or delivered pursuant

hereto or thereto, accounting terms not defined in Section 1.01, and accounting terms partially defined in Section 1.01 to the extent not defined, shall have the respective meanings given to them under generally accepted accounting principles or regulatory accounting principles, as applicable. To the extent that the definitions of accounting terms herein are inconsistent with the meaning of such terms under generally accepted accounting principles or regulatory accounting principles, the definitions contained herein shall control.

(c) The words "**hereof**," "**herein**" and "**hereunder**" and words of similar import when used in this Compact shall refer to this Compact as a whole and not to any particular provision of this Compact; and Section, subsection, Schedule and Exhibit references contained in this Compact are references to Sections, subsections, Schedules and Exhibits in or to this Compact unless otherwise specified.

(d) Unless otherwise specifically noted herein, any capitalized word or term used in this Compact but not otherwise expressly defined herein shall have the same meaning as the definition provided for such capitalized word or term in Chapters 50 and 79 of the Kansas Statutes Annotated as in effect on January 1, 2016.

ARTICLE II
GENERAL PROVISIONS

Section 2.01. Purpose of Compact. The purpose of this Compact is to prevent disputes between the Parties regarding possession, transport, distribution, and Sale of Cigarettes and other Tobacco Products, including but not limited to taxation and escrow collection, in the State of Kansas, on Compact Lands, and on other Qualified Tribal Lands to the extent set forth herein.

Section 2.02. External Citations. The citation to any State statute or regulation in this Compact refers to the version in effect on January 1, 2016, unless otherwise specifically provided herein or unless the Parties specifically agree in writing to a modification of the Compact.

Section 2.03. Scope of Compact. Unless otherwise specifically provided herein, the terms and provisions of this Compact shall only apply to Cigarettes and other Tobacco Products Sold on Compact Lands. Notwithstanding any term or provision herein to the contrary, the Parties agree and acknowledge that the terms and provisions of this Compact shall not apply in any respect, including but not limited to taxation and escrow collection, to (i) any Tobacco Product Manufacturer or manufacturer of other Tobacco Products owned or operated by Nation or any Nation Affiliate during the term of this Compact, or (ii) the possession, transport, distribution, purchase, or Sale of Cigarettes or other Tobacco Products manufactured or imported by any Tobacco Product Manufacturer or manufacturer of other Tobacco Products, in each case to the extent described in clause (i).

ARTICLE III
EFFECTIVE DATE; TERM

Section 3.01. Effective Date. Subject to the prior full execution by the Parties,

ratification by Nation's Tribal Council by written resolution, approval by Nation's General Council under Nation's Constitution, and ratification by State through its legislation enacted by the State Legislature and publication in the Kansas Register, this Compact shall become effective on July 1, 2016 (the "Effective Date").

Section 3.02. Term.

(a) This Compact shall have an initial term of ten (10) years subject to automatic renewal for successive ten (10) year terms absent a requested revision in writing by any Party on or before August 1 in the calendar year prior to calendar year of the expiration of the then-current term. The Parties shall negotiate such requested revisions in good faith for a period ending fifteen (15) days before expiration of the then current term; *provided, however*, that if the Parties are not able to reach agreement on such requested revisions by such date, the Parties may agree to extend the then-current term beyond the expiration date for so long as the Parties agree that further negotiations are warranted; *provided, further*, that following expiration of the initial or any extended negotiation period, either Party may provide written notice of termination of the Compact effective on the later to occur of the expiration date of the then-current term or two Business Days following the date of delivery of such written notice of termination without giving effect to any extension agreed to by the Parties. In the event that the Parties reach agreement on the requested revisions, such revisions shall be reflected in an amendment to this Compact consistent with Section 8.08. In any event, the terms and provisions of this Compact shall continue to apply and the Parties shall conduct themselves accordingly until such time either that such amendment is fully executed, ratified and effective or that termination of this Compact is effective.

(b) Notwithstanding any provision of this Compact to the contrary, in the event that State is subject to a final, binding arbitration award or decision of a court of competent jurisdiction that the State is non-compliant or has violated the terms of the MSA or Secondary Settlement Agreement due to State's compliance with its obligations under this Compact, the Parties shall attempt to negotiate amendments to this Compact for a period of not less than 90 days following State's written notice to Nation of State's desire to initiate such negotiations. The Parties acknowledge that the purpose of such negotiations would be to amend the Compact in a manner acceptable to the Parties that would permit the State to comply with the terms and provisions of this Compact, the MSA, and the Secondary Settlement Agreement. If the Parties are unable to negotiate such amendments within such negotiation period, the State may terminate this Compact upon two weeks' prior written notice to the Nation. Termination of this Compact pursuant to this Section 3.02(b) shall not be subject to the dispute resolution provisions of Article VII.

(c) In the event that the State is no longer subject to, or elects to withdraw from or cease performing under, the MSA and the Secondary Settlement Agreement, the Nation and the State may jointly agree in writing to terminate this Compact prior to the expiration of the then-current term. If there is any modification to relevant State law or final judicial determination by a court of competent jurisdiction that negates the escrow deposit obligations pursuant to the Escrow Statutes, the State may terminate this Compact at any time thereafter by providing thirty days' written notice to Nation.

ARTICLE IV
MASTER SETTLEMENT AGREEMENT PROVISIONS

Section 4.01. Nation Obligations.

(a) Nation shall regulate all Sales of Cigarettes on Compact Lands and may regulate Sales of other Tobacco Products on Compact Lands. As part of such mandatory regulation of Sales of Cigarettes on Compact Lands, the Nation shall require, and enforce such requirement, that:

(i) all Sales to ultimate Consumers of Cigarettes on Compact Lands by a Licensed Retailer shall be conducted pursuant to a valid Nation tobacco retailer license;

(ii) all Cigarettes Sold on Compact Lands by a Licensed Retailer shall be acquired from a Licensed Distributor;

(iii) each Licensed Retailer shall implement and maintain processes that verify receipt of all Cigarettes on Compact Lands substantiated and supported by contemporaneously created documentation, including but not limited to invoices, bills of lading, way bills and other documents, showing Cigarettes received by such Licensed Retailer by brand, quantity, date of receipt, and from whom such Licensed Retailer received such Cigarettes;

(iv) each Licensed Retailer shall implement and maintain processes that verify the number of Cigarettes Sold by such Licensed Retailer to Consumers on Compact Lands by contemporaneously created documentation, including register tapes or other indicia of retail Sale generated at the point of Sale or, with respect to vending machine Sales, stocking reports, in each case showing Cigarettes Sold by brand and quantity;

(v) each Licensed Retailer shall provide to the Nation Tax Commission, on a timely basis, reports, data, and documentation specified in clauses (iii) and (iv) above regarding retail sales of Cigarettes on Compact Lands in form and format sufficient to enable Nation to comply with its obligations pursuant to Section 4(b) and Section 4(c), and shall maintain such documentation in an adequate and accessible retention system for a period of not less than three years;

(vi) each brand of Cigarettes Sold, offered for Sale, possessed for Sale, or imported for Sale on Compact Lands by a Licensed Retailer shall be a brand of an Approved Manufacturer and, subject to Section 4.01(e), shall bear indicia of excise tax payment as provided in Section 5.02;

(vii) each Licensed Distributor shall apply indicia of excise tax payment as provided in Section 5.02 to each Pack of Cigarettes prior to delivery to a Licensed Retailer located on Compact Lands;

(viii) each Licensed Distributor shall implement and maintain processes that verify delivery of all Cigarettes to Licensed Retailers on Compact

Lands substantiated and supported by contemporaneously created documentation, including but not limited to invoices, bills of lading, way bills and other documents, showing Cigarettes delivered by brand, quantity, date of receipt, and to which Licensed Retailer such Cigarettes were delivered;

(ix) each Licensed Distributor shall implement and maintain processes that, on a monthly basis, verify the number of items of indicia of payment of excise tax purchased from the Nation Tax Commission, as documented by a contemporaneously created, written receipt received from the Nation Tax Commission, the number of such items of indicia received by such Licensed Distributor, if different than the number purchased, the number of such items of indicia affixed to Packs of Cigarettes by such Licensed Distributor, the number of Packs of Cigarettes bearing such indicia delivered to Licensed Retailers as documented by one or more contemporaneously created, written statements from such Licensed Distributor, the number of such items of indicia that may be damaged, torn, mutilated or otherwise unusable and returned to the Nation Tax Commission, documented by a contemporaneously created, written receipt received from the Nation Tax Commission, the number of such items of indicia which are destroyed in accordance with Nation Tax Commission regulations, and the number of unaffixed items of such indicia which are on hand at such Licensed Distributor's premises, as documented by contemporaneously created, written inventory sheets;

(x) each Licensed Distributor shall implement and maintain processes that verify monthly beginning and ending inventories of Packs of Cigarettes bearing indicia of payment of excise tax described in Section 5.02(a), as documented by contemporaneously created, written inventory sheets showing adjustments during such month for number of Packs of Cigarettes (A) to which such indicia were affixed, (B) received with such indicia affixed, (C) returned from Licensed Retailers, and (D) Sold to Licensed Retailers;

(xi) with respect to each Licensed Distributor that maintains premises on Compact Lands, such Licensed Distributor shall implement and maintain processes that verify monthly beginning and ending inventories of Packs of Cigarettes not bearing any indicia of payment of excise tax, as documented by contemporaneously created, written inventory sheets showing adjustments during such month for number of Packs of Cigarettes (A) received without bearing any indicia of payment of excise tax, (B) to which indicia of payment of excise tax are affixed, in the aggregate and by specific jurisdiction, (C) Sold to the United States government, and (D) returned to a Tobacco Product Manufacturer;

(xii) each Licensed Distributor shall provide to the Nation Tax Commission, on a timely basis, reports, data, and documentation

specified in clauses (viii), (ix), (x), and (xi) above regarding retail Sales of Cigarettes on Compact Lands in form and format sufficient to enable Nation to comply with its obligations pursuant to Section 4.01(b) and Section 4.01(c), and shall maintain such documentation in an adequate and accessible retention system for a period of not less than three years.

The Parties agree that United States generally accepted accounting principles (GAAP) shall, to the extent applicable, provide the appropriate standard for measuring the adequacy of the processes required by this Section 4.01.

(b) Nation, through its Nation Tax Commission, shall collect from Licensed Retailers the documentation specified in clause (v) of Section 4.01(a), shall collect from Licensed Distributors the documentation specified in clause (xii) of Section 4.01(a), and shall retain all such documentation for a period of not less than three years.

(c) Nation, through its Nation Tax Commission at Nation's sole expense, shall prepare and remit to KDOR data regarding Sales of Cigarettes on Compact Lands in the form and format and on the dates reasonably requested by KDOR from time to time and approved by the Nation Tax Commission, such approval not to be unreasonably withheld. Such data shall be prepared based upon the documentation gathered by the Nation Tax Commission pursuant to Section 4.01(b). Such data shall be remitted at the same frequency as comparable data is required to be submitted to the State under applicable State law by State-licensed retailers or distributors of Cigarettes.

(d) Nation, through its Nation Tax Commission, shall implement and maintain processes that verify the number of items of indicia of payment of excise tax delivered to the Nation pursuant to Section 5.02, as documented by a contemporaneously created, written receipt received from the State, the number of such items of indicia applied to Cigarettes delivered to Licensed Retailers as documented by one or more contemporaneously created, written statements from each Licensed Distributor, the number of such items of indicia that may be damaged, torn, mutilated or otherwise unusable and returned to the State, documented by a contemporaneously created, written receipt received from the State, the number of such items of indicia on hand from time to time at the Nation Tax Commission and each Licensed Distributor documented on contemporaneously created, written inventory sheets. Nation, through its Nation Tax Commission, shall retain all such documentation for a period of not less than three years.

(e) On the Effective Date, the Nation Tax Commission shall seize as contraband all Cigarettes held for Sale by Licensed Retailers which do not satisfy the requirements of Section 4.01(a)(vi). Such contraband Cigarettes shall be destroyed subject to oversight by the Nation Tax Commission and KSAG. Notwithstanding any provision of this Compact to the contrary, all Packs of Cigarettes in the inventory of a Licensed Retailer on the Effective Date which bear either a Nation excise tax stamp or a State excise tax stamp shall be deemed to bear indicia of excise tax payment as provided in Section 5.02 for all purposes of this Compact.

Section 4.02. State Obligations.

(a) Beginning with calendar year 2016 and each subsequent calendar year occurring in whole or in part during the term of this Compact, State will pay to Nation an amount equal to the product of (i) the total dollar amount disbursed to the State pursuant to the MSA and Secondary Settlement Agreement attributable to Sales of Cigarettes during such calendar year, multiplied by (ii) the quotient obtained by dividing (A) total PM brand Units Sold by Licensed Retailers on Compact Lands during such calendar year, by (B) total PM brand Units Sold in Kansas and on Qualified Tribal Lands, without duplication, during such calendar year. Each such payment shall be due within thirty days following State's receipt of any disbursement described in clause (i) above. Concurrently with making such payment to the Nation, the State shall provide Nation with appropriate documentation supporting computation of such payment.

(b) If the KSAG takes the position that an Approved Manufacturer of any brand of Cigarette Sold by Licensed Retailers on Compact Lands is not in compliance with any mandatory requirement of the Escrow Statutes or of the Fire Safety Statutes, the KSAG will notify the Nation and such Approved Manufacturer. If the matter is not resolved within 30 days of such notice, the Nation Tax Commission will prohibit the Sale of that brand family by Licensed Retailers on Compact Lands until the matter is resolved.

(c) The KSAG shall not remove any Approved Manufacturer of any brand of Cigarette Sold by Licensed Retailers on Compact Lands from its directory of compliant Tobacco Product Manufacturers pursuant to K.S.A. §50-6a04(b)(8) prior to giving notice to Nation of, and negotiations regarding, such proposed removal in accordance with Section 7.01(b). For the avoidance of doubt, the foregoing shall not require initiation or completion of arbitration proceedings prior to removal.

ARTICLE V
TAX PROVISIONS

Section 5.01. Exercise of Tax Jurisdiction.

(a) The Nation shall have the sole right to impose, collect, and retain Sales taxes and excise taxes on transactions conducted by Licensed Retailers and Licensed Distributors involving Cigarettes and other Tobacco Products ultimately Sold to Consumers by Licensed Retailers on Compact Lands. Further, the Nation shall have the sole obligation hereunder to impose Sales taxes and excise taxes on such transactions to the extent described herein. With respect to such Cigarettes or other Tobacco Products, the State shall not impose any Sales tax, excise tax, privilege tax, use tax, other tax, licensing fee, user fee or other fee at any point in the stream of commerce:

(i) where the legal incidence of any such tax or fee falls on any such Consumer; or

(ii) which, if passed through in whole or in part to any such Licensed Retailer or Licensed Distributor, would have the effect of increasing such Licensed Retailer's or Licensed Distributor's cost of goods Sold;

provided, however, for the avoidance of doubt, such restrictions shall not apply to escrow payments, directory fees, or any bond required under the Escrow Statutes with respect to such Cigarettes. The State shall take no affirmative action to enable or authorize any other individual or entity to take any action which, if taken directly by the

State, would violate this Section 5.01(a).

(b) Notwithstanding any provision of Section 5.01(c) to the contrary, the Nation shall levy upon the consensual Sale of Cigarettes by a Licensed Retailer to a Consumer on Compact Lands a tax computed as a percentage of the actual Sales price thereof exclusive of any rebates. For purposes of the preceding sentence, such Sales tax shall be levied at a rate no lower than the lowest of (i) five percent (5%), or (ii) the Kansas Sales tax rate in effect at the time of such Sale less 1.5%; *provided, however*, that the fixed amount computed pursuant to this Section 5.01(b) shall not be less than $0.00. Nothing in this Compact shall prohibit the Nation, in its sole discretion, from levying Sales tax on such Sales at a rate higher than that required in the preceding sentence.

(c) Subject to Section 5.01(d), the Nation shall levy upon the consensual Sale of Cigarettes on Compact Lands an excise tax computed from time to time as a fixed amount per Carton of Cigarettes or fractional part thereof. For purposes of the preceding sentence, such fixed amount per Carton of Cigarettes shall be no lower than the lowest of (i) the lowest excise tax rate per Carton of Cigarettes levied or imposed at the time of computation pursuant to the laws of any of the states immediately bordering the State; (ii) the excise tax rate per Carton of Cigarettes levied or imposed at the time of computation pursuant to the laws of the State less $11.20 per Carton of Cigarettes; or (iii) the lowest aggregate excise tax rate per Carton of Cigarettes levied or imposed at the time of computation by any Indian Tribe which is party to a Cigarette/Tobacco Product compact with the State; *provided, however*, that the fixed amount computed pursuant to this Section 5.01(c) shall not be less than $0.01 per Carton. Nothing in this Compact shall prohibit the Nation, at its sole discretion, from levying excise tax on such Cigarettes in an amount higher than that required in the preceding sentence. Such excise tax shall be paid only once and shall be imposed on and paid by the Licensed Distributor which Sells Cigarettes to a Licensed Retailer for Sale to Consumers on Compact Lands. For the avoidance of doubt, the Nation shall not be required to levy such excise tax on any Sale of Cigarettes where the Licensed Distributor intends to Sell such Cigarettes outside Compact Lands.

(d) Notwithstanding any other provision of this Compact to the contrary, the Nation shall levy upon the consensual Sale of roll-your-own tobacco on Compact Lands an excise tax of not less than 1% of the wholesale Sale price of such roll-your-own tobacco. Such excise tax shall be paid only once and shall be imposed on and paid by the Licensed Distributor at the time that the Licensed Distributor (a) brings or causes to be brought onto Compact Lands such roll-your-own tobacco for Sale on Compact Lands, (b) makes, manufactures, or fabricates such roll-your-own tobacco on Compact Lands for Sale on Compact Lands, or (c) ships or transports such roll-your-own tobacco to any Licensed Retailer on Compact Lands to be Sold by such Licensed Retailer on Compact Lands. For the avoidance of doubt, the Nation shall not be required to levy such excise tax on any sale of roll-your-own tobacco where the Licensed Distributor intends to Sell such roll-your-own tobacco outside Compact Lands.

Section 5.02. Indicia of Tax; Distribution and Transport.

(a) The Nation Tax Commission and KDOR shall jointly design and designate indicia of payment of the excise tax levied pursuant to Section 5.01(c). Such indicia shall

include at a minimum the acronym "PBPN," the word "Kansas," and an inventory control number, code or other technology in a form and color mutually agreeable to the Nation Tax Commission and KDOR. Kansas shall produce, or cause to be produced, and deliver to the Nation Tax Commission all such indicia as may be required for Nation to comply with its obligations hereunder, including but not limited to Nation's obligations pursuant to Section 4.01(a)(vi). In order to compensate State for production and delivery of such indicia, Nation shall pay to the State the fixed amount of One Hundred Fifty Thousand Dollars ($150,000.00) on February 1, 2018 and each subsequent February 1 during the term of this Compact; *provided, however*, that Nation shall have no obligation to make such any such payment if Licensed Retailers, on an aggregate basis, do not Sell more than 175,000 Cartons of Cigarettes on Compact Lands during the immediately preceding calendar year. The Nation and the State expressly agree and acknowledge that such payments (1) constitute payments for goods and services provided by State to Nation, (2) do not represent the levy or payment of any tax imposed by the State on the Nation, any Nation Affiliate, any Licensed Distributor, any Licensed Retailer, or any Consumer, and (3) do not represent sharing of Nation tax revenues or business profits with the State. Such payments and State's production and delivery of such indicia shall not be subject to any sales, excise or other tax imposed by either State or Nation.

(b) For purposes of this Compact, the Parties agree that the following shall constitute contraband:

(i) All Packs of Cigarettes, in quantities of 20 Cigarettes per Pack or more, not bearing indicia of payment of excise tax as required in this Compact and all devices for vending Cigarettes in which unstamped Packs are found;

(ii) all Cigarettes or Tobacco Products in the possession of a minor;

(iii) all property, other than vehicles, used in the retail Sale of Packs of Cigarettes described in clause (i);

(iv) any Cigarettes Sold, offered for Sale, or possessed for Sale on Compact Lands where such Cigarettes are not a brand of an Approved Manufacturer; and

(v) any Cigarettes to which tax indicia has been affixed, was caused to be affixed, or the tax paid thereon as required by Section 5.01(c) or (d) of this Compact, where such Cigarettes are not a brand of an Approved Manufacturer.

(c) Notwithstanding any provision of this Compact to the contrary, any Pack of Cigarettes Sold by a Licensed Retailer, in the possession of a Licensed Retailer, or in transit to a Licensed Retailer with proper bills of lading from a Licensed Distributor in each case bearing the indicia of payment of excise tax described in Section 5.02(a) shall be deemed to be bearing indicia of payment of State excise tax for all purposes of State law and, in any event, shall be deemed not to be a common nuisance or contraband pursuant to State law and not subject to seizure, forfeiture, confiscation or destruction pursuant to State law or process on grounds of non-payment of any State tax.

(d) Notwithstanding any provision of this Compact to the contrary, any Cigarette in the possession of a Licensed Distributor with premises on Compact Lands or which are in

transit, with proper bills of lading showing shipment from the relevant Tobacco Product Manufacturer or its importer to a Licensed Distributor with premises on Compact Lands, but in either case not bearing indicia of payment of excise tax pursuant to Section 5.02(a), or for which tax has not been paid pursuant to Section 5.01(d), shall be deemed not to be a common nuisance or contraband pursuant to State law and not subject to seizure, forfeiture, confiscation or destruction pursuant to State law or process, in each case on grounds of non-payment of State excise tax, if the related Tobacco Product Manufacturer is an Approved Manufacturer.

(e) Any Tobacco Product, other than Cigarettes, which is in the possession of a Licensed Distributor with premises on Compact Lands or is in transit, with proper bills of lading showing shipment from the relevant manufacturer or its importer to a Licensed Distributor with premises on Compact Lands, but in either case not bearing indicia of payment of excise tax pursuant to Section 5.02(a), or for which tax has not been paid pursuant to Section 5.01(d), shall be deemed not to be a common nuisance or contraband pursuant to State law and not subject to seizure, forfeiture, confiscation or destruction pursuant to State law or process, in each case on grounds of non-payment of any State tax.

(f) Any Tobacco Product, other than Cigarettes described in Section 5.02(c), in the possession of a Consumer which a Consumer can demonstrate was purchased from a Licensed Retailer, shall be deemed not to be a common nuisance or contraband pursuant to State law and not subject to seizure, forfeiture, confiscation or destruction pursuant to State law or process on grounds of non-payment of any State tax.

(g) In the event KSAG or KDOR has actual knowledge that any Pack of Cigarettes described in Section 5.02(c) or (d) or any Tobacco Product described in Section 5.02(e) is seized or confiscated under color of State law or process as in effect from time to time, then KSAG or KDOR, as applicable, shall transmit written notice of such seizure or confiscation to the Nation within two Business Days of first acquiring such actual knowledge.

(h) Notwithstanding any provision of this Compact to the contrary, the possession, gift, or use on Qualified Nation Lands of noncommercial privately produced tobacco for religious or ceremonial use shall be exempt from taxation by State and may be exempt from taxation by Nation. Such tobacco shall be deemed not to be a common nuisance or contraband pursuant to State law and not subject to seizure, forfeiture, confiscation or destruction as a common nuisance or contraband pursuant to State law or process, in each case on grounds of non-payment of any State tax. For purposes of this Section 5.02(h), "tobacco" shall mean any plant, including parts or products thereof, within the genus *Nicotiana* and which does not constitute a "controlled substance" within the meaning of 21 U.S.C. § 802(6).

(i) For purposes of this Section 5.02 only, references to "State law" mean K.S.A. § 79-3323 and the Escrow Statutes as each may be amended from time to time.

ARTICLE VI
AUDITS AND INSPECTIONS

Section 6.01. Purpose. The purpose of this Article VI is to provide a process for regular verification of the requirements of this Compact. The verification process is intended to reconcile data from all sources that make up the stamping, Selling, and taxing activities under this Compact.

Section 6.02. Nation to Contract with Third Party Auditor. The Nation and the State agree that, for purposes of verifying compliance with this Compact, the Nation will contract with and retain an independent third party auditor (the "**Auditor"**). The Nation and the State shall each bear fifty percent (50%) of the costs of the auditing services. The Nation and the State shall be entitled to freely communicate with the Auditor; *provided, however,* that all information provided to the State by Auditor shall be provided directly to KDOR. The Nation shall select the Auditor, subject to the approval of the KSAG; *provided, further*, that such approval shall not be unreasonably withheld; *provided, further,* that the Nation's selection of any Auditor possessing a valid Kansas Permit to Practice issued by the Kansas Board of Accountancy shall be deemed approved by the KSAG. The Auditor will review records on an annual calendar year basis to issue an annual report and certification as provided in this Article VI.

Section 6.03. Audit Protocol. To verify compliance with this Compact, the Auditor must adhere to the following protocol:

(a) Period Under Review. The Auditor must review records for the calendar year under audit and may review records for earlier years that are after the Effective Date but only as necessary for an internal reconciliation of the relevant books. Subject to the foregoing, records relating to any period before the Effective Date are not open to review. In situations where the Auditor is responsible for verifying records on less than an annual basis, the period under review shall not include years previously reviewed by the Auditor, except when a violation is alleged to have occurred during the period previously reviewed.

(b) Records to be Examined. The Auditor must review Nation Tax Commission books and records for records and invoices of stamp purchases, records and invoice of Sales of stamped Cigarettes, stamp inventory, the stamping process, products Sold, product inventory records, and such additional records as are necessary to verify (1) the Units Sold, (2) the retail Selling price, including application of Nation Sales and excise taxes, and (3) procedures demonstrating Nation's compliance with Sections 4.01 and 5.01 of this Compact, all with respect to Sales of Cigarettes by Licensed Retailers on Compact Lands. In all situations, the Auditor is not responsible for examining, and shall not examine, records that do not relate to the stamping, Selling, or taxing activities of the Nation, any Nation Affiliate, or Nation's licensees, unless a review of the records is necessary to an internal reconciliation of the books of the Nation, any such Nation Affiliate or any such licensee.

(c) Audit Standard. Each audit performed pursuant to this Article VI shall be performed in accordance with generally accepted auditing standards.

Section 6.04. Audit Report and Certification. After each annual audit, the Auditor shall issue to KDOR and the Nation an audit report and a certification, as further described below, with respect to compliance with this Compact. The annual audit report

shall set forth the total Units Sold attributable to each Tobacco Product Manufacturer by Licensed Retailers on Compact Lands during the relevant period. The annual audit report shall also include a certified statement of the Auditor to the KDOR that the Auditor finds the Nation to be in compliance with Sections 4.01 and 5.01 of this Compact or else that the Nation is in compliance except for specifically listed items that are explained in the annual report.

Section 6.05. Audit Schedule. Audit reviews shall take place following each calendar year (or portion thereof) during the term of this Compact, with an audit report submitted no later than April 1 following such calendar year.

Section 6.06. Joint Audit Implementation and Review. The Nation and the State shall meet jointly with the Auditor prior to the beginning of each annual audit. The purpose of such meeting will be to discuss the objectives of the upcoming audit, the expectations of the Nation and of the State, the standards to be used in such audit, and any issues regarding conduct of the audit, records pertinent to the audit or the contents of the Auditor's report. Subsequent meetings before and during the audit may be held as required. As soon as practicable after the issuance of the Auditor's report and certification, the Nation and the State may meet jointly with the Auditor as often as required to review the audit report and discuss any issue of concern. In the event that either the Nation or the State disagrees with the Auditor's report or certification, or any audit finding contained therein, either Party may notify the other of the disagreement and follow the procedures for resolution of the disagreement in Article VII of this Compact.

Section 6.07. Inspections.

(a) The Parties agree that, subject to the requirements and limitations of this Section 6.07, agents or employees of the Nation Tax Commission and agents or employees of KSAG and/or KDOR will conduct joint inspections of Licensed Retailers and Licensed Distributors located on Compact Lands. In connection with any such joint inspection, the Nation Tax Commission shall permit such agents or employees of the Nation Tax Commission and agents or employees of KSAG and/or KDOR to review all documentation collected and maintained by the Nation Tax Commission pursuant to Section 4.01(b) and Section 4.01(d).

The agents or employees of the Nation Tax Commission and agents or employees of KSAG and/or KDOR shall agree to a random sampling methodology for each joint inspection based on generally recognized valid and reliable sampling techniques. The Parties further agree such joint inspections shall not involve complete audits or complete inventories but shall be limited to random sample inspections of stock, tax indicia, and documentation on hand at the premises of a Licensed Retailer or Licensed Distributor, as applicable, for the purposes of verifying that all Cigarettes offered or intended for Sale by any Licensed Retailer on Compact Lands (i) are solely brands of Approved Manufacturers, (ii) were acquired from a Licensed Distributor, and (iii) bear indicia of payment of excise tax to the extent required in Section 5.02. In any event, such joint inspections shall not be disruptive of the business operations of any Licensed Retailer or Licensed Distributor.

(b) The State reserves the right hereunder to initiate and participate in up to twelve joint inspections described in Section 6.07(a) per calendar year, with a limit of up to two (2) such joint inspections per calendar month; *provided, however,* that joint inspections of any one or more separate premises on the same Business Day shall only constitute one "joint inspection" for purposes of the preceding limitations; *provided, further*, that if the State and Nation inspection team notes any violations of this Compact by one or more Licensed Retailers or Licensed Distributors during any such joint inspection, the State may initiate, by giving notice in accordance with Section 6.07(c), one follow-up joint inspection with the Nation Tax Commission of all premises involved in such violations on a subsequent Business Day following the earlier of notice of completed cure or conclusion of any cure period pursuant to Section 7.01(a) related to such violations, with such follow-up joint inspection not counting against the monthly or annual limits set forth in this sentence.

(c) The Nation Tax Commission shall make its personnel available for joint inspections permitted hereunder on a Business Day between the hours of 9:00 a.m. and 4:30 p.m. upon prior email notice to the Nation Tax Commission transmitted by a representative of the State by 10:00 a.m. one Business Day prior to the requested inspection. State representatives and Nation Tax Commission representatives shall coordinate the details of the joint inspection by 3:00 p.m. on the day of such email notice. Any email notice provided to the Nation Tax Commission pursuant to the Section 6.07 shall be given at tobacco.compact@pbpnation.org, or such other email address as the Nation may specify to the State by written notice.

(d) Any Packs of Cigarettes found for Sale at a Licensed Retailer during a permitted joint inspection that are not brands of an Approved Manufacturer or that do not bear indicia of payment of excise tax as required in Section 5.02 shall be removed by the Nation Tax Commission until the matter is resolved.

(e) This Section 6.07 does not limit the Nation from unilateral enforcement of its laws and regulations and does not authorize the State to unilaterally conduct inspections of Licensed Retailers or Licensed Distributors on Compact Lands; *provided, however*, that the State may conduct test purchases from Licensed Retailers located on Compact Lands and may conduct unobtrusive observation of those portions of Licensed Retailer and Licensed Distributor premises located on Compact Lands which are open to the general public.

ARTICLE VII
DISPUTE RESOLUTION

Section 7.01. General.

(a) In the event Nation is in default of its obligations pursuant to Section 4.01, Article V or Article VI of this Compact, Nation shall cure such default within thirty days following receipt of written notice of such default from the State. Nation Tax Commission shall promptly provide written notice of completion of such cure to State. In the event Nation does not cure such default, the State may initiate dispute resolution procedures in accordance with the remainder of Article VII of this Compact.

(b) For purposes of this Article VII, each of the State and the Nation may be referred

to as a "**Dispute Party.**" Each Dispute Party warrants that it will use its best efforts to negotiate an amicable resolution of any and all disagreements, controversies or claims between any or all Nation Claim Parties and the State (each, a "**Dispute**") arising out of or in connection with this Compact (including without limitation claims relating to the validity, construction, performance, breach and/or termination of this Compact). Negotiation pursuant to this Section 7.01(b) shall be commenced by one Dispute Party providing written notice to the other Dispute Party of the existence of a Dispute. The written notice shall provide a concise summary of the nature of the Dispute. Promptly following delivery of any such written notice, and in no event later than thirty (30) days following such delivery, the Governor of the State of Kansas and the Nation's Chairperson, or their respective designees, shall commence good faith negotiations to resolve such Dispute(s). If the Dispute Parties are unable to negotiate an amicable resolution of any such Dispute within thirty (30) days following such commencement of good faith negotiations or such longer time period as the Dispute Parties may mutually agree in writing, either Dispute Party may submit the matter to arbitration for final resolution. Notwithstanding the foregoing or any other provision of this Compact to the contrary, either Dispute Party may immediately commence arbitration proceedings for the purpose of seeking emergency relief pursuant to the Rules addressing "Emergency Measures of Protection."

Section 7.02. Arbitration.

(a) *Initiation; Selection of Panel*. Subject to the requirements of Section 7.01, arbitration may be initiated by either Dispute Party by serving written notice to the other Dispute Party and by complying with the requirements of the Rules. Within seven days following initiation of the arbitration proceedings, each Dispute Party shall notify the other Dispute Party and the AAA of its disinterested and independent nominee for an arbitrator. If the Dispute Parties agree upon the nomination of a single arbitrator for the Dispute within ten days following initiation of arbitration, such nominee shall serve as sole arbitrator of the Dispute. If the Dispute Parties do not agree to a single arbitrator, the arbitration panel shall consist of three disinterested and independent arbitrators. In that event, the two arbitrators nominated by the Dispute Parties shall nominate the third disinterested and independent arbitrator to serve with them. In the event the two arbitrators fail for any reason to name the third arbitrator within seven days, the AAA shall name the third arbitrator. In any event, such third arbitrator shall serve as chairperson of the arbitration panel. Notwithstanding the foregoing, the Rules shall govern the selection and number of arbitrators for any Dispute governed by the Emergency Measures of Protection or Expedited Procedures provisions of the Rules, or both.

(b) *Rules; Federal Question; Choice of Law*. Except as the Dispute Parties may subsequently agree otherwise in writing, the arbitration shall be conducted and enforced in accordance with the Commercial Arbitration Rules and Mediation Procedures (the "**Rules**") of the ("**AAA**"), as such Rules may be modified by this Compact, the Federal Arbitration Act, and to the extent not preempted by the Federal Arbitration Act, the Kansas Uniform Arbitration Act. The Parties agree and acknowledge that judicial resolution and enforcement of any Dispute or a settlement or arbitration decision issued hereunder with respect thereto, involves questions of federal law. The law governing any Dispute shall be limited to applicable federal law, the common law of the United

States, and Kansas law, in that order and without reference to internal conflicts of laws principles.

(c) *Proceedings*. Any arbitration shall be conducted at a place designated by the arbitration panel in Topeka, Kansas or any other location as the Dispute Parties may mutually agree in writing. Except for proceedings governed by the Rules on "Emergency Measures of Protection" or by the "Expedited Procedures" contemplated by the Rules, if applicable, the arbitration panel shall commence proceedings within 30 days of appointment of the final arbitrator, and hold proceedings providing each Dispute Party a fair opportunity to present its side of the Dispute, together with any documents or other evidence relevant to resolution of the Dispute. The arbitration decision shall be final and binding upon the Parties unless, during or following completion of the arbitration proceedings, the Dispute Parties have met and arrived at a different settlement of the Dispute. The arbitrators shall have the power to grant equitable or injunctive relief and specific performance of this Compact. The arbitrators shall not have the power to award monetary relief, including damages, penalties, or costs and expenses, including attorneys' fees, to the extent not otherwise expressly permitted by the terms of this Compact. The Parties and the arbitrators shall maintain strict confidentiality with respect to the arbitration.

(d) *Expenses*. The reasonable expenses of Dispute resolution shall be paid equally by the Dispute Parties, who shall also pay their own expenses; *provided, however*, that any Dispute Party who (1) fails or refuses to submit to arbitration following a proper demand by any other Dispute Party, or (2) fails or refuses to voluntarily comply with the terms of any settlement or arbitration decision issued hereunder, shall bear all costs and expenses, including reasonable attorneys' fees, incurred by such other Dispute Party in compelling arbitration of any Dispute or enforcing any settlement or arbitration decision.

(e) *Enforcement*. If enforcement of a settlement or arbitration decision becomes necessary by reason of failure of one or more Parties to implement its terms voluntarily, or if one of the Dispute Parties refuses to participate in arbitration as provided in this Section 7.02 and the other Dispute Party seeks enforcement of any provision of this Compact, the Parties agree that, subject to the limited waivers of sovereign immunity contained herein, the matter may be resolved by judicial resolution and enforcement and that venue for judicial resolution and enforcement shall be in the United States District Court for Kansas pursuant to the specific provisions of this Compact, in any other court of competent jurisdiction, and in any other court having appellate jurisdiction over any such court. In any such proceeding, service on any Dispute Party shall be effective if made by certified mail, return receipt requested to the address set forth in or otherwise designated pursuant to Section 8.06.

Section 7.03. Limited Waivers by Nation. The Nation hereby waives its sovereign immunity, its right to require exhaustion of tribal remedies, and its right to seek tribal remedies with respect to any Dispute, effective only if the Nation fails to implement the terms of a settlement or arbitration decision voluntarily or refuses to participate in arbitration, and subject to the following specific limitations:

(1) *Limitation of Claims*. The limited waiver granted pursuant to this Section 7.03 shall

encompass (A) claims which seek monetary relief for direct damages attributable to Nation's breach of this Compact and for costs and expenses, including reasonable attorneys' fees, to the limited extent provided in Section 7.02(d), (B) claims for equitable remedies, and (C) actions to compel Dispute resolution by arbitration or for enforcement of a settlement or arbitration decision as provided in this Article VII. Notwithstanding the foregoing or any other provision of this Compact to the contrary, such limited waiver shall in no event extend to or encompass claims which seek indirect, incidental, special, consequential, punitive, exemplary or reliance damages (including, without limitation, lost or anticipated revenues, lost business opportunities or lost Sales or profits, whether or not any Party has been advised of the likelihood of such damages) against Nation or any Nation Affiliate, and neither Nation nor any Nation Affiliate shall be liable for any such damages.

(2) *Time Period*. The limited waiver granted pursuant to this Section 7.03 shall commence upon the Effective Date of this Compact and shall continue until the date of its termination or cancellation pursuant to the terms of this Compact, except that the limited waiver shall remain effective for any proceedings then pending or initiated within 180 days following termination of this Compact for breach, and all permitted appeals therefrom.

(3) *Recipient of Waiver*. The limited waiver granted pursuant to this Section 7.03 is granted to and for the sole benefit of the State, and may not be assigned or granted to any other individual or entity.

(4) *No Revocation*. The Nation agrees not to revoke its limited waiver of sovereign immunity contained in this Section 7.03. In the event of any such revocation, the State may, at its option, declare this Compact terminated for breach by the Nation.

(5) *Limitation Upon Damages*. Any monetary award or awards against the Nation shall be limited, in the aggregate, to an amount equal to total tax revenues and gross profits actually received by the Nation or Nation Affiliates attributable to the Sale of Cigarettes during the term of this Compact.

(6) *Credit of the Nation and Nation Affiliates*. Except as otherwise expressly provided in this Section 7.03, the limited waiver granted pursuant to this Section 7.03 shall not implicate or in any way involve the credit of the Nation or any Nation Affiliate.

Section 7.04. Limited Waiver by State. The State hereby waives its sovereign immunity, effective only if the State fails to implement the terms of a settlement or arbitration decision voluntarily or refuses to participate in arbitration pursuant to this Compact, subject to the following specific limitations:

(1) *Limitation of Claims*. The limited waiver granted pursuant to this Section 7.04 shall encompass (A) claims which seek monetary relief for direct damages attributable to State's breach of this Compact and for costs and expenses, including reasonable attorneys' fees, to the limited extent provided in Section 7.02(d), (B) claims for equitable remedies, and (C) actions to compel Dispute resolution by arbitration or for enforcement of a settlement or arbitration decision as provided in this Article VII. Notwithstanding the foregoing or any other provision of this Compact to the contrary, such limited waiver shall in no event extend to or encompass claims which seek indirect, incidental, special, consequential, punitive, exemplary or reliance damages

(including, without limitation, lost or anticipated revenues, lost business opportunities or lost Sales or profits, whether or not any Party has been advised of the likelihood of such damages) against the State, and the State shall not be liable for any such damages.

(2) *Time Period*. The limited waiver granted pursuant to this Section 7.04 shall commence upon the Effective Date of this Compact and shall continue until the later of the date of its termination or cancellation pursuant to the terms of this Compact or the date on which the State has no surviving obligations pursuant to Section 8.02 and no surviving payment obligations pursuant to Section 4.02(a), except that the limited waiver shall remain effective for any proceedings pending on such date or initiated within 180 days following termination of this Compact for breach, and all permitted appeals therefrom.

(3) *Recipient of Waiver*. The limited waiver granted pursuant to this Section 7.04 is granted to and for the sole benefit of the Nation (for itself and the other Nation Claim Parties), and may not be assigned or granted to any other individual or entity.

(4) *No Revocation*. The State agrees not to revoke its limited waiver of sovereign immunity contained in this Section 7.04. In the event of any such revocation, the Nation may, at its option, declare this Compact terminated for breach by the State.

(5) *Limitation Upon Damages*. Any monetary award or awards against the State shall be limited, in the aggregate, to an amount equal to total tax revenues and gross profits actually received by the Nation or Nation Affiliates attributable to the Sale of Cigarettes during the term of this Compact.

ARTICLE VIII
MISCELLANEOUS

Section 8.01. Other Compacts.

(a) During the Term of this Compact, State may enter into and be party to one or more compacts or other agreements regarding possession, transport, distribution, or Sale of Cigarettes or other Tobacco Products, including but not limited to taxation and escrow collection, with the Iowa Tribe of Kansas and Nebraska, the Kickapoo Tribe in Kansas, or the Sac and Fox Nation of Missouri in Kansas and Nebraska.

(b) State shall not enter into or be party to any such compact or agreement with any Indian Tribe during the Term of this Compact, except as otherwise provided in Section 8.01(a).

Section 8.02. Confidentiality. All information provided hereunder to the State shall be provided directly to KDOR and shall be treated as confidential pursuant to K.S.A. 2015 Supp. Sections 50-6a11(e), 50-6a11(f), and 75-5133; *provided, however*, that the State is permitted to provide or share such information pursuant to K.S.A. 2015 Supp. Sections 50-6a11(a) or 75-5133(b)(19).

Section 8.03. No Concessions. By entering into this Compact, the Parties acknowledge and agree that, except as expressly provided herein, the Nation does not concede that: (a) the laws of the State, including any taxation or civil regulatory laws, apply to the Nation, its members or any Nation Affiliate regarding activities and

conduct on Qualified Nation Lands or otherwise within the Nation's jurisdiction; or (b) the Qualified Nation Lands are located in or within the State or are otherwise part of the State. By entering into this Compact, the Parties acknowledge and agree that, except as expressly provided herein, the State does not concede that its interests, jurisdiction or sovereignty, as authorized, permitted or recognized by federal law, is diminished, limited or preempted in any manner.

Section 8.04. Most-Favored Nation. The State agrees that Nation may propose an amendment to this Compact by written notice to the State based upon any provision of a compact permitted by Section 8.01 which Nation desires to include as a provision in this Compact. If the State Legislature does not approved such proposed amendment at the legislative session next following the Nation's request for such amendment, Nation may terminate this Compact at any time thereafter by providing thirty days' written notice to State.

Section 8.05. Construction.

(a) Each Party has received independent legal advice from its attorney(s) of choice and neither Party shall be deemed the author or drafter of this Compact. Therefore, any rule or canon of construction (whether pertaining to contracts, statutes, treaties or otherwise) that, in the case of an ambiguity, such ambiguity is construed against the author or drafter is not applicable. The language of all parts of this Compact shall in all cases be construed as a whole, according to its fair meaning, and not strictly for or against any of the Parties**.** It is the intent of the Parties that this Compact shall be construed to reflect that the Parties are of equal stature and dignity and have dealt with each other at arm's-length. Accordingly, any statutory or judicial rules or canon concerning the construction of vague or ambiguous terms (whether pertaining to contracts, statutes, treaties or otherwise) that might otherwise be used in the interpretation or enforcement of this Compact, including construction of ambiguities either in favor of or against a state or Indian Tribe, is not applicable to this Compact and shall not obtain to the benefit or detriment of any Party, nor shall the terms and conditions of this Compact be extended by implication to the benefit or detriment of any Party, it being the intent of the Parties that the construction of this Compact shall be controlled by its express terms and not by implication.

(b) The Article, Section and other headings contained in this Compact are for reference purposes only and shall not affect the meaning or interpretation of this Compact.

Section 8.06. Notice. Except as otherwise expressly provided in Section 6.07(c), any notices or communications required or permitted to be given hereunder shall be in writing and shall be sent by manual delivery, overnight courier or United States certified mail (postage prepaid and return receipt requested) addressed to the respective Party at the address specified below, or at such other address as such Party shall have specified to the other Parties hereto in writing.

If to the Nation:

Chairperson and Tribal Council
Prairie Band Potawatomi Nation
16281 Q Road, Mayetta, KS 66509

with a copy to:

Russell A. Brien
Brien Law, LLC
15026 114th St.
Oskaloosa, KS 66066

If to the State:

Office of the Governor
300 SW 10th Ave., Ste. 241S
Topeka, KS 66612-1590

with copies to:

Office of the Kansas Attorney General
120 SW 10th Ave., 2nd Floor
Topeka, KS 66612-1597

and

Secretary of Revenue
915 SW Harrison Street, Second Floor
Topeka, KS. 66612-1588

All periods of notice shall be measured from, and such notices or communications shall be deemed to have been given and received on, the date of delivery as evidenced by the signed receipt of such notice or communication by the addressee or its authorized representative.

Section 8.07. Limited Purpose. Nothing in this Compact shall be deemed to authorize the State to regulate or tax the Nation, its members, or any Nation Affiliate or to interfere with the Nation's government or internal affairs. This Compact shall not alter, limit, diminish or preempt Nation, federal or State sovereignty, authority, civil adjudicatory jurisdiction or criminal jurisdiction, except as expressly provided herein. Subject to Section 2.03 and the provisions of this Compact regarding Approved Manufacturers, nothing in this Compact shall require that the Nation, any Nation Affiliate, or any Licensed Retailer or Licensed Distributor obtain or maintain any license from, or otherwise submit to the jurisdiction of, the State. Nothing in this Compact shall constitute a stipulation by any party as to the actual boundaries of Nation's federally-established reservation.

Section 8.08. Entire Agreement; Amendments. This Compact constitutes the entire understanding between the Parties and supersedes any and all prior or contemporaneous understandings and agreements, whether oral or written, between or among the Parties, with respect to the subject matter hereof. Subject to Section 8.04, this Compact can only be amended or modified with the same formality required to make the original Compact valid and enforceable.

Section 8.09. No Assignment; Beneficiaries. This Compact is personal in nature, and

no Party may directly or indirectly assign or transfer it by operation of law or otherwise. Nothing in this Compact, express or implied, is intended to or shall confer upon any individual or entity, other than the Parties hereto, any right, benefit or remedy of any nature whatsoever under or by reason of this Compact; *provided, however,* that subject to the terms and provisions of Article VII, each Nation Claim Party (other than the Nation) is an express third-party beneficiary of this Compact.

Section 8.10. Survival. Upon the termination or cancellation of this Compact, the obligations of the parties hereunder shall terminate, except that the provisions of Sections 7.01, 7.02, 7.03, 7.04, and 8.02 shall survive such termination or cancellation and the State's payment obligations pursuant to Section 4.02(a) shall survive such termination or cancellation only until satisfaction of such obligations.

Section 8.11. Severability. The terms, provisions, agreements, covenants and restrictions of this Compact are non-severable and, unless otherwise agreed to by the Parties, this Compact shall terminate if any term, provision, agreement, covenant or restriction in this Compact is held by a court of competent jurisdiction or other authority to be invalid, void, or otherwise unenforceable. In the event either Party has actual knowledge that the validity or enforceability of this Compact or any of its terms, provisions, agreements, covenants or restrictions are being challenged in a court of competent jurisdiction or other authority, such Party shall transmit written notice thereof to the other Party within three Business Days of acquiring such actual knowledge. The Parties agree to reasonably cooperate with each other and oppose any such challenge.

IN WITNESS WHEREOF, the Parties hereto have executed this Compact as of the respective dates indicated below.

Prairie Band Potawatomi Nation	**State of Kansas**
By: Liana Onnen, *Chairperson*	By: Sam Brownback, *Governor*
Date: February 17, 2016	Date: February 17, 2016

COMPACT RELATING TO CIGARETTE AND TOBACCO SALES AND TAXATION

ARTICLE I
PURPOSE AND INTENT

WHEREAS, it is in the best interests of the State of Kansas (hereinafter, Kansas) to continue to reduce the financial burdens imposed on Kansas by cigarette smoking and that said costs continue to be borne by tobacco product manufacturers rather than by Kansas to the extent that such manufacturers either determine to enter into a settlement with Kansas or are found culpable by the courts; and,

WHEREAS, On November 23, 1998, leading United States tobacco product manufacturers (hereinafter, PMs) entered into a settlement agreement, entitled the "master settlement agreement," (hereinafter, MSA) with Kansas. The MSA obligates these PMs, in return for a release of past, present and certain future claims against them as described therein, to pay substantial sums to Kansas (tied in part to their volume of sales); to fund a national foundation devoted to the interests of public health; and to make substantial changes in their advertising and marketing practices and corporate culture, with the intention of reducing underage smoking; and,

WHEREAS, it would be contrary to the policy of Kansas if tobacco product manufacturers who determine not to enter into such a settlement could use a resulting cost advantage to derive large, short-term profits in the years before liability may arise without ensuring that Kansas will have an eventual source of recovery from them if they are proven to have acted culpably; and,

WHEREAS, Kansas entered into a settlement agreement with certain PMs settling Kansas' obligations under the MSA and the 2003 NPM adjustment settlement agreement, including the 2012 term sheet agreement; and,

WHEREAS, as part of said settlement, Kansas has agreed to undertake certain diligent enforcement efforts of its cigarette and tobacco laws and more specifically, its MSA laws on qualified tribal land in Kansas (*"Qualified tribal land" means:(1) All land within the borders of this state that is within the limits of any Indian reservation under the jurisdiction of the United States, notwithstanding the issuance of any patent, including rights-of-way running through the reservation;(2) all dependent Indian communities within the borders of this state; and (3) all Indian allotments in within the borders of this state, the Indian titles to which have not been extinguished, including rights-of-way running through such allotments; and (4) any lands within the borders of this state, the title to which is either held in trust by the United States for the benefit of any Indian tribe or individual, or held by any Indian tribe or individual subject to restriction by the United States against alienation, and over which an Indian tribe exercises governmental power*); and,

WHEREAS, Kansas recognizes the importance to Kansas of forming an alliance with the Iowa Tribe of Kansas and Nebraska (hereinafter, Tribe) to assist Kansas in its diligent enforcement efforts; and,

WHEREAS, Kansas further recognizes that the Tribe will incur certain economic costs in assisting Kansas in its diligent enforcement efforts for which the Tribe should not be required to endure; and,

WHEREAS, it is altogether just and proper that Kansas compensate the Tribe for its assistance to Kansas in Kansas' diligent enforcement obligation under the MSA and the 2003 NPM adjustment settlement agreement, including the 2012 term sheet agreement; and,

WHEREAS, the Tribe is a federally recognized Indian Tribe with its reservation located within the geographical boundaries of the State of Kansas, possessing inherent powers of self-government, exercising sovereign powers over its members and their property within the boundaries of the Tribe's reservation, as defined and recognized by treaty and federal laws and federal court decisions, and recognized by state laws and state court decisions, and that it has responsibilities and needs similar to those of state governments; and,

WHEREAS, the State of Kansas is an independent sovereign state within the United States of America possessed of full powers of state government, possessing inherent powers of self-government, exercising sovereign powers over its citizens and their property within the boundaries of the state, as defined and recognized by federal laws and federal court decisions, and recognized by state laws and state court decisions, and that it has responsibilities and needs similar to those of the national government; and,

WHEREAS, Kansas and the Tribe respect the sovereignty of the other, and recognize and support each other's governmental responsibilities to provide for and govern its citizens, members and territory; Kansas recognizes the Tribe's inherent sovereign right to existence, self-government and self-determination; the Tribe recognizes the Kansas's inherent sovereign right to existence, self-government and self-determination; and,

WHEREAS, federal and state law recognizes Kansas' authority to collect state taxes on cigarettes and tobacco products sold to non-tribal members on the Tribe's reservation, whether sold by the Tribe, or businesses owned or controlled by the Tribe, or not; and,

WHEREAS, federal law recognizes the Tribe's authority to sell cigarettes and tobacco products to its tribal members on the Tribe's reservation free from Kansas taxation.

ARTICLE II
TERMS AND CONDITIONS

NOW, THEREFORE, the Tribe, by and through its duly elected Executive Committee and Kansas, by and through its duly elected Governor and Legislature do hereby enter into this Compact, the terms of such Compact to commence upon approval by the Executive Committee of the Iowa Tribe of Kansas and Nebraska (the "Executive Committee"), and enactment by the Kansas Legislature and publication in the Kansas Register, to-wit:.

1. Kansas and the Tribe agree that as used herein the Tribe's reservation shall mean only the land that comprises that portion of the Tribe's reservation as established by the treaty between the United States and the Tribe dated the seventeenth day of May, 1854, that: (a) is within the boundaries of the State of Kansas; and, (b) is unaffected by the treaty between the United States and the Sauk and Foxes dated the sixth day of March, 1861, to the extent such treaty reduced the land set aside for the Tribe pursuant to the prior treaty dated the seventeenth day of May, 1854, and specifically excludes any portion of the Tribe's reservation that is not within the boundaries of the State of

Kansas. For the purposes of this Compact, the Tribe's reservation shall also not include any lands that are inside the boundaries of the State of Kansas, but are outside the boundaries of the Tribe's reservation established by the 1854 Treaty that have been, or may at any time be taken into trust by the United States.

2. Unless otherwise expressly stated, Kansas and the Tribe agree that K.S.A. 2015 Supp. §50-6a01, and amendments thereto, and K.S.A. 2015 Supp. §79-3301, and amendments thereto apply to the provisions of this Compact. For the purposes of this Compact, only, and for no other purpose whatsoever, Kansas and the Tribe agree that the Tribe's Treaties with the United States do not exempt, exclude or reserve the Tribe's land from the boundaries of Kansas. For the purposes of this Compact, only, and for no other purpose whatsoever, the Tribe's Reservation is within the State of Kansas.

3. Tribe agrees to not purchase any cigarettes or tobacco products from any distributor, manufacturer, importer or wholesale dealer not licensed by Kansas for sale by the Tribe in Kansas, nor offer for sale in Kansas, possess for sale or import into Kansas for sale, cigarettes of a cigarette product manufacturer brand family not included in the directory maintained by the Kansas Attorney General. The Kansas Attorney General shall give the Tribe written notice to discontinue sale of any cigarettes or tobacco products being sold by the Tribe that are not included in the directory. The Tribe shall have ninety (90) days from and after receipt of the written notice within which to sell or otherwise dispose of the Tribe's existing inventory of the product(s) subject of such notice. The Tribe shall not order new or replacement inventory of the product(s) subject of the notice within such ninety (90) day period.

Nothing in this section shall prohibit the Tribe from licensing and regulating any distributor, manufacturer, importer or wholesale dealer doing business with the Tribe on its reservation, but the Tribe recognizes that its exercise of regulatory authority over a distributor, manufacturer, importer or wholesale dealer does not preempt Kansas from also exercising its regulatory authority over the same distributor, manufacturer, importer or wholesale dealer, including, where applicable, the power to tax.

Except for "Sacred Tobacco," which shall not be subject to the terms of this Compact, Tribe agrees that if it manufactures, or authorizes the manufacture of cigarettes or tobacco products on its reservation for sale in Kansas such products shall be subject to the terms of this Compact. For purposes of this Compact, Sacred Tobacco shall mean *nicotiana quadrivalvis* and *nicotiana rustica* neither of which is a controlled substance or otherwise regulated by Kansas or Federal Law.

4. Tribe will be responsible for regulating and enforcing Compact with respect to sales at retail of cigarettes and tobacco products in Tribe's retail outlets on the Tribe's reservation.

5. Tribe will require all sales of cigarettes and tobacco products on Tribe's reservation to be conducted pursuant to a valid retail license issued by the Tribe.

6. Tribe agrees to require all cigarettes and tobacco products provided for sale on the Tribe's reservation will only be acquired from manufacturers compliant with Kansas statute and on the Attorney General's approved list.

7. Kansas and the Tribe agree that each pack of cigarettes the Tribe sells in Kansas shall bear a joint Kansas-Tribal tax stamp that will be designed jointly by the Tribe and Kansas.

a. Said stamp shall bear the name "Iowa Tribe" and "Kansas" and a logo in a form and color mutually agreeable to both the Tribe and Kansas;

b. Kansas shall cause said stamps to be produced at its sole expense;

c. Kansas and the Tribe shall select a mutually agreeable in-state third party distributor, and the Tribe shall cause all cigarettes it purchases for sale in Kansas to be shipped to said third party distributor at its sole expense;

d. Kansas shall provide said joint Kansas-Tribal stamps to said third party distributor who shall be responsible for affixing said Kansas-Tribal stamps on all cigarettes to be sold by the Tribe in Kansas;

e. Said third party distributor shall ship all cigarettes bearing joint Kansas-Tribal stamps to the Tribe at the Tribe's sole expense; and,

f. The costs incurred by the Tribe associated with this paragraph shall be added to the economic costs of the Tribe in Paragraph Fifteen (15) below that Kansas agrees is part of the diligent enforcement expenses for which it must reimburse the Tribe.

8. Tribe agrees to collect and timely share with Kansas, subject to third party audit, data regarding retail sales by Tribe on Tribe's reservation. Data shall be collected and provided to the Kansas Department of Revenue, at the Tribe's sole expense, on a monthly basis in a manner that conforms to data provided to Kansas by all other entities that currently collect and file data with Kansas, and shall be filed electronically in a format as required by Kansas of all other reporting entities.

9. Tribe and Kansas shall select a third party auditor for purposes of verifying compliance with this Compact. For purposes of verifying compliance with this Compact, the parties agree to jointly retain said Auditor and shall each bear fifty percent (50%) of the costs of the auditing services. The Auditor must possess a valid Kansas Permit to Practice issued by the Kansas Board of Accountancy. The Tribe and State shall be entitled to freely communicate with the Auditor. The Auditor will review records on an annual calendar year basis and issue an annual report and certification as provided herein.

a. Audit Protocol. To verify compliance with this Compact, the Auditor must

adhere to the following protocol:

b. Period Under Review. The Auditor must review records for the calendar year under audit and may review records for earlier years that are after the Effective Date but only as necessary for an internal reconciliation of the relevant books. Subject to the foregoing, records relating to any period before the Effective Date are not open to review. In situations where the Auditor is responsible for verifying records on less than an annual basis, the period under review shall not include years previously reviewed by the Auditor, except when a violation is alleged to have occurred during the period previously reviewed.

c. Records to be Examined. The Auditor must review records and invoices of stamp purchases, records and invoice of sales of stamped cigarettes, stamp inventory, the stamping process, products sold, product inventory records, and such additional records as are necessary to verify (1) the Units Sold (2) the retail selling price, including application of Tribal sales and excise taxes, and (3) procedures demonstrating the Tribe's compliance with this Compact, all with respect to sales of Cigarettes by the Tribe. In all situations, the Auditor is not responsible for examining, and shall not examine, records that do not relate to the stamping, selling, or taxing activities of the Tribe.

d. Audit Report and Certification. After each annual audit, the Auditor shall issue an audit report and a certification, as further described below, with respect to compliance with this Compact. The annual audit report shall set forth the total Units Sold attributable to each manufacturer by the Tribe during the relevant period. The annual audit report shall also include a certified statement of the Auditor to the Kansas Attorney General that the Auditor finds the Tribe to be in compliance with this Compact or else that the Tribe is in compliance except for specifically listed items that are explained in the annual report.

e. Audit Schedule. Audit reviews shall take place following each calendar year (or portion thereof) during the term of this Compact, with an audit report submitted no later than April 1 following such calendar year.

f. Joint Audit Implementation and Review. The Tribe and the State shall meet jointly with the Auditor prior to the beginning of each annual audit. The purpose of such meeting will be to discuss the objectives of the upcoming audit, the expectations of the Tribe and of the State, the standards to be used in such audit, and any issues regarding conduct of the audit, records pertinent to the audit or the contents of the Auditor's report. The Tribe and State agree that the report will audit the processes, controls and the supporting documentation of the Tribe's purchases and sales of cigarettes and tobacco products using both Generally Accepted Auditing Standards and Generally Accepted Accounting Principles. Subsequent meetings before and during the audit may be held as required. As soon as practicable after the issuance of the Auditor's report and certification, the Tribe and the State may meet jointly with the Auditor as often as required to review the audit report and discuss any issue of concern. In the event that either the Tribe or the State disagrees with the Auditor's report or certification, or any

audit finding contained therein, either Party may notify the other of the disagreement and follow the procedures for resolution of the disagreement in Article III, Paragraph 1 of this Compact.

g. Tribe agrees that Kansas is allowed to enter its retail outlets and inspect its cigarette stock, invoice and inventory of tax indicia on hand to insure that the cigarettes offered by Tribe for sale in Kansas are solely brands that are on the Attorney General's approved list and bear Kansas tax indicia. Any cigarettes found for sale at Tribe's retail outlets that are not on the Attorney General's approved list or bearing Kansas tax indicia shall be jointly removed by the Tribe and Kansas and destroyed.

10. Tribe shall enjoy exclusive cigarette and tobacco excise tax on all cigarette and tobacco sales by Tribe on Tribe's reservation. As part of the consideration for this Compact, Kansas agrees that cigarette and tobacco sales on the Tribe's Reservation shall not be subject to the Kansas cigarette and tobacco excise tax.

11. The Tribe has the right to impose its tribal tax on its members on its reservation and the Kansas cigarette and tobacco tax does not apply on said sales. Kansas has the right to impose its cigarette and tobacco taxes on the wholesale dealer of first receipt, and the Tribe's tax does not preempt or otherwise impede or interfere with Kansas' tax.

12. Kansas and the Tribe jointly agree to waive their respective rights to taxation identified in paragraph 11 above, and instead, agree to apply paragraphs 11 and 13 herein.

13. Tribe's cigarette tax shall be no lower than 17 cents per individual pack of cigarettes, or $1.70 per carton of ten (10) packs of cigarettes for the term of this Compact.

14. Kansas agrees to reimburse the Tribe for the economic cost incurred by the Tribe in assisting the Kansas in its ongoing diligent enforcement efforts under the MSA and 2012 Term Sheet Settlement. Reimbursement shall be as follows:

a. $30,000.00 to be received by the Tribe on or before the end of each calendar quarter (March 31, June 30, September 30 and December 31) during the initial five (5) year term of this Compact.

b. In the event this Compact continues for additional five (5) year terms, the quarterly payment amount shall be increased fifteen percent (15%) over the quarterly payment amount payable during the immediately prior five (5) year period.

15. As additional consideration to reimburse the Tribe for the economic cost incurred by the Tribe in assisting the State in its ongoing diligent enforcement efforts under the MSA and the 2003 NPM adjustment settlement agreement, including the 2012 term sheet agreement, the following shall be exempt from tax imposed by the Kansas Retailers' Sales Tax Act, K.S.A. 79-3601 *et seq.* and amendments thereto: all sales of

tangible personal property or service, including the renting and leasing of tangible personal property, purchased directly by the Iowa Tribe of Kansas and Nebraska, a federally recognized Indian Tribe, and used exclusively for Tribal purposes.

ARTICLE III
GENERAL PROVISIONS

1. Dispute Resolution

a. General. Each party warrants that it will use its best efforts to negotiate an amicable resolution of any dispute between the Tribe and Kansas arising from this Compact whether as to the construction or operation thereof or the respective rights and liabilities of the Tribe and Kansas thereunder. If a party perceives itself to be aggrieved under this Compact, said party shall provide written notice of such perceived violation to the other party within thirty (30) days of the perceived violation or violations. The notice shall identify the specific Compact provision or provisions allegedly violated, or in dispute, the date or dates of violation, and shall specify in sufficient detail the asserting party's contention and all factual basis for each claim. The parties agree to cooperatively and promptly investigate and cure any such violations, to the extent possible, prior to providing a notice of breach of this Compact.

b. Negotiation. Upon written notice by either party of being unable to cure an issue under Article III 1. A. above, the Governor and Tribe's Chairperson, or their respective designees, shall commence good faith negotiations to resolve the dispute within thirty (30) days or such longer period as mutually agreed in writing by both parties. If the Tribe and Kansas are unable to negotiate an amicable resolution of a dispute under this paragraph, then the aggrieved party shall issue a final written notice of intent to refer the matter to arbitration under this section.

c. Arbitration. Arbitration may be initiated by any signatory to this Compact by serving written notice to the other signatories at the addresses noted herein. Within seven (7) days thereafter, each party shall notify the other party of its nominee for an arbitrator. If Tribe and Kansas can agree upon the nomination of a single arbitrator for the dispute, such person shall serve as sole arbitrator of the dispute. If the Tribe and Kansas do not agree upon the nomination of a single arbitrator, each party's nominee shall serve as arbitrator upon a panel of three, and those two arbitrators shall nominate the third to serve with them. In the event the two arbitrators fail for any reason to name the third arbitrator within two weeks after the nomination of the last nominated one of them, either nominee shall be entitled to ask the American Arbitration Society to name the third arbitrator. The arbitrators shall commence proceedings within thirty (30) days after their appointment, and hold proceedings providing each party a fair opportunity to present its side of the dispute, together with any documents or other evidence relevant to resolution of the dispute. The arbitration decision shall be signed by the arbitrators and shall be made within thirty (30) days after all evidence relevant to resolution of the dispute has been received by the arbitrators, but no later than forty-five (45) days after proceedings are commenced. The arbitration decision shall be final and binding upon

the Tribe and Kansas unless, during or following completion of the arbitration proceedings, the Tribe and Kansas have met and arrived at a different settlement of the dispute.

d. Enforcement. If enforcement of a settlement or arbitration decision becomes necessary by reason of failure of one or both parties to implement its terms voluntarily, or if one of the parties refuses to participate in arbitration as provided in this Section and the other party seeks enforcement of any provision of this Compact, the Tribe and Kansas agree that the matter may be resolved by judicial resolution and enforcement and that venue for judicial resolution and enforcement shall be in the United States District Court for Kansas pursuant to the specific provisions of this Section.

e. Expenses of Dispute Resolution or Judicial Enforcement Between the Tribe and Kansas. Each party shall be responsible for their own expenses of dispute resolution by arbitration or judicial enforcement, unless the parties agree otherwise.

2. Waiver of Sovereign Immunity by the Tribe and Rights to Tribal Remedies. The Tribe hereby waives its sovereign immunity, its right to require exhaustion of tribal remedies, and its right to seek tribal remedies with respect to any dispute over this Compact, subject to the following specific limitations:

a. Limitation of Claims. The waiver granted herein shall encompass only claims for remedies, dispute resolution by arbitration or judicial enforcement provided in this Compact, and may not encompass claims which seek monetary relief, including but not limited to damages, penalties or attorney's fees.

b. Time Period. The waiver granted herein shall commence upon publication of this Compact in the Kansas Register and shall continue until the date of its termination pursuant to the terms of this Compact or cancellation, except that the waivers shall remain effective for any proceedings then pending and all appeals therefrom.

c. Recipient of Waiver. The waiver of sovereign immunity is limited to the State of Kansas.

d. Enforcement. Tribe agrees to waive its sovereign immunity from a judgment or order which is final because either the time for appeal thereof has expired or the judgment or order issued by a court having final appellate jurisdiction over the matter. Tribe agrees to accept and be bound by any order or judgment of the United States District Court for Kansas or any other court having appellate jurisdiction over such Court. Further, Tribe waives its sovereign immunity as to enforcement in any federal court of any such final judgment against Tribe.

e. Service of Process. In any such suit, Tribe agrees that service on Tribe shall be effective if made by certified mail, return receipt requested at the addresses set forth herein.

f. Guarantee of Tribe Not to Revoke Waiver of Sovereign Immunity. Tribe agrees not to revoke its waiver of sovereign immunity contained in this Compact. In the event of any such revocation, Kansas may, at its option, declare this Compact terminated for breach by Tribe.

3. Waiver of Sovereign Immunity by Kansas. Kansas hereby waives its sovereign immunity.

a. Limitation of Claims. The waiver granted herein shall encompass only claims for remedies, dispute resolution by arbitration or judicial enforcement provided in this Compact, and may not encompass claims which seek monetary relief, including but not limited to damages, penalties or attorney's fees.

b. Time Period. The waiver granted herein shall commence upon publication of this Compact in the Kansas Register and shall continue until the date of its termination pursuant to the terms of this Compact or cancellation, except that the waivers shall remain effective for any proceedings then pending and all appeals therefrom.

c. Recipient of Waiver. The waiver of sovereign immunity is limited to the Tribe.

d. Enforcement. Kansas agrees to waive its sovereign immunity from a judgment or order which is final because either the time for appeal thereof has expired or the judgment or order issued by a court having final appellate jurisdiction over the matter. Kansas agrees to accept and be bound by any order or judgment of the United States District Court for Kansas or any other court having appellate jurisdiction over such Court. Further, Kansas waives its sovereign immunity as to enforcement in any federal court of any such final judgment against Tribe.

e. Service of Process. In any such suit, Kansas agrees that service on the Governor, Secretary of Revenue and Attorney General shall be effective if made by certified mail, return receipt requested at the addresses set forth herein.

f. Guarantee of Kansas Not to Revoke Waiver of Sovereign Immunity. Kansas agrees not to revoke its waiver of sovereign immunity contained in this Section. In the event of any such revocation, the Tribe may, at its option, declare this Compact terminated for breach by Kansas.

4. Attached hereto as Exhibit A and incorporated into this Compact is a copy of the Resolution of the Executive Committee of the Tribe approving this Compact including the limited waiver of sovereign immunity provisions and authorizing the Tribal Chairman to execute this Compact on behalf of the Tribe.

5. Kansas agrees to not enter into a cigarette and tobacco compact with any Indian tribe that does not have a reservation established by treaty with the United States of America within the State of Kansas as of the date of publication of this Compact in the Kansas Register.

6. Kansas agrees that it will fully enforce its cigarette and tobacco laws under Chapter 79 of the Kansas Statutes Annotated, and amendments thereto, including the administrative regulations pertaining thereto, and its MSA laws under Chapter 50 of the Kansas Statutes Annotated, and amendments thereto, including the administrative regulations pertaining thereto, against any retailer, distributor, wholesale dealer or manufacturer selling, importing, or delivering cigarettes or tobacco products in violation of Kansas law, including, but not limited to, not being on the Attorney General's approved list. This will include enforcement against other Indian tribes, including tribes in Kansas, unless the resident Kansas tribe has entered into a Compact with Kansas.

During the term of this compact, Kansas may enter into and be party to one or more compacts or other agreements regarding possession, transport, distribution, or sale of cigarettes or other tobacco products, including but not limited to taxation and escrow collection, with the Kickapoo Tribe in Kansas, the Prairie Band Potawatomi Nation, or the Sac and Fox Nation of Missouri in Kansas and Nebraska. Kansas shall not enter into or be party to any such compact or agreement with any Indian Tribe during the term of this Compact, except as otherwise provided above.

7. This Compact shall expire on the last day of the month five (5) years after the Effective Date and shall be automatically renewed for consecutive five (5) year terms thereafter unless either party gives written notice to the other not less than sixty (60) days prior to the end of the then current term that it elects to terminate this Compact.

8. In the event that Kansas elects to withdraw from the MSA and the 2003 NPM adjustment settlement agreement, including the 2012 term sheet agreement, then the Tribe shall be free to withdraw from the terms of this Compact without penalty.

9. Kansas agrees that Tribe may propose an amendment to this Compact by written notice to the Governor, State of Kansas and Attorney General based upon any provision of a compact Kansas entered into with another tribe which the Tribe desires to include as a provision in this Compact. If the Kansas Legislature does not approve the proposed amendment at the Legislative Session next following the Tribe's request for the amendment, Tribe may terminate this Compact at any time thereafter by written notice to the Governor, Secretary of Revenue and Attorney General.

10. The language of all parts of this Compact shall in all cases be construed as a whole, according to its fair meaning, and not strictly for or against any of the parties. It is the intent of the parties that this Compact shall be construed to reflect that the parties are of equal stature and dignity and have dealt with each other at arm's-length. Accordingly, any statutory or judicial rules concerning the construction of vague or ambiguous terms that might otherwise be used in the interpretation or enforcement of this Compact, including judicial decisions generally holding that agreements involving Indians or Indian tribes are to be construed in a manner in favor of Indians and Indian tribes, shall not obtain to the benefit or detriment of either party, nor shall the terms and conditions of this Agreement be extended by implication to the benefit or detriment of either party, it being the intent of the parties that the construction of this Compact shall be controlled

by its express terms and not by implication.

11. Unless otherwise specifically noted herein, the definitions, words and terms used in this Compact shall have the same meaning as the definitions, words and terms used in Chapters 50 and 79 of the Kansas Statutes Annotated, and amendments thereto, including the administrative regulations pertaining thereto. If the definitions, words and terms used in this Compact are not found in Chapters 50 or 79 of the Kansas Statutes Annotated, and amendments thereto, including the administrative regulations pertaining thereto, then those definitions, words and terms are to be given their plain and ordinary meaning.

12. The paragraph headings contained in this Compact are for reference purposes only and shall not affect the meaning or interpretation of this Compact. If any provision of this Compact is declared or determined by any court to be illegal or invalid, that part shall be excluded from the Compact, but the validity of the remaining parts, terms, or provisions shall not be affected.

13. This Compact constitutes the entire understanding between the parties and supersedes any and all prior or contemporaneous understandings and Compacts, whether oral or written, between the parties, with respect to the subject matter hereof. This Compact can only be modified with the same formality as the original Compact.

14. Any failure by either party to enforce the other party's strict performance of any provision of this Compact will not constitute a waiver of its right to subsequently enforce such provision or any other provision of this Compact.

15. This Compact is personal in nature, and no party may directly or indirectly assign or transfer it by operation of law or otherwise. All obligations contained in this Compact shall extend to and be binding upon the parties to this Compact and their respective successors, assigns and designees.

16. Notices. All notices under this Compact shall be in writing and sent by way of certified U.S. mail to the following officials or their successors in office:

To the Tribe:

Chairperson and Executive Committee
Iowa Tribe of Kansas and Nebraska
3345 B Thrasher Road,
White Cloud, KS 66094

To the Governor:

Office of the Governor
300 SW 10th Ave., Ste. 241S
Topeka, KS 66612-1590

To the Attorney General:

Office of the Kansas Attorney
120 SW 10th Ave., 2nd Floor
Topeka, KS 66612-1597

To the Kansas Department of Revenue

Secretary of Revenue
915 SW Harrison Street, Second Floor
Topeka, KS. 66612-1588

17. Confidentiality. All information provided hereunder to Kansas is confidential, except as Kansas is permitted under K.S.A. 2015 Supp. § 50-6a11(a) and K.S.A. 2015 Supp. § 75-5133(b)(19) to provide information for MSA and 2003 NPM adjustment settlement agreement, including the 2012 term sheet agreement purposes. All information will be provided to the Kansas Department of Revenue in the manner provided hereunder and shall be treated as confidential under K.S.A. 2015 Supp. § 75-5133.

IN WITNESS WHEREOF, the parties hereto have executed this Compact as of the date first above written.

Iowa Tribe of Kansas and Nebraska

By: Timothy N. Rhodd
Chairman

State of Kansas

By: Sam Brownback
Governor

Resolution 16-R-06

IOWA TRIBE OF KANSAS AND NEBRASKA
EXECUTIVE COMMITTEE
FEBRUARY 22, 2016

WHEREAS, the Iowa Tribe Executive Committee being duly organized, met on this 22nd day of February, 2016; and,

WHEREAS, the Iowa Tribe Executive Committee has authority to act for the Iowa Tribe under the present Constitutional authorities provided in Sec. 1.a., Article IV – Governing Bodies; and,

WHEREAS, the Iowa Tribe of Kansas and Nebraska being organized and empowered by the Constitution and By-Laws (approved November 6, 1978 and amended August 27, 1989); and,

WHEREAS, the Executive Committee has determined that it is in best interest of the Iowa Tribe to make and enter into that certain Tax Compact with the State of Kansas, a copy of which has been submitted to the Executive Committee for review.

NOW THEREFORE, BE IT RESOLVED: That the Iowa Tribe of Kansas and Nebraska make and enter into the aforesaid Tax Compact with the State of Kansas which Compact includes a limited waiver of sovereign immunity; and be it further

RESOLVED: That Timothy N. Rhodd, the Tribal Chairman, be and he is hereby authorized and directed to execute the Compact on behalf of the Iowa Tribe of Kansas and Nebraska.

CERTIFICATION

The foregoing Resolution was duly adopted this date, February 22, 2016, at a scheduled meeting of the Executive Committee, at which 4 members of the Committee were present, constituting a quorum, by a vote of 3 for; 0 against. Chairman abstained.

TIMOTHY N. RHODD, *Chairman*
Iowa Tribe Executive Committee

Attest:
ANTHONY FEE, *Secretary*
Iowa Tribe Executive Committee

MESSAGES FROM THE SENATE

Announcing adoption of **HCR 5025**.

Announcing passage of **SB 326, SB 330, SB 338, SB 362, SB 365, SB 366, SB 367, SB 374, SB 382, SB 387, SB 391, SB 392, SB 393, SB 402, SB 405, SB 407, SB 408, SB 410, SB 412, SB 415, SB 418, SB 419, SB 426, SB 438, SB 449, SB 453; Substitute for SB 103, Substitute for SB 277, Substitute for SB 335, Substitute for SB 440**.

The Senate concurs in House amendments to **SB 250**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

Sub SB 103, Sub SB 277, SB 326, SB 330, Sub SB 335, SB 338, SB 362, SB 365, SB 366, SB 367, SB 374, SB 382, SB 387, SB 391, SB 392, SB 393, SB 402, SB 405, SB 407, SB 408, SB 410, SB 412, SB 415, SB 418, SB 419, SB 426, SB 438, Sub SB 440, SB 449, SB 453.

REPORTS OF STANDING COMMITTEES

Committee on **Vision 2020** recommends **HB 2509**, be amended by adoption of the amendments recommended by the House Committee on Vision 2020 as reported in the Journal of the House on February 18, 2016, and the bill, as printed with amendments by House Committee, be further amended:

On page 1, in line 11, by striking "state"; in line 13, after "the" by inserting "executive branch"; in line 31, by striking "state";

On page 2, in line 14, by striking "review and restructure, as necessary,"; in line 15, after "agencies" by inserting "and restructure as necessary"; in line 16, by striking "coordinate"; in line 17, after "agencies" by inserting "and coordinate such interests"; in line 21, by striking "section" and inserting "act,"; in line 27, after "an" by inserting "executive branch"; also in line 27, by striking "this"; in line 28, by striking "requirement" and inserting "the requirements of this section"; in line 30, after "The" by inserting "executive"; in line 31, after "the" by inserting "executive branch"; in line 32, after "the" by inserting "executive branch"; in line 33, after "and" by inserting "the"; in line 39, after "the" by inserting "executive"; in line 42, after "The" by inserting "executive"; in line 43, after "the" by inserting "executive";

On page 3, in line 9, after "of" by inserting "executive"; in line 31, by striking the second comma; in line 39, after "bodies" by inserting a comma;

On page 4, in line 5, by striking "state"; in line 15, after "the" by inserting "executive"; in line 29, after "such" by inserting "executive branch";

On page 5, in line 2, after "executive" by inserting "branch"; in line 5, after "executive" by inserting "branch"; in line 16, after "executive" by inserting "branch"; in line 19, after "lead" by inserting "executive branch"; in line 23, by striking "state";

And the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2715, AN ACT enacting the electronic communications privacy act; relating to electronic communications; search warrants, by Committee on Federal and State Affairs.

COMMITTEE ASSIGNMENT CHANGES

Speaker Merrick announced the appointment of Rep. Trimmer to replace Rep. Wolfe Moore on Committee on Taxation on March 2, 2016.

REPORT ON ENGROSSED BILLS

HB 2460, HB 2502, HB 2563, HB 2615 reported correctly engrossed February 24, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, March 3, 2016.

Journal of the House

THIRTY-THIRD DAY

Hall of the House of Representatives,
Topeka, KS, Thursday, March 3, 2016, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 117 members present.
Rep. Winn was excused on verified illness.
Rep. Swanson was excused on legislative business.
Reps. Bollier, Garber, Kelley, Merrick, Sloan and Wilson were excused on excused absence by the Speaker.
Present later: Rep. Swanson.

Prayer by guest chaplain, the Rev. Curtis W. Coombs, pastor, Church of the Nazarene, Meade, and guest of Rep. Ryckman, Sr.:

O Lord Our God, Our Everlasting Hope, and Merciful Lord,
we express to You thanks for giving us another day.
May we use this moment to be reminded of your presence
as the workers before this House consider what needs to be done this day.
May Your Spirit lead these men and women that have been called upon
by the people of Kansas to act upon what is good
for this State and especially for your Kingdom, O Lord.
May they have the same attitude as King David and say
"My heart is not proud, O LORD, my eyes are not selfishly ambitious;
I do not concern myself with great matters or things too wonderful for me.
But I have stilled and quieted my soul…
and put my hope in the LORD both now and forevermore."
(from Psalm 131)
I ask this in the name of your living Son, Jesus Christ.
Amen.

The Pledge of Allegiance was led by Rep. Dierks.

INTRODUCTION OF GUESTS

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

Over the last five years, this body has addressed one of the largest risks to the financial security of our state and our employees. This progress would not have been possible without the expertise, service and leadership of our guests with us today. I

would ask any members, past and present, of the house pension committee to join us up front.

Good work had been done by many leaders in the past. However, the market downturn of 2008-2009 threatened that work. When we reviewed the status of KPERS in 2011:

In our group with the largest liability, projected contributions were not shown to meet the actuarially required rate until after the year 2030, and in some projections they never met during the projection or amortization period.

Annual contributions for just the KPERS state/school group were projected to exceed $2 billion per year by the year 2034.

The system's unfunded liability based on KPERS market value of assets was just over $10 billion.

So, in 2011, the legislature and the governor appointed a study commission. This group dove headfirst into the data and explored many options that might help the system. Many ideas were created over many hours. The work we have done since that time has been built on this foundation of knowledge and recommendations. But their work goes so far beyond what we have done. Making these choices required not only exploring the paths chosen, but also examining so many paths not chosen. Without that exploration, we would not have been able to move forward on any path with confidence.

The legislature took those recommendations and many of you are familiar with our role in that work.

There is yet another key group serving the state of Kansas in a fiduciary role for KPERS and that is the board of trustees. They oversee the complex KPERS operation and make the exceedingly critical investment decisions for the portfolio. We have with us today the chairs of the board since 2011.

They have done an exceptional job, with a five year return as of November 30th of 9.1%. They have achieved returns in the top quartile of their peers over three, five and ten year periods, while being in the lowest quartile of expenses with management fees of less than .3% or 30 basis points. Specifically, the investment talent of our KPERS staff, past chair Terry Matlack and current chair Lois Cox was key to giving me the confidence to be willing to bond a billion dollars and know that it would be handled optimally.

The staff that execute our decisions are absolutely some of the best. Their team is consistently in the top quartile for low expenses and high quality service. Specifically, KPERS total administration cost is the lowest of all of their peers. For service, their average call wait time is 9 seconds vs. the average peer time of 1 minute 20 seconds. If you have seen any of the post audit reports on KPERS, you know this is an organization of which we can be proud and which serves our employees well.

Today, we are meeting to review our progress together.

Some of the highlights:

Contribution rates are expected to pay off the unfunded liability within the current amortization period.

Those contributions stabilize around 12% vs growing to over 20%.

We are projected to meet the actuarially required rate for the state/school group in 2019 rather than after 2030.

The liability and funded ratios have both improved dramatically.

We are not done. Sticking to the plan will not always be easy and no doubt adjustments will be needed along the way. There is a Japanese proverb that says beginning is easy, continuing is hard. While that understates the enormous challenges we faced in the beginning, we recognize the importance of having this body and future legislatures continue to implement this work.

Please join me in thanking these leaders for making this progress possible.

Rep. Johnson presented framed House certificates to members of the commission.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2716, AN ACT concerning insurance; relating to government employer-sponsored group health care benefits plans; implementing an exchange platform for retirees; eliminating retirees from participation in the state health care benefits program; amending K.S.A. 12-5040, 20-358, 20-3208, 75-6504 and 75-6510 and K.S.A. 2015 Supp. 75-4101 and 75-6501 and repealing the existing sections; also repealing K.S.A. 75-6511, by Committee on Appropriations.

HB 2717, AN ACT concerning property taxation; relating to taxing subdivisions, approval of budgets, resolution and election requirements; amending K.S.A. 2015 Supp. 79-2925b and repealing the existing section, by Committee on Taxation.

HB 2718, AN ACT concerning alcoholic beverages; dealing with beer and cereal malt beverages; amending K.S.A. 41-103 and K.S.A. 2015 Supp. 41-102, 41-304, 41-308, 41-310 and 79-4108 and repealing the existing sections, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2712, SB 330**.

Appropriations: **Sub SB 335**.

Commerce, Labor and Economic Development: **HB 2713, SB 338, SB 365, SB 366**.

Corrections and Juvenile Justice: **SB 367, SB 391, SB 392, SB 426, SB 453**.

Federal and State Affairs: **HB 2715, Sub SB 277, SB 326**.

Health and Human Services: **SB 402, SB 449**.

Insurance and Financial Institutions: **Sub SB 103, SB 387, SB 419, SB 438**.

Judiciary: **SB 362, SB 374, SB 393, SB 407, SB 408, SB 410, SB 415, SB 418, Sub SB 440**.

Taxation: **HB 2714**.

Transportation: **SB 382, SB 405**.

Utilities and Telecommunications: **SB 412**.

CHANGE OF REFERENCE

Speaker pro tem Mast announced the withdrawal of **HB 2713** from Committee on Commerce, Labor and Economic Development and referral to Committee on Judiciary.

COMMUNICATIONS FROM STATE OFFICERS

From Susan Mosier, MD, MBA, FACS, Secretary and State Health Officer, pursuant to K.S.A. 65-1,159a, Stan Clark Pregnancy Maintenance Initiative Program.

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

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Goico, **HR 6044**, by Representative Goico, as follows, was introduced and adopted:

HR 6044—A RESOLUTION honoring Captain Christopher Norgren for service to his country and the world community.

WHEREAS, Captain Christopher Norgren, native of Wichita, Kansas, and member of the United States Marine Corps, was killed on May 12, 2015, at the age of 31, when his helicopter crashed in the mountains of Nepal; and

WHEREAS, Capt. Norgren was part of a group of six Marines and two Nepalese soldiers who were on a mission of mercy – delivering food, blankets and medicine to villages cut off from civilization by the devastating earthquake that hit Nepal on April 25, 2015; and

WHEREAS, Capt. Norgren was serving with Marine Light Attack Helicopter Squadron 469, based at Camp Pendleton, California. The squadron had traveled to the Philippines for a training mission when it was deployed to Nepal as part of a military aid mission; and

WHEREAS, Capt. Norgren was commissioned on August 8, 2009. His deployments included Operation Enduring Freedom and Operation Sahayogi Haat and his decorations included the Navy and Marine Corps Achievement Medal, Combat Action Ribbon, Sea Service Deployment Ribbon with bronze star in lieu of second award, Afghanistan Campaign Medal with bronze star in lieu of second award, National Defense Service Medal, Global War on Terrorism Service Medal, Navy Unit Commendation, Certificate of Commendation and a NATO Medal; and

WHEREAS, Capt. Norgren was a 2002 graduate of Bishop Carroll High School, in Wichita, Kansas, and a 2007 summa cum laude graduate of the University of Missouri-Rolla, now called the Missouri University of Science and Technology, with degrees in aerospace engineering and applied mathematics; Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we honor Captain Christopher Norgren for service to his country and the world community, and extend our deepest sympathy to his family; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to the family of Captain Christopher Norgren.

INTRODUCTION OF GUESTS

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

This resolution honors Captain Christopher Norgren, posthumously, for service to his

country and to the world community. He was on a mission of mercy – delivering food, blankets and medicine to villages cut off from civilization by the devastating 7.8 earthquake that hit Nepal on April 25, 2015, over 9,000 people were killed.

I first met Chris and his dad Ron in the scouting program at our church. Even as a child he was a leader at everything he did. He was always very honest and caring. He was the product of a very loving and caring family.

I can best describe Chris as a person who made things happen no matter how difficult they might seem. Chris wanted to fly in the military. However, he did not meet the vision requirements. He joined the Marines and served as a field officer in Afghanistan. He was a combat-tested infantry officer. During the tour he saved up enough money for corrective eye surgery. He made his dream a reality. He was a Marine Corp pilot with operational ground experience.

He truly loved being a Marine and was always willing to help a friend. He prepared hard for every mission, excelled as a pilot, and was fearless and determined yet humble.

The squadron had traveled to the Philippines for a training mission when it was deployed to Nepal as part of a military aid mission. They were aware of the very dangerous terrain conditions in the Himalayan Mountains. The combination of rapidly ascending terrain, dense forest and low visibility made this a very difficult operation. Chris never had any hesitation to do what was right. All of these Marines put their lives at risk so that the suffering of countless people could be eased. They were helping fellow human beings who desperately needed their help. He was accomplishing what he needed to do.

“Greater love has no one than this: to lay down one’s life for one’s friends,” John 15:13

President Obama, addressing this accident, said that the Marines "represent a truth that guides our work around the world: When our friends are in need, America helps.

Captain Christopher Norgren lived his life moment to moment to the fullest, never fearing to do what was right. His professionalism, dedication, selflessness and fearlessness will never be forgotten. He will always be an inspiration to all of us. He loved to fly and to help people.

To quote his mother, Mrs. Norgren "I know in my heart that Chris was doing what he wanted to do. He's always loved life, God and his family." His life was a celebration of the kindness of the human spirit.

The Kansas Legislature is naming the intersection of I-235 and Central in honor of his memory.

Rep. Goico welcomed members of Christopher Norgren's family to the House.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Billinger in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that on motion of Rep. Ward to amend **HCR 5024**, Rep. Osterman requested a ruling on the amendment being germane to the resolution. The Rules Chair ruled the amendment not germane.

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

On roll call, the vote was: Yeas 88; Nays 27; Present but not voting: 0; Absent or not voting: 10.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Francis, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Moxley, O'Brien, Osterman, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, C. Smith, Suellentrop, Sutton, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Nays: Alcala, Ballard, Burroughs, Carlin, Carmichael, Clayton, Curtis, Finney, Frownfelter, Gallagher, Helgerson, Henderson, Henry, Highberger, Houston, Kuether, Lusker, Ousley, Rooker, Ruiz, Scott, Tietze, Trimmer, Victors, Ward, Whipple, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Bollier, Garber, Huebert, Kelley, Lusk, Merrick, Sloan, S. Swanson, Wilson, Winn.

The Rules Chair was sustained.

Roll call was demanded on motion to recommend **HCR 5024** favorably for passage.

On roll call, the vote was: Yeas 105; Nays 12; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcala, Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Burroughs, Campbell, Carlin, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Francis, Frownfelter, Gallagher, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusker, Macheers, Mason, Mast, McPherson, Moxley, O'Brien, Osterman, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wolfe Moore.

Nays: Ballard, Carmichael, Finney, Henderson, Highberger, Houston, Kuether, Lusk, Ousley, Scott, Tietze, Ward.

Present but not voting: None.

Absent or not voting: Bollier, Garber, Johnson, Kelley, Merrick, Sloan, Wilson, Winn.

The motion prevailed and **HCR 5024** be adopted.

Committee reports to **HB 2134** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **SB 312** be passed.

Committee on **Education** recommends **SB 423**, as amended by Senate Committee of the Whole, be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Federal and State Affairs** recommends **HB 2612** be passed.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 47, by Representative Tom Sloan, commending Grace Marion for her many accomplishments in serving the State of Kansas and as a life-long public servant;

Request No. 48, by Representative Marty Read, congratulating Garrett Tatro for his receiving the 2016 Prudential Spirit of Community Bronze Award;

Request No. 49, by Representative Don Hineman, congratulating Evan Harlan Tustin for his receiving the 2016 KSHSAA Spirit of Sport Award;

Request No. 50, by Representative John Bradford, recognizing Kris Paronto for his courage in defending the American Ambassador, the Benghazi Consulate, and the Benghazi CIA Station;

Request No. 51, by Representative Broderick Henderson, congratulating Adrion Johnson for 8th birthday;

Request No. 52, by Representatives Ed Trimmer and Steven Johnson, commending members of the KPERS Study Commission Edward Condon, Fredrick Poccia, Rebecca Proctor, Michael Ryan, Paul Seyferth, Richard Stumpf and Bill Buchanan for their dedicated and outstanding service;

Request No. 53, by Representative Steven C. Johnson, commending Lou Pishny, Ron Hagen, Gary Price, Doug Mays, Terry Matlack and Lois Cox, for their dedicated and outstanding service as Chairs of the KPERS Board of Trustees;

On motion of Rep. Vickrey, the committee report was adopted.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Mast announced the appointment of Rep. Carmichael to replace Rep. Winn on Committee on Education on March 3, 2016.

Also, Rep. Trimmer is appointed to replace Rep. Winn on Committee on Education Budget on March 3, 2016.

REPORT ON ENROLLED RESOLUTIONS

HR 6040, HR 6041, HR 6042, HR 6043 reported correctly enrolled and properly signed on March 3, 2016.

On motion of Rep. Vickrey the House adjourned pro forma until 8:00 a.m. on Friday, March 4, 2016.

Journal of the House

THIRTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, March 4, 2016, 8:00 a.m.

The House met session pro forma with Speaker pro tem Mast in the chair.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Commerce, Labor and Economic Development: **HB 2718**.
Insurance and Financial Institutions: **HB 2716**.
Taxation: **HB 2717**.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, March 7, 2016.

Journal of the House

THIRTY-FIFTH DAY

Hall of the House of Representatives,
Topeka, KS, Monday, March 7, 2016, 11:00 a.m.

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

The roll was called with 120 members present.

Reps. Edmonds, Gallagher, Goico, Kelley and Lusk were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Roger Dennis, pastor, St. John Lutheran Church, Russell, and guest of Rep. Waymaster:

> In a time where there are no easy answers to the challenges confronting this body, I pray. May people truly listen to each other, converse with each other, and cooperate with each other. Help all to realize it is not about them, but the people they serve.
>
> May this body meet the heavy responsibilities inherent with governance. Provide all with insightful and just deliberation marked with both good stewardship of resources and compassion. May these leaders recall Andrew Carnegie's counsel and I paraphrase, "strong leaders know when to compromise and that all principles can be compromised for a greater principle." Amen.

The Pledge of Allegiance was led by Rep. Tietze.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6045—**
By Representative Schwartz

A RESOLUTION urging the federal government to require the use of sound science in evaluating crop protection chemistries and nutrients.

WHEREAS, Agriculture is crucial to the continued production of food, feed, fiber and energy to meet both domestic and global demand; and

WHEREAS, In the United States, the agriculture and value-added industries and

businesses utilize precision farming equipment, crop protection chemistries, genetic engineering or enhancement, agricultural nutrients and other modern technologies. Such advanced practices protect the safety of the public and reduce environmental and natural resource impacts, while increasing yields, improving profitability and ensuring an abundant, affordable and wholesome food supply; and

WHEREAS, Agricultural pests and diseases present significant dangers to the industry and to global supplies of products they attack. While advances in agricultural technologies that protect crops and livestock pose severe environmental risks, excessive regulation may discourage or prevent the use of agricultural chemicals, which could otherwise improve human and animal welfare; and

WHEREAS, Agricultural production systems and crop protection are among the most studied and highly regulated of all industries, at both the state and federal levels. The use of sound science should be the bedrock of our nation's regulatory scheme for the agriculture and food production industries, as these industries are critical to the economic vitality of Kansas and the United States; Now, therefore:

Be it resolved by the House of Representatives of the State of Kansas: That we support the use of sound science to study and regulate modern agricultural technologies such as crop protection chemistries and genetically engineered or enhanced traits and nutrients; and

Be it further resolved: That we oppose legislative or regulatory action at any level that may result in unnecessary restrictions on the use of modern agricultural technologies; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send enrolled copies of this resolution to the President of the United States, the President of the Senate and the Speaker of the House of Representatives of the United States Congress; and to all the members of the Kansas delegation to Congress, with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States of America.

CONSENT CALENDAR

No objection was made to **SB 423** appearing on the Consent Calendar for the first day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2134, AN ACT concerning consumer credit; relating to security freezes on protected consumer reports; amending K.S.A. 2015 Supp. 50-702 and repealing the existing section, was considered on final action.

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

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly,

Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Edmonds, Gallagher, Goico, Kelley, Lusk.

The bill passed, as amended.

HCR 5024, A CONCURRENT RESOLUTION urging the President of the United States to obey the Constitution and abandon the threatened transfer of terrorist detainees to Fort Leavenworth, was considered on final action.

On roll call, the vote was: Yeas 104; Nays 16; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcala, Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Francis, Frownfelter, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wolfe Moore.

Nays: Ballard, Carlin, Carmichael, Curtis, Finney, Henderson, Highberger, Houston, Kuether, Ousley, Ruiz, Scott, Tietze, Ward, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Edmonds, Gallagher, Goico, Kelley, Lusk.

The resolution was adopted.

EXPLANATIONS OF VOTE

Mr. Speaker: No Kansan supports terrorism. Everyone deplores these despicable acts against humanity.

I strongly oppose the placement of Guantanamo Bay detainees in USP Leavenworth, but vote no on **HCR 5024** as it defames our President. How can we expect him to acknowledge our resolution when we allege he demonstrated a willingness to violate American law and weakens our standing in the world? I want the President to take our concerns seriously, to recognize we have legitimate misgivings about housing detainees. As written, the resolution fails this. I've drafted a less inflammatory letter to the President regarding transfer of these detainees to Kansas and am sending it today. – Jim Ward, Roderick Houston, Gail Finney, Annie Tietze, Sydney Carlin, Broderick Henderson, Pam Curtis, Barbara Ballard, Ben Scott, Jarrod Ousley

MR. SPEAKER: I vote No on **HCR 5024**. It is clear from the language of the resolution that it is not a good faith effort to protect the safety of Kansans but instead is an act of political theater. Its purpose is not to deter acts of terror but to provide the basis for political attack postcards. It unnecessarily insults the President of the United States and makes judgments regarding constitutional law that are beyond the authority and competence of this body. I support every reasonable effort to protect Kansans from acts of terror but this resolution does no such thing. – DENNIS "BOOG" HIGHBERGER, JOHN WILSON

MR. SPEAKER: KanCare, education, foster care, mental health, the budget deficit – these are all issues of grave importance that we are not addressing.

Sending a message regarding terrorism to President Obama will not make any difference and is not the right way to spend taxpayers' money. They expect more. I vote no on **HCR 5024**. – ANNIE KUETHER

MR. SPEAKER: Kansans have always served their country in time of war, be it prisoner of war camps in World War II, Titan II missile silos surrounding Wichita throughout the Cold War, or the thousands of Kansans who made the ultimate sacrifice for their country. This resolution, motivated by fear, does nothing to protect us from terrorists, but instead tells the world Kansans are no longer willing to do their part in the War on Terror. I therefore vote No on **HCR 5024**. – JOHN CARMICHAEL

MR. SPEAKER: I vote yes on **HCR 5024**. The National Defense Authorization Act of 2012 (NDAA) bans the President from transferring Guantanamo detainees to American soil.

Congress has specifically prohibited funds from being used to transfer or release detainees into the U.S., or to assist in the transfer or release of detainees into the country.

On behalf of Leavenworth, our State and Gold Star families who have lost a son or daughter during the Iraq and Afghan war, who are horrified at the thought of terrorist detainees being housed in proximity of where their loved ones have been laid to rest: thank you. – TONY BARTON

REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **SB 325** be amended on page 1, in line 24, by striking "commissioner of juvenile justice" and inserting "secretary of corrections"; in line 25, by striking "commissioner" and inserting "secretary of corrections";

On page 2, in line 11, by striking "commissioner of juvenile justice" and inserting "secretary of corrections"; in line 12, by striking "commissioner" and inserting "secretary of corrections"; in line 14, after "parties" by inserting "or interested parties"; and the bill be passed as amended.

Committee on **Insurance and Financial Institutions** recommends **SB 55** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 55," as follows:

"House Substitute for SENATE BILL NO. 55

By Committee on Insurance and Financial Institutions

"AN ACT concerning health care facilities; relating to correction orders; civil penalties; amending K.S.A. 2015 Supp. 39-945 and 39-946 and repealing the existing sections.";

And the substitute bill be passed.

(**H Sub for SB 55** was thereupon introduced and read by title.)

REPORT ON ENROLLED RESOLUTIONS

HCR 5025 reported correctly enrolled and properly signed on March 7, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, March 8, 2016.

Journal of the House

THIRTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, March 8, 2016, 11:00 a.m.

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

The roll was called with 123 members present.
Reps. Edmonds and Goico were excused on excused absence by the Speaker.

Prayer by Rabbi Debbie Stiel, Temple Beth Sholom, Topeka, and guest of Rep. Rooker:

I want to take a moment first to draw our attention to today being International Women's Day. How good it is to be in this country and live at this time when a female rabbi gets called by a female legislator to give the opening prayer to this esteemed governing body. May we work to see that similar rights and opportunities for women are established in all countries.

I am so honored today to be here with the Consul General of Israel to the Midwest, Roey Gilad. Israel, like the United States, is a country with very rich and diverse cultural offerings: incredible dance, music, theater, literature. So I want to share with you a poem by the famous Israeli poet Yehuda Amichai. It is called –The Place Where We Are Right.

The Place Where We Are Right
by Yehuda Amichai

From the place where we are right
Flowers will never grow in the spring.

The place where we are right
Is hard and trampled
Like a yard.

But doubts and loves
Dig up the world
Like a mole, a plow.
And a whisper will be heard in the place
Where the ruined
House once stood.

Inspired by those words, here is my prayer for this day:

> Dear God,
>
> We throughout Your world call You by many different names, yet we are one humanity. We are created by You – each person intentionally made as someone unique and different but also so alike. Open our hearts to listen to each other, to care about the views we don't share. It is so easy to be firmly rooted in what we know, in how we think. But You have given us a world with multiple truths and many vantage points so that we might learn and grow.
>
> Help us, then, to hear the voice and the view across the aisle, and down the street, and in the next neighborhood or county. May we relish diversity and reach consensus through concern for others.
>
> And as we listen to those who may be different from us – may we remember that once we heard You teach "don't stand idly by while your neighbor bleeds" and "plead for the poor, the widow and the orphan." May we hearken especially to those who don't have someone here to speak their cause. You remind us that a society is judged by how it treats its least fortunate and its minorities.
>
> We ask your blessing, God, on our state leaders and all gathered here today. Bless them with courage and strength, with insight and with open hearts and minds in order to do Your work and to help make our society great. -Amen

The Pledge of Allegiance was led by Rep. Rooker.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committees as indicated:

Agriculture and Natural Resources: **HR 6045**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **Sub HB 2292** from the Calendar under the heading General Orders and rereferral to Committee on Education.

Also, the withdrawal of **SB 412** from Committee on Utilities and Telecommunications and referral to Committee on Energy and Environment.

COMMUNICATIONS FROM STATE OFFICERS

From Ken Selzer, CPA, Commissioner of Insurance, 2015 Annual Report of the Kansas Insurance Department, in accordance with provisions of K.S.A. 40-108.

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

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Hutton, **HR 6046**, by Reps. Hutton and Hill, as follows, was introduced and adopted:

HR 6046—A RESOLUTION recognizing the Kansas Small Business Development Center's 2016 Businesses of the Year.

A RESOLUTION recognizing the Kansas Small Business Development Center's 2016 Businesses of the Year.

WHEREAS, The mission of the Kansas Small Business Development Center (SBDC) is to increase economic prosperity in Kansas by helping entrepreneurs and small business owners start and grow their businesses through professional consulting and training, and the identification of appropriate resources; and

WHEREAS, The Kansas SBDC regional directors and staff selected eight Emerging Business of the Year award recipients, eight Existing Business of the Year award recipients and one Exporting Business of the Year recipient; and

WHEREAS, The Kansas SBDC's Business of the Year awards are designed to recognize Kansas SBDC clients for superior performance; and

WHEREAS, Business of the Year award recipients have achieved major accomplishments, overcome significant obstacles, shown growth and impact based on a record of profitability and the Kansas SBDC Economic Impact Tracking spreadsheet and demonstrated good corporate citizenship through community contributions; and

WHEREAS, The 2016 Kansas SBDC Emerging Businesses of the Year are: Athletic Testing Solutions in Overland Park, Kansas, owned by David Kuluva and Eric Schroeder; Brickhouse Antiques in Topeka, Kansas, owned by Tom and Mary Norskov; Chisholm Trail Outfitters, LLC, in Hillsboro, Kansas, owned by Craig Dodd; Duck Salt in Greensburg, Kansas, owned by Matthew Deighton; Kids Calendar in Lawrence, Kansas, owned by Beth McKeon; Sake2me Sushi Rolls, LLC, in Hays, Kansas, owned by Michael Huskey and Stacie Rupp; Sleep Inn & Suites in Fort Scott, Kansas, owned by Bill Michaud; and Sleeptopia in Wichita, Kansas, owned by Kevin Kunz; and

WHEREAS, The 2016 Kansas SBDC Existing Businesses of the Year are: B&P, Inc., in Holton, Kansas, owned by Brett and Carly Fletcher; Colby Glass & Sign Co., Inc., in Colby, Kansas, owned by Rod Rodenbeck; CTe Learning in Olathe, Kansas, owned by Steve Waddell; DV Enterprises, LLC, in Liberal, Kansas, owned by Don and Vicky Brunkhardt; Eric Fisher Academy, Inc., in Wichita, Kansas, owned by Eric and Mary Fisher; Medicine Shoppe Pharmacy in Emporia, Kansas, owned by Amber Haag; Progressive Products, Inc., in Pittsburg, Kansas, owned by Todd Allison; and The Gun Guys in Ottawa, Kansas, owned by Tim VanLeiden; and

WHEREAS, The 2016 Kansas SBDC Exporting Business of the Year is Custom Storefronts, Inc., in Olathe, Kansas, owned by Jon Roberts; and

WHEREAS, The Kansas SBDC Businesses of the Year serve as examples of the success that the Kansas SBDC and small business owners across Kansas can achieve: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize the Kansas Small Business Development Center's 2016 Emerging, Existing and Exporting Businesses of the Year and wish all of them and the Kansas SBDC continued success in the future; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send 20 enrolled copies of this resolution to Representative Hutton.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Reps. Hutton and Hill are spread upon the Journal:

Today we honor the small businesses and their contribution to the Kansas economy. The men and women standing before you today represent the best of the entrepreneurial spirit, the economic backbone of this state.

Small businesses contribute to over 70% of the job growth in our country. They are many times not only the economic driver of local economies but the incubator of new ideas, leading the way towards new horizons of efficiencies, services, and products. More than a company that sells a product or service, these are the men and women that we see supporting the local cause at a town hall meeting, cheering on the high school football team, and attending church with us. After that, they go back to work to begin what I used to call the "2nd shift".

Working long hours many times for less pay then they would get in normal job they are driven to success by their commitment to their family, employees, and community. Their hard work elevates us all and many times goes unnoticed.

So it is today Mr. Speaker that I move HR 6046 be passed in recognition of the best of the best small business men and women that Kansas has to offer and I request that this body join me in saluting their accomplishments and honoring their commitment to our communities, by rising in appreciation for all they do for the great state of Kansas.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. S. Swanson, **HCR 5026**, A CONCURRENT RESOLUTION recognizing the following celebrations and observances in support of organ, eye, tissue, bone marrow, stem cell and cord blood donation and transplantation, and to express gratitude for those who have already given the gift of life. In March, Kansans observe National Eye Donor Month and National Kidney Month. In April, Kansans observe Donate Life Month and on April 15, Kansas will join the rest of the nation to celebrate National Donate Life Blue and Green Day, where the public will be asked to wear their best blue and green outfits in support of giving the gift of life and sight, was adopted.

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

Representative Davis and I are honored to offer this resolution recognizing the wonderful work of the many organizations who support this life giving opportunity.

Last year Representative Davis and I shared our stories of life giving donations. Representative Davis donated stem cells to a young boy and I donated a kidney to a middle aged women. We are living proof that you don't have to die to donate!

However, the typical organ donation occurs at the time of death. By simply signing the back of your drivers license, you can affect the lives of so many people as a deceased donor.

• You can save up to eight lives through organ donation.
• You can improve up to 50 lives through tissue donation.
• You can renew vision for up to two people through cornea donation.
• You can change the lives of potentially millions through disease research and therapy.

If you are a little more adventuresome, you can be a live donor. By offering a kidney, lobe of a lung, portion of the liver, pancreas, intestine, or stem cells, living donors offer their loved one or friend an alternative to waiting on the national transplant waiting list for an organ from a deceased donor.

Currently in Kansas, nearly 1,000 people are awaiting a lifesaving transplant. Nationally more than 123,000 men, women, and children are on the waiting list. Every 10 minutes a name is added to the waiting list and an average of 22 people a day die while awaiting a transplant.

The Midwest Transplant Network has served Kansas and western Missouri with the mission of honoring the gift of donation with dignity and compassion. They are making great strides in educating our communities about the serious need for organ and tissue donors.

Those participating in Blue & Green Day at the Capitol today are in the House Gallery.

They are:
Midwest Transplant Network
Saving Site
Kansas Eye Bank & Cornea Research Center
National Kidney Foundation
National Kidney Coalition
University of Kansas Hospital, Center for Transplantation

Please join me in recognizing these vital organizations.

CONSENT CALENDAR

No objection was made to **SB 423** appearing on the Consent Calendar for the second day.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Hedke in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Hedke, Committee of the Whole report, as follows, was adopted:
Recommended that **HB 2582** be passed.

INTRODUCTION OF GUESTS

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

I would like to introduce our special guest today, the Consul General of Israel to the Midwest, Roey Gilad. As Israel's highest ranking official in the Midwest, he is responsible for 11 states in this region, including the great state of Kansas.

Both the United States and Kansas have much in common with Israel, and I know from your response to our invitation, many in this room understand that special relationship.

The modern country of Israel was established and recognized in 1948. Israel's pioneers included a mix of Holocaust survivors, Jews exiled from Arab countries and people who had lived in Israel for many generations.

The people of Israel created a vibrant democracy in the Middle East. They have resisted attacks from their neighbors over the years, and have had to strongly defend their right to exist.

Innovation was the key to success in Israel, as the landscape is arid and not readily conducive to agriculture. The Israelis developed drip irrigation to take full advantage of their limited water supply and provide resources to her population. Today, high-tech Israeli innovation benefits Americans in agriculture, medicine, education, military expertise, and even cell-phone technology.

Soon after arriving in Chicago about 4 years ago, Consul General Gilad came to Topeka to meet with Governor Brownback, to foster a meaningful relationship between Kansas and Israel. Since then, Consul General Gilad has arranged for experts from Israel to visit Kansas to discuss sustainability, water technology, and agriculture.

Consul General Gilad accompanied the Israeli Ambassador to the United States to Kansas State University, where the Ambassador presented the Landon Lecture, and later met with the Governor and K-State officials. They also visited The United States Army Command and General Staff College in Leavenworth.

During his 25+ year tenure with Israel's Ministry of Foreign Affairs, Consul General Gilad has served in various positions outside of Israel including postings in Kenya, The Hashemite Kingdom of Jordan, the UK, and of course the United States.

He served as a Staff Sergeant in the artillery forces in the Israel Defense Force, has a

Master's Degree in National Security at Haifa University; a Master's Degree in Middle Eastern Studies from Hebrew University in Jerusalem and a Bachelor's Degree in Middle Eastern Studies from Tel Aviv University. In addition to his mother tongue, Hebrew, the Consul General is fluent in English and Arabic and is knowledgeable in French.

The Israeli Consul General's visit has been arranged by the Jewish Community Relations Bureau/American Jewish Committee – which serves Kansas and western Missouri. The mission of the JCRB is to advocate and educate, on behalf of the Jewish community, to eliminate injustice and discrimination at home and abroad by building bridges with other faith communities and minority groups, ethnic communities, government officials, law enforcement, educators, the media and the civic community. They can be a resource for each of you – please let me know if you would like their contact information.

Consul General Gilad will make some brief remarks in the Old Supreme Court room

at noon today and you will find an invitation in your email to a speech he is making tonight at Temple Beth Sholom here in Topeka. The public is welcome.

Mr. Speaker and colleagues, I invite you to join me now in honoring the Consul General of Israel to the Midwest, Roey Gilad.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Hedke in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that committee report recommending a substitute bill to **H Sub for SB 128** be adopted;

On motion of Rep. Carmichael, **H Sub for SB 128** be amended, on page 1, in line 17, after the period by inserting "The chairperson shall make the name of each person whose nomination is accepted available to the public whenever the commission stops accepting nominations for such appointment, but not less than 10 days prior to submitting the names of nominees to the governor.";

On page 2, in line 5, after "(b)" by inserting "(1) All proceedings of the commission relating to accepting nominations, conducting interviews and submitting the names of nominees to the governor shall be open to the public in accordance with and subject to the provisions of the open meetings act, K.S.A. 75-4317 et seq., and amendments thereto.

(2) Except as provided further, the commission shall not recess for a closed or executive meeting for any purpose. The commission, in accordance with K.S.A. 75-4319, and amendments thereto, may recess for a closed or executive meeting only for the purpose of discussing sensitive financial information contained within the personal financial records or official background check of a candidate for judicial nomination.

(c)"

and the substitute bill be passed as amended.

Committee report to **HB 2605** be adopted; on motion of Rep. Lusker, **HB 2605** be amended, as amended by House Committee, on page 1, in line 19, before "refuse" by inserting "require payment of any tolls, penalties, fees or costs due and owing to the county treasurer at the time of registration or renewal of registration or otherwise to";

On page 2, following line 3, by inserting:

"(d) The turnpike authority may adopt any rules and regulations necessary to carry out the provisions of this section.";

On page 3, in line 21, after "thereto" by inserting ", unless the owner or registered owner makes payment to the county treasurer at the time of registration or renewal of registration. Of such moneys collected, 15% shall be retained by the county treasurer and the remainder shall be remitted to the Kansas turnpike authority"

Also, on motion of Rep. DeGraaf to re-refer **HB 2605** to Committee on Transportation, the motion did not prevail, and the bill be passed as amended.

Committee report to **HB 2549** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **H Sub for SB 44** be adopted;

and the substitute bill be passed.

Committee report to **SB 319** be adopted; and the bill be passed as amended.

Committee report to **SB 321** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 337**, as amended by Senate Committee, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 337," as follows:

"House Substitute for SENATE BILL NO. 337

By Committee on Agriculture and Natural Resources

"AN ACT concerning water; relating to the water appropriation act; annual water use report; amending K.S.A. 2015 Supp. 82a-732 and repealing the existing section.";

And the substitute bill be passed.

(**H Sub for SB 337** was thereupon introduced and read by title.)

Committee on **Appropriations** recommends **HB 2573** be amended on page 1, in line 13, after "services" by inserting "that the director and the board of the information network of Kansas, inc., have agreed upon and"; in line 14, after the period by inserting "The provisions of this section shall be implemented within existing resources."; and the bill be passed as amended.

Committee on **Appropriations** recommends **HB 2662** be amended on page 2, by striking all in lines 2 through 4; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2617** be amended on page 1, in line 11, by striking ", if appointed,"; in line 13, before "in" by inserting "a person licensed to practice medicine and surgery in this state and, if appointed, shall be"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2380** be amended on page 1, in line 6, by striking "2014" and inserting "2015"; in line 9, before "board" by inserting "state librarian, subject to approval by the"; in line 10, by striking all after the second "of"; in line 11, by striking "system" and inserting "the county of residence of such appointee,"; in line 34, before the second "board" by inserting "state librarian, subject to approval by the"; in line 35, by striking "each county which is part of the regional system" and inserting "the county of residence of such appointee,";

On page 2, in line 33, by striking "2014" and inserting "2015";

On page 1, in the title, in line 2, by striking "2014" and inserting "2015"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2455**, **HB 2471**, **HB 2599**, **HB 2645** be passed.

Committee on **Insurance and Financial Institutions** recommends **HB 2453**; **SB 369** be passed.

Committee on **Insurance and Financial Institutions** recommends **SB 370** be passed

and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Insurance and Financial Institutions** recommends **SB 390**, as amended by Senate Committee, be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2719, AN ACT concerning local government; relating to certain taxing jurisdictions, approval of bonds, tax levies by electors or elected bodies; amending K.S.A. 3-114, 12-1220, 12-1234, 12-1267, 12-1270, 12-1276, 12-1688, 13-13a18, 13-13a23, 19-3557, 19-3617, 19-3622, 27-322, 27-333, 80-1520 and 80-1548 and K.S.A. 2015 Supp. 12-1288, 12-1927, 12-1928, 12-1936, 27-323 and 75-2551 and repealing the existing sections, by Committee on Taxation.

HB 2720, AN ACT concerning healthcare and health insurance; relating to health benefit plan coverage; prescription medication; restricting the use of step therapy protocols, by Committee on Federal and State Affairs.

HB 2721, AN ACT concerning Kansas government; relating to boards, commissions, councils, authorities and other governmental entities; creating committees to study shared resources, labor capacities and mission alignment, by Committee on Appropriations.

HB 2722, AN ACT designating a portion of K-148 as the SGT Lavern W Tegtmeier memorial highway, by Committee on Appropriations.

HB 2723, AN ACT concerning the secretary of commerce; relating to implementing administrative cost recovery fees for community finance, tax incentive and grant programs; amending K.S.A. 74-5060 and K.S.A. 2015 Supp. 12-17,164, 74-50,150 and 76-7,141 and repealing the existing sections, by Committee on Appropriations.

REPORT ON ENGROSSED BILLS

HB 2134 reported correctly engrossed March 7, 2016.

REPORT ON ENROLLED RESOLUTIONS

HR 6044 reported correctly enrolled and properly signed on March 8, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, March 9, 2016.

Journal of the House

THIRTY-SEVENTH DAY

Hall of the House of Representatives,
Topeka, KS, Wednesday, March 9, 2016, 11:00 a.m.

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

The roll was called with 122 members present.
Rep. Carlin was excused on legislative business.
Rep. Edmonds was excused on excused absence by the Speaker.
Rep. Suellentrop was absent.

Prayer by guest chaplain, Dr. Gene Carlson, retired pastor of Pathway Church, Wichita, and guest of Rep. Hutton:

> Let us pray. The Lord is our shepherd, we shall not want. He makes us lie down in green pastures. He leads us beside still waters. He restores our souls. He guides us in paths of righteousness for His Name's sake. Even though we walk through the valley of the shadow of death, we will fear no evil, for You are with us. Your rod and Your staff will comfort us. You prepare a table before us in the presence of our enemies. You anoint our heads with oil; our cup overflows. Surely goodness and mercy will follow us all the days of our lives and we will dwell in the house of the Lord forever.
>
> Thank You Lord that a you have not left us alone in the universe. For all generations You have been powerful to save.
>
> Guide these committed women and men as they give of their lives--their time, their talent and their resources--to help make our state a wonderful place to live.
>
> On their behalf I ask You to guide them, encourage them, unify them and, above all else, help them to lead with a spirit of humility that will allow them to consider each other's views.
>
> Now unto Him who is able to do immeasurably more than we ask or imagine, according to a his power that is at work within us, to Him be glory among His believers throughout all generations, forever and ever. Amen.

The Pledge of Allegiance was led by Rep. Gonzalez.

INTRODUCTION OF GUESTS

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

When I was recruited to run for the House of Representatives in 2004, I accepted with reservations. I was an unknown running against the speaker pro tem and I never lost my German accent – as you can tell to this day. I thought this would be a handicap, but to my surprise I found that one in three of my constituents had a German grandmother. That lead me to study the history of Kansas more closely and I found that German settlers had played an important role in assuring that Kansas entered the union as a free state.

Today I am introducing Elfriede Jass, President of the German American Society and the Liederkranz Singers, a group of immigrants and their descendants from Germany. They will entertain you on the 1st floor rotunda from 12:00-12:30. These are not German-Americans but Americans with German heritage continuing their cherished customs. They are Americans. We need to get away from hyphenated Americans, blessed as we are to live in this great country. I cringe when I hear people identify themselves as Irish-Americans, Mexican-Americans, African-Americans, Asian-Americans, etc. Let's remember and live according to our motto "e-pluribus unum" loosely translated by one with six years of Latin in high school "from many one" and come together to appreciate our native origins but cherish this land we live in. Enjoy the music. Welcome Liederkranz.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2724, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; limits on calculations of members' benefits; amounts taxable under 409A and 457(f) plans; amending K.S.A. 2015 Supp. 74-4902 and repealing the existing section, by Committee on Appropriations.

HB 2725, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; limits on calculation of members' benefits, accumulated leave and amounts taxable under 409A and 457(f) plans; limiting accumulation of vacation leave for certain employees; amending K.S.A. 75-5517 and K.S.A. 2015 Supp. 74-4902 and repealing the existing sections, by Committee on Appropriations.

CORRECTION OF REFERENCE

Speaker Merrick announced **HB 2723** appearing on the Calendar under Reference of Bills and Concurrent Resolutions as being referred to Committee on General Government Budget, should be corrected to be referred to Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

General Government Budget: **HB 2721**.
Health and Human Services: **HB 2720**.

Taxation: **HB 2719**, **HB 2723**.
Transportation: **HB 2722**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2537**, **S Sub for HB 2074** from Committee on Calendar and Printing and referral to Committee on Appropriations.

Also, the withdrawal of **Sub HB 2383**, **HB 2484** from the Calendar under the heading General Orders and referral to Committee on Calendar and Printing.

MESSAGES FROM THE SENATE

Announcing adoption of **HCR 5026**.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6047**—

By Committee on Energy and Environment

A RESOLUTION encouraging the Kansas Department of Health and Environment to develop guidelines for the safe disposal of household-generated "sharps".

WHEREAS, The safe and proper disposal of sharps is a serious public safety issue, with approximately one in 12 households having someone who may use sharps; and

WHEREAS, The improper disposal of medical syringes, hypodermic needles and other injection medication sharps can pose a serious and costly hazard to families, communities, businesses and individuals who collect and process solid waste and recyclables; and

WHEREAS, Sharps have been placed in plastic containers that are placed in the recycling and then transported to recycling facilities resulting in a safety hazard for the employees in these facilities; and

WHEREAS, there is a need for public health and safety education regarding the appropriate disposal of household-generated sharps and their exclusion from materials intended for recycling; Now, therefore:

Be it resolved by the House of Representatives of the State of Kansas: That we urge the Kansas Department of Health and Environment to develop and publish educational guidelines on its website regarding the proper disposal of household sharps, including mixing such items with any other materials separated for recycling, and to provide a list of other safe disposal options to inform the citizens of Kansas of the public safety and health dangers of improper disposal of household sharps; and

Be it further resolved: That we urge the Kansas Department of Health and Environment to partner with local governments to encourage the incorporation of safe disposal options in the county's solid waste management plans and with other organizations to further encourage communication about the proper disposal of household sharps, safe disposal options, program assistance and local government resources; and

Be it further resolved: That we urge the Kansas Department of Health and Environment to provide an update to the Kansas House of Representatives Committee on Energy and Environment about the development of this public education initiative before February 1, 2017; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to the Secretary of the Kansas Department of Health and Environment.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Clark, **HR 6048**, as follows, was introduced and adopted:

By Representative Clark

HR 6048—A RESOLUTION honoring Albert Curley and Nolan Self.

A RESOLUTION honoring Retired First Sergeant Albert Curley and Retired Master Sergeant Nolan Self for their exceptional dedication and service to the State of Kansas and our country.

WHEREAS, In 1866, Congress created six segregated regiments that were ultimately consolidated into four all-black regiments: the 9th and 10th Cavalry and the 24th and 25th Infantry. They were sent west where they were assigned to protect settlements and railroad workers, build roads and establish telegraphs. Native American Indians both feared and respected the soldiers and named them "Buffalo Soldiers," because their hair and fierce fighting spirit reminded them of the revered buffalo; and

WHEREAS, The Buffalo Soldiers have fought heroically in many major U.S. conflicts, including the Indian Wars, World War I, World War II, the Korean War and the Vietnam War; and

WHEREAS, Albert Curley is a retired Army First Sergeant of the 9th Cavalry Regiment. He began his military career in Fort Riley, Kansas, in 1940, and served in Italy and Japan, and in two tours of duty in Germany, Korea and Vietnam. His awards and decorations include: the Purple Heart, Bronze Star, Army Commendation Medal with Oak Leaf Cluster and Good Conduct Medal. In March of 1969, after 28 years in the Army, he retired at Fort Riley, Kansas; and

WHEREAS, Nolan Self is a retired Army Master Sergeant of the 10th Cavalry Regiment. He served five campaigns during World War II. He was stationed at Fort Leavenworth and Fort Riley and later moved to Junction City when he retired from the military, after 17 years of service; and

WHEREAS, On January 18, 2016, during the annual Martin Luther King, Jr. Day Celebration at the C.L. Hoover Opera House in Junction City, Kansas, the contributions of the Buffalo Soldiers were honored, and Retired First Sergeant Albert Curley and Retired Master Sergeant Nolan Self were recognized for their work: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That the Kansas House of Representatives honors Buffalo Soldiers Retired First Sergeant Albert Curley and Retired Master Sergeant Nolan Self for their exceptional dedication and service to the State of Kansas and our country. Thank you for protecting us and for your lifelong contributions to the United States Army, Fort Riley and Junction City. We know

that you and your comrades have sacrificed so much for your country, and have served to protect the freedom and security of the United States of America; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send enrolled copies of this resolution to Retired First Sergeant Albert Curley and Retired Master Sergeant Nolan Self.

INTRODUCTION OF GUESTS

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

It is my honor today to recognize two "Buffalo Soldiers" for their service to The United States of America and The Great State of Kansas.

1st Sgt. Curley has health issues that has prevented them from being with us today, but I am honored to introduce Master Sgt. Nolan Self and his wife Wilma; one of their seven children, Mr. Curtis Self, his wife Charlotte; their daughter April and grandson, Derron Johnson.

Also with us are:

Mr. Earnest Skillern and his wife Lizzie

Mr. Dale Cushinberry and his wife Anita, and Helen K. Duncan

Geary Co. Commissioner, Mr. Larry Hicks

Junction City Commissioner, Mr. Jim Sands

Junction City Chapter President of the NAACP, Mr. Jackie McDonald

I have a few things I want to add that exemplifies the courage of these two American soldiers. The Cheyenne said, "The Buffalo Soldiers were like the Buffalo, fierce fighters and hard to kill." The Cheyenne were right! It was mentioned that 1st Sgt. Curley earned The Purple Heart while fighting in Italy and that he did. 1st Sgt. Curley was wounded in action clearing out an enemy machine-gun nest, and was hit with enemy fire three times! He remained in the hospital in Italy, until he recovered and was then sent back to the front lines.

Master Sgt. Self saw combat in FIVE CAMPAIGNS, during the Second World War, FIVE! That is astonishing!!! Master Sgt. Self explained the Army moved the 10th Cavalry to Fort Riley to train with the 9th Cavalry. That's where he met fellow buffalo soldier and World Heavy Weight Champion Joe Louis. Louis was stationed at Fort Riley with his family and realized there wasn't much for the other buffalo soldiers to do so he called his friend, Count Basie, who agreed to perform a concert in Topeka. Louis rented buses, giving a couple hundred girls free transportation, to the concert so the soldiers would have someone to dance with. That's when Master Sgt. Self met the girl he would dance with for the next 73 years.

Please join me in thanking these American Heroes and their families for their service to our country.

CONSENT CALENDAR

No objection was made to **SB 370** appearing on the Consent Calendar for the first day.

No objection was made to **SB 423** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 423, AN ACT concerning postsecondary education; redesignating Kansas state university - Salina, college of technology as Kansas state university polytechnic campus; amending K.S.A. 74-3209, 74-3229, 76-205, 76-213, 76-220, 76-221, 76-222, 76-223, 76-751 and 76-754 and K.S.A. 2015 Supp. 76-156a, 76-756 and 76-7,126 and repealing the existing sections, was considered on final action.

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

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Carlin, Doll, Edmonds, Scott, Suellentrop.

The bill passed.

HB 2549, AN ACT concerning law enforcement; relating to requests for law enforcement assistance from jurisdictions located outside the state of Kansas, but within the United States, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 8; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, O'Brien,

Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barton, Esau, Grosserode, Hildabrand, K. Jones, McPherson, Peck, Scapa.

Present but not voting: None.

Absent or not voting: Carlin, Edmonds, Suellentrop.

The bill passed, as amended.

HB 2582, AN ACT concerning the department of revenue; relating to driver's license examiners, unclassified service; amending K.S.A. 2015 Supp. 74-2015 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 76; Nays 46; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Concannon, Corbet, E. Davis, DeGraaf, Dove, Esau, Estes, Ewy, Francis, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Nays: Alcala, Anthimides, Ballard, Bollier, Burroughs, Carmichael, Clark, Clayton, Curtis, Dierks, Doll, Finch, Finney, Frownfelter, Gallagher, Helgerson, Hemsley, Henderson, Henry, Highberger, Hill, Houston, Kuether, Lewis, Lusk, Lusker, Moxley, Ousley, F. Patton, Pauls, Rooker, Ruiz, Sawyer, Scott, Sloan, C. Smith, S. Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Carlin, Edmonds, Suellentrop.

The bill passed.

HB 2605, AN ACT concerning motor vehicles; relating to vehicle registration, failure or refusal to pay tolls; amending K.S.A. 2015 Supp. 8-173 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 61; Nays 61; Present but not voting: 0; Absent or not voting: 3.

Yeas: Anthimides, Becker, Billinger, Boldra, Bradford, Campbell, Carmichael, W. Carpenter, Claeys, Clark, Concannon, Corbet, E. Davis, Doll, Esau, Estes, Finch, Francis, Frownfelter, Gonzalez, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hoffman, Hutton, Johnson, D. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Rhoades, Ryckman, Ryckman Sr., Schwab, Schwartz, Seiwert, Sloan, Thimesch, Todd, Vickrey, Waymaster, Weber, C., K. Williams, Wilson.

Nays: Alcala, Alford, Ballard, Barker, Barton, Bollier, Bruchman, Burroughs, B. Carpenter, Clayton, Curtis, DeGraaf, Dierks, Dove, Ewy, Finney, Gallagher, Garber, Goico, Grosserode, Helgerson, Henderson, Henry, Highberger, Hineman, Houser,

Houston, Huebert, Hutchins, Jennings, K. Jones, Kelley, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, McPherson, Ousley, Peck, Read, Rooker, Rubin, Ruiz, Sawyer, Scapa, Schroeder, Scott, C. Smith, Sutton, S. Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Whipple, Whitmer, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Carlin, Edmonds, Suellentrop.

The bill did not pass.

EXPLANATIONS OF VOTE

MR. SPEAKER: I believe in personal responsibility and accountability when it comes to criminal sentencing or, as here, civil penalties. But this bill penalizes registered vehicle owners with civil money penalties, and ultimately even registration refusals, for others' wrongdoing -- turnpike toll evasions committed by other drivers of his/her vehicle. That is wrong. Worse, I understand from country treasurers that every car in an owner's name on a multiple registration could also be affected by these provisions. For these reasons, and because of the even longer registration lines that will result in many counties, many treasurers are opposed to this bill. I vote "NO" on **HB 2605**. – JOHN RUBIN

MR. SPEAKER: **HB 2605** is an important piece of legislation for the safety of customers traveling the KTA system and for the employees of the KTA that frequently have to stop traffic and walk across lanes of moving traffic to accommodate a customer unintentionally in the KTAG lanes. It allows Kansas to modernize our toll system in the most fiscally responsible way for customers. **HB 2605** is important to keep tolls low for all of the Kansas turnpike customers that will travel through and within our state that pay their tolls the way they should. I vote yes. – RICHARD PROEHL

MR. SPEAKER: I vote NO on **HB 2605**. I've heard from Johnson County Treasurer Thomas Franzen, treasurer for the largest county in the State expressing his opposition to **HB 2605**. This bill would create many problems for county treasurer's offices – dealing with irate people, delaying the vehicle registration process for others in line, tracking down different versions of names for the same person owning several vehicles, and dealing with duplicate license plate numbers for different vehicle classifications. This is another case of the state asking local governments to do more with fewer resources. I support the premise of this bill, just not the way it is done. – LINDA GALLAGHER, STEPHANIE CLAYTON, BARBARA BOLLIER

H Sub for SB 128, AN ACT concerning district courts; relating to vacancies in the office of judge of the district court; nominations for successor by district judicial nominating commission; amending K.S.A. 2015 Supp. 20-2909 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 108; Nays 14; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henry, Hibbard, Highland,

Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson.

Nays: Alcala, Curtis, Frownfelter, Henderson, Highberger, Houston, Kuether, Ousley, Ruiz, Tietze, Victors, Ward, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Carlin, Edmonds, Suellentrop.

The substitute bill passed, as amended.

SB 319, AN ACT concerning civil procedure for limited actions; relating to venue under the small claims procedure act; amending K.S.A. 61-2708 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Carlin, Edmonds, Suellentrop.

The bill passed, as amended.

SB 321, AN ACT concerning probate; relating to filing of wills; amending K.S.A. 2015 Supp. 59-618a and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K.

Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Carlin, Edmonds, Suellentrop.

The bill passed, as amended.

H Sub for SB 44, AN ACT concerning the commercial real estate broker lien act; relating to conditions, recording and notice of lien; amending K.S.A. 58-30a03, 58-30a07 and 58-30a09 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Carlin, Edmonds, Suellentrop.

The substitute bill passed.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Macheers in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that **SB 312** be passed.

HB 2457 be passed over and retain a place on the calendar.

On motion of Rep. Hildabrand to re-refer **HB 2369** to Committee on Health and Human Services, the motion did not prevail and the bill be passed.

Committee reports to **HB 2509** be adopted; also on motion of Rep. Sloan, **HB 2509** be amended; as Further Amended by House Committee, on page 2, in line 1, after "the" by inserting "executive"; in line 29, after "the" by inserting "executive";

On page 1, in the title, in line 5, after "the" by inserting "executive"; also in line 5, after the semicolon by inserting "executive"; and the bill be passed as amended.

On motion of Rep. Rhoades, **HB 2571** be amended on page 2, in line 33, after "(e)" by inserting "Programs and treatments provided by"; also in line 33, by striking "has" and inserting "have"; in line 35, by striking "has" and inserting "have"; in line 36, by striking "an equivalent entity" and inserting "another national accrediting body approved by the Kansas department for aging and disability services"; following line 37, by inserting:

"(f) The Kansas department for aging and disability services shall inspect accredited community mental health centers to determine compliance with state licensing standards and rules and regulations not covered by the accrediting entity's standards. Community mental health centers receiving accreditation shall continue to be subject to inspections and investigations resulting from complaints.

(g) In the event that an accredited community mental health center loses accreditation, the community mental health center shall immediately notify the Kansas department for aging and disability services."; and the bill be passed as amended.

Committee report recommending a substitute bill to **H Sub for SB 193** be adopted;

On motion of Rep. Highland, **H Sub for SB 193** be amended on page 1, in line 25, by striking the comma and inserting "and"; also in line 25 by striking "and"; in line 26, by striking "loans"; and the substitute bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Energy and Environment** recommends **SB 318**, as amended by Senate Committee of the Whole, be amended on page 8, in line 17, after "activities" by inserting ", studies and investigations"; also in line 17, after "the" by inserting "preparation of an initial submittal or the evaluation of any options for the submission of a final state plan pursuant to the"; in line 19, after the fourth period by inserting "Nothing in this subsection shall be construed so as to restrict the ability of a state agency from communicating with, or providing information to, other state agencies in furtherance of any of the agency's statutory obligations."; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2607**, be amended by adoption of the amendments recommended by the House Committee on Health and Human Services as reported in the Journal of the House on February 18, 2016, and the bill, as printed with amendments by the House Committee, be passed as amended.

Committee on **Health and Human Services** recommends **HB 2614**, be amended by adoption of the amendments recommended by the House Committee on Health and Human Services as reported in the Journal of the House on February 19, 2016, and the bill, as printed with amendments by the House Committee, be passed as amended.

Committee on **Judiciary** recommends **HB 2553** be passed.

Committee on **Judiciary** recommends **SB 376**, as amended by Senate Committee, be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2726, AN ACT concerning state agencies; relating to procurement procedures for insurance services; responsibilities of the department of administration, by Committee on Appropriations.

HB 2727, AN ACT concerning the secretary for children and families; relating to persons in arrearage under certain support orders; registration or renewal of registration of certain vehicles and certain vessels; duties of the secretary of revenue, the division of vehicles and the secretary of wildlife, parks and tourism; amending K.S.A. 2015 Supp. 8-173 and 32-1111 and repealing the existing sections, by Committee on Appropriations.

INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, pursuant to House Rule 2303, Rep. Dove moved that the House reconsider its adverse action in not passing **HB 2605** and the bill be returned to that order of business Final Action on Bills and Concurrent Resolutions. The motion prevailed.

HB 2605, AN ACT concerning motor vehicles; relating to vehicle registration, failure or refusal to pay tolls; amending K.S.A. 2015 Supp. 8-173 and repealing the existing section, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 63; Nays 54; Present but not voting: 0; Absent or not voting: 8.

Yeas: Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bradford, Campbell, Carmichael, W. Carpenter, Claeys, Clark, Concannon, Corbet, E. Davis, Dierks, Doll, Dove, Esau, Estes, Finch, Francis, Frownfelter, Gonzalez, Hawkins, Hemsley, Hibbard, Highland, Hildabrand, Hoffman, Hutton, Johnson, D. Jones, Kelly, Kleeb, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Rhoades, Ryckman, Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Sloan, Thimesch, Todd, Vickrey, Weber, C., Whipple, Whitmer, K. Williams, Wilson.

Nays: Alcala, Alford, Barton, Bollier, Bruchman, Burroughs, B. Carpenter, Clayton, Curtis, DeGraaf, Ewy, Finney, Gallagher, Garber, Goico, Grosserode, Helgerson, Henderson, Henry, Highberger, Hill, Hineman, Houser, Houston, Hutchins, Jennings, K.

Jones, Kelley, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, McPherson, Ousley, Peck, Read, Rooker, Rubin, Ruiz, Sawyer, Scapa, Scott, C. Smith, Sutton, S. Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Carlin, Edmonds, Hedke, Huebert, Kahrs, Kiegerl, Suellentrop, Waymaster.

The bill passed, as amended.

REPORT ON ENGROSSED BILLS

HB 2549, **HB 2605** reported correctly engrossed March 8, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, March 10, 2016.

Journal of the House

THIRTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, March 10, 2016, 11:00 a.m.

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

The roll was called with 121 members present.

Reps. Concannon, Edmonds and Ewy were excused on excused absence by the Speaker.

Rep. Suellentrop was absent.

Prayer by Chaplain Brubaker:

Our Loving God in heaven,
Thank you for this beautiful day
which portrays Your wonderful creation.
As our leaders work today,
help them to work hard and play fair.
Help them to collaborate and work together as a team.
Help each one to realize it is not about him or her getting all the points,
but that it is equally important to assist one another.
Help them to work with respect and show good sport.
As emotions get high, keep tempers down.
Constantly give them the greater picture of the whole,
not just that of a single person or of this day.
And please do the same in the big
Sunflower State Showdown this afternoon.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Lusk.

PERSONAL PRIVILGE

Rep. Seiwert welcomed the Government class of Fairfield High School from Langdon, Kansas who are here today shadowing various Representatives and Senators today with the intent to be more aware of the activities of their legislators.

Rep. Thimesch introduced Jody Lubbers, the government teacher whose idea it was to initiate this educational trip to the Capitol.

Students in attendance are: Logan Kalmar, Jasmine Pancratz, Emma Schwertfeger, Hanna Durham, Araseli Espinosa, Josei Zink, Mackenzie MacMahon, Tristen Pike, Kara Gaeddert, Jesse Dealy, Alyssa Alvarez, Ethan Williams, Branden Knight, Baylie Graham, Brad Bates, Jaden Evans, Melissa Schoenecker and Tessa Lofton.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2728, AN ACT concerning education; relating to the financing thereof; relating to unencumbered cash balances held by school districts, by Committee on Appropriations.

CORRECTION OF REFERENCE

Speaker Merrick announced **HB 2726** appearing on the Calendar under Reference of Bills and Concurrent Resolutions as being referred to Committee on Education Budget, should be corrected to be referred to Committee on Insurance and Financial Institutions.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2725**.
Insurance and Financial Institutions: **HB 2726**.
Pensions and Benefits: **HB 2724**.
Social Services Budget: **HB 2727**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2269** from Committee on Children and Seniors and referral to Committee on Calendar and Printing.

Also, the withdrawal of **HB 2171** from Committee on Commerce, Labor and Economic Development and referral to Committee on Calendar and Printing.

Also, the withdrawal of **HB 2291**, **HB 2295**, **HB 2312**, **HB 2322**, **HB 2584**, **HB 2628**, **HB 2650** from Committee on Federal and State Affairs and referral to Committee on Calendar and Printing.

MESSAGES FROM THE SENATE

The Senate nonconcurs in House amendments to **House Substitute for SB 44**, requests a conference and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **House Substitute for SB 128**, requests a conference and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **SB 319**, requests a conference and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **SB 321**, requests a conference and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **H Sub for SB 44**.

Speaker Merrick thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **H Sub for SB 128**.

Speaker Merrick thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 319**.

Speaker Merrick thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 321**.

Speaker Merrick thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

CONSENT CALENDAR

No objection was made to **SB 370** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2369, AN ACT concerning tanning facilities; prohibiting minors' access to a tanning device, was considered on final action.

On roll call, the vote was: Yeas 77; Nays 44; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bruchman, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Curtis, Dierks, Doll, Dove, Estes, Finch, Finney, Frownfelter, Gallagher, Goico, Gonzalez, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Houston, Jennings, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lusk, Lusker, Mason, Mast, Merrick, Moxley, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Rooker, Rubin, Ruiz, Ryckman Sr., Sawyer, Schroeder, Scott, Sloan, C. Smith, S. Swanson, Thompson, Tietze, Todd, Trimmer, Victors, Ward, Waymaster, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Anthimides, Barton, Bradford, B. Carpenter, W. Carpenter, Claeys, Corbet, E. Davis, DeGraaf, Esau, Francis, Garber, Grosserode, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Lunn, Macheers, McPherson, O'Brien, Osterman, Peck, R. Powell, Read, Rhoades, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Sutton, Thimesch, Vickrey, Weber, C., Whitmer, K. Williams.

Present but not voting: None.
Absent or not voting: Concannon, Edmonds, Ewy, Suellentrop.
The bill passed.

HB 2509, AN ACT concerning state agencies, relating to the office of information technology services, executive chief information technology officer; concerning the establishment of the Kansas information security office; appointment of the executive chief information security officer; executive chief information security officer duties; amending K.S.A. 2015 Supp. 75-7205 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 1; Present but not voting: 1; Absent or not voting: 4.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Carmichael.
Present but not voting: Hemsley.
Absent or not voting: Concannon, Edmonds, Ewy, Suellentrop.
The bill passed, as amended.

HB 2571, AN ACT concerning community mental health centers; relating to license renewal; amending K.S.A. 2015 Supp. 75-3307b and repealing the existing section, was considered on final action.

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

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Carmichael, Helgerson, Kuether, Tietze, Ward.
Present but not voting: None.
Absent or not voting: Concannon, Edmonds, Ewy, Suellentrop.
The bill passed, as amended.

H Sub for SB 193, AN ACT concerning state educational institutions; relating to degree program transparency, was considered on final action.

On roll call, the vote was: Yeas 90; Nays 31; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Anthimides, Ballard, Barker, Barton, Becker, Boldra, Bollier, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Corbet, E. Davis, DeGraaf, Dierks, Dove, Esau, Estes, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson.

Nays: Alcala, Billinger, Burroughs, Carlin, Carmichael, Clayton, Curtis, Doll, Finch, Finney, Francis, Frownfelter, Helgerson, Henderson, Henry, Highberger, Hineman, Houston, Kuether, Lusk, Lusker, Ousley, F. Patton, Rooker, Ruiz, Scott, Tietze, Victors, Ward, Winn, Wolfe Moore.

Present but not voting: None.
Absent or not voting: Concannon, Edmonds, Ewy, Suellentrop.
The substitute bill passed as amended.

SB 312, AN ACT concerning the legislative post audit committee; auditing unified school districts; amending K.S.A. 2015 Supp. 46-1133 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 4; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Corbet, Curtis, E. Davis, Dierks, Doll, Dove, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: B. Carpenter, DeGraaf, R. Powell, Whitmer.
Present but not voting: None.

Absent or not voting: Concannon, Edmonds, Ewy, Suellentrop.
The bill passed.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Kleeb in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that **SB 369** be passed.

HB 2612 be passed over and retain a place on the calendar. (See further action.)

Committee report to **HB 2573** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **H Sub for SB 55** be adopted; and the substitute bill be passed.

On motion of Rep. Kelly, **SB 390** be amended, as amended by Senate Committee, on page 57, in line 11, after the second "company" by inserting ", with the prior written approval of the commissioner"; in line 14, by striking all after "state"; in line 15, by striking "commissioner"; and the bill be passed as amended.

Roll call was demanded on motion of Rep. Whipple to amend **HB 2612 on page 2, following line 39, by inserting:**

"(d) "Religious organization" means any organization, church, body of communicants, or group, gathered in common membership for mutual support and edification in piety, worship, and religious observances, or a society of individuals united for religious purposes at a definite place and of which no part of the net earnings inures to the benefit of any private shareholder or individual member of such organization.";

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

On page 5, following line 35, by inserting:

"Sec. 7. Nothing in this act shall be construed to prohibit any religious organization from providing any refugee resettlement services to refugees, if providing such services is part of such religious organization's religious beliefs, tenets or mission.";

And by renumbering remaining sections accordingly

On roll call, the vote was: Yeas 54; Nays 56; Present but not voting: 0; Absent or not voting: 15.

Yeas: Alcala, Ballard, Bollier, Burroughs, Carlin, Carmichael, Clark, Clayton, Curtis, Dierks, Doll, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Helgerson, Henderson, Henry, Hibbard, Highberger, Hildabrand, Hill, Hineman, Houston, Jennings, K. Jones, Kuether, Lewis, Lusk, Lusker, McPherson, Moxley, Ousley, F. Patton, Phillips, Rooker, Ruiz, Sawyer, Schroeder, Scott, Sloan, S. Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, B.

Carpenter, W. Carpenter, Corbet, DeGraaf, Dove, Esau, Estes, Garber, Goico, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, Kelley, Kelly, Kiegerl, Kleeb, Macheers, Mason, Mast, Merrick, O'Brien, Osterman, Pauls, Peck, R. Powell, Proehl, Rahjes, Rubin, Ryckman Sr., Scapa, Schwartz, Seiwert, C. Smith, Sutton, Todd, Vickrey, Waymaster, Weber, C., Whitmer.

Present but not voting: None.

Absent or not voting: Bruchman, Campbell, Claeys, Concannon, E. Davis, Edmonds, Ewy, Kahrs, Lunn, Read, Rhoades, Ryckman, Schwab, Suellentrop, Thimesch.

The motion did not prevail.

Also, on further motion of Rep. Whipple to amend, Rep. Jennings moved to re-refer **HB 2612** to Committee on Federal and State Affairs. The motion prevailed, and **HB 2612** was re-referred to Committee on Federal and State Affairs with an amendment pending.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 97**, as amended by Senate Committee of the Whole, be amended on page 1, in line 6, by striking "2014" and inserting "2015"; in line 34, by striking "2014" and inserting "2015";

On page 2, in line 4, by striking "and" and inserting a comma; in line 5, by striking "not including clouded leopards," and inserting "and"; in line 8, by striking "non-native,"; in line 19, by striking "2014" and inserting "2015"; in line 30, by striking "2014" and inserting "2015";

On page 3, in line 10, by striking "non-native,"; in line 14, by striking "non-native,"; in line 32, by striking "40" and inserting "25"; in line 38, by striking "2014" and inserting "2015"; in line 43, by striking "2014" and inserting "2015";

On page 4, in line 3, by striking "2014" and inserting "2015"; in line 9, by striking "2014" and inserting "2015"; in line 14, by striking "2014" and inserting "2015";

On page 1, in the title, in line 2, by striking "2014" and inserting "2015"; and the bill be passed as amended.

Committee on **Appropriations** recommends **SB 249**, as amended by Senate Committee, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 249," as follows:

"House Substitute for SENATE BILL NO. 249

By Committee on Appropriations

"AN ACT concerning the authority of state agencies to enter into indebtedness on behalf of the state; relating to the issuance of bonds by the Kansas development finance authority; monthly reports by the authority; amending K.S.A. 74-8913 and K.S.A. 2015 Supp. 74-8905 and repealing the existing sections.";

And the substitute bill be passed.

(**H Sub for SB 249** was thereupon introduced and read by title.)

Committee on **Children and Seniors** recommends **HB 2585** be amended by adoption of the amendments recommended by the House Committee on Children and Seniors as reported in the Journal of the House on February 22, 2016, and the bill, as printed with amendments by House Committee, be passed as amended.

Committee on **Elections** recommends **Substitute for HB 2543** be amended on page 1, by striking all in lines 35 and 36;

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

Committee on **General Government Budget Committee** recommends **HB 2660**, be amended by adoption of the amendments recommended by the House General Government Budget Committee as reported in the Journal of the House on February 19, 2016, and the bill, as printed with amendments by House Committee, be passed as amended.

Committee on **Judiciary** recommends **SB 334**, **SB 361** be passed.

Committee on **Pensions and Benefits** recommends **HB 2700** be amended on page 1, following line 9, by inserting:

"Section 1. K.S.A. 2015 Supp. 46-2201 is hereby amended to read as follows: 46-2201. (a) There is hereby created the joint committee on pensions, investments and benefits which shall be composed of five senators and eight members of the house of representatives. The five senate members shall be the chairperson of the standing committee on ways and means of the senate, or a member of such committee appointed by the chairperson, two members appointed by the president and two members appointed by the minority leader. The eight representative members shall be the chairperson of the standing committee on appropriations of the house of representatives, or a member of such committee appointed by the chairperson, four members appointed by the speaker and three members appointed by the minority leader.

(b) All members of the joint committee on pensions, investments and benefits shall serve for terms ending on the first day of the regular legislative session in odd-numbered years. ~~The chairperson and vice-chairperson serving on the effective date of this act will continue to serve in such capacities through June 30, 1998. On and after July 1, 1998, and until the first day of the 1999 regular legislative session, the chairperson shall be one of the senate members of the joint committee selected by the president and the vice-chairperson shall be one of the representative members selected by the speaker. Thereafter,~~ On and after the first day of the regular legislative session in odd-numbered years, the chairperson shall be one of the representative members of the joint committee selected by the speaker and the vice-chairperson shall be one of the senate members selected by the president and on and after the first day of the regular legislative session in even-numbered years, the chairperson shall be one of the senate members of the joint committee selected by the president and the vice-chairperson shall be one of the representative members of the joint committee selected by the speaker. The chairperson and vice-chairperson of the joint committee shall serve in such capacities until the first day of the regular legislative session in the ensuing year. The vice-chairperson shall exercise all of the powers of the chairperson in the absence of the chairperson.

(c) The joint committee on pensions, investments and benefits shall meet at any time and at any place within the state on call of the chairperson. Members of the joint committee shall receive compensation and travel expenses and subsistence expenses or allowances as provided in K.S.A. 75-3212, and amendments thereto, when attending

meetings of such committee authorized by the legislative coordinating council.

(d) In accordance with K.S.A. 46-1204, and amendments thereto, the legislative coordinating council may provide for such professional services as may be requested by the joint committee on pensions, investments and benefits.

(e) The joint committee on pensions, investments and benefits may introduce such legislation as deemed necessary in performing such committee's functions.

(f) The joint committee on pensions, investments and benefits shall:

(1) Monitor, review and make recommendations regarding investment policies and objectives formulated by the board of trustees of the Kansas public employees retirement system;

(2) review and make recommendations relating to benefits for members under the Kansas public employees retirement system;

(3) consider and make recommendations to the standing committee of the senate specified by the president of the senate relating to the confirmation of members of the board of trustees of the Kansas public employees retirement system appointed pursuant to K.S.A. 74-4905, and amendments thereto. The information provided by the Kansas bureau of investigation or other criminal justice agency pursuant to K.S.A. 74-4905(h), and amendments thereto, relating to the confirmation of members of the board to the standing committee of the senate specified by the president shall be forwarded by the Kansas bureau of investigation or such other criminal justice agency to such joint committee for such joint committee's consideration and other than conviction data, shall be confidential and shall not be disclosed except to members and employees of the joint committee as necessary to determine qualifications of such member. The committee, in accordance with K.S.A. 75-4319, and amendments thereto, shall recess for a closed or executive meeting to receive and discuss information received by the committee pursuant to this subsection;

(4) review and make recommendations relating to the inclusion of city and county correctional officers as eligible members of the Kansas police and firemen's retirement system; and

(5) review reports ~~and approve or deny appeals~~ regarding working after retirement exceptions pursuant to K.S.A. 74-4914 and 74-4937, and amendments thereto. The joint committee may appoint a subcomittee to carry out the provisions of this subsection.";

On page 2, in line 33, by striking "who retired on or after July 1, 1988,";

On page 4, in line 39, after "apply" by inserting ", except as specifically provided in this subsection,";

On page 5, in line 6, before the semicolon by inserting ". Any retirant employed by a school district in a position under K.S.A. 74-4937(4) or (5), and amendments thereto, shall be subject to the provisions of subsection (7)(h) which relate to a limitation on the total term of employment with any participating employer in which a retirant may receive such retirant's full retirement benefit";

Also on page 5, in line 7, after "(iii)" by inserting "employed by a school district in a position that required a license under K.S.A. 72-1388, and amendments thereto, or other provision of law requiring a similar license and subject to the provisions of K.S.A. 74-4940, and amendments thereto, and who retired at age 62 or later. The school district shall pay to the system a 30% employer contribution based on the retirant's compensation during any such period of employment. On or before July 1, 2019, and at least every three years thereafter, the board, in consultation with the system's consulting

actuary, shall evaluate the plan's experience with employment of such retirants and the corresponding employer contribution rate to assess whether the employer contribution rate can be expected to fund adverse experience or higher liabilities accruing under the system in connection with employment of such retirants, to the extent that such liability can be ascertained or estimated. Based on this evaluation of the plan's experience, the board may certify to the division of the budget, in the case of the state, and to the agent for each other participating employer, a new rate if needed to more fully fund such adverse experience or additional liabilities, but such rate shall not be less than 30%;

(iv) ";

On page 6, in line 3, by striking "the actuarially determined" and inserting "a 30%"; in line 5, by striking "plus 8%" and inserting ". On or before July 1, 2019, and at least every three years thereafter, the board, in consultation with the system's consulting actuary, shall evaluate the plan's experience with employment of such retirants and the corresponding employer contribution rate to assess whether the employer contribution rate can be expected to fund adverse experience or higher liabilities accruing under the system in connection with employment of such retirants, to the extent that such liability can be ascertained or estimated. Based on this evaluation of the plan's experience, the board may certify to the division of the budget, in the case of the state, and to the agent for each other participating employer, a new rate if needed to more fully fund such adverse experience or additional liabilities, but such rate shall not be less than 30%"; also in line 5, after the semicolon, by inserting "and";

Also on page 6, in line 10, by striking "appeal" and inserting "assurance protocol"; also in line 10, by striking all after "the"; in line 11, by striking all before "to" and inserting "system"; in line 12, by striking "one year" and inserting "one-year increments for a total extension not to exceed three years. A written assurance protocol shall be submitted to the system for each one-year increment extension. If a school district submits a written assurance protocol, such written assurance protocol shall be signed by the superintendent and the board president of such school district. If a municipality, as defined in K.S.A. 75-1117, and amendments thereto, other than a school district, submits a written assurance protocol, such written assurance protocol shall be signed by the governing body or such governing body's designee for such municipality";

Also on page 6, in line 12, by striking "appeal" and inserting "assurance protocol"; also in line 12, by striking "include"; by striking all in lines 13 and 14; in line 15, by striking all before the period and inserting "state that the position was advertised on multiple platforms for a minimum of 30 calendar days and that at least one of the following conditions occurred:

(i) No applications were submitted for the position;

(ii) if applications were submitted, none of the applicants met the reference screening criteria of the employer; or

(iii) if applications were submitted, none of the applicants possessed the appropriate licensure, certification or other necessary credentials for the position";

Also on page 6, following line 23, by inserting:

"(h) Any retirant hired by any participating employer under the provisions of subsection (7)(d) or K.S.A. 74-4937(4) or (5), and amendments thereto, may continue to receive such retirant's full retirement benefit so long as such retirant's total term of employment with all participating employers under one or more of such provisions does not exceed 48 months or four school years, whichever is less. After such period, such

retirant shall not receive any retirement benefit for any month in any calendar year in which such retirant receives compensation in an amount equal to $25,000 or more in such calendar year.";

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

On page 7, in line 23, by striking "2017" and inserting "2020";

On page 8, in line 18, by striking "2017" and inserting "2020";

On page 9, in line 11, by striking "the actuarially determined" and inserting "a 30%"; in line 12, by striking "plus 8%"; in line 13, before "The" by inserting "On or before July 1, 2019, and at least every three years thereafter, the board, in consultation with the system's consulting actuary, shall evaluate the plan's experience with employment of such retirants and the corresponding employer contribution rate to assess whether the employer contribution rate can be expected to fund adverse experience or higher liabilities accruing under the system in connection with employment of such retirants, to the extent that such liability can be ascertained or estimated. Based on this evaluation of the plan's experience, the board may certify to the division of the budget, in the case of the state, and to the agent for each other participating employer, a new rate if needed to more fully fund such adverse experience or additional liabilities, but such rate shall not be less than 30%.";

Also on page 9, in line 28, by striking "appeal" and inserting "assurance protocol"; also in line 28, by striking all after "the"; in line 29, by striking all before "to" and inserting "system"; in line 30, after the first period by inserting "Such written assurance protocol shall be signed by the superintendent and the board president of the school district."; also in line 30, by striking "appeal" and inserting "assurance protocol"; also in line 30, by striking "include"; by striking all in lines 31 through 34; in line 35, by striking all before the period and inserting "state that the position was advertised on multiple platforms for a minimum of 30 calendar days and that at least one of the following conditions occurred:

(i) No applications were submitted for the position;

(ii) if applications were submitted, none of the applicants met the reference screening criteria of the employer; or

(iii) if applications were submitted, none of the applicants possessed an appropriate teaching license for the state of Kansas or possessed the appropriate credentials to receive any type of teaching license from the state of Kansas";

On page 10, in line 36, by striking all after "system"; in line 37, by striking "determined" and inserting "a 30%"; in line 38, by striking "plus 8%"; also in line 38, before "The" by inserting "On or before July 1, 2019, and at least every three years thereafter, the board, in consultation with the system's consulting actuary, shall evaluate the plan's experience with employment of such retirants and the corresponding employer contribution rate to assess whether the employer contribution rate can be expected to fund adverse experience or higher liabilities accruing under the system in connection with employment of such retirants, to the extent that such liability can be ascertained or estimated. Based on this evaluation of the plan's experience, the board may certify to the division of the budget, in the case of the state, and to the agent for each other participating employer, a new rate if needed to more fully fund such adverse experience or additional liabilities, but such rate shall not be less than 30%.";

On page 11, in line 12, by striking "appeal" and inserting "assurance protocol"; also

in line 12, by striking all after "the"; in line 13, by striking all before "to" and inserting "system"; in line 14, after the period by inserting "Such written assurance protocol shall be signed by the superintendent and the board president of the school district."; also in line 14, by striking "appeal" and inserting "assurance protocol"; also in line 14, by striking "include"; by striking all in lines 15 through 18; in line 19, by striking all before the period and inserting "state that the position was advertised on multiple platforms for a minimum of 30 calendar days and that at least one of the following conditions occurred:

(i) No applications were submitted for the position;

(ii) if applications were submitted, none of the applicants met the reference screening criteria of the employer; or

(iii) if applications were submitted, none of the applicants possessed an appropriate teaching license for the state of Kansas or possessed the appropriate credentials to receive any type of teaching license from the state of Kansas";

Also on page 11, following line 25, by inserting:

"(7) Any retirant hired by any participating employer under the provisions of subsection (4) or (5) or K.S.A. 74-4914(7)(d), and amendments thereto, may continue to receive such retirant's full retirement benefit so long as such retirant's total term of employment with all participating employers under one or more of such provisions does not exceed 48 months or four school years, whichever is less. After such period, such retirant shall not receive any retirement benefit for any month in any calendar year in which such retirant receives compensation in an amount equal to $25,000 or more in such calendar year.

Sec. 4. K.S.A. 2015 Supp. 74-4957 is hereby amended to read as follows: 74-4957. (1) The normal retirement date for a member of the system who is appointed or employed prior to July 1, 1989, and who does not make an election pursuant to K.S.A. 74-4955a, and amendments thereto, shall be the first day of the month coinciding with or following termination of employment not followed by employment with any participating employer within 30 days, and the attainment of age 55 and the completion of 20 years of credited service or the completion of 32 years of credited service regardless of the age of the member. Any member may retire on such member's normal retirement date or on the first day of any month thereafter.

(2) *Early retirement.* Any member who is appointed or employed prior to July 1, 1989, and who does not make an election pursuant to K.S.A. 74-4955a, and amendments thereto, may retire before such member's normal retirement date on the first day of any month coinciding with or following termination of employment not followed by employment with any participating employer within 30 days and the attainment of age 50 and the completion of 20 years of credited service.

(3) Notwithstanding the provisions of subsections (1) and (2) of this section and K.S.A. 74-4955a, 74-4957a, 74-4958a, 74-4960a, 74-4963a and 74-4964a, and amendments thereto, the normal retirement date for any member who was, up to the entry date of such member's employer, covered by a pension system under the provisions of K.S.A. 13-14a01 to 13-14a14, inclusive, or 14-10a01 to 14-10a15, inclusive, and amendments thereto, shall be the first day of the month coinciding with or following the attainment of age 50 and the completion of 25 years of credited service.

(4) In no event shall a member be eligible to retire until such member has been a

contributing member of the system for 12 months of participating service, and shall have given such member's employer prior notice of retirement.

(5) If a retirant who retired on or after July 1, 1994, is employed, elected or appointed in or to any position or office for which compensation for service is paid in an amount equal to ~~$15,000~~ $25,000 or more in any one such calendar year, by the same state agency or the same police or fire department of any county, city, township or special district or the same sheriff's office of a county during the final two years of such retirant's participation, such retirant shall not receive any retirement benefit for any month for which such retirant serves in such position or office. The participating employer shall report to the system within 30 days of when the compensation paid to the retirant is equal to or exceeds any limitation provided by this section. Any retirant employed by a participating employer in the Kansas police and firemen's retirement system shall not make contributions nor receive additional credit under such system for such service except as provided by this section. Upon request of the executive director of the system, the secretary of revenue shall provide such information as may be needed by the executive director to carry out the provisions of this act.

Sec. 5. K.S.A. 74-4957a is hereby amended to read as follows: 74-4957a. (1) The normal retirement date for a member of the system who is appointed or employed on or after July 1, 1989, or who makes an election pursuant to K.S.A. 74-4955a, and amendments thereto, to be covered by the provisions of this act shall be the first day of the month coinciding with or following termination of employment not followed by employment with any participating employer within 30 days and the attainment of age 55 and the completion of 20 years of credited service, age 50 and the completion of 25 years of credited service or age 60 with the completion of 15 years of credited service. Any such member may retire on such member's normal retirement date or on the first day of any month thereafter.

(2) Any member may retire before such member's normal retirement date on the first day of any month coinciding with or following termination of employment not followed by employment with any participating employer within 30 days and the attainment of age 50 and the completion of 20 years of credited service.

(3) In no event shall a member be eligible to retire until such member has been a contributing member of the system for 12 months of participating service, and shall have given such member's employer prior notice of retirement.

(4) If a retirant who retired on or after July 1, 1996, is employed, elected or appointed in or to any position or office for which compensation for service is paid in an amount equal to ~~$15,000~~ $25,000 or more in any one such calendar year, by the same state agency or the same police or fire department of any county, city, township or special district or the same sheriff's office of a county during the final two years of such retirant's participation, such retirant shall not receive any retirement benefit for any month for which such retirant serves in such position or office. The participating employer shall report to the system within 30 days of when the compensation paid to the retirant is equal to or exceeds any limitation provided by this section. Any retirant employed by a participating employer in the Kansas police and firemen's retirement system shall not make contributions nor receive additional credit under such system for such service except as provided by this section. Upon request of the executive director of the system, the secretary of revenue shall provide such information as may be needed by the executive director to carry out the provisions of this act.

(5) The provisions of this section shall be effective on and after July 1, 1989, and shall apply only to members who were appointed or employed prior to July 1, 1989, and who made an election pursuant to K.S.A. 74-4955a, and amendments thereto; and persons appointed or employed on or after July 1, 1989.";

Also on page 11, in line 26, after "K.S.A." by inserting "74-4957a and K.S.A."; also in line 26, after "Supp." by inserting "46-2201,"; also in line 26, by striking "and" and inserting a comma; also in line 26, after "74-4937" by inserting "and 74-4957";

And by renumbering sections accordingly;

On page 1, in the title, in line 5, after the second semicolon by inserting "employment after retirement; special provisions for certain retirants; certain duties of the joint committee on pensions, investments and benefits; employer rate of contribution; increasing compensation limitation for members of the Kansas police and firemen's retirement system;"; in line 6, after "K.S.A." by inserting "74-4957a and K.S.A."; also in line 6, after "Supp." by inserting "46-2201,"; also in line 6, by striking the first "and" and inserting a comma; also in line 6, after "74-4937" by inserting "and 74-4957"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2729, AN ACT concerning school districts; relating to the department of administration; procurement of certain items and services; amending K.S.A. 2015 Supp. 72-6760 and repealing the existing section, by Committee on Appropriations.

HB 2730, AN ACT concerning school districts; relating to insurance; pertaining to the establishment of a school district group-funded pool, by Committee on Appropriations.

PERSONAL PRIVILEGE

Rep. Carlin rose on a point of personal privilege to request consent of the body to change her vote on Final Action on **H Sub for SB 193** from aye to nay. (See HJ p. 2228) Her request was granted. The final vote has therefore been corrected and the vote tally is 90-31.

REPORT ON ENGROSSED BILLS

HB 2509, **HB 2571** reported correctly engrossed March 9, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Friday, March 11, 2016.

Journal of the House

THIRTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, March 11, 2016, 11:00 a.m.

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

The roll was called with 118 members present.

Reps. Claeys, Edmonds, Ewy, Henry, Highland and Peck were excused on excused absence by the Speaker.

Rep. Suellentrop was absent.

Prayer by Chaplain Brubaker:

Almighty God,
Thank You for this day and the blessings it holds for us.
We long for Your wisdom and guidance.
Your Word says that You know each one of these members by name
and You have called them by name.
You know them personally, you know them as a collective body.
You know how they interact and relate with one another.
You know the deepest thoughts and concerns they have.
Lord, help them to come to know You,
even as they are known by You.
As they know You, they will know
Your truth, Your will, Your wisdom.
Give them Your eyes to see,
Your ears to hear,
and Your heart to seek the best in one another
and the best for all.
This I pray in Christ's Name, Amen.

The Pledge of Allegiance was led by Rep. Jennings.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2731, AN ACT concerning education; relating to the financing and instruction thereof; making and concerning appropriations for the fiscal year ending June 30, 2017, for the department of education; relating to the classroom learning assuring student success act; amending K.S.A. 2015 Supp. 72-6463, 72-6465, 72-6466, 72-6472, 72-

6474, 72-6481, 72-8801 and 74-4939a and repealing the existing sections; also repealing K.S.A. 2015 Supp. 72-6476, by Committee on Appropriations.

HB 2732, AN ACT concerning certified nurse-midwives; relating to scope of practice; licensure, by Committee on Appropriations.

HB 2733, AN ACT concerning the state health care benefits program; relating to the powers of the Kansas state employees health care commission; requiring legislative approval before changing coverage options; establishing qualified participants; amending K.S.A. 2015 Supp. 75-6501 and repealing the existing section, by Committee on Appropriations.

CORRECTION OF REFERENCE

Speaker Merrick announced **HB 2730** appearing on the Calendar under Reference of Bills and Concurrent Resolutions as being referred to Committee on Education Budget, should be corrected to be referred to Committee on Insurance and Financial Institutions.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2728**.
Education Budget: **HB 2729**
Insurance and Financial Institutions: **HB 2730**

MESSAGES FROM THE SENATE

Announcing passage of **SB 342**, **SB 379**, **SB 388**, **SB 443**, **SB 459**, **SB 476**; **Substitute for SB 428**.

Announcing passage of **HB 2438**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 342, **SB 379**, **SB 388**, **Sub SB 428**, **SB 443**, **SB 459**, **SB 476**

CONSENT CALENDAR

Objection was made to **SB 370** appearing on the Consent Calendar; the bill was placed on the Calendar under the heading General Orders.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2573, AN ACT concerning legislative meetings; relating to live audio streaming; concerning the director of legislative administrative services; information network of Kansas; amending K.S.A. 2015 Supp. 74-9302 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra,

Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Hibbard, Highberger, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Claeys, Edmonds, Ewy, Henry, Highland, Peck, Suellentrop.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: It is with great joy that we vote YES for **HB 2573**. Today is the culmination of three years of hard work to bring the live-streaming of committee proceedings to the House Floor. We would like to thank Senator Kay Wolf, who championed this issue in the Senate, and the entire Senate Body for supporting this unanimously – twice. We are also in debt to the numerous advocates for this legislation, and the staff for their hours of work. Today, the bipartisan coalition who sponsored the Transparency Act celebrates what we built together, for the People of Kansas. – STEPHANIE CLAYTON, SHANNON FRANCIS, BARBARA BOLLIER, NANCY LUSK, JOHN DOLL, LARRY HIBBARD, MELISSA ROOKER, LONNIE CLARK, JOHN WILSON, BRANDON WHIPPLE, PAM CURTIS, DIANA DIERKS, BRETT HILDABRAND, KATHY WOLFE MOORE, ANNIE KUETHER, ANNIE TIETZE, PONKA-WE VICTORS, SUSAN CONCANNON, STEVEN R. BECKER, TOM SLOAN, FRED PATTON, DON HILL, DON HINEMAN, GAIL FINNEY, JOHN R. WHITMER, BLAKE CARPENTER, RON RYCKMAN, DANIEL R. HAWKINS, LES MASON, WILLIE DOVE, JOHN J. RUBIN, KEVIN JONES, BILL SUTTON, TONY BARTON, KEITH ESAU, MIKE HOUSER, CONNIE O'BRIEN, CHUCK WEBER, MARTY READ, MARK KAHRS, STEVEN ANTHIMIDES, DICK JONES, KEN CORBET, RANDY POWELL, JOE SEIWERT, KYLE D. HOFFMAN, DENNIS HEDKE, MARVIN KLEEB, JERRY LUNN, BECKY HUTCHINS, CHARLES MACHEERS

MR. SPEAKER: I vote yes on **HB 2573**. This legislation is a good first step towards making the legislative process more transparent. Public faith in the process requires that our business be conducted in the light of day with the ability of the public to view and be informed of our work at each stage of the process. Transparency is more than audio streaming of committee and floor sessions. Transparency includes using a process that is open at each stage of the process. – J. RUSSELL JENNINGS, TOM MOXLEY

H Sub for SB 55, AN ACT concerning health care facilities; relating to correction orders; civil penalties; amending K.S.A. 2015 Supp. 39-945 and 39-946 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not

voting: 7.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Hibbard, Highberger, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Claeys, Edmonds, Ewy, Henry, Highland, Peck, Suellentrop.

The substitute bill passed.

SB 369, AN ACT concerning the Kansas mortgage business act; relating to the state bank commissioner; amending K.S.A. 9-2206 and K.S.A. 2015 Supp. 9-2201, 9-2202, 9-2203, 9-2205, 9-2208, 9-2209, 9-2211, 9-2212, 9-2216 and 9-2216a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Hibbard, Highberger, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Claeys, Edmonds, Ewy, Henry, Highland, Peck, Suellentrop.

The bill passed.

SB 390, AN ACT concerning the state banking code; relating to the state bank commissioner; amending K.S.A. 2015 Supp. 9-519, 9-534, 9-701, 9-801, 9-802, 9-803, 9-804, 9-808, 9-809, 9-811, 9-812, 9-814, 9-815, 9-816, 9-901a, 9-902, 9-903, 9-904, 9-906, 9-907, 9-1101, 9-1102, 9-1104, 9-1111, 9-1112, 9-1114, 9-1122, 9-1124, 9-1127c, 9-1130, 9-1137, 9-1213, 9-1304, 9-1401, 9-1402, 9-1405, 9-1408, 9-1504, 9-1506, 9-

1601, 9-1607, 9-1609, 9-1611, 9-1704, 9-1712, 9-1715, 9-1720, 9-1721, 9-1722, 9-1724, 9-1807, 9-1902, 9-1905, 9-1906, 9-1907, 9-1908, 9-1909, 9-1910, 9-1915, 9-2007, 9-2011, 9-2104, 9-2107 and 9-2108 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Hibbard, Highberger, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Claeys, Edmonds, Ewy, Henry, Highland, Peck, Suellentrop.

The bill passed, as amended.

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

COMMITTEE OF THE WHOLE

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

Recommended that committee report to **SB 325** be adopted; and the bill be passed as amended.

Committee reports to **HB 2607** be adopted; and the bill be passed as amended.

Committee report to **HB 2662** be adopted; on motion of Rep. Alcala, **HB 2662** be amended, as amended by House Committee, on page 3, following line 2, by inserting:

"Sec. 5. The Kansas highway patrol is hereby authorized and directed to pay the following amount from the Kansas highway patrol operations fund:

Barbara L. Reese

1201 NE Lime St.

Topeka, KS 66616..... $17,660.00";

And by renumbering sections accordingly

Also, on motion of Rep. Helgerson to amend **HB 2662**, Rep. Todd requested a ruling on the amendment being germane to the bill. The Rules Vice Chair ruled the amendment not germane; and the bill be passed as amended.

Committee report to **HB 2617** be adopted; on motion of Rep. Carmichael to amend **HB 2617**, Rep. Hutton requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment was germane.

Roll call was demanded on the motion of Rep. Carmichael to amend **HB 2617**, as amended by House Committee, on page 1, following line 6, by inserting:

"Section 1. K.S.A. 2015 Supp. 44-510d is hereby amended to read as follows: 44-510d. (a) Where disability, partial in character but permanent in quality, results from the injury, the injured employee shall be entitled to the compensation provided in K.S.A. 44-510h and 44-510i, and amendments thereto. The injured employee may be entitled to payment of temporary total disability as defined in K.S.A. 44-510c, and amendments thereto, or temporary partial disability as defined in ~~subsection (a)(1) of~~ K.S.A. 44-510e(a)(1), and amendments thereto, provided that the injured employee shall not be entitled to any other or further compensation for or during the first week following the injury unless such disability exists for three consecutive weeks, in which event compensation shall be paid for the first week. Thereafter compensation shall be paid for temporary total or temporary partial disability as provided in the following schedule, $66^2/_3$% of the average weekly wages to be computed as provided in K.S.A. 44-511, and amendments thereto, except that in no case shall the weekly compensation be more than the maximum as provided for in K.S.A. 44-510c, and amendments thereto.

(b) If there is an award of permanent disability as a result of the injury there shall be a presumption that disability existed immediately after the injury and compensation is to be paid for not to exceed the number of weeks allowed in the following schedule:

(1) For loss of a thumb, 60 weeks.

(2) For the loss of a first finger, commonly called the index finger, 37 weeks.

(3) For the loss of a second finger, 30 weeks.

(4) For the loss of a third finger, 20 weeks.

(5) For the loss of a fourth finger, commonly called the little finger, 15 weeks.

(6) Loss of the first phalange of the thumb or of any finger shall be considered to be equal to the loss of $^1/_2$ of such thumb or finger, and the compensation shall be $^1/_2$ of the amount specified above. The loss of the first phalange and any part of the second phalange of any finger, which includes the loss of any part of the bone of such second phalange, shall be considered to be equal to the loss of $^2/_3$ of such finger and the compensation shall be $^2/_3$ of the amount specified above. The loss of the first phalange and any part of the second phalange of a thumb which includes the loss of any part of the bone of such second phalange, shall be considered to be equal to the loss of the entire thumb. The loss of the first and second phalanges and any part of the third proximal phalange of any finger, shall be considered as the loss of the entire finger. Amputation through the joint shall be considered a loss to the next higher schedule.

(7) For the loss of a great toe, 30 weeks.

(8) For the loss of any toe other than the great toe, 10 weeks.

(9) The loss of the first phalange of any toe shall be considered to be equal to the loss of $^1/_2$ of such toe and the compensation shall be $^1/_2$ of the amount above specified.

(10) The loss of more than one phalange of a toe shall be considered to be equal to the loss of the entire toe.

(11) For the loss of a hand, 150 weeks.

(12) For the loss of a forearm, 200 weeks.

(13) For the loss of an arm, excluding the shoulder joint, shoulder girdle, shoulder musculature or any other shoulder structures, 210 weeks, and for the loss of an arm, including the shoulder joint, shoulder girdle, shoulder musculature or any other shoulder structures, 225 weeks.

(14) For the loss of a foot, 125 weeks.

(15) For the loss of a lower leg, 190 weeks.

(16) For the loss of a leg, 200 weeks.

(17) For the loss of an eye, or the complete loss of the sight thereof, 120 weeks.

(18) Amputation or severance below the wrist shall be considered as the loss of a hand. Amputation at the wrist and below the elbow shall be considered as the loss of the forearm. Amputation at or above the elbow shall be considered loss of the arm. Amputation below the ankle shall be considered loss of the foot. Amputation at the ankle and below the knee shall be considered as loss of the lower leg. Amputation at or above the knee shall be considered as loss of the leg.

(19) For the complete loss of hearing of both ears, 110 weeks.

(20) For the complete loss of hearing of one ear, 30 weeks.

(21) Permanent loss of the use of a finger, thumb, hand, shoulder, arm, forearm, toe, foot, leg or lower leg or the permanent loss of the sight of an eye or the hearing of an ear, shall be equivalent to the loss thereof. For the permanent partial loss of the use of a finger, thumb, hand, shoulder, arm, toe, foot or leg, or the sight of an eye or the hearing of an ear, compensation shall be paid as provided for in K.S.A. 44-510c, and amendments thereto, per week during that proportion of the number of weeks in the foregoing schedule provided for the loss of such finger, thumb, hand, shoulder, arm, toe, foot or leg or the sight of an eye or the hearing of an ear, which partial loss thereof bears to the total loss of a finger, thumb, hand, shoulder, arm, toe, foot or leg, or the sight of an eye or the hearing of an ear; but in no event shall the compensation payable hereunder for such partial loss exceed the compensation payable under the schedule for the total loss of such finger, thumb, hand, arm, toe, foot or leg, or the sight of an eye or the hearing of an ear, exclusive of the healing period. As used in this paragraph (21), "shoulder" means the shoulder joint, shoulder girdle, shoulder musculature or any other shoulder structures.

(22) For traumatic hernia, compensation shall be limited to the compensation under K.S.A. 44-510h and 44-510i, and amendments thereto, compensation for temporary total disability during such period of time as such employee is actually unable to work on account of such hernia, and, in the event such hernia is inoperable, weekly compensation during 12 weeks, except that, in the event that such hernia is operable, the unreasonable refusal of the employee to submit to an operation for surgical repair of such hernia shall deprive such employee of any benefits

under the workers compensation act.

(23) Loss of or loss of use of a scheduled member shall be based upon permanent impairment of function to the scheduled member as determined using the fourth edition of the American medical association guides to the evaluation of permanent impairment, if the impairment is contained therein~~, until January 1, 2015, but for injuries occurring on and after January 1, 2015, shall be determined by using the sixth edition of the American medical association guides to the evaluation of permanent impairment, if the impairment is contained therein~~.

(24) Where an injury results in the loss of or loss of use of more than one scheduled member within a single extremity, the functional impairment attributable to each scheduled member shall be combined pursuant to the fourth edition of the American medical association guides for evaluation of permanent impairment~~ until January 1, 2015, but for injuries occurring on and after January 1, 2015, shall be combined pursuant to the sixth edition of the American medical association guides to the evaluation of permanent impairment~~, and compensation awarded shall be calculated to the highest scheduled member actually impaired.

(c) Whenever the employee is entitled to compensation for a specific injury under the foregoing schedule, the same shall be exclusive of all other compensation except the benefits provided in K.S.A. 44-510h and 44-510i, and amendments thereto, and no additional compensation shall be allowable or payable for any temporary or permanent, partial or total disability, except that the director, in proper cases, may allow additional compensation during the actual healing period, following amputation. The healing period shall not be more than 10% of the total period allowed for the scheduled injury in question nor in any event for longer than 15 weeks. The return of the employee to the employee's usual occupation shall terminate the healing period.

(d) The amount of compensation for permanent partial disability under this section shall be determined by multiplying the payment rate by the weeks payable. As used in this section:

(1) Payment rate shall be the lesser of: (A) The amount determined by multiplying the average weekly wage of the worker prior to such injury by $66^2/_3$%; or (B) the maximum provided in K.S.A. 44-510c, and amendments thereto;

(2) weeks payable shall be determined as follows: (A) Determine the weeks of benefits provided for the injury on schedule; (B) determine the weeks of temporary compensation paid by adding the amounts of temporary total and temporary partial disability compensation paid and dividing the sum by the payment rate above; (C) subtract the weeks of temporary compensation calculated in subsection (d)(2)(B) from the weeks of benefits provided for the injury as determined in subsection (d)(2)(A); and (D) multiply the weeks as determined in subsection (d)(2)(C) by the percentage of permanent partial impairment of function as determined under subsection (b)(23).

The resulting award shall be paid for the number of weeks at the payment rate until fully paid or modified. Under no circumstances shall the period of permanent partial disability run concurrently with the period of temporary total or temporary partial disability.

Sec. 2. K.S.A. 2015 Supp. 44-510e is hereby amended to read as follows: 44-510e. (a) In case of whole body injury resulting in temporary or permanent partial general disability not covered by the schedule in K.S.A. 44-510d, and amendments thereto, the employee shall receive weekly compensation as determined in this

subsection during the period of temporary or permanent partial general disability not exceeding a maximum of 415 weeks.

(1) Weekly compensation for temporary partial general disability shall be $66^2/_3$% of the difference between the average weekly wage that the employee was earning prior to the date of injury and the amount the employee is actually earning after such injury in any type of employment. In no case shall such weekly compensation exceed the maximum as provided for in K.S.A. 44-510c, and amendments thereto.

(2) (A) Permanent partial general disability exists when the employee is disabled in a manner which is partial in character and permanent in quality and which is not covered by the schedule in K.S.A. 44-510d, and amendments thereto. Compensation for permanent partial general disability shall also be paid as provided in this section where an injury results in:

(i) The loss of or loss of use of a shoulder, arm, forearm or hand of one upper extremity, combined with the loss of or loss of use of a shoulder, arm, forearm or hand of the other upper extremity;

(ii) the loss of or loss of use of a leg, lower leg or foot of one lower extremity, combined with the loss of or loss of use of a leg, lower leg or foot of the other lower extremity; or

(iii) the loss of or loss of use of both eyes.

(B) The extent of permanent partial general disability shall be the percentage of functional impairment the employee sustained on account of the injury as established by competent medical evidence and based on the fourth edition of the American medical association guides to the evaluation of permanent impairment, if the impairment is contained therein~~, until January 1, 2015, but for injuries occurring on and after January 1, 2015, based on the sixth edition of the American medical association guides to the evaluation of permanent impairment, if the impairment is contained therein~~.

(C) An employee may be eligible to receive permanent partial general disability compensation in excess of the percentage of functional impairment ("work disability") if:

(i) The percentage of functional impairment determined to be caused solely by the injury exceeds 7½% to the body as a whole or the overall functional impairment is equal to or exceeds 10% to the body as a whole in cases where there is preexisting functional impairment; and

(ii) the employee sustained a post-injury wage loss, as defined in ~~subsection (a)(2)(E) of~~ K.S.A. 44-510e(a)(2)(E), and amendments thereto, of at least 10% which is directly attributable to the work injury and not to other causes or factors.

In such cases, the extent of work disability is determined by averaging together the percentage of post-injury task loss demonstrated by the employee to be caused by the injury and the percentage of post-injury wage loss demonstrated by the employee to be caused by the injury.

(D) "Task loss" shall mean the percentage to which the employee, in the opinion of a licensed physician, has lost the ability to perform the work tasks that the employee performed in any substantial gainful employment during the five-year period preceding the injury. The permanent restrictions imposed by a licensed physician as a result of the work injury shall be used to determine those work tasks which the employee has lost the ability to perform. If the employee has preexisting permanent

restrictions, any work tasks which the employee would have been deemed to have lost the ability to perform, had a task loss analysis been completed prior to the injury at issue, shall be excluded for the purposes of calculating the task loss which is directly attributable to the current injury.

(E) "Wage loss" shall mean the difference between the average weekly wage the employee was earning at the time of the injury and the average weekly wage the employee is capable of earning after the injury. The capability of a worker to earn post-injury wages shall be established based upon a consideration of all factors, including, but not limited to, the injured worker's age, physical capabilities, education and training, prior experience, and availability of jobs in the open labor market. The administrative law judge shall impute an appropriate post-injury average weekly wage based on such factors. Where the employee is engaged in post-injury employment for wages, there shall be a rebuttable presumption that the average weekly wage an injured worker is actually earning constitutes the post-injury average weekly wage that the employee is capable of earning. The presumption may be overcome by competent evidence.

(i) To establish post-injury wage loss, the employee must have the legal capacity to enter into a valid contract of employment. Wage loss caused by voluntary resignation or termination for cause shall in no way be construed to be caused by the injury.

(ii) The actual or projected weekly value of any employer-paid fringe benefits are to be included as part of the worker's post-injury average weekly wage and shall be added to the wage imputed by the administrative law judge pursuant to K.S.A. 44-510e(a)(2)(E), and amendments thereto.

(iii) The injured worker's refusal of accommodated employment within the worker's medical restrictions as established by the authorized treating physician and at a wage equal to 90% or more of the pre-injury average weekly wage shall result in a rebuttable presumption of no wage loss.

(F) The amount of compensation for whole body injury under this section shall be determined by multiplying the payment rate by the weeks payable. As used in this section: (1) The payment rate shall be the lesser of: (A) The amount determined by multiplying the average weekly wage of the worker prior to such injury by $66^2/_3$%; or (B) the maximum provided in K.S.A. 44-510c, and amendments thereto; (2) weeks payable shall be determined as follows: (A) Determine the weeks of temporary compensation paid by adding the amounts of temporary total and temporary partial disability compensation paid and dividing the sum by the payment rate above; (B) subtract from 415 weeks the total number of weeks of temporary compensation paid as determined in subparagraph (F)(2)(A), excluding the first 15 such weeks; and (3) multiply the number of weeks as determined in subparagraph (F)(2)(B) by the percentage of functional impairment pursuant to subsection (a)(2)(B) or the percentage of work disability pursuant to subsection (a)(2)(C), whichever is applicable.

(3) When an injured worker is eligible to receive an award of work disability, compensation is limited to the value of the work disability as calculated above. In no case shall functional impairment and work disability be awarded together.

The resulting award shall be paid for the number of disability weeks at the payment rate until fully paid or modified. In any case of permanent partial disability under this section, the employee shall be paid compensation for not to exceed 415

weeks following the date of such injury. If there is an award of permanent disability as a result of the compensable injury, there shall be a presumption that disability existed immediately after such injury. Under no circumstances shall the period of permanent partial disability run concurrently with the period of temporary total or temporary partial disability.

(b) If an employee has sustained an injury for which compensation is being paid, and the employee's death is caused by other and independent causes, any payment of compensation already due the employee at the time of death and then unpaid shall be paid to the employee's dependents directly or to the employee's legal representatives if the employee left no dependent, but the liability of the employer for the payments of compensation not yet due at the time of the death of such employee shall cease and be abrogated by the employee's death.

(c) The total amount of compensation that may be allowed or awarded an injured employee for all injuries received in any one accident shall in no event exceed the compensation which would be payable under the workers compensation act for 100% permanent total disability resulting from such accident.

(d) Where a minor employee or a minor employee's dependents are entitled to compensation under the workers compensation act, such compensation shall be exclusive of all other remedies or causes of action for such injury or death, and no claim or cause of action against the employer shall inure or accrue to or exist in favor of the parent or parents of such minor employee on account of any damage resulting to such parent or parents on account of the loss of earnings or loss of service of such minor employee.

(e) In any case of injury to or death of an employee, where the employee or the employee's dependents are entitled to compensation under the workers compensation act, such compensation shall be exclusive of all other remedies or causes of action for such injury or death, and no claim or action shall inure, accrue to or exist in favor of the surviving spouse or any relative or next of kin of such employee against such employer on account of any damage resulting to such surviving spouse or any relative or next of kin on account of the loss of earnings, services, or society of such employee or on any other account resulting from or growing out of the injury or death of such employee.";

On page 5, in line 19, after "Supp." by inserting "44-510d, 44-510e and";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "to" by inserting "medical guides for determining compensation;"; in line 3, after "Supp." by inserting "44-510d, 44-510e and";

On roll call, the vote was: Yeas 36; Nays 78; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alcala, Anthimides, Ballard, Becker, Boldra, Burroughs, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, Finney, Frownfelter, Gallagher, Helgerson, Henderson, Highberger, Houston, Kuether, Lusk, Lusker, Ousley, Pauls, Rooker, Ruiz, Sawyer, Scott, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Barker, Barton, Billinger, Bollier, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Corbet, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Finch, Francis, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Hildabrand, Hoffman, Houser, Hutchins, Hutton, Jennings, Johnson, D. Jones,

K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, F. Patton, Phillips, R. Powell, Proehl, Rahjes, Read, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Claeys, Edmonds, Ewy, Henry, Highland, Hill, Hineman, Huebert, Peck, Rhoades, Suellentrop.

The motion of Rep. Carmichael did not prevail and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Children and Seniors** recommends **HB 2534** be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 2015 Supp. 72-89d01 is hereby amended to read as follows: 72-89d01. K.S.A. 2015 Supp. 72-89d01 through 72-89d08 and section 7, and amendments thereto, shall be known and may be cited as the freedom from unsafe restraint and seclusion act.";

Also on page 1, following line 8, by inserting:

"(a) "Appointing authority" means a group of persons empowered by statute to make human resource decisions that affect the employment of officers.

(b) "Campus police officer" means a school security officer designated by the board of education of any school district pursuant to K.S.A. 72-8222, and amendments thereto.";

Also on page 1, following line 11, by inserting:

"(d) "Commissioner" means the commissioner of education.

(e) "Complaint" means a written document that a parent files with a local board as provided for in this act.";

Also on page 1, in line 14, after "restraint" by inserting ", but does not include the use of time-out"; following line 14, by inserting:

"(h) "Hearing officer" means the state board employee designated to conduct an administrative review.";

Also on page 1, following line 16, by inserting:

"(j) "Law enforcement officer" and "police officer" mean a full-time or part-time salaried officer or employee of the state, a county or a city, whose duties include the prevention or detection of crime and the enforcement of criminal or traffic law of this state or any Kansas municipality. This term includes a campus police officer.

(k) "Legitimate law enforcement purpose" means a goal within the lawful authority of an officer that is to be achieved through methods or conduct condoned by the officer's appointing authority.

(l) "Local board" means the board of education of a district or the governing body of any accredited nonpublic school.";

Also on page 1, following line 24, by inserting:

"(o) "Physical escort" means the temporary touching or holding the hand, wrist, arm, shoulder or back of a student who is acting out for the purpose of inducing the student to walk to a safe location. Physical escort shall not be considered an emergency safety intervention.";

Also on page 1, following line 32, by inserting:

"(r) "School resource officer" means a law enforcement officer or police officer employed by a local law enforcement agency who is assigned to a district through an agreement between the local law enforcement agency and the district.

(s) "School security officer" means a person who is employed by a board of education of any school district for the purpose of aiding and supplementing state and local law enforcement agencies in which the school district is located, but is not a law enforcement officer or police officer.";

On page 2, following line 3, by inserting:

"(u) "State board" means the Kansas state board of education.

(v) "Time-out" means a behavioral intervention in which a student is temporarily removed from a learning activity without being secluded.";

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

Also on page 2, in line 43, after "following" by inserting "types of restraint";

On page 3, in line 14, by striking all after "(g)"; by striking all in line 15 and inserting:

"Each local board shall develop and implement written policies to govern the use of emergency safety interventions in schools. At a minimum, written district policies shall conform to the standards, definitions and requirements of this act.

Such written policies shall include that:

(1) (A) School personnel training shall be designed to meet the needs of personnel as appropriate to their duties and potential need for the use of emergency safety interventions;

(B) "

Also on page 3; in line 17, by striking all after "strategies"; by striking all in line 18; in line 19, by striking all before "Schools" and inserting ";

(C) training shall be consistent with nationally recognized training programs; and

(D)";

Also on page 3, in line 22, after "education" by inserting ";

(2) a local dispute resolution process shall be developed, which shall include the following:

(A) a procedure for a parent to file a complaint with the local board. If a parent believes that an emergency safety intervention has been used on the parent's child in violation of the act, rules and regulations or the local board's emergency safety intervention policy, the parent may file a complaint within 30 days of the date on which the parent was informed of the use of the emergency safety intervention;

(B) a procedure for complaint investigation;

(C) a procedure to implement a dispute-resolution final decision. The local board's decision shall be in writing and shall include findings of fact and any corrective action required by the school if the local board deems such action necessary. The local board's final decision shall be mailed to the parent and the department within 30 days of the the local board's receipt of the complaint; and

(D) a procedure setting out the parent's right to request an administrative review by the state board, including information as to the deadline by which the parent must submit the request to the state board;

(3) a system for the collection and maintenance of documentation for each use of

an emergency safety intervention as set forth in K.S.A. 2015 Supp. 72-89d04, and amendments thereto;

(4) a procedure for the periodic review of the use of emergency safety interventions at each school, which shall be compiled and submitted at least biannually to the superintendent or the superintendent's designee; and

(5) a schedule for when and how parents are provided with notice of the local board's written policies on the use of emergency safety interventions.

(h) Written policies developed pursuant to this act shall be accessible on each school's website and shall be included in each school's code of conduct, school safety plan or student handbook.

(i) (1) Campus police officers and school resource officers shall be exempt from the requirements of this act when engaged in an activity that has a legitimate law enforcement purpose.

(2) School security officers shall not be exempt from the requirements of this act";

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

Also on page 3, in line 27, before the first "the" by inserting "on";

On page 4, in line 30, after the first period by inserting "A school shall not be required to provide written documentation to a parent, as set forth in subsection (a)(1) regarding law enforcement use of an emergency safety intervention, or report to the department law enforcement use of an emergency safety intervention."; by striking all in lines 33 through 40;

On page 5, in line 21, by striking "(d)" and inserting "(c)"; in line 22, by striking "(d)" and inserting "(c)"; also in line 22, by striking "reported"; also in line 22, after "by" by inserting "the"; in line 23, by striking "(d)" and inserting "(c)"; in line 24, by striking "(d)" and inserting "(c)";

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

On page 6, following line 43, by inserting:

"New Sec. 7. (a) Any parent who has filed a written complaint with a local board regarding the use of an emergency safety intervention may request an administrative review by the state board of the local board's final decision.

(b) Each parent seeking administrative review shall provide the following information in the request:

(1) The name of the student and the student's contact information;

(2) the name and contact information, to the extent known, for all involved parties, including teachers, aides, administrators and district staff;

(3) a detailed statement of the basis for seeking administrative review, with all supporting facts and documentation. The documentation shall include a copy of the complaint filed with the local board and shall include the local board's final decision, if issued. The request shall be legibly written or typed and shall be signed by the parent. Relevant written instruments or documents in the possession of the parent shall be attached as exhibits or, if unavailable, referenced in the request for administrative review; and

(4) written consent to disclose any personally identifiable information from the student's education records necessary to conduct an investigation pursuant to this act.

(c) (1) Each request for administrative review shall be filed with the commissioner

within 30 days from the date a final decision is issued, pursuant to the local dispute-resolution process or, if a final decision is not issued, within 60 days from the date a written complaint was filed with the local board.

(2) The hearing officer shall forward a copy of the request for administrative review to the clerk of the local board from whom the administrative review is sought.

(d) Upon receipt of each request for administrative review, the hearing officer shall consider the local board's final decision and may initiate its own investigation of the complaint. Any investigation may include the following:

(1) A discussion with the parent, during which additional information may be gathered and specific allegations identified, verified and recorded;

(2) contact with the local board or other district staff against which the request for administrative review is filed, to allow the local board to respond to the request with facts and information supporting the local board's final decision; and

(3) an on-site investigation by department officers or employees.

(e) If the hearing officer receives information that the hearing officer determines was not previously made available to both parties during the local board's dispute-resolution process, the hearing officer may remand the issue back to the local board. The local board then has 30 days to issue a written amended final decision. Upon remand, the hearing officer's case will be closed. All rights to and responsibilities of an administrative review shall begin again when the local board's amended final decision is issued or 30 days from when the hearing officer's remand is issued, whichever occurs first.

(f) Within 60 days of the commissioner's receipt of the request for administrative review, the hearing officer shall inform the parent, the school's head administrator, the district superintendent, the local board clerk and the state board, in writing, of the results of the administrative review. This time frame may be extended for good cause upon approval by the commissioner.

(g) The results of the administrative review shall contain findings of fact, conclusions of law, and, if needed, suggested corrective action. The hearing officer shall determine whether the district is in violation of this act based solely on the information obtained by the hearing officer during the course of the investigation and the administrative review process. This determination shall include one of the following:

(1) The local board appropriately resolved the complaint pursuant to its dispute-resolution process;

(2) the local board should reevaluate the complaint pursuant to its dispute-resolution process with suggested findings of fact; and

(3) the hearing officer's suggested corrective action is necessary to ensure that local board policies meet the requirements of law.

(h) Nothing in this section shall require exhaustion of other remedies before using the procedures or seeking remedies that are otherwise available.";

On page 7, in line 3, before "72-89d07" by inserting "72-89d05 and"; also in line 3, after "72-89d07" by inserting "and section 7"; in line 5, after "Supp." by inserting "72-89d01,";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "Supp." by inserting "72-89d01,"; and the bill be passed as amended.

Committee on **Education** recommends **Substitute for SB 323** be amended on page 1, in line 13, by striking "one hour" and inserting "two hours"; in line 25, by striking all after "section"; in line 26, by striking all before the period; and the bill be passed as amended.

Committee on **Education** recommends **SB 358**, as amended by Senate Committee, be passed.

Committee on **Insurance and Financial Institutions** recommends **Substitute for SB 103** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Judiciary** recommends **SB 255**, as amended by Senate Committee of the Whole, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 255," as follows:

"House Substitute for SENATE BILL NO. 255

By Committee on Judiciary

"AN ACT concerning court fees and funds; amending K.S.A. 2015 Supp. 21-6614 and repealing the existing section; reviving and amending K.S.A. 5-517 and 20-166 and K.S.A. 2013 Supp. 20-1a04, 28-172b, 74-7325, 74-7334 and 75-7021 and repealing the revived sections; also repealing K.S.A. 5-517, as amended by section 5 of chapter 82 of the 2014 Session Laws of Kansas, and 20-166, as amended by section 8 of chapter 82 of the 2014 Session Laws of Kansas; K.S.A. 2013 Supp. 20-1a04, as amended by section 6 of chapter 82 of the 2014 Session Laws of Kansas, 20-367, 21-6614d, 28-172b, as amended by section 28 of chapter 82 of the 2014 Session Laws of Kansas, 38-2312c, 60-2001b, 74-7325, as amended by section 38 of chapter 82 of the 2014 Session Laws of Kansas, 74-7334, as amended by section 39 of chapter 82 of the 2014 Session Laws of Kansas, and 75-7021, as amended by section 42 of chapter 82 of the 2014 Session Laws of Kansas; and K.S.A. 2015 Supp 20-1a16 and 21-6614f.";

And the substitute bill be passed.

(**H Sub for SB 255** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **SB 415** be amended on page 2, following line 14, by inserting:

"(g) The provisions of subsection (a) shall expire on July 1, 2021, unless the legislature acts to reauthorize such provisions. The provisions of subsection (a) shall be reviewed by the legislature prior to July 1, 2021.";

On page 3, following line 37, by inserting:

"(f) The provisions of subsection (e) shall expire on July 1, 2021, unless the legislature acts to reenact such provision. The provisions of subsection (e) shall be reviewed by the legislature prior to July 1, 2021.";

On page 4, in line 14, before "This" by inserting "The provisions of subsection (a) shall expire on July 1, 2021, unless the legislature acts to reauthorize such provisions. The provisions of subsection (a) shall be reviewed by the legislature prior to July 1, 2021.

(d) ";

Also on page 4, following line 34, by inserting:

"(c) The provisions of subsection (a) shall expire on July 1, 2021, unless the

legislature acts to reauthorize such provisions. The provisions of subsection (a) shall be reviewed by the legislature prior to July 1, 2021.";

On page 10, in line 38, following the period, by inserting "The provisions of this subsection shall expire on July 1, 2021, unless the legislature reviews and reenacts this provision prior to July 1, 2021.";

On page 12, following line 1, by inserting:

"The requirement for submitting any antifraud plan, or any amendment thereof, to the commissioner shall expire on the date specified in subsection (d)(2) unless the legislature reviews and reenacts the provisions of subsection (d)(2) prior to such date.";

Also on page 12, in line 8, after the period, by inserting "The provisions of this paragraph shall expire on July 1, 2021, unless the legislature reviews and reenacts this provision prior to July 1, 2021.";

On page 13, following line 23, by inserting:

"The requirement for submitting any antifraud plan, or any amendment thereof, to the commissioner shall expire on the date specified in subsection (d)(2) unless the legislature reviews and reenacts the provisions of subsection (d)(2) prior to such date.";

Also on page 13, in line 30, after the period, by inserting:

"The provisions of this paragraph shall expire on July 1, 2021, unless the legislature reviews and reenacts this provision prior to July 1, 2021.";

On page 16, in line 14, before "For" by inserting "The provisions of subsection (d)(2) shall expire on July 1, 2021, unless the legislature acts to reenact such provision. The provisions of subsection (d)(2) shall be reviewed by the legislature prior to July 1, 2021.

(f) ";

Also on page 16, in line 17, by striking "(f)" and inserting "(g)";

On page 19, in line 33, before the colon by inserting "until July 1, 2021, at which time such exceptions shall expire";

On page 20, following line 17, by inserting:

"Sec. 10. K.S.A. 2015 Supp. 75-5133 is hereby amended to read as follows: 75-5133. (a) Except as otherwise more specifically provided by law, all information received by the secretary of revenue, the director of taxation or the director of alcoholic beverage control from returns, reports, license applications or registration documents made or filed under the provisions of any law imposing any sales, use or other excise tax administered by the secretary of revenue, the director of taxation, or the director of alcoholic beverage control, or from any investigation conducted under such provisions, shall be confidential, and it shall be unlawful for any officer or employee of the department of revenue to divulge any such information except in accordance with other provisions of law respecting the enforcement and collection of such tax, in accordance with proper judicial order or as provided in K.S.A. 74-2424, and amendments thereto.

(b) The secretary of revenue or the secretary's designee may:

(1) Publish statistics, so classified as to prevent identification of particular reports or returns and the items thereof;

(2) allow the inspection of returns by the attorney general or the attorney general's designee;

(3) provide the post auditor access to all such excise tax reports or returns in accordance with and subject to the provisions of K.S.A. 46-1106(g), and amendments thereto;

(4) disclose taxpayer information from excise tax returns to persons or entities

contracting with the secretary of revenue where the secretary has determined disclosure of such information is essential for completion of the contract and has taken appropriate steps to preserve confidentiality;

(5) provide information from returns and reports filed under article 42 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, to county appraisers as is necessary to ensure proper valuations of property. Information from such returns and reports may also be exchanged with any other state agency administering and collecting conservation or other taxes and fees imposed on or measured by mineral production;

(6) provide, upon request by a city or county clerk or treasurer or finance officer of any city or county receiving distributions from a local excise tax, monthly reports identifying each retailer doing business in such city or county or making taxable sales sourced to such city or county, setting forth the tax liability and the amount of such tax remitted by each retailer during the preceding month, and identifying each business location maintained by the retailer and such retailer's sales or use tax registration or account number;

(7) provide information from returns and applications for registration filed pursuant to K.S.A. 12-187, and amendments thereto, and K.S.A. 79-3601, and amendments thereto, to a city or county treasurer or clerk or finance officer to explain the basis of statistics contained in reports provided by subsection (b)(6);

(8) disclose the following oil and gas production statistics received by the department of revenue in accordance with K.S.A. 79-4216 et seq., and amendments thereto: Volumes of production by well name, well number, operator's name and identification number assigned by the state corporation commission, lease name, leasehold property description, county of production or zone of production, name of purchaser and purchaser's tax identification number assigned by the department of revenue, name of transporter, field code number or lease code, tax period, exempt production volumes by well name or lease, or any combination of this information;

(9) release or publish liquor brand registration information provided by suppliers, farm wineries, microdistilleries and microbreweries in accordance with the liquor control act. The information to be released is limited to: Item number, universal numeric code, type status, product description, alcohol percentage, selling units, unit size, unit of measurement, supplier number, supplier name, distributor number and distributor name;

(10) release or publish liquor license information provided by liquor licensees, distributors, suppliers, farm wineries, microdistilleries and microbreweries in accordance with the liquor control act. The information to be released is limited to: County name, owner, business name, address, license type, license number, license expiration date and the process agent contact information;

(11) release or publish cigarette and tobacco license information obtained from cigarette and tobacco licensees in accordance with the Kansas cigarette and tobacco products act. The information to be released is limited to: County name, owner, business name, address, license type and license number;

(12) provide environmental surcharge or solvent fee, or both, information from returns and applications for registration filed pursuant to K.S.A. 65-34,150 and 65-34,151, and amendments thereto, to the secretary of health and environment or the secretary's designee for the sole purpose of ensuring that retailers collect the environmental surcharge tax or solvent fee, or both;

(13) provide water protection fee information from returns and applications for

registration filed pursuant to K.S.A. 82a-954, and amendments thereto, to the secretary of the state board of agriculture or the secretary's designee and the secretary of the Kansas water office or the secretary's designee for the sole purpose of verifying revenues deposited to the state water plan fund;

(14) provide to the secretary of commerce copies of applications for project exemption certificates sought by any taxpayer under the enterprise zone sales tax exemption pursuant to K.S.A. 79-3606(cc), and amendments thereto;

(15) disclose information received pursuant to the Kansas cigarette and tobacco act and subject to the confidentiality provisions of this act to any criminal justice agency, as defined in K.S.A. 22-4701(c), and amendments thereto, or to any law enforcement officer, as defined in K.S.A. 2015 Supp. 21-5111, and amendments thereto, on behalf of a criminal justice agency, when requested in writing in conjunction with a pending investigation;

(16) provide to retailers tax exemption information for the sole purpose of verifying the authenticity of tax exemption numbers issued by the department;

(17) provide information concerning remittance by sellers, as defined in K.S.A. 2015 Supp. 12-5363, and amendments thereto, of prepaid wireless 911 fees from returns to the local collection point administrator, as defined in K.S.A. 2015 Supp. 12-5363, and amendments thereto, for purposes of verifying seller compliance with collection and remittance of such fees;

(18) release or publish charitable gaming information obtained in ~~bingo~~ charitable gaming licensee and registration applications and renewals in accordance with the ~~bingo act, K.S.A. 79-4701~~ Kansas charitable gaming act, K.S.A. 2015 Supp. 75-5171 et seq., and amendments thereto. The information to be released is limited to: The name, address, phone number, license registration number and email address of the organization, distributor or of premises; and

(19) provide to the attorney general confidential information for purposes of determining compliance with or enforcing K.S.A. 50-6a01 et seq., and amendments thereto, the master settlement agreement referred to therein and all agreements regarding disputes under the master settlement agreement. The secretary and the attorney general may share the information specified under this subsection with any of the following:

(A) Federal, state or local agencies for the purposes of enforcement of corresponding laws of other states; and

(B) a court, arbitrator, data clearinghouse or similar entity for the purpose of assessing compliance with or making calculations required by the master settlement agreement or agreements regarding disputes under the master settlement agreement, and with counsel for the parties or expert witnesses in any such proceeding, if the information otherwise remains confidential.

(c) Any person receiving any information under the provisions of subsection (b) shall be subject to the confidentiality provisions of subsection (a) and to the penalty provisions of subsection (d).

(d) Any violation of this section shall be a class A, nonperson misdemeanor, and if the offender is an officer or employee of this state, such officer or employee shall be dismissed from office. Reports of violations of this paragraph shall be investigated by the attorney general. The district attorney or county attorney and the attorney general shall have authority to prosecute any violation of this section if the offender is a city or

county clerk or treasurer or finance officer of a city or county.";

On page 23, in line 10, before the period by inserting ", prior to July 1, 2021"; following line 13, by inserting:

"(3) The provisions of this subsection shall expire on July 1, 2021, unless the legislature reviews and reenacts this provision prior to July 1, 2021.";

On page 25, following line 12, by inserting:

"(3) The provisions of this subsection shall expire on July 1, 2021, unless the legislature reviews and reenacts this provision prior to July 1, 2021.";

Also on page 25, in line 14, after "45-229," by inserting "75-5133,";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "public records; relating to"; in line 2, after the semicolon by inserting "disclosure of charitable gaming licensee information;"; in line 3, after "45-229," by inserting "75-5133,"; and the bill be passed as amended.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 54, by Representative Larry Campbell, congratulating Ann Marie E. Hrdy for receiving the Girl Scout Gold Award;

Request No. 55, by Representative Larry Campbell, congratulating Marah R. Williams for receiving the Girl Scout Gold Award;

Request No. 56, by Representative Sharon Schwartz, congratulating Don and Lois Martin for receiving 2016 Master Farmer and Master Farm Homemaker, Riverside Valley Extension District No. 4;

Request No. 57, by Representative Larry Hibbard, congratulating Jean Grundy on her 100th birthday;

Request No. 58, by Representative Rob Bruchman commending Dr. Steven Hechler for providing charitable orthodontic services to the community;

Request No. 59, by Representative Randy Garber, congratulating Anna Knapp on winning the Kansas Voice of Democracy Essay Contest sponsored by the VFW;

Request No. 60, by Representative Boog Highberger, congratulating Jazmyne McNair for being named Kansas Boys and Girls Club 2016 Youth of the Year;

Request No. 61, by Representative Peggy Mast, congratulating Colby Johnson for winning the 4A State wrestling championship;

Request No. 62, by Representative Virgil Peck Jr., congratulating Sara Shively for her 80th Birthday;

Request No. 63, by Representative Virgil Peck Jr., congratulating George and Romona Rau for their 60th wedding anniversary;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

REPORT ON ENROLLED RESOLUTIONS

HR 6046 reported correctly enrolled and properly signed on March 11, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, March 14, 2016.

Journal of the House

FORTIETH DAY

Hall of the House of Representatives,
Topeka, KS, Monday, March 14, 2016, 11:00 a.m.

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

The roll was called with 120 members present.

Reps. Anthimides, Claeys, Dove, Edmonds and Goico were excused on excused absence by the Speaker.

Prayer by guest chaplain, Everett Schultz, Deacon, First Mennonite Church, Pretty Prairie, and guest of Rep. Seiwert:

> Our Father,
>
> We come before Thee this morning thanking You for the many blessings You have bestowed upon our great nation and upon this great state of Kansas. I want to thank You that this great state still opens each session of this House with prayer. Your Word tells us that where two or three are gathered together in Your name, there You are in the midst of them. So I thank You that You are with us in this House right now.
>
> Father, these people struggle with issues that affect all Kansans. I pray that You will give them understanding and comradery to work together to tackle the issues that affect the state and to be fair to all Kansans. They face difficult issues, and they must be dealt with in a fair and objective manner. Please give them wisdom to listen, contemplate and understand each other's position, and help them to work together to achieve the results that is the best for all involved. Please help these good people to not be influenced by the special interest groups that want to influence their vote. Help them Father to openly and honestly serve the people who have elected them to office. May their decisions be the correct ones for the continued well-being of Kansas.
>
> But most importantly, Father, I pray for each one that hears or reads these words. Some may not know You but I know You and ask You to help them to come to know You. To each of you, I want you to know that God knows you and loves you and cares for you. I urge each of you to consider establishing a personal relationship with God. Ask Him to come into your life and be with you. Ask Him to forgive your sins and lead you to eternal life in heaven. I ask these things in Jesus' Name. Amen.

The Pledge of Allegiance was led by Rep. Curtis.

INTRODUCTION OF GUESTS

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

On Feb. 27, 2016, Anna Knapp of rural Seneca, Kansas traveled to our nation's capital to represent the Sunflower state in the Veterans of Foreign Wars National Voice of Democracy Program.

Having already won state honors, high schoolers from across the country gathered in DC seeking to win national recognition.

Anna's essay entitled "My Vision for America" was selected as a winner and she was awarded scholarships of $1,000 from the Fridley VFW Post 363 and Auxiliary and $1,000 from the Department of Michigan VFW and Auxiliary (for a total of $2,000).

Anna plans to pursue a career in nursing. Anna's writing skill is not her only talent as she is an accomplished musician as well.

Anna, on behalf of the Kansas House of Representatives, it is my privilege to present to you this certificate of recognition. Congratulations and may God bless you and your family.

Rep. Garber presented Ms. Knapp with a framed House certificate.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2731, HB 2733**.
Education: **SB 342, SB 388**.
Federal and State Affairs: **SB 379, SB 459, SB 476**.
Health and Human Services: **HB 2732**.
Judiciary: **Sub SB 428**.
Vision 2020: **SB 443**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **SB 415** from the Calendar under the heading General Orders and referral to Committee on Calendar and Printing.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Osterman, **HR 6049**, by Reps. Osterman and Goico, as follows, was introduced and adopted:

HR 6049—A RESOLUTION commemorating the 75th Anniversary of Civil Air Patrol.

WHEREAS, Civil Air Patrol (CAP) was founded on December 1, 1941, by a fledgling group of volunteers led by civilian pilots who flew their own planes, at their own expense, to support the Allied Powers' efforts in World War II. After the United States became involved in the war, Civil Air Patrol primarily flew reconnaissance missions near the country's coasts to protect cargo ships, especially vital oil tankers that

were being sunk at such an alarming rate that it would, according to U.S. Army Chief of Staff Gen. George Marshall, "threaten our entire war effort"; and

WHEREAS, So many submarines were spotted by these "subchasers" that a decision was soon made by the military to arm the light aircraft with small bombs and the larger aircraft with 325-pound depth bombs, putting these brave civilians at great risk, as they were often flying 100 miles or more from shore in unpredictable weather; and

WHEREAS, Over the next year and a half, these subchasers played an integral role in the defense of America's home front during World War II, spotting 143 German submarines, attacking 57 while directing shore-based fighting units to their targets and forcing the enemy to move farther offshore; and

WHEREAS, The wartime effort, which included border patrol operations, search and rescue, disaster relief, forest fire patrol, emergency transportation of personnel and critical cargo and towing of practice targets for the U.S. military, also resulted in the loss of 26 coastal patrol members and 90 aircraft in the war's beginning stages, as well as the loss of 150 aircraft and 66 deaths by the war's end; and

WHEREAS, Civil Air Patrol's work on the coast was heralded as a great success, prompting President Harry S. Truman to sign Public Law 476 in 1946, which chartered CAP as a benevolent, nonprofit organization, and nearly two years later, in 1948, the Congress of the United States passed Public Law 557, permanently establishing CAP as the official auxiliary of the U.S. Air Force with the three primary missions of Emergency Services, Cadet Programs and Aerospace Education; and

WHEREAS, Since that auspicious beginning, a modern day Civil Air Patrol has emerged to become one of the nation's premier humanitarian service organizations, saving lives, finding those who are lost, helping fellow citizens in times of disaster, working to keep America safe, preparing future leaders, offering aerospace education to inspire our nation's youth and honoring our military; and

WHEREAS, Civil Air Patrol, forged by a late-century revolution in search and rescue technology, became known worldwide for its unique emergency services operations and for performing vital search and rescue, disaster relief and other important emergency missions for what now numbers more than 1,400 communities across the United States, the District of Columbia and Puerto Rico; and

WHEREAS, Civil Air Patrol, supported by the world's largest fleet of single-engine aircraft equipped with high-technology tools like full-motion video, infrared cameras and glass cockpit instrumentation, has established itself among the nation's search and rescue elite, now participating in up to 90% of the Air Force's inland search and rescue missions; and

WHEREAS, Civil Air Patrol has more than 8,000 air crew members and 30,000 emergency responders trained to Federal Emergency Management Agency standards; has contributed free services valued at $164 million in 2015 by serving the disaster relief and emergency service needs of communities in the United States, the District of Columbia and Puerto Rico; has saved thousands of lives in its 75-year history; and has a fleet of more than 950 emergency services vehicles for training and mission support; and

WHEREAS, A top resource for disaster relief, Civil Air Patrol is often first on the scene, providing aerial photography and damage assessment to help emergency officials pinpoint critical infrastructure needs in real time as well as ground team support, often providing door-to-door services, which include water, food and supply delivery, and

sometimes even laundry services, for victims; and

WHEREAS, Recent high-visibility Civil Air Patrol missions have included responses to tornadoes that have ravaged communities across America, forest fires in numerous states, tsunamis on the Hawaiian and Pacific coasts, hurricanes Katrina and Sandy, wildfires in the Southwest, floods in the Midwest, the September 11th terrorist attacks and counterdrug missions across the nation that have helped remove over $1 billion in illegal drugs from our communities; and

WHEREAS, The aircraft of Civil Air Patrol were the only nonmilitary planes allowed in the skies over the U.S. in the immediate aftermath of the September 11th terrorist attacks, and CAP has since performed admirably in other homeland security missions, including responding to the Deepwater Horizon oil spill in the Gulf of Mexico, a continuous 118-day effort, by taking the tens of thousands of aerial photographs necessary for assessing environmental damage, deploying containment assets and successfully working side by side with numerous state and federal agencies, all the while saving the federal government an estimated $22 to $38 million for these services; and

WHEREAS, Civil Air Patrol sets the world standard for volunteer aviation emergency services, prompting other nations, like Denmark and the United Kingdom, to use the CAP model to establish or improve their own similar volunteer programs; and

WHEREAS, Civil Air Patrol's youth program currently includes more than 24,000 cadets who benefit from a curriculum that trains them to be leaders; offers them opportunities for flight, including pilot training; and teaches emergency services techniques, including lifesaving; and

WHEREAS, Civil Air Patrol reaches tens of thousands of the country's school-aged children and their teachers through a comprehensive selection of academic programs that stress the STEM subjects of science, technology, engineering and math, in addition to programs that encourage a drug-free lifestyle; and

WHEREAS, Civil Air Patrol's membership includes more than 475 chaplains who fulfill critical needs for deployed U.S. military chaplains and provide counseling services for soldiers and their families, as well as disaster victims; and

WHEREAS, In its partnership with Wreaths Across America, Civil Air Patrol annually honors military veterans by helping sponsor and place tens of thousands of wreaths at the graves of fallen soldiers at U.S. cemeteries nationwide and overseas; and

WHEREAS, Civil Air Patrol is celebrating 75 years of performing these "Missions for America": Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we commend and celebrate the 75th Anniversary of Civil Air Patrol and honor the men and women who have served, and those who continue to serve, their fellow citizens through Civil Air Patrol, a noble and patriotic organization; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Osterman.

INTRODUCTION OF GUESTS

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

Today it is with pleasure that we honor the Civil Air Patrol for everything that they have done over the years.

During WWII they were responsible for watching the borders of the United States. Our maritime ships were being sunk by enemy submarines. It was their duty to locate and sink them or chase them off before they could do damage to our vessels coming in and going out of port.

Since that time they have been an asset to the various states. In 1993, they were tasked to help during the massive flooding we had in Illinois, Missouri, Iowa and Kansas. They provided damage assessments and transported patients. They also flew in medical supplies that were needed.

In January 2002, freezing rain poured over south central and northeast Kansas. They were asked by the Red Cross to help hand out supplies to the affected people. They also aided the Mount Carmel Medical Center in transporting patients.

The latest task was the tornado that hit Greensburg in 2007. More than fifty Civil Air Patrol members coordinated with the National Guard and emergency rescue responders to provide hundreds of hours of air and ground support.

These men and women supply their own aircraft and donate their time in times of disaster.

Please help me in honoring Capt. Timothy Thornton and the rest of the unit that is in the balcony with a round of applause and a thank you for what they do.

CONSENT CALENDAR

No objection was made to **Sub for SB 103** appearing on the Consent Calendar for the first day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2607, AN ACT concerning child care facilities; relating to individuals maintaining or residing, working or volunteering therein; background checks; amending K.S.A. 2015 Supp. 65-516 and repealing the existing section, was considered on final action.

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

Yeas: Alcala, Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R.

Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Anthimides, Claeys, Dove, Edmonds, Goico.

The bill passed, as amended.

HB 2617, AN ACT concerning workers compensation; relating to the medical administrator; electronic filing for administrative hearings; amending K.S.A. 44-534 and 44-536a and K.S.A. 2015 Supp. 44-510i and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 5; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcala, Alford, Ballard, Barker, Barton, Becker, Billinger, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Wolfe Moore.

Nays: Boldra, Kuether, Tietze, Ward, Winn.

Present but not voting: None.

Absent or not voting: Anthimides, Claeys, Dove, Edmonds, Goico.

The bill passed, as amended.

HB 2662, AN ACT concerning certain claims against the state, making appropriations, authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain disbursements, procedures and acts incidental to the foregoing, was considered on final action.

On roll call, the vote was: Yeas 72; Nays 47; Present but not voting: 1; Absent or not voting: 5.

Yeas: Alcala, Alford, Ballard, Becker, Billinger, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, Concannon, Curtis, Dierks, Doll, Estes, Ewy, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Hedke, Helgerson, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Huebert, Jennings, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lusk, Lusker, Osterman, Ousley, Phillips, Proehl, Rahjes, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwartz, Scott, Sloan, C. Smith, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, K. Williams, Wilson, Winn, Wolfe

Moore.

Nays: Barker, Barton, Boldra, B. Carpenter, W. Carpenter, Clark, Clayton, Corbet, E. Davis, DeGraaf, Esau, Finch, Garber, Grosserode, Hawkins, Hemsley, Highland, Hildabrand, Hoffman, Houser, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, F. Patton, Pauls, Peck, R. Powell, Read, Rhoades, Rooker, Scapa, Schwab, Seiwert, Suellentrop, Sutton, Whitmer.

Present but not voting: Moxley.

Absent or not voting: Anthimides, Claeys, Dove, Edmonds, Goico.

The bill passed, as amended.

SB 325, AN ACT concerning the revised Kansas code for care of children; relating to child in need of care files; prosecutor access; amending K.S.A. 2015 Supp. 38-2211 and repealing the existing section, was considered on final action.

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

Yeas: Alcala, Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Anthimides, Claeys, Dove, Edmonds, Goico.

The bill passed, as amended.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Frownfelter in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that **SB 376**, **SB 334** be passed.

Committee report recommending a substitute bill to **H Sub for SB 337** be adopted; and the substitute bill be passed.

Sub HB 2543 be passed over and retain a place on the calendar.

Committee reports to **HB 2660** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 329**, **SB 330** as amended by Senate Committee, be passed.

Committee on **Energy and Environment** recommends **SB 412** be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2734, AN ACT concerning state finances; creating a budget stabilization fund; relating to state general fund revenue and expenditures; review of risk-based practices by the legislative budget committee; amending K.S.A. 75-3722 and 75-6704 and K.S.A. 2015 Supp. 75-3721 and repealing the existing sections, by Committee on Appropriations.

REPORT ON ENGROSSED BILLS

HB 2573 reported correctly engrossed March 10, 2016.
HB 2607, **HB 2617**, **HB 2662** reported correctly engrossed March 11, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, March 15, 2016.

Journal of the House

FORTY-FIRST DAY

Hall of the House of Representatives,
Topeka, KS, Tuesday, March 15, 2016, 11:00 a.m.

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

The roll was called with 123 members present.
Reps. Edmonds and Goico were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Delinda Jeronimo, Children's Pastor, Wanamaker Woods Church of the Nazarene, Topeka:

> Lord,
>
> We come to you today humbled in your presence, thankful for the beauty of your creation in the blooming trees, the subtle tint of green sprouting all over our city, the pops of color in the spring flowers rising from the ground and the morning cantatas sung by the birds. We are thankful for safety in our travel to and from work, for our health and the many, many blessings you have poured upon us each and every day. May we never take for granted each and every gift from the seemingly small to the obviously large.
>
> We give this day to you, from the first morning breath to the last waking blink, may you guide and direct in all actions and reactions, thoughts and words, discussions and decisions upon us today. May you be ever at the center of our thoughts as we make decisions today that will affect your people. Thank you for the calling to be leaders and may we be faithful to that call, giving you the praise, honor and glory in all we say and do.
>
> We pray all these things in "the confidence we have in approaching God: that if we ask anything according to Your (his) will, You (he) hear(s) us." 1 John 5:14. So we ask these things Father, according to your good, pleasing and perfect will. In Jesus' name, Amen.

The Pledge of Allegiance was led by Rep. Hibbard.

INTRODUCTION OF GUESTS

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

The citizens of Fort Scott wished to honor the significant sacrifices made by nearly 7,000 freedom fighters from the War on Terror in Iraq and Afghanistan by committing to raise $15,000 for an all-terrain track chair for a seriously wounded veteran of that war.

All-terrain track chairs enable some of the most seriously wounded to reduce the level of post-traumatic stress, depression, and suicide; by enabling them to regain their role as family breadwinner – (especially in farming and ranching) – and restoring the therapeutic value of outdoor recreation.

The generosity of the Fort Scott community has been proven by exceeding their goal through raising $17,000 to gift a track chair with sporting accessories and trailer to a local wounded hero.

Now, join me in commending: The Fort Scott Symbols of Sacrifice Tribute Fund organizers (Anne Emerson, Jim Scott, Jill Warford, and the Fort Scott National Historic Site Superintendent, Betty Boyko), The City of Fort Scott, and the generosity of the Fort Scott residents who challenge other Kansas counties and cities to enrich the lives of other seriously wounded Kansas heroes through providing track chairs.

Rep. Read presented House certificates to the guests.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Appropriations: **HB 2734**.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Corbet, **HR 6050**, by Rep. Corbet, as follows, was introduced and adopted.

HR 6050 – A RESOLUTION commemorating the 75th Birthday of M&M'S® Brand Chocolate Candies in the State of Kansas and designating the month of March as M&M'S® Brand Chocolate Candies Month.

WHEREAS, It is fitting that the Kansas Legislature should recognize Mars, Incorporated, whose dedicated service has significantly contributed to the economic vitality of Kansas; and

WHEREAS, In the State of Kansas, Mars proudly produces M&M'S® candies and SNICKERS® bars; and

WHEREAS, The State of Kansas is home to the Mars Chocolate Topeka factory and seven BANFIELD® Pet Hospitals, employing over 350 Associates statewide; and

WHEREAS, The principle of mutuality is a Mars business model for success in Kansas. Mars has supported Topeka's community development through over $230,000 in donations to Downtown Topeka's development and partnerships with Habitat for Humanity, Harvesters, Sheltered Living and Boo-It Downtown; and

WHEREAS, M&M'S® Brand Chocolate Candies will continue to be the people's chocolate. Since March 3, 1941, fans have made M&M'S® the most popular Chocolate Candy on earth that "melts in your mouth, not in your hands"; and

WHEREAS, Mars produced the first M&M'S® in 1941, and later, exclusively, as military rations during World War II. Since then, the bite-sized pieces of chocolate in a colorful candy shell have become instantly recognizable all over the globe; and

WHEREAS, For the second year, the M&M'S® Brand will partner with NBC and Comic Relief as a title sponsor to raise awareness and money for the Red Nose Day Fund, an organization that helps to lift children out of poverty. In 2015, the M&M'S® Brand donated more than $1.3 million to Red Nose Day charities; and

WHEREAS, In keeping with its legacy as a supporter of the military, Mars will donate $750,000 worth of product to Operation Gratitude for inclusion in military care packages: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we hereby designate the month of March as M&M'S® Brand Chocolate Candies Month in commemoration of this product's 75 years of excellence worldwide and the contributions of Mars, Incorporated, to the State of Kansas; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send four enrolled copies of this resolution to Representative Corbet.

Rep. Corbet invited the members of the Shawnee County delegation to join him at the well.

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

Last week you had M&M's on your desk in honor of the 75th Anniversary of M&M's. Mars employees over 350 people in the state of Kansas. Their factory in Topeka produces peanut M&M's and Snickers bars. They are now undergoing a $100 million expansion and will soon be making a new candy bar that has not been announced yet. They are helping to organize a Chocolate Festival in downtown Topeka on September 24...so mark your calendar. They are a strong part of the Kansas community. We are grateful to have Mars in our state and glad to celebrate with them on their 75th Anniversary of M&M's.

INTRODUCTION OF ORIGINAL MOTIONS

The motion of Rep. Rubin to change the sequence of General Orders under House Rule 1503(a) to consider **SB 415** as the first item of business was ruled out of order. The bill had been referred by the Speaker from the Committee of the Whole to the Committee on Calendar and Printing on March 14, 2016. Rep. Rubin raised a point of order that the reference to committee violated House Rule 2306 and asked for a ruling from the Rules Committee. The point of order was denied by the Rules Chairman for two reasons. First, a challenge must be made at the time the event occurs. In this instance, no challenge was offered when the change of reference was announced on March 14. Second, it was determined that the Speaker was within his authority under House Rule 1507 to refer **SB 415** to an exempt committee prior to the upcoming second house consideration deadline under the Joint Rules of the House and Senate.

CONSENT CALENDAR

No objection was made to **Sub SB 103** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2660, AN ACT concerning certain state agencies; relating to the transfer of fees; notification of such transfer; amending K.S.A. 75-3036 and repealing the existing section, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Edmonds, Goico.

The bill passed, as amended.

SB 334, AN ACT concerning the attorney general; relating to notice and opportunity to appear or intervene before statute or constitutional provision declared invalid or unconstitutional; amending K.S.A. 60-1712 and K.S.A. 2015 Supp. 60-224 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 3; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr.,

Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Kuether, Ousley, Ward.

Present but not voting: None.

Absent or not voting: Edmonds, Goico.

The bill passed.

H Sub for SB 337, AN ACT concerning water; relating to the water appropriation act; annual water use report; amending K.S.A. 2015 Supp. 82a-732 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 101; Nays 22; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Read, Rooker, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Anthimides, Barton, B. Carpenter, Corbet, Esau, Grosserode, Highland, Hildabrand, Houser, K. Jones, Kahrs, Kelley, Macheers, Mason, McPherson, Peck, R. Powell, Rhoades, Rubin, Scapa, Sutton, Whitmer.

Present but not voting: None.

Absent or not voting: Edmonds, Goico.

The substitute bill passed.

SB 376, AN ACT concerning law enforcement agencies; relating to reports of missing persons; amending K.S.A. 2015 Supp. 75-712c and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C.

Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Edmonds, Goico.

The bill passed.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Hoffman in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that on motion of Rep. Clayton to refer **SB 175** to Committee on Judiciary, roll call was demanded.

On roll call, the vote was: Yeas 45; Nays 74; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Ballard, Becker, Bollier, Burroughs, Carlin, Carmichael, Clark, Clayton, Curtis, Dierks, Doll, Finney, Frownfelter, Gallagher, Gonzalez, Helgerson, Henderson, Hibbard, Highberger, Hill, Hineman, Houston, Kuether, Lewis, Lusk, Lusker, Ousley, Phillips, Rooker, Ruiz, Sawyer, Scott, Sloan, C. Smith, S. Swanson, Tietze, Todd, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Concannon, Corbet, E. Davis, DeGraaf, Dove, Esau, Estes, Ewy, Finch, Francis, Garber, Grosserode, Hawkins, Hedke, Hemsley, Henry, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Peck, R. Powell, Proehl, Rahjes, Read, Rhoades, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sutton, Thimesch, Thompson, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Edmonds, Goico, Kleeb, Lunn, Rubin, Suellentrop.

The motion of Rep. Clayton did not prevail.

Also, roll call was demanded on motion of Rep. Whipple to amend **SB 175**, on page 1, **in line 22, before "No" by inserting "(a)"; in line 27, by striking "(a)" and inserting "(1)"; in line 28, by striking "(b)" and inserting "(2)"; in line 29, by striking "(c)" and inserting "(3)"; in line 31, by striking "(d)" and inserting "(4)"; following line 34, by inserting:**

"(b) A postsecondary educational institution may deny any benefit to a religious student association if the postsecondary educational institution finds that such association had discriminated against any person on the basis of race, religion, color, sex, disability, national origin, ancestry, sexual orientation or gender identity."

On roll call, the vote was: Yeas 36; Nays 84; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcala, Ballard, Bollier, Burroughs, Carlin, Carmichael, Clayton, Curtis,

Dierks, Doll, Finney, Frownfelter, Gallagher, Helgerson, Henderson, Highberger, Hineman, Houston, Kuether, Lusk, Lusker, Ousley, Phillips, Rooker, Ruiz, Sawyer, Scott, Sloan, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, E. Davis, DeGraaf, Dove, Esau, Estes, Ewy, Finch, Francis, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henry, Hibbard, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Peck, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Edmonds, Goico, Hill, Kleeb, Suellentrop.

The motion of Rep. Whipple did not prevail.

Also, on further motion of Rep. Whipple to amend **SB 175**, the motion did not prevail.

Also, roll call was demanded on motion to recommend **SB 175** favorably for passage. On roll call, the vote was: Yeas 80; Nays 39; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Anthimides, Barker, Barton, Billinger, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Corbet, E. Davis, DeGraaf, Dove, Esau, Estes, Ewy, Finch, Francis, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henry, Hibbard, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Peck, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, C. Smith, Sutton, S. Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Nays: Alcala, Ballard, Becker, Boldra, Bollier, Burroughs, Carlin, Carmichael, Clayton, Concannon, Curtis, Dierks, Doll, Finney, Frownfelter, Gallagher, Henderson, Highberger, Hill, Hineman, Houston, Kuether, Lusk, Lusker, Ousley, Phillips, Rooker, Ruiz, Sawyer, Scott, Sloan, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Edmonds, Goico, Helgerson, Kleeb, Suellentrop, Thompson.

The motion prevailed and **SB 175** be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **HB 2665** be amended on page 1, in line 4, by striking "establish" and inserting "adopt, enforce or maintain"; also in line 4, by striking "rental" and inserting "residential"; in line 6, after "periodic" by inserting "interior"; also in line 6, by striking "rental" and inserting "residential"; in line 7, by striking all after "the"; in line 8, by striking all before the period and inserting "lawful occupant has consented to such interior

inspections. This subsection shall not apply to inspections of mixed-use residential and commercial property"; in line 9, by striking all after "(b)"; by striking all in lines 10 through 12; in line 13, by striking "(c)"; also in line 13, by striking "tenant" and inserting "lawful occupant"; in line 14, after "inspection" by inserting "at any time"; in line 16, by striking all after the period; by striking all in lines 17 through 19;

On page 1, in the title, in line 1, by striking "rental" and inserting "residential"; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **SB 338**, as amended by Senate Committee, be passed.

Committee on **Corrections and Juvenile Justice** recommends **SB 375**, as amended by Senate Committee, be passed.

Committee on **Education** recommends **SB 136**, as amended by Senate Committee of the Whole, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 136," as follows:

"House Substitute for SENATE BILL NO. 136

By Committee on Education

"AN ACT concerning certain postsecondary teachers; relating to due process; repealing K.S.A. 72-5441, 72-5442, 72-5443, 72-5444 and 72-5447 and K.S.A. 2015 Supp. 72-5436, 72-5438, 72-5439, 72-5440, 72-5445 and 72-5446.";

And the substitute bill be passed.

(**H Sub for SB 136** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **SB 408**, as amended by Senate Committee, be amended on page 1, in line 22, after the first comma by inserting "licensed behavioral analysts, licensed assistant behavioral analysts,";

On page 2, in line 30, after "to" by inserting "the attorney general or";

On page 4, in line 1, after "by" by inserting "the attorney general or"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2735, AN ACT concerning manufacturer warranties; relating to enforcement of warranty if registration card or form not filed, by Committee on Appropriations.

HB 2736, AN ACT regulating traffic; relating to motor carrier inspections, probable cause for spot checks; amending K.S.A. 2015 Supp. 66-1324 and repealing the existing section, by Committee on Appropriations.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Mast announced the appointment of Rep. Gonzalez to replace Rep. Rubin as Chair of Committee on Corrections and Juvenile Justice.

Also, the appointment of Rep. Pauls to replace Rep. Gonzalez as Vice Chair of Committee on Corrections and Juvenile Justice.

Also, Rep. Rubin is removed from Committee on Corrections and Juvenile Justice.

Also, the appointment of Rep. Pauls to replace Rep. Barker as Chair of Committee on House Rules and Journal.

Also, the appointment of Rep. Todd to replace Rep. Barker as member of Committee on House Rules and Journal.

All of these changes are effective immediately.

REPORT ON ENGROSSED BILLS

HB 2660 reported correctly engrossed March 14, 2016.

REPORT ON ENROLLED BILLS

HB 2438 reported correctly enrolled, properly signed and presented to the Governor on March 15, 2016.

REPORT ON ENROLLED RESOLUTIONS

HCR 5026; **HR 6048** reported correctly enrolled and properly signed on March 15, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, March 16, 2016.

Journal of the House

FORTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, March 16, 2016, 11:00 a.m.

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

The roll was called with 122 members present.
Rep. Concannon was excused on legislative business.
Reps. Edmonds and Frownfelter were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Michael Garner, Life Connections, Leavenworth, and guest of Rep. Barton:

> Our Father in heaven, Hallowed be Your name. Your kingdom come. Your will be done on earth as it is in heaven. Give us this day our daily bread. And forgive us our debts, as we forgive our debtors. And do not lead us into temptation, but deliver us from the evil one. For Yours is the kingdom and the power and the glory forever. (Matthew 6: 9-13 NKJV)
>
> Father, I come humbly before you right now asking that in the name of Jesus, that name that is above every name, and that by your Holy Spirit you would move in this place not just today but everyday and in every meeting. I ask Father, that any veil of deception from Kingdom of darkness to be removed so that those that have been elected would be able to know what is your good and perfect will for the state of Kansas, and even this nation. Father, as an act of our will we choose to do what you have commanded in your Holy word to humble ourselves before you, to earnestly pray and seek Your Face and turn from our wicked ways. I thank you that as we do this as elected officials, and as individuals, that by your grace you will heal this land. Father, I ask that your spirit of reconciliation would rule and reign between the elected parties and the individuals of this state. That your spirit of grace and mercy would be prevalent in all the meetings that take place here and that your love would be evident by the works completed. I ask Father, that by your Holy Spirit that the men and women here would not just recognize your voice but would also heed it. Father I also ask that by your Spirit that there would not be a shift in the hearts of the people to understand that the most important thing is not whether we belong to a donkey or an elephant, but that we belong to the Lamb, your

Son, whom you sent to die for us. I thank you Father, for the blood of Jesus and I ask that the same blood that saves us and redeems us would also protect the men and women here as they endeavor to be servants to the people of Kansas, as well as their families. Grant them wisdom, understanding, knowledge, and even insight beyond their own ability. I ask Father, that you would strengthen them and that by your Spirit you would encourage these leaders to act according to your ways and not man's ways. I ask all these things in faith believing that you will grant these requests and I thank you for doing these things. For it is in the name of Jesus, your Son, that I pray, Amen!

The Pledge of Allegiance was led by Rep. Clayton.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Transportation: **HB 2736**.
Vision 2020: **HB 2735**.

COMMUNICATIONS FROM STATE OFFICERS

From David N. Harper, Director, Division of Property Valuation, Kansas Department of Revenue, pursuant to K.S.A. 79-1490, 2015 Preliminary Real Estate Appraisal/Sales Ratio Study.

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

MESSAGES FROM THE SENATE

The Senate nonconcurs in House amendments to **H Sub for SB 55**, requests a conference and has appointed Senators Longbine, Bowers and Hawk as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **SB 390**, requests a conference and has appointed Senators Longbine, Bowers and Hawk as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **H Sub for SB 193**, requests a conference and has appointed Senators Masterson, Denning and Kelly as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **SB 325**, requests a conference and has appointed Senators Smith, Knox and Pettey as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **H Sub for SB 337**, requests a conference and has appointed Senators Powell, Kerschen and Francisco as conferees on the part of the Senate.

Announcing passage of **SB 484**, **SB 485**.

Announcing passage of **Substitute for HB 2062**, as amended.

Announcing adoption of **HCR 5024**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 484, **SB 485**

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Barton, **HR 6051**, by Rep. Barton, as follows, was introduced and adopted:

HR 6051—A RESOLUTION commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

A RESOLUTION commending the ministers, pastors, priests and rabbis of Kansas for their leadership
and commitment to improving lives.

WHEREAS, There are hosts of ministers, pastors, priests and rabbis serving throughout Kansas; and

WHEREAS, They produce God-honoring and prosperous families that help to nurture the spirits of future generations; and

WHEREAS, They preach and teach in ways that impact and enrich lives, causing many to live in more fulfilling ways; and

WHEREAS, As shepherds, who are to protect, they correct wrongs, reflect justice and seek fairness in organizations, families and government; and

WHEREAS, They provide creative approaches to challenges, resulting in better practices; and

WHEREAS, They pioneer the creation of new programs, policies and services; and

WHEREAS, They help cultivate people's strengths and challenge people to step up and step out in communities: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we commend our ministers, pastors, priests and rabbis for their leadership in villages, counties, cities and our state and for their priceless commitment to improving lives. We thank God for each one of them; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Barton.

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

This morning it is my privilege to stand with this group of men and women of faith whose deeply held beliefs are seen in their actions everyday. They are the black robe regiment of the day standing in the gap on behalf of the lost and the found. They are servants and leaders who, at times, may be overwhelmed and under appreciated but are very much needed in our state and nation. They are encouragers and builders of faith and they strengthen the lives of the people they shepherd. They understand the necessity of prayer and principles over party and politics and undergird us with that power on a regular basis and I, for one, am appreciative. I ask you this morning to join with me in showing our appreciation for each one of them as they continue to be light and truth.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Carmichael, **HR 6052**, by Reps. Carmichael and Hawkins, as follows, was introduced and adopted:

HR 6052—A RESOLUTION commending hospitals in the state of Kansas for offering, and urging them to continue offering, inpatients, 65 years of age and older, immunization against the influenza virus prior to their discharge.

A RESOLUTION commending hospitals in the state of Kansas for offering, and urging them to continue offering, inpatients, 65 years of age and older, immunization against the influenza virus prior to their discharge.

WHEREAS, Influenza can be life-threatening for people 65 years of age and older, because it has long been recognized that people of this age group are at greater risk for serious complications from the flu, compared with young, healthy adults; and

WHEREAS, It has been estimated that 90% of seasonal flu-related deaths and more than 60% of seasonal flu-related hospitalizations in the United States occur each year in people 65 years of age and older; and

WHEREAS, In accordance with the latest recommendations of the Advisory Committee on Immunizations Practices of the Centers for Disease Control and Prevention, hospitals in the state of Kansas are commended for offering, and urged to continue offering, from October 1 through March 1 of each year, immunization against the influenza virus to inpatients 65 years of age and older, prior to discharge, unless contraindicated for such patients; and

WHEREAS, Nothing in this resolution should be construed to be a mandate upon hospitals to offer this vaccine to elderly patients: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we commend hospitals in the state of Kansas for offering, and urge them to continue offering, inpatients, 65 years of age and older, immunization against the influenza virus prior to their discharge; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Carmichael.

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

Kansas has always led the nation in the field of public health, and in the prevention of the spread of communicable disease. Though out the early 1900's Dr. Samuel Crumbine, a member of the Kansas State board of Health and Dean of the University of Kansas School of Medicine (and incidentally, the man upon whom the character of "Doc Adams" on *Gunsmoke* was based) campaigned to "Ban the Public Drinking Cup," "Throw out the Common Roller Towel," and "Swat the Fly." These were all steps designed to prevent the spread of communicable disease.

Following the great influenza, or flu, pandemic of 1918 Wesley Hospital, now Wesley Medical Center in Wichita, opened the Fresh Air Baby Camp in Riverside Park in my district. The camp was designed to prevent the spread of not only influenza but also to allow infants to thrive in the fresh air, free from unnecessary exposure to viruses. Today the camp, later known as "The Girl Scout House" has been placed on the National Register of Historic Places and is being restored with the help of the

Heritage Trust Fund and the Wichita Parks Foundation, in part to serve as a reminder of my community's efforts to prevent the spread of communicable disease.

Today, we can rely on more than just fresh air to prevent the spread of influenza. Today we have flu shots. While this resolution commends Kansas hospitals for providing flu shots to Kansas seniors, it also serves as a reminder to all of us myself included, to get our flu shot, not only for ourselves, but also to preserve the health of those we meet, even here in the Statehouse.

So, along with the Chair of the House Health and Human Services Committee, Rep. Hawkins, I move the adoption of the resolution.

CONSENT CALENDAR

No objection was made to **Sub SB 103** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Sub SB 103, AN ACT concerning pharmacy benefits managers, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Concannon, Edmonds, Frownfelter.

The bill passed.

SB 175, AN ACT concerning postsecondary education; relating to the exercise of religious beliefs by student associations, was considered on final action.

On roll call, the vote was: Yeas 81; Nays 41; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Anthimides, Barker, Barton, Billinger, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Corbet, E. Davis, DeGraaf, Dove, Esau, Estes, Ewy, Finch, Francis, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley,

Henry, Hibbard, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, F. Patton, Pauls, Peck, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Nays: Alcala, Ballard, Becker, Boldra, Bollier, Burroughs, Carlin, Carmichael, Clark, Clayton, Curtis, Dierks, Doll, Finney, Gallagher, Helgerson, Henderson, Highberger, Hill, Hineman, Houston, Kuether, Lusk, Lusker, Moxley, Ousley, Phillips, Rooker, Ruiz, Sawyer, Scott, Sloan, C. Smith, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Concannon, Edmonds, Frownfelter.

The bill passed.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Campbell in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that committee report to **SB 318** be adopted; also, roll call was demanded on motion of Rep. Sloan, to amend **SB 318** on page 1, in line 14, by striking "to the state general fund" and inserting "of the state corporation commission to the public service regulation fund of the state corporation commission"; in line 16, after "fund" by inserting "of the state corporation commission"; in line 17, by striking "state general fund" and inserting "public service regulation fund of the state corporation commission"

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

Yeas: Alcala, Alford, Anthimides, Ballard, Becker, Billinger, Bollier, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Corbet, Curtis, DeGraaf, Dierks, Doll, Estes, Ewy, Finch, Finney, Francis, Gallagher, Gonzalez, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Hutchins, Jennings, K. Jones, Kelly, Kuether, Lewis, Lusk, Lusker, O'Brien, Osterman, Ousley, F. Patton, Phillips, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Sawyer, Schroeder, Schwab, Scott, Sloan, C. Smith, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Barker, Barton, Boldra, Bradford, Claeys, E. Davis, Dove, Esau, Garber, Goico, Grosserode, Hawkins, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutton, Johnson, D. Jones, Kahrs, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, Moxley, Pauls, Peck, R. Powell, Rahjes, Ryckman, Ryckman Sr., Scapa, Schwartz, Seiwert, Sutton, Waymaster, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Concannon, Edmonds, Frownfelter, Kelley, Suellentrop.

The motion of Rep. Sloan prevailed.

Also, on motion to recommend **SB 318** favorably for passage, the motion prevailed and the bill be passed as amended.

Committee report to **HB 2468** be adopted; also, roll call was demanded on motion to recommend **HB 2468** favorably for passage.

On roll call, the vote was: Yeas 91; Nays 27; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Corbet, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Francis, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sutton, S. Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C., Whipple, Whitmer, K. Williams.

Nays: Alcala, Ballard, Bollier, Burroughs, Carlin, Carmichael, Clayton, Curtis, Finney, Gallagher, Helgerson, Henderson, Highberger, Houston, Kuether, Ousley, Rooker, Ruiz, Scott, C. Smith, Tietze, Trimmer, Victors, Ward, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Concannon, Edmonds, Frownfelter, Lusk, Ryckman, Sloan, Suellentrop.

The motion prevailed and **HB 2468** be passed as amended.

Committee report to **HB 2534** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **SB 352** be passed.

Committee on **Education** recommends **HB 2486** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2486," as follows:

"Substitute for HOUSE BILL NO. 2486

By Committee on Education

"AN ACT concerning school districts; relating to capital improvement state aid, cap; amending K.S.A. 2015 Supp. 75-2319 and repealing the existing section.";

And the substitute bill be passed.

(**Sub HB 2486** was thereupon introduced and read by title.)

Committee on **Health and Human Services** recommends **SB 402**, as amended by Senate Committee of the Whole, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 402," as follows:

"House Substitute for SENATE BILL NO. 402

By Committee on Health and Human Services

"AN ACT concerning certified nurse-midwives; relating to scope of practice;

licensure; amending K.S.A. 2015 Supp. 65-1130 and repealing the existing section.";

And the substitute bill be passed.

(**H Sub for SB 402** was thereupon introduced and read by title.)

Committee on **Insurance and Financial Institutions** recommends **SB 387**, as amended by Senate Committee, be amended on page 1, in line 36, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2737, AN ACT concerning school districts; creating the student physical privacy act, by Committee on Federal and State Affairs.

COMMITTEE ASSIGNMENT CHANGES

Speaker Merrick announced the appointment of Rep. Burroughs to replace Rep. Frownfelter on Committee on Commerce, Labor and Economic Development on March 16, 17 and 18.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, March 17, 2016.

Journal of the House

FORTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, March 17, 2016, 11:00 a.m.

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

The roll was called with 120 members present.

Reps. Boldra, Edmonds, Frownfelter, Hutchins and Victors were excused on excused absence by the Speaker.

Prayer by guest chaplain, David Hintz, senior pastor, Flint Hills Christian Church, Emporia, and guest of Rep. Mast:

> Father, your word tells us in:
>
> Romans 13:1 Let every person be subject to the governing authorities. For there is no authority except from God, and those that exist have been instituted by God.
>
> You have appointed each and every member of this congress. They have been entrusted with an authority which is from you. So Lord I pray that they will see such authority as a stewardship.
>
> May they make decisions in light of:
>
> Micah 6:8 He has told you, O man, what is good; and what does the LORD require of you but to do justice, and to love kindness, and to walk humbly with your God?
>
> Keep them from partiality and help them to be right and fair in their decisions. And if they must error, may they error on the side of love and kindness. Further, may they humble themselves before you being quick to seek your guidance, counsel, strength, and forgiveness. And may they humble themselves before each other, seeking to understand, engage, and converse with kindness and respect.
>
> Father, no one blends all these attributes better than your son. As a judge He found us guilty of breaking the law. And as friend, he laid down his life for the lawbreakers. And as the risen King He waits to return to rule with love and righteousness. May we all look to him for hope, guidance, and deliverance.
>
> In Jesus Name, AMEN.

The Pledge of Allegiance was led by Rep. Ousley.

ST. PATRICK'S DAY CELEBRATION

In celebration of St. Patrick's Day, former Senator Rich Gannon played a medley of Celtic songs on the bagpipes.

INTRODUCTION OF GUESTS

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

Today we honor Kevin Gleason and Bill Johnston, Vocational Agriculture Educators from Southeast Kansas. Kevin is completing his 35th year at Uniontown Junior/Senior High School and Bill is completing his 33rd year instructing agriculture, with 25 years at Jayhawk-Linn High School.

Kevin and Bill have motivated and instructed many student-learners to become whole persons who embrace the dignity of work and who labor to do good in their career, family, and community.

Citizenship instruction has also been a major part of their instruction through advising students in Future Farmers of America chapters. Their leadership has helped students rise to be FFA district officers and several FFA State Presidents. Numerous students in their program have achieved FFA degrees, including American FFA degrees, which is the highest award an FFA member can receive.

Bill and Kevin are also dedicated to lead their profession through the Kansas Association of Agriculture Educators. Bill is current president and Kevin is a past president.

Kansas owes much gratitude for the rich service given by our state's educators, and today;

We especially honor Kevin Gleason and Bill Johnston for dedicating themselves to bringing out the best in the youth under their care.

Rep. Read presented Mr. Gleason and Mr. Johnston with House certificates.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Federal and State Affairs: **HB 2737**, **SB 484**, **SB 485**.

MESSAGES FROM THE SENATE

Announcing the Senate here with transmits the veto message from the Governor on **SB 250**,

AN ACT concerning state building construction; relating to the monthly reports of progress; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for various state agencies; concerning the Docking state office building; amending K.S.A. 2015 Supp. 75-1264 and repealing the existing section., received on March 4, 2016 and read on March 7, 2016.

Message from the Governor

"For decades, our state government has been dealing with the serious decline in the condition of the Docking State Office Building. Docking served as the workplace for thousands of our state employees since 1957, and houses the energy center for the capitol complex, but is no longer a viable facility.

In April 2014, the Legislature passed and I signed **Senate Bill 423**, authorizing the demolition of Docking and the construction of a new energy center. Pursuant to my constitutional authority and obligation under Article 1, Section 3 of the state Constitution, my administration commenced the task of implementing this legislation. That work included the transfer of state employees out of Docking and into better office space and working conditions, the planned construction of a new energy center for the capitol complex, and other preparations for the eventual demolition of Docking. The building is expected to be vacant, with minor exceptions, by this summer, and the Department of Administration had entered into contracts to finance and construct the new energy center.

Early in this Legislative session, my administration was approached by members of the Legislature who believed the plans for Docking – in particular, the soon-to-be-commenced construction of the energy center – should be reexamined. I listened to their concerns, and at my direction the Department of Administration terminated the construction contract for the energy center on February 19, 2016. Because that contract already has been cancelled, the provisions of this bill purporting to eliminate the funding appropriation for the contract are no longer necessary.

Accordingly, pursuant to Article 2, Section 14(a) of the Constitution of the State of Kansas, I hereby veto **Senate Bill 250**."

Dated: March 4, 2016

Signed: Sam Brownback, *Governor of Kansas*

A motion was made that **SB 250** be passed notwithstanding the Governor's veto. By a vote of 26 Yeas and 13 Nays, the motion failed to receive the required two-thirds constitutional majority of the elected members or appointed to the Senate and the veto was sustained.

Announcing a line item veto message from the Governor, together with the enrolled copy of **H Sub for SB 161**, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2016, June 30, 2017, and June 30, 2018, for the state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 75-3722 and K.S.A. 2015 Supp. 68-2320, 74-4914d, 74-4920, 74-50,107, 74-99b34, 75-2319 and 79-34,161 and repealing the existing sections., received on March 4, 2016 and read on March 7, 2016.

Message from the Governor

I want to thank the members of the Legislature for their work in completing a budget bill at this relatively early stage of the session. As we all know, there is more work to be done, but this bill makes significant progress. I look forward to working with the Legislature on the remaining issues before us.

Pursuant to Article 2, Section 14(b) of the Constitution of the State of Kansas, I hereby return **House Substitute for Senate Bill 161** with my signature approving the bill, except for the items enumerated below.

Department of Commerce – STAR Bonds

Sections 35(g) and 36(f) are vetoed in their entirety. These provisions would bar any consideration or approval of STAR Bond projects in Wyandotte County until FY 2018. I do not believe there is any precedent for this kind of discrimination against one county in connection with economic development programs. The vetoed provisions here effectively would be repealed by the passage of other legislation containing certain STAR Bond reforms. My administration has been working with the Legislature on those reforms and will continue to do so. I look forward to receiving acceptable legislation before the end of the session. In my view, this approach to reform is much preferred over that taken in this bill.

Department for Aging and Disability Service – Mental Health Screenings

Section 48(o) is vetoed in its entirety. In October 2015, the Department for Aging and Disability Services discontinued its policy of requiring mental health screenings prior to admission to inpatient psychiatric beds at community hospitals and residential treatment facilities. The screenings were discontinued based on a threatened loss of funding from the federal government. The provision at issue here would return to the former policy, at a cost of $1.8 million. While that cost may be justified by the benefits to be obtained from the screenings, approving this provision could additionally jeopardize substantial federal funding of inpatient Medicaid services. I would be pleased to revisit this issue if the state receives new and different assurances from the federal government on the matter.

Dated: March 4, 2016

Signed: Sam Brownback, *Governor of Kansas*

A motion was made that, notwithstanding the Governor's objection, the line item vetoes of sections 35(g) and 36(f) be reconsidered.

By a vote of 30 Yeas and 8 Nays, the motion having received the required two-thirds constitutional majority vote of the members elected or appointed to the Senate, voting in the affirmative, the line items did pass.

There being no motion to reconsider on section 48(o), that line item veto was sustained.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **H Sub for SB 55**.

Speaker Merrick thereupon appointed Reps. Schwab, Kelly and Houston as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **H Sub for SB 193**.

Speaker Merrick thereupon appointed Reps. Highland, Lunn and Winn as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 325**.

Speaker Merrick thereupon appointed Reps. Gonzalez, Pauls and Highberger as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **H Sub for SB 337**.

Speaker Merrick thereupon appointed Reps. Schwartz, Boldra and Victors as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 390**.

Speaker Merrick thereupon appointed Reps. Schwab, Kelly and Houston as conferees on the part of the House.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2468, AN ACT concerning schools; relating to the possession of weapons on school property; amending K.S.A. 72-89a01 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 94; Nays 26; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Francis, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C., Whipple, Whitmer, K. Williams.

Nays: Alcala, Ballard, Bollier, Burroughs, Carlin, Carmichael, Clayton, Curtis, Finney, Gallagher, Helgerson, Henderson, Highberger, Houston, Kuether, Ousley, Rooker, Ruiz, Scott, C. Smith, Tietze, Trimmer, Ward, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Boldra, Edmonds, Frownfelter, Hutchins, Victors.

The bill passed, as amended.

HB 2534, AN ACT concerning schools; relating to restraint and seclusion of students; amending K.S.A. 2015 Supp. 72-89d01, 72-89d02, 72-89d03, 72-89d04, 72-89d05, 72-89d06 and 72-89d08 and repealing the existing sections, was considered on final action.

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

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston,

Huebert, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Boldra, Edmonds, Frownfelter, Hutchins, Victors.

The bill passed, as amended.

SB 318, AN ACT concerning utilities; relating to state entities; concerning the Kansas electric transmission authority; abolishing certain funds and transferring the balances; {concerning the department of health and environment and the state corporation commission, agency activities;} amending K.S.A. 2015 Supp. 45-229 {and 65-3031} and repealing the existing {sections}; also repealing K.S.A. 2015 Supp. 74-99d01, 74-99d02, 74-99d03, 74-99d04, 74-99d05, 74-99d06, 74-99d07, 74-99d08, 74-99d10, 74-99d11, 74-99d12, 74-99d13 and 74-99d14, was considered on final action.

On roll call, the vote was: Yeas 98; Nays 22; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Bollier, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Waymaster, Weber, C., Whipple, Whitmer, K. Williams.

Nays: Alcala, Ballard, Burroughs, Carlin, Carmichael, Curtis, Finney, Helgerson, Henderson, Henry, Highberger, Houston, Kuether, Ousley, Ruiz, Sawyer, Scott, Tietze, Ward, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Boldra, Edmonds, Frownfelter, Hutchins, Victors.

The bill passed, as amended.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Hawkins in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that on motion of Rep. Lusker to amend **SB 358**, Rep. Grosserode

requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment was germane. On the motion of Rep. Lusker to amend **SB 358**, the motion did not prevail; and **SB 358** be passed.

On motion of Rep. Ward to amend **HB 2576**, Rep. Suellentrop requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Also, on motion of Rep. Curtis to amend **HB 2576**, Rep. Suellentrop requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment germane. Roll call was demanded on the motion of Rep. Curtis to amend **HB 2576** on page 1, in line 28, by striking "is" and inserting "and 12-16,131 are";

On page 1, in the title, in line 2, by striking all after the semicolon; in line 3, by striking all before the semicolon and inserting "with regard to wages, compensation or benefits for public works construction projects"; in line 4, after "section" by inserting "; also repealing K.S.A. 2015 Supp. 12-16,131"

On roll call, the vote was: Yeas 37; Nays 80; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcala, Anthimides, Ballard, Bollier, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Curtis, Finch, Finney, Helgerson, Henderson, Henry, Highberger, Houston, Kuether, Lusk, Lusker, O'Brien, Osterman, Ousley, Pauls, Rooker, Ruiz, Sawyer, Scott, Sloan, Tietze, Trimmer, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Barker, Barton, Becker, Billinger, Bradford, Bruchman, B. Carpenter, W. Carpenter, Claeys, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Hildabrand, Hineman, Hoffman, Houser, Huebert, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, Moxley, F. Patton, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Boldra, Edmonds, Frownfelter, Highland, Hill, Hutchins, Todd, Victors.

The motion of Rep. Curtis did not prevail.

Also, roll call was demanded on further motion of Rep. Curtis to amend **HB 2576 on page 1, following line 27, by inserting:**

"Sec. 2. K.S.A. 2015 Supp. 12-16,131 is hereby amended to read as follows: 12-16,131. (a) No city, county or local government unit shall enact or administer any ordinance, resolution or law that requires, nor shall any city, county or local government discriminate against, favor, prefer or base any ordinance, law, policy, economic development program, agreement, grant or incentive on, an employer providing or not providing:

(1) Any leave from work, either with or without pay, unless such leave is required by state or federal law;

(2) compensation for any leave from work, unless payment of compensation for such leave is required by state or federal law;

(3) compensation or wages at any rate higher than the minimum wage, unless the

payment of higher compensation or wages is required by state or federal law; or

(4) any employee benefit other than those required by state or federal law.

(b) Subsection (a) shall only apply to wages, compensation or benefits, or any combination thereof, paid or provided by a construction contractor or subcontractor performing construction or infrastructure work on a real estate construction or infrastructure project.

(c) Subsection (a) shall not apply to the unified government of Wyandotte county.

Sec. 3. K.S.A. 2015 Supp. 16-2005 is hereby amended to read as follows: 16-2005. For the purposes of this act:

(a) "Governmental entity" means a state agency or a municipality as the context requires.

(b) "Municipality" means the same as specified in K.S.A. 12-105a, and amendments thereto, except that "municipality" shall not include the unified government of Wyandotte county.

(c) "State agency" means the same as specified in K.S.A 75-3728a, and amendments thereto.";

Also on page 1, in line 28, by striking "is" and inserting ", 12-16,131 and 16-2005 are";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 2, by striking "declaring" and inserting "certain contract or agreement requirements;"; in line 4, after "12-16,130" by inserting ", 12-16,131 and 16-2005"; also in line 4, by striking "section" and inserting "sections"

On roll call, the vote was: Yeas 42; Nays 74; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcala, Anthimides, Ballard, Bollier, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Curtis, Dierks, Finch, Finney, Gallagher, Gonzalez, Helgerson, Henderson, Henry, Hibbard, Highberger, Hill, Houston, Kiegerl, Kuether, Lusk, Lusker, Osterman, Ousley, Rooker, Ruiz, Sawyer, Scott, Sloan, S. Swanson, Tietze, Trimmer, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Barton, Becker, Billinger, Bradford, Bruchman, B. Carpenter, W. Carpenter, Claeys, Concannon, Corbet, E. Davis, DeGraaf, Doll, Dove, Esau, Estes, Ewy, Francis, Garber, Goico, Grosserode, Hawkins, Hedke, Hemsley, Hildabrand, Hineman, Hoffman, Houser, Huebert, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Lewis, Lunn, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, C. Smith, Suellentrop, Sutton, Thimesch, Thompson, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Barker, Boldra, Edmonds, Frownfelter, Highland, Hutchins, Macheers, Todd, Victors.

The motion of Rep. Curtis did not prevail.

Also, on motion to recommend **HB 2576** favorably for passage, the motion prevailed and the bill be passed.

Committee report to **HB 2595** be adopted; on motion of Rep. K. Williams, **HB 2595** be amended as amended by House Committee, on page 3, following line 11, by

inserting:

"(e) Nothing in this act shall be construed as limiting or restricting the zoning authority of a political subdivision authorized by article 7 of chapter 12 or article 29 of chapter 19 of the Kansas Statutes Annotated, and amendments thereto, or by any other provision of law."

Also, on motion of Rep. E. Davis, **HB 2595** be amended as amended by House Committee, on page 3, in line 7, after "subdivision" by inserting a comma; in line 8, after "herein" by inserting a comma;

Also on page 3, following line 11, by inserting:

"(e) Nothing in this act restricts a political subdivision, as defined herein, from creating and promulgating food nutritional information or food-based health disparity information, only in accordance with the United States department of agriculture dietary guidelines for Americans promulgated under 7 U.S.C. § 5341, as long as the information is not contained in a law or ordinance restricting any other entity."

Also, on motion of Rep. Wilson to refer **HB 2595** to Committee on Agriculture and Natural Resources the motion did not prevail.

Also, on motion to recommend **HB 2595** favorably for passage, the motion prevailed and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 64**, as amended by Senate Committee, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 64," as follows:

"House Substitute for SENATE BILL NO. 64

By Committee on Agriculture and Natural Resources

"AN ACT concerning water; relating to rural water districts; amending K.S.A. 82a-617 and repealing the existing section.";

And the substitute bill be passed.

(**H Sub for SB 64** was thereupon introduced and read by title.)

Committee on **Agriculture and Natural Resources** recommends **SB 125**, as amended by Senate Committee of the Whole, be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 125," as follows:

"HOUSE Substitute for SENATE BILL NO. 125

By Committee on Agriculture and Natural Resources

"AN ACT concerning agriculture: relating to the Kansas pet animal act; amending K.S.A. 47-1702, 47-1703, 47-1704, 47-1712, 47-1720, 47-1733 and 47-1734 and K.S.A. 2015 Supp. 47-1701, 47-1706, 47-1709, 47-1710, 47-1711, 47-1721, 47-1723, 47-1725, 47-1726 and 47-1731 and repealing the existing sections; also repealing K.S.A. 47-1717, 47-1719, 47-1732 and 47-1736.";

And the substitute bill be passed.

(**H Sub for SB 125** was thereupon introduced and read by title.)

Committee on **Agriculture and Natural Resources** recommends **SB 227**, as amended by Senate Committee, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 227," as follows:

"House Substitute for SENATE BILL NO. 227

By Committee on Agriculture and Natural Resources

"AN ACT concerning weights and measures; relating to charging for services; unlawful acts; technical representatives; amending K.S.A. 2015 Supp. 83-214, 83-219 and 83-302 and repealing the existing sections.";

And the substitute bill be passed.

(**H Sub for SB 227** was thereupon introduced and read by title.)

Committee on **Agriculture and Natural Resources** recommends **SB 314**, as amended by Senate Committee, be passed.

Committee on **Commerce, Labor and Economic Development** recommends **SB 365**, as amended by Senate Committee, be passed.

Committee on **Commerce, Labor and Economic Development** recommends **SB 366** be passed.

The Committee on **Corrections and Juvenile Justice** recommends **SB 367**, as amended by Senate Committee of the Whole, be amended on page 2, in line 38, by striking "only"; in line 41, after the period by inserting "The court may also extend the term of probation for good cause shown for two months for low-risk offenders, four months for moderate-risk offenders and six months for high-risk offenders.";

On page 3, in line 15, by striking "30" and inserting "45";

On page 5, in line 29, by striking "governor" and inserting "attorney general"; also in line 29, by striking "and"; in line 30, by striking "member" and inserting "attorney"; in line 31, by striking "governor" and inserting "attorney general"; in line 34, by striking "January 1, 2017" and inserting "September 1, 2016"; in line 35, by striking "90" and inserting "60";

On page 6, in line 13, by striking "and"; in line 20, by striking the period and inserting a semicolon; in line 26, by striking "(C)"; following line 27, by inserting:

"(C) juvenile due process rights, including, but not limited to, the development of rights to a speedy trial and preliminary hearings;";

Also on page 6, in line 28, before "the" by inserting "(D)"; in line 29, by striking "(D)" and inserting "(E)"; in line 33, after "thereto" by inserting ";

(10) analyze and investigate gaps in the juvenile justice system and explore alternatives to out-of-home placement of juvenile offenders in youth residential facilities; and

(11) identify training models, needs and resources and make appropriate recommendations";

On page 7, in line 8, by striking "and"; in line 10, after "system" by inserting "; and

(7) data pertaining to the completion of training on evidence-based practices in juvenile justice, including, but not limited to, the number of judges, district and county attorneys and appointed defense attorneys, that participated in training";

Also on page 7, following line 16, by inserting:

"(g) The staff of the Kansas department of corrections shall provide such assistance as may be requested by the committee. To facilitate the organization of the meetings of the committee, the Kansas department of corrections shall provide administrative assistance.";

On page 9, in line 40, by striking "funds" and inserting "Kansas juvenile justice

improvement fund moneys";

On page 10, in line 1, after "appropriated" by inserting "department of corrections"; in line 2, after "from" by inserting "the state general fund or"; following line 5, by inserting:

"(f) The Kansas juvenile justice improvement fund and any other moneys transferred pursuant to this section shall be used for the purposes set forth in this section and for no other governmental purposes. It is the intent of the legislature that the funds and the moneys deposited in this fund shall remain intact and inviolate for the purposes set forth in this section.";

Also on page 10, by striking all in lines 25 and 26; in line 37, by striking all after the period; in line 38, by striking all before "The"; following line 43, by inserting:

"New Sec. 16. (a) The juvenile corrections advisory boards established pursuant to K.S.A. 75-7044, and amendments thereto, shall annually consider the availability of:

(1) Treatment programs;

(2) programs creating alternatives to incarceration for juvenile offenders;

(3) mental health treatment; and

(4) the development of risk assessment tools, if they do not currently exist, for use in determining pretrial release and probation supervision levels.

(b) The juvenile corrections advisory boards shall report to the Kansas department of corrections and the Kansas juvenile justice oversight committee by October 1 of each year detailing the costs of programs needed in the judicial district the juvenile corrections advisory board represents to reduce the out-of-home placement of juvenile offenders and improve the rate of recidivism of juvenile offenders in such judicial district.

New Sec. 17. (a) The secretary of corrections may contract for use of not more than 50 non-foster home beds in youth residential facilities for placement of juvenile offenders pursuant to K.S.A. 2015 Supp. 38-2361(a)(13), and amendments thereto.

(b) When contracting for services, the secretary shall:

(1) Contract with facilities that have high success rates and decrease recidivism rates for juvenile offenders;

(2) consider contracting for bed space across the entire state to lower the cost of transportation of juvenile offenders; and

(3) give priority to existing facilities that are able to meet the requirements of the secretary for providing residential services to juvenile offenders.

(d) This section shall take effect on and after January 1, 2018.";

On page 22, in line 25, by striking all after the period; by striking all in lines 26 through 28;

On page 40, in line 33, by striking all after the period; by striking all in line 34;

On page 48, in line 19, by striking "officer" and inserting "office"; in line 40, by striking "shall" and inserting "may";

On page 54, in line 7, after the second "hearing" by inserting "at least"; in line 8, by striking "seven" and inserting "14"; in line 9, after the period by inserting "The provisions of this subsection shall not apply if the juvenile is charged with a crime that, if committed by an adult, would constitute an off-grid felony or a nondrug severity level 1 through 4 person felony.";

On page 56, in line 43, after "unsupervised" by inserting "by any of the aforementioned entities. The county or district attorneys office shall not be required to

supervise juveniles participating in an immediate intervention program";

On page 57, in line 1, by striking "four" and inserting "six"; in line 4, by striking "four-month" and inserting "six-month";

On page 64, in line 4, by striking all after "The"; in line 5, by striking all before "of" and inserting "secretary "; also in line 5, after "corrections" by inserting ", in consultation with the Kansas juvenile justice oversight committee,"; in line 41, after the period by inserting "Placement of juvenile offenders to community corrections for probation supervision shall be limited to offenders adjudicated for a felony offense that are determined to be moderate-risk, high-risk or very high-risk on a risk and needs assessment using the cutoff scores established by the secretary pursuant to K.S.A. 2015 Supp. 38-2360, and amendments thereto.";

On page 65, in line 7, by striking "license" and inserting "licensed"; in line 41, by striking "July" and inserting "January";

On page 66, in line 9, by striking all after "for"; in line 10, by striking "confinement" and inserting "placement"; also in line 10, before the period by inserting "or a youth residential facility. Placement in a youth residential facility shall only be permitted as authorized in K.S.A. 2015 Supp. 38-2369(e), and amendments thereto";

On page 70, in line 9, by striking "30" and inserting "45"; in line 15, by striking "30" and inserting "45";

On page 71, in line 26, by striking "a sex offense" and inserting "rape"; in line 33, by striking "or" and inserting:

"(E) aggravated indecent liberties with a child, as defined in K.S.A. 2015 Supp. 21-5506, and amendments thereto, if the victim is less than 14 years of age; or";

Also on page 71, in line 34, by striking "(E)" and inserting "(F); in line 40, after "plan" by inserting ", which shall include the physical and psychological well-being of the victim,";

On page 73, by striking all in lines 12 through 43;

On page 74, by striking all in lines 1 through 4;

On page 75, in line 24, by striking "or the current custodian"; in line 25, by striking "or"; in line 26, by striking all before "of"; in line 28, by striking all after "officer"; in line 29, by striking "custodian";

On page 76, in line 18, after "(a)" by inserting "Except as provided in subsection (e),";

On page 77, in line 26, before "person" by inserting a comma;

On page 81, following line 37, by inserting:

"(e) There shall be a rebuttable presumption that all offenders in the chronic offender category and offenders at least 10 years of age but less than 14 years of age in the serious offender II, III or IV category, shall be placed in the custody of the secretary for placement in a youth residential facility in lieu of placement in the juvenile correctional facility. This presumption may be rebutted by a finding on the record that the juvenile offender poses a significant risk of physical harm to another.";

On page 82, in line 7, by striking "convicted" and inserting "adjudicated"; in line 19, by striking "conviction" and inserting "adjudication"; in line 20, by striking "conviction" and inserting "adjudication";

On page 106, following line 22, by inserting:

"Sec. 61. K.S.A. 75-3722 is hereby amended to read as follows: 75-3722. An allotment system will be applicable to the expenditure of the resources of any state

agency, under rules and regulations established as provided in K.S.A. 75-3706, and amendments thereto, only if in the opinion of the secretary of administration on the advice of the director of the budget, the use of an allotment plan is necessary or beneficial to the state. In making this determination the secretary of administration shall take into consideration all pertinent factors including~~,~~: (1) Available resources~~,~~; (2) current spending rates~~,~~; (3) work loads~~,~~; (4) new activities, especially any proposed activities not covered in the agency's request to the governor and the legislature for appropriations~~,~~; (5) the minimum current needs of each agency~~,~~; (6) requests for deficiency appropriations in prior fiscal years~~,~~; (7) unexpended and unencumbered balances~~,~~; and (8) revenue collection rates and prospects.

Whenever for any fiscal year it appears that the resources of the general fund or any special revenue fund are likely to be insufficient to cover the appropriations made against such general fund or special revenue fund, the secretary of administration, on the advice of the director of the budget, shall, in such manner as he or she may determine, inaugurate the allotment system so as to assure that expenditures for any particular fiscal year will not exceed the available resources of the general fund or any special revenue fund for that fiscal year. The allotment system shall not apply to the legislature or to the courts or their officers and employees, or to payments made from the juvenile justice improvement fund, established in section 13, and amendments thereto, for the development and implementation of evidence-based community programs and practices for juvenile offenders and their families. Agencies affected by decisions of the secretary of administration under this section shall be notified in writing at least ~~thirty (30)~~ 30 days before such decisions may become effective and any affected agency may, by written request addressed to the governor within ~~ten (10)~~ 10 days after such notice, ask for a review of the decision by the finance council. The finance council shall hear appeals and render a decision within ~~twenty (20)~~ 20 days after the governor receives requests for such hearings.

Sec. 62. K.S.A. 75-6704 is hereby amended to read as follows: 75-6704. (a) The director of the budget shall continuously monitor the status of the state general fund with regard to estimated and actual revenues and approved and actual expenditures and demand transfers. Periodically, the director of the budget shall estimate the amount of the unencumbered ending balance of moneys in the state general fund for the current fiscal year and the total amount of anticipated expenditures, demand transfers and encumbrances of moneys in the state general fund for the current fiscal year. If the amount of such unencumbered ending balance in the state general fund is less than $100,000,000, the director of the budget shall certify to the governor the difference between $100,000,000 and the amount of such unencumbered ending balance in the state general fund, after adjusting the estimates of the amounts of such demand transfers with regard to new estimates of revenues to the state general fund, where appropriate.

(b) Upon receipt of any such certification and subject to approval of the state finance council acting on this matter which is hereby declared to be a matter of legislative delegation and subject to the guidelines prescribed by ~~subsection (c) of~~ K.S.A. 75-3711c(c), and amendments thereto, the governor may issue an executive order reducing, by applying a percentage reduction determined by the governor in accordance with this section~~,~~: (1) The amount authorized to be expended from each appropriation from the state general fund for the current fiscal year, other than any item of appropriation for debt service for payments pursuant to contractual bond obligations

or any item of appropriation for employer contributions for the employers who are eligible employers as specified in ~~subsections (1), (2) and (3) of~~ K.S.A. 74-4931(1), (2) and (3), and amendments thereto, under the Kansas public employees retirement system pursuant to K.S.A. 74-4939, and amendments thereto, or for payments made from the juvenile justice improvement fund for the development and implementation of evidence-based community programs and practices for juvenile offenders and their families; and (2) the amount of each demand transfer from the state general fund for the current fiscal year, other than any demand transfer to the school district capital improvements fund for distribution to school districts pursuant to K.S.A. 75-2319, and amendments thereto.

(c) The reduction imposed by an executive order issued under this section shall be determined by the governor and may be equal to or less than the amount certified under subsection (a). Except as otherwise specifically provided by this section, the percentage reduction applied under subsection (b) shall be the same for each item of appropriation and each demand transfer and shall be imposed equally on all such items of appropriation and demand transfers without exception. No such percentage reduction and no provisions of any such executive order under this section shall apply or be construed to reduce any item of appropriation for debt service for payments pursuant to contractual bond obligations or any item of appropriation for employer contributions for the employers who are eligible employers as specified in ~~subsections (1), (2) and (3) of~~ K.S.A. 74-4931(1), (2) and (3), and amendments thereto, under the Kansas public employees retirement system pursuant to K.S.A. 74-4939, and amendments thereto, or any demand transfer to the school district capital improvements fund for distribution to school districts pursuant to K.S.A. 75-2319, and amendments thereto. The provisions of such executive order shall be effective for all state agencies of the executive, legislative and judicial branches of state government.

(d) If the governor issues an executive order under this section, the director of accounts and reports shall not issue any warrant for the payment of moneys in the state general fund or make any demand transfer of moneys in the state general fund for any state agency unless such warrant or demand transfer is in accordance with such executive order and such warrant or demand transfer does not exceed the amount of money permitted to be expended or transferred from the state general fund.

(e) Nothing in this section shall be construed to: (1) Require the governor to issue an executive order under this section upon receipt of any such certification by the director of the budget; or (2) restrict the number of times that the director of the budget may make a certification under this section or that the governor may issue an executive order under this section.";

Also on page 106, in line 24, by striking all after "(a); by striking all in lines 25 through 27; in line 28, by striking all before "The";

On page 107, in line 31, by striking "and"; in line 32, after "history" by inserting "; and

(9) the results of other assessment instruments as approved by the secretary";

On page 108, in line 5, by striking "(c)" and inserting "(b)";

On page 112, in line 1, after the stricken material by inserting "or";

On page 114, in line 2, by striking ""Operational"; by striking all in lines 3 through 7; in line 8, by striking all before "The"; in line 23, by striking the first "and" and inserting a comma; also in line 23, after "20-167" by inserting ", 75-3722 and 75-6704"; in line

25, by striking "38-2366"; by striking all in lines 36 and 37;

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking the first "and" and inserting a comma; also in line 2, after "20-167" by inserting ", 75-3722 and 75-6704"; in line 6, by striking "38-2366,"; in line 10, by striking the comma and inserting "and"; in line 11, by striking "and 38-2365"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **SB 392**, **SB 426** be passed.

Committee on **Federal and State Affairs** recommends **HCR 5022** be amended on page 1, in line 29, after "of" by striking "Congress," and inserting "the Kansas congressional delegation and shall work with Kansas' legislative leaders to send a copy to the legislative leaders in other states, including";

And the resolution be adopted as amended.

Committee on **Federal and State Affairs** recommends **HCR 5023**; **HR 6038** be adopted.

Committee on **Federal and State Affairs** recommends **SB 225** be passed.

Committee on **Federal and State Affairs** recommends **SB 242**, as amended by Senate Committee, be passed.

Committee on **Federal and State Affairs** recommends **SB 243**, as amended by Senate Committee, be amended on page 1, in line 22, after the period by inserting "Except for actions pursuant to the Kansas administrative procedure act, K.S.A. 77-501 et seq., and amendments thereto,"; in line 23, by striking all after the period; by striking all in lines 24 through 28; in line 30, by striking "or hearing";

On page 3, following line 20, by inserting:

"Sec. 4. K.S.A. 2015 Supp. 75-2949 is hereby amended to read as follows: 75-2949. (a) An appointing authority may dismiss or demote any permanent employee in the classified service when the appointing authority considers that the good of the service will be served thereby. For disciplinary purposes, an appointing authority may suspend without pay a permanent classified employee for a period not to exceed 30 calendar days. No permanent employee in the classified service shall be dismissed, demoted or suspended for political, religious, racial or other nonmerit reasons.

(b) Prior to dismissal, demotion or suspension of a permanent employee in the classified service, the appointing authority shall furnish the employee by certified mail to the employee's last known address, return receipt requested, or by personal delivery, a statement in writing specifically setting forth the reasons and factual basis therefor. A copy of such statement shall be furnished immediately to the director. This statement shall contain notice of the proposed dismissal, demotion or suspension and shall specify the proposed effective date thereof. Except as otherwise provided in the Kansas civil service act, a proposed suspension, demotion or dismissal shall become effective no less than three calendar days nor more than 14 calendar days following the date the notice of such proposed suspension, demotion or dismissal is personally delivered to the employee or deposited with the post office as certified mail. If in the opinion of the appointing authority conditions warrant, the appointing authority may relieve the

employee of duties or change the duties of the employee during such period. If the employee is relieved from duty during such period, the employee may be continued in pay status, or placed on leave of absence without pay by the appointing authority. In the statement proposing suspension, demotion or dismissal, the appointing authority shall offer the employee who is proposed to be suspended, demoted or dismissed an opportunity to reply in writing, or appear in person, or both, before the appointing authority or a designated representative of the appointing authority, on the issue of the proposed suspension, demotion or dismissal prior to the time such suspension, demotion or dismissal is specified by the notice to become effective. The statement shall specify the date, time and place by, or at which, the employee may reply in writing or appear, or both. If the employee chooses to appear in person on the issue of the proposed action, the employee may be represented by a person of the employee's choice.

(c) Upon request by the employee, or upon the initiative of the appointing authority, the appointing authority may extend the time for reply or appearance, or both, if the circumstances warrant. Notice of any such extension shall be furnished to the employee and to the director of personnel services. The proposed suspension, demotion or dismissal shall not become effective until after the extended period has expired.

(d) Following the employee's response to the opportunity to reply to the proposed action, or upon expiration of the time for such reply, if no reply is made, the appointing authority, or the designee of the appointing authority, shall notify the employee of the final decision on the proposed action. Such notice shall be in writing and shall be sent by certified mail to the employee's last known address or personally delivered to the employee on or before the effective date of the proposed action. A copy of the notice shall be furnished immediately to the director of personnel services. This final notice of decision by the appointing authority or the designee of the appointing authority, to suspend, demote or dismiss the employee shall inform the employee of the employee's right to appeal the decision to the state civil service board within 30 calendar days after the effective date of the action.

(e) At any time prior to the effective date of the proposed suspension, demotion or dismissal or, if an appeal is taken to the state civil service board, at any time prior to the final decision of the board, the appointing authority, or the designee of the appointing authority, may withdraw or modify the action proposed to be taken or taken against the employee. Notice of any such withdrawal or modification shall be given in writing to the employee by certified mail to the employee's last known address or by personal delivery. A copy of the notice shall be furnished immediately to the director of personnel services.

(f) Any permanent employee finally dismissed, demoted or suspended, may request a hearing from the state civil service board to determine the reasonableness of such action. Each such request for a hearing shall be in writing and shall be filed in the office of the director of ~~personnel services~~ administrative hearings within 30 calendar days after the effective date of the dismissal, demotion or suspension. Additional days shall not be added to the thirty-day period in which an appeal may be filed if the notice of the effective date of the dismissal, demotion or suspension is mailed to the employee. The board shall grant the employee a hearing in accordance with the provisions of the Kansas administrative procedure act within 45 calendar days after receipt of such request. At the hearing the burden of proof shall be upon the employee to establish that the appointing authority did not act reasonably in taking such action.

(g) No employee shall be disciplined or discriminated against in any way because of the employee's proper use of the appeal procedure.

(h) A permanent employee who is demoted pursuant to this section need not meet the qualifications for the class of positions to which demoted if the appointing authority determines that the employee can reasonably be expected to perform satisfactorily the duties of the position to which the employee is demoted. A permanent employee who is demoted pursuant to this section shall have permanent status in the class to which demotion is made, effective on the date of the demotion.

(i) In case of a situation in which the possibility of proposing dismissal, suspension or demotion of a permanent employee is indicated, but where the appointing authority needs time to conduct an investigation before proposing such action, or in a situation where immediate removal of an employee from such employee's job is needed to avoid disruption of work, or for the protection of persons or property, or for a similar reason, the appointing authority may relieve the employee of duties or change the duties of the employee for a limited period and keep the employee in pay status. The secretary of administration shall provide by rules and regulations, adopted pursuant to K.S.A. 75-3706, and amendments thereto, procedures to be followed in such cases.";

On page 4, in line 29, after "75-2929d" by inserting "and 75-2949";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after "75-2929d" by inserting "and 75-2949"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 326**, as amended by Senate Committee, be amended on page 1, in line 11, by striking "microbrewery licenses" and inserting "entities that also hold a microbrewery license"; in line 32, by striking "microbrewery licenses" and inserting "entities that also hold a microbrewery license"; in line 33, after "licenses" by inserting "with such common ownership"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 459**, as amended by Senate Committee, be passed.

Committee on **Federal and State Affairs** recommends **SB 484, SB 485** be passed.

Committee on **Judiciary** recommends **SB 418**, as amended by Senate Committee of the Whole, be amended on page 1, in line 18, by striking "report" and inserting "enter"; also in line 18, by striking all after "information"; also in line 19, by striking all before the first "the" and inserting "into";

On page 27, by striking all in lines 17 through 43;

By striking all on page 28;

On page 29, by striking all in lines 1 through 11;

And by renumbering sections accordingly; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 19**, as amended by Senate Committee, be amended on page 3, in line 17, by striking "sending" and inserting "transmitting";

On page 7, in line 26, by striking "sending" and inserting "transmitting"; and the bill be passed as amended.

Committee on **Pensions and Benefits** recommends **HB 2709** be amended on page 1,

in line 19, after the comma by inserting "an immediate lump-sum benefit equal to 100% of the member's final average salary and"; in line 23, by striking "coinciding with or"; in line 24, by striking "coinciding with or"; in line 26, by striking "Commencing on the effective date of this act,"; in line 32, by striking "the effective date of this act" and inserting "July 1, 1992";

On page 2, in line 2, by striking "coinciding with or"; in line 15, by striking "Commencing on"; in line 16, by striking "the effective date of this act,"; in line 22, by striking "the effective date of this act" and inserting "July 1, 1992"; in line 24, by striking "90%" and inserting "85%"; in line 31, by striking "death" and inserting "spouse's"; in line 42, by striking "On and after July 1, 1993,";

On page 3, in line 1, by striking "coinciding with or"; in line 2, by striking "Commencing on the effective date of this act,"; in line 8, by striking "the effective date of this act" and inserting "July 1, 1992"; in line 19, by striking "Commencing on the effective date of this act,"; in line 25, by striking "the effective date of this act" and inserting "July 1, 1992"; in line 27, by striking "sum of the"; in line 29, by striking "and" and inserting "or"; in line 30, by striking all after "salary"; in line 31, by striking all before the period and inserting ", whichever is greater"; and the bill be passed as amended.

Committee on **Pensions and Benefits** recommends **HB 2724** be passed.

Committee on **Vision 2020** recommends **HB 2735** be amended

On page 2, in line 38, after "(e)" by inserting "Failure of a manufacturer, distributor or retailer to comply with this section is a deceptive act or practice under K.S.A. 50-626, and amendments thereto. If a consumer prevails in an action based upon a breach of warranty, and the manufacturer, distributor or retailer has violated this section, the court may, in addition to any damages recovered, award reasonable attorney fees and civil penalties under K.S.A. 50-636, and amendments thereto, to be paid by the manufacturer, distributor or retailer as the court determines.
(f)"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2738, AN ACT concerning economic development; relating to STAR bonds and tax increment financing; blighted urban areas; STAR bond definitions; STAR bond projects; bonds, pledge of tax increment revenue; tax abatements or revenues, limitations; economic impact, market and market impact studies; base year assessed valuation; STAR bond financing limitations; tax increment financing, eligible areas; amending K.S.A. 2015 Supp. 12-1770a, 12-17,162, 12-17,163, 12-17,164, 12-17,166, 12-17,168, 12-17,169, 12-17,171, 12-17,172, 12-17,174, 12-17,177, 79-3620b and 79-3710 and repealing the existing sections, by Committee on Taxation.

HB 2739, AN ACT concerning the budget process; implementation of a program service inventory, performance based budgeting system and integrated budget fiscal

process, by Committee on Appropriations.

CHANGE OF CONFEREES

Speaker Merrick announced the appointment of Rep. Pauls as a member of the conference committee on **S Sub for HB 2049** to replace Rep. Rubin.

COMMITTEE ASSIGNMENT CHANGES

Speaker Merrick announced the appointment of Rep. Dove to replace Rep. Hutchins on Committee on Judiciary on March 17.

Also, the appointment of Rep. Alcala to replace Rep. Victors on Committee on Transportation on March 17.

REPORT ON ENGROSSED BILLS

HB 2468, **HB 2534** reported correctly engrossed March 16, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Friday, March 18, 2016.

Journal of the House

FORTY-FOURTH DAY

Hall of the House of Representatives,
Topeka, KS, Friday, March 18, 2016, 11:00 a.m.

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

The roll was called with 123 members present.
Reps. Edmonds and Frownfelter were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

God of the ages,
We thank You for this new day
and all the opportunities and privileges it holds for us.
Lord, throughout history You have revealed yourself to humankind.
Whether through a burning bush, a pillar of fire by night,
a cloud by day, a dream or vision,
a soft whisper, through a descending dove
or through an audible voice—
when You spoke they knew it was You and listened.
We sometimes wish you would speak this dramatically today
to let us know Your will and direction.
The reality is that You still speak to us today,
we just need to learn how to listen.
Today I pray for these leaders to be able to listen
to Your still small voice of
wisdom, discernment and guidance.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Corbet.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2739**.
Taxation: **HB 2738**.

MESSAGES FROM THE SENATE

Announcing passage of **SB 404, SB 421, SB 422, SB 445, SB 454, SB 457, SB 474**.
Announcing passage of **HB 2442, HB 2454, HB 2485, HB 2516, HB 2536, HB 2567**.

Announcing passage of **HB 2446**, as amended, **HB 2447**, as amended, **HB 2462**, as amended, **HB 2501**, as amended, **HB 2522**, as amended, **HB 2545**, as amended, **HB 2563**, as amended, **Substitute for HB 2151**, as amended, **Substitute for HB 2473**, as amended.

Announcing passage of **HB 2112,** as amended by **Senate Substitute for HB 2112, HB 2131** as amended by **Senate Substitute for HB 2131**.

Announcing adoption of **HCR 5008**.

Also, announcing passage of **HB 2512**.

Announcing passage of **HB 2163**, as amended, **HB 2164**, as amended, **HB 2480**, as amended, **HB 2490**, as amended, **HB 2615**, as amended, **HB 2622**, as amended.

Announcing passage of **HB 2008,** as amended by **Senate Substitute for HB 2008.**

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 404, SB 421, SB 422, SB 445, SB 454, SB 457, SB 474

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2576, AN ACT relating to employment; concerning regulation of employers with regard to employee scheduling; declaring certain city ordinances and county resolutions to be against public policy; amending K.S.A. 2015 Supp. 12-16,130 and repealing the existing section, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 90; Nays 33; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, B. Carpenter, W. Carpenter, Claeys, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Nays: Alcala, Ballard, Bollier, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Curtis, Finney, Henderson, Henry, Highberger, Hill, Houston, Kuether, Lusk, Lusker, Moxley, Ousley, Rooker, Ruiz, Sawyer, Scott, Sloan, Tietze, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Edmonds, Frownfelter.

The bill passed.

HB 2595, AN ACT concerning restaurants, retail food establishments and vending machines; relating to regulation of consumer incentive items and labeling of food by political subdivisions, was considered on final action.

On roll call, the vote was: Yeas 89; Nays 34; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Carmichael, B. Carpenter, W. Carpenter, Claeys, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Francis, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kleeb, Lewis, Lunn, Lusker, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, F. Patton, Pauls, Peck, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, C. Smith, Suellentrop, Sutton, Thimesch, Thompson, Todd, Trimmer, Vickrey, Waymaster, Weber, C., Whipple, Whitmer, K. Williams.

Nays: Alcala, Ballard, Bollier, Burroughs, Campbell, Carlin, Clark, Clayton, Curtis, Finney, Gallagher, Henderson, Henry, Highberger, Hill, Houston, Kelley, Kiegerl, Kuether, Lusk, Moxley, Ousley, Phillips, Rooker, Ruiz, Scott, Sloan, S. Swanson, Tietze, Victors, Ward, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Edmonds, Frownfelter.

The bill passed, as amended.

SB 358, AN ACT concerning the nurse educator service scholarship; relating to the definition of school of nursing; amending K.S.A. 2015 Supp. 74-32,220 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Edmonds, Frownfelter.

The bill passed.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Hedke, to nonconcur in Senate amendments to **S Sub for HB 2131**, Rep. Kuether offered a substitute motion to concur. The substitute motion was subsequently withdrawn. The question reverted back to the original motion of Rep. Hedke to nonconcur in Senate amendments to **S Sub for HB 2131** and a conference committee be appointed. The motion prevailed.

Speaker Merrick thereupon appointed Reps. Seiwert, Alford and Kuether as conferees on the part of the House.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Proehl in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that **SB 412**, **SB 329**, **SB 330** be passed.

Committee report to **SB 367** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **H Sub for SB 249** be adopted.

Also, on motion of Rep. Hutton, **H Sub for SB 249** be amended on page 3, following line 17, by inserting:

"(9) A state university's investing agent designated under K.S.A. 76-156a, and amendments thereto, or to any transaction between such investing agent and its respective university, or to the officially designated alumni association or athletic corporation of a state university and transactions between such alumni association or athletic corporation and its respective state university.

(10) The issuance of bonds by the Kansas development finance authority for any entity other than a state agency, any affiliated corporate entity of a state agency or other corporate entity created by a state agency.";

On page 4, following line 9, by inserting:

"(e) Members of the commission attending meetings of such commission, or attending a subcommittee meeting thereof authorized by such commission, shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto."; and the substitute bill be passed as amended.

Committee report recommending a substitute bill to **H Sub for SB 255** be adopted; and the substitute bill be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HR 6045** be amended by striking all in lines 14 through 19; and the resolution be adopted as amended.

Committee on **Appropriations** recommends **HB 2739** be passed.

Committee on **Commerce, Labor and Economic Development** recommends **SB 106** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 106," as follows:

"House Substitute for SENATE BILL NO. 106

By Committee on Commerce, Labor and Economic Development

"AN ACT concerning agriculture; enacting the alternative crop research act; amending K.S.A. 2015 Supp. 21-5702 and repealing the existing section.";

And the substitute bill be passed.

(**H Sub for SB 106** was thereupon introduced and read by title.)

Committee on **Corrections and Juvenile Justice** recommends **Substitute for SB 216**, as amended by Senate Committee of the Whole, be amended by substituting a new bill to be designated as "House Substitute for Substitute for SENATE BILL NO. 216," as follows:

"House Substitute for Substitute for SENATE BILL NO. 216

By Committee on Corrections and Juvenile Justice

"AN ACT concerning the uniform controlled substances act; relating to substances included in schedules I, III and IV; amending K.S.A. 65-4127e and K.S.A. 2015 Supp. 65-4105, 65-4109 and 65-4111 and repealing the existing sections.";

And the substitute bill be passed.

(**H Sub for Sub for SB 216** was thereupon introduced and read by title.)

Committee on **Education** recommends **SB 388**, as amended by Senate Committee, be amended on page 1, in line 9, by striking "receive" and inserting "received"; and the bill be passed as amended.

The **Education Budget Committee** recommends **HB 2729** be amended on page 1, in line 8, after the first "the" by inserting "contractual"; in line 19, after "(A)" by inserting "The department of administration does not have such items or services on its procurement list;

(B) ";

Also on page 1, also in line 19, by striking "locally"; in line 20, by striking "1%" and inserting "3%"; in line 25, by striking all after "difference"; by striking all in line 26; in line 27, by striking all before the semicolon; in line 28, by striking "prior to July 1, 2018,"; in line 29, by striking "2016" and inserting "2017"; also in line 29, by striking all after the period; in line 30, by striking all before "the" and inserting "Such contracts shall not be extended or renewed. After the expiration of such contract,"; in line 36, after "(c)" by inserting:

"The board of education of each school district shall annually report to the department of administration on any items or services procured by such school district pursuant to subsection (b)(1)(A) through (E).

(d) ";

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

On page 2, in line 17, before "Products" by inserting:

"Services, but not to include contracted construction management services;

(2) ";

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

On page 3, in line 21, after "after" by inserting "July 1, 2017, and";

And the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **Substitute for SB 65**, as amended by Senate Committee of the Whole, be amended by substituting a new bill to be designated as "House Substitute for Substitute for SENATE BILL NO. 65," as follows:

"House Substitute for Substitute for SENATE BILL NO. 65

By Committee on Federal and State Affairs

"AN ACT concerning firearms; relating to the possession thereof; relating to the personal and family protection act; relating to weapons in schools; amending K.S.A. 72-89a01 and K.S.A. 2015 Supp. 75-7c04, 75-7c05, 75-7c10 and 75-7c20 and repealing the existing sections.";

And the substitute bill be passed.

(**H Sub for SB 65** was thereupon introduced and read by title.)

Committee on **Health and Human Services** recommends **SB 449**, as amended by Senate Committee of the Whole, be amended on page 18, in line 28, by striking "for" and inserting "from"; in line 29, by striking "(m)" and inserting "(n)";

On page 52, following line 3, by inserting:

"Sec. 49. K.S.A. 2015 Supp. 59-29b46 is hereby amended to read as follows: 59-29b46. When used in the care and treatment act for persons with an alcohol or substance abuse problem:

(a) "Discharge" means the final and complete release from treatment, by either the head of a treatment facility acting pursuant to K.S.A. 59-29b50, and amendments thereto, or by an order of a court issued pursuant to K.S.A. 59-29b73, and amendments thereto.

(b) "Head of a treatment facility" means the administrative director of a treatment facility or such person's designee.

(c) "Law enforcement officer" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 22-2202, and amendments thereto.

(d) "Licensed addiction counselor" means a person who engages in the practice of addiction counseling limited to substance use disorders and who is licensed by the behavioral sciences regulatory board. Such person shall engage in the practice of addiction counseling in a state-licensed or certified alcohol and other drug treatment program or while completing a Kansas domestic violence offender assessment for participants in a certified batterer intervention program pursuant to K.S.A. 2015 Supp. 75-7d01 through 75-7d13, and amendments thereto, unless otherwise exempt from licensure under subsection (n).

(e) "Licensed clinical addiction counselor" means a person who engages in the independent practice of addiction counseling and diagnosis and treatment of substance use disorders specified in the edition of the American psychiatric association's diagnostic and statistical manual of mental disorders (DSM) designated by the board by rules and regulations and is licensed by the behavioral sciences regulatory board.

(f) "Other facility for care or treatment" means any mental health clinic, medical

care facility, nursing home, the detox units at either Osawatomie state hospital or Larned state hospital, any physician or any other institution or individual authorized or licensed by law to give care or treatment to any person.

~~(e)~~ (g) "Patient" means a person who is a voluntary patient, a proposed patient or an involuntary patient.

(1) "Voluntary patient" means a person who is receiving treatment at a treatment facility pursuant to K.S.A. 59-29b49, and amendments thereto.

(2) "Proposed patient" means a person for whom a petition pursuant to K.S.A. 59-29b52 or 59-29b57, and amendments thereto, has been filed.

(3) "Involuntary patient" means a person who is receiving treatment under order of a court or a person admitted and detained by a treatment facility pursuant to an application filed pursuant to ~~subsection (b) or (c) of~~ K.S.A. 59-29b54(b) or (c), and amendments thereto.

~~(f)~~ (h) "Person with an alcohol or substance abuse problem" means a person who: (1) Lacks self-control as to the use of alcoholic beverages or any substance as defined in subsection ~~(k)~~ (l); or

(2) uses alcoholic beverages or any substance as defined in subsection ~~(k)~~ (l) to the extent that the person's health may be substantially impaired or endangered without treatment.

~~(g)~~ (i) (1) "Person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment" means a person with an alcohol or substance abuse problem, as defined in subsection ~~(f)~~ (h), who also is incapacitated by alcohol or any substance and is likely to cause harm to self or others.

(2) "Incapacitated by alcohol or any substance" means that the person, as the result of the use of alcohol or any substance as defined in subsection ~~(k)~~ (l), has impaired judgment resulting in the person:

(A) Being incapable of realizing and making a rational decision with respect to the need for treatment; or

(B) lacking sufficient understanding or capability to make or communicate responsible decisions concerning either the person's well-being or estate.

(3) "Likely to cause harm to self or others" means that the person, by reason of the person's use of alcohol or any substance: (A) Is likely, in the reasonably foreseeable future, to cause substantial physical injury or physical abuse to self or others or substantial damage to another's property, as evidenced by behavior threatening, attempting or causing such injury, abuse or damage; except that if the harm threatened, attempted or caused is only harm to the property of another, the harm must be of such a value and extent that the state's interest in protecting the property from such harm outweighs the person's interest in personal liberty; or

(B) is substantially unable, except for reason of indigency, to provide for any of the person's basic needs, such as food, clothing, shelter, health or safety, causing a substantial deterioration of the person's ability to function on the person's own.

~~(h)~~ (j) "Physician" means a person licensed to practice medicine and surgery as provided for in the Kansas healing arts act or a person who is employed by a state psychiatric hospital or by an agency of the United States and who is authorized by law to practice medicine and surgery within that hospital or agency.

~~(i)~~ (k) "Psychologist" means a licensed psychologist, as defined by K.S.A. 74-5302, and amendments thereto.

~~(j) "State certified alcohol and drug abuse counselor" means a person approved by the secretary for aging and disability services to perform assessments using the American Society of Addiction Medicine criteria and employed at a state funded and designated assessment center.~~

~~(k)~~ (l) "Substance" means: (1) The same as the term "controlled substance" as defined in K.S.A. 2015 Supp. 21-5701, and amendments thereto; or

(2) fluorocarbons, toluene or volatile hydrocarbon solvents.

~~(l)~~ (m) "Treatment" means the broad range of emergency, outpatient, intermediate and inpatient services and care, including diagnostic evaluation, medical, psychiatric, psychological and social service care, vocational rehabilitation and career counseling, which may be extended to persons with an alcohol or substance abuse problem.

~~(m)~~ (n) (1) "Treatment facility" means a treatment program, public or private treatment facility, or any facility of the United States government available to treat a person for an alcohol or other substance abuse problem, but such term shall not include a licensed medical care facility, a licensed adult care home, a facility licensed under K.S.A. 75-3307b, and amendments thereto, a community-based alcohol and drug safety action program certified under K.S.A. 8-1008, and amendments thereto, and performing only those functions for which the program is certified to perform under K.S.A. 8-1008, and amendments thereto, or a professional licensed by the behavioral sciences regulatory board to diagnose and treat mental disorders at the independent level or a physician, who may treat in the usual course of the behavioral sciences regulatory board licensee's or physician's professional practice individuals incapacitated by alcohol or other substances, but who are not primarily engaged in the usual course of the individual's professional practice in treating such individuals, or any state institution, even if detoxification services may have been obtained at such institution.

(2) "Private treatment facility" means a private agency providing facilities for the care and treatment or lodging of persons with either an alcohol or other substance abuse problem and meeting the standards prescribed in either K.S.A. 65-4013 or 65-4603, and amendments thereto, and licensed under either K.S.A. 65-4014 or 65-4607, and amendments thereto.

(3) "Public treatment facility" means a treatment facility owned and operated by any political subdivision of the state of Kansas and licensed under either K.S.A. 65-4014 or 65-4603, and amendments thereto, as an appropriate place for the care and treatment or lodging of persons with an alcohol or other substance abuse problem.

~~(n)~~ (o) The terms defined in K.S.A. 59-3051, and amendments thereto, shall have the meanings provided by that section.

Sec. 50. K.S.A. 59-29b54 is hereby amended to read as follows: 59-29b54. (a) A treatment facility may admit and detain any person for emergency observation and treatment upon an ex parte emergency custody order issued by a district court pursuant to K.S.A. 59-29b58, and amendments thereto.

(b) A treatment facility or the detox unit at Osawatomie state hospital or at Larned state hospital may admit and detain any person presented for emergency observation and treatment upon written application of a law enforcement officer having custody of that person pursuant to K.S.A. 59-29b53, and amendments thereto. The application shall state:

(1) The name and address of the person sought to be admitted, if known;

(2) the name and address of the person's spouse or nearest relative, if known;

(3) the officer's belief that the person is or may be a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment and is likely to cause harm to self or others if not immediately detained;

(4) the factual circumstances in support of that belief and the factual circumstances under which the person was taken into custody including any known pending criminal charges; and

(5) the fact that the law enforcement officer will file the petition provided for in K.S.A. 59-29b57, and amendments thereto, by the close of business of the first day thereafter that the district court is open for the transaction of business, or that the officer has been informed by a parent, legal guardian or other person, whose name shall be stated in the application will file the petition provided for in K.S.A. 59-29b57, and amendments thereto, within that time.

(c) A treatment facility may admit and detain any person presented for emergency observation and treatment upon the written application of any individual. The application shall state:

(1) The name and address of the person sought to be admitted, if known;

(2) the name and address of the person's spouse or nearest relative, if known;

(3) the applicant's belief that the person may be a person with an alcohol or substance abuse problem subject to involuntary commitment and is likely to cause harm to self or others if not immediately detained;

(4) the factual circumstances in support of that belief;

(5) any pending criminal charges, if known;

(6) the fact that the applicant will file the petition provided for in K.S.A. 59-29b57, and amendments thereto, by the close of business of the first day thereafter that the district court is open for the transaction of business; and

(7) the application shall also be accompanied by a statement in writing of a physician, psychologist or ~~state certified alcohol and drug abuse~~ licensed addiction counselor finding that the person is likely to be a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment under this act.

(d) Any treatment facility or personnel thereof, who in good faith renders treatment in accordance with law to any person admitted pursuant to subsection (b) or (c), shall not be liable in a civil or criminal action based upon a claim that the treatment was rendered without legal consent.

Sec. 51. K.S.A. 59-29b61 is hereby amended to read as follows: 59-29b61. (a) The order for an evaluation required by ~~subsection (a)(5) of~~ K.S.A. 59-29b60(a)(5), and amendments thereto, shall be served in the manner provided for in ~~a subsections (c) and (d) of~~ K.S.A. 59-29b63(c) and (d), and amendments thereto. It shall order the proposed patient to submit to an evaluation to be conducted by a physician, psychologist or ~~state certified alcohol and drug abuse~~ licensed addiction counselor and to undergo such other medical examinations or evaluations as may be designated by the court in the order, except that any proposed patient who is not subject to a temporary custody order issued pursuant to K.S.A. 59-29b59, and amendments thereto, and who requests a hearing pursuant to K.S.A. 59-29b62, and amendments thereto, need not submit to such evaluations or examinations until that hearing has been held and the court finds that there is probable cause to believe that the proposed patient is a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment under this act. The evaluation may be conducted at a treatment facility, the home of the

proposed patient or any other suitable place that the court determines is not likely to have a harmful effect on the welfare of the proposed patient.

(b) At the time designated by the court in the order, but in no event later than three days prior to the date of the trial provided for in K.S.A. 59-29b65, and amendments thereto, the examiner shall submit to the court a report, in writing, of the evaluation which report also shall be made available to counsel for the parties at least three days prior to the trial. The report also shall be made available to the proposed patient and to whomever the patient directs, unless for good cause recited in the order, the court orders otherwise. Such report shall state that the examiner has made an examination of the proposed patient and shall state the opinion of the examiner on the issue of whether or not the proposed patient is a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment under this act and the examiner's opinion as to the least restrictive treatment alternative which will protect the proposed patient and others and allow for the improvement of the proposed patient if treatment is ordered.

Sec. 52. K.S.A. 2015 Supp. 59-3077 is hereby amended to read as follows: 59-3077. (a) At any time after the filing of the petition provided for in K.S.A. 59-3058, 59-3059, 59-3060 or 59-3061, and amendments thereto, any person may file in addition to that original petition, or as a part thereof, or at any time after the appointment of a temporary guardian as provided for in K.S.A. 59-3073, and amendments thereto, or a guardian as provided for in K.S.A. 59-3067, and amendments thereto, the temporary guardian or guardian may file, a verified petition requesting that the court grant authority to the temporary guardian or guardian to admit the proposed ward or ward to a treatment facility, as defined in subsection (h), and to consent to the care and treatment of the proposed ward or ward therein. The petition shall include:

(1) The petitioner's name and address, and if the petitioner is the proposed ward's or ward's court appointed temporary guardian or guardian, that fact;

(2) the proposed ward's or ward's name, age, date of birth, address of permanent residence, and present address or whereabouts, if different from the proposed ward's or ward's permanent residence;

(3) the name and address of the proposed ward's or ward's court appointed temporary guardian or guardian, if different from the petitioner;

(4) the factual basis upon which the petitioner alleges the need for the proposed ward or ward to be admitted to and treated at a treatment facility, or for the proposed ward or ward to continue to be treated at the treatment facility to which the proposed ward or ward has already been admitted, or for the guardian to have continuing authority to admit the ward for care and treatment at a treatment facility pursuant to ~~subsection (b)(3) of~~ K.S.A. 59-2949~~,~~(b)(3) or ~~subsection (b)(3) of~~ K.S.A. 59-29b49(b)(3), and amendments thereto;

(5) the names and addresses of witnesses by whom the truth of this petition may be proved; and

(6) a request that the court find that the proposed ward or ward is in need of being admitted to and treated at a treatment facility, and that the court grant to the temporary guardian or guardian the authority to admit the proposed ward or ward to a treatment facility and to consent to the care and treatment of the proposed ward or ward therein.

(b) The petition may be accompanied by a report of an examination and evaluation of the proposed ward or ward conducted by an appropriately qualified professional,

which shows that the criteria set out in K.S.A. 39-1803, ~~subsection (c) of~~ K.S.A. 59-2946(e), ~~subsection (f) of~~ K.S.A. 59-29b46(h) or K.S.A. 76-12b03, and amendments thereto, are met.

(c) Upon the filing of such a petition, the court shall issue the following:

(1) An order fixing the date, time and place of a hearing on the petition. Such hearing, in the court's discretion, may be conducted in a courtroom, a treatment facility or at some other suitable place. The time fixed in the order shall in no event be earlier than seven days or later than 21 days after the date of the filing of the petition. The court may consolidate this hearing with the trial upon the original petition filed pursuant to K.S.A. 59-3058, 59-3059, 59-3060 or 59-3061, and amendments thereto, or with the trial provided for in the care and treatment act for mentally ill persons or the care and treatment act for persons with an alcohol or substance abuse problem, if the petition also incorporates the allegations required by, and is filed in compliance with, the provisions of either of those acts.

(2) An order requiring that the proposed ward or ward appear at the time and place of the hearing on the petition unless the court makes a finding prior to the hearing that the presence of the proposed ward or ward will be injurious to the person's health or welfare, or that the proposed ward's or ward's impairment is such that the person could not meaningfully participate in the proceedings, or that the proposed ward or ward has filed with the court a written waiver of such ward's right to appear in person. In any such case, the court shall enter in the record of the proceedings the facts upon which the court has found that the presence of the proposed ward or ward at the hearing should be excused. Notwithstanding the foregoing provisions of this subsection, if the proposed ward or ward files with the court at least one day prior to the date of the hearing a written notice stating the person's desire to be present at the hearing, the court shall order that the person must be present at the hearing.

(3) An order appointing an attorney to represent the proposed ward or ward. The court shall give preference, in the appointment of this attorney, to any attorney who has represented the proposed ward or ward in other matters, if the court has knowledge of that prior representation. The proposed ward, or the ward with the consent of the ward's conservator, if one has been appointed, shall have the right to engage an attorney of the proposed ward's or ward's choice and, in such case, the attorney appointed by the court shall be relieved of all duties by the court. Any appointment made by the court shall terminate upon a final determination of the petition and any appeal therefrom, unless the court continues the appointment by further order.

(4) An order fixing the date, time and a place that is in the best interest of the proposed ward or ward, at which the proposed ward or ward shall have the opportunity to consult with such ward's attorney. This consultation shall be scheduled to occur prior to the time at which the examination and evaluation ordered pursuant to subsection (d)(1), if ordered, is scheduled to occur.

(5) A notice similar to that provided for in K.S.A. 59-3066, and amendments thereto.

(d) Upon the filing of such a petition, the court may issue the following:

(1) An order for a psychological or other examination and evaluation of the proposed ward or ward, as may be specified by the court. The court may order the proposed ward or ward to submit to such an examination and evaluation to be conducted through a general hospital, psychiatric hospital, community mental health

center, community developmental disability organization, or by a private physician, psychiatrist, psychologist or other person appointed by the court who is qualified to examine and evaluate the proposed ward or ward. The costs of this examination and evaluation shall be assessed as provided for in K.S.A. 59-3094, and amendments thereto.

(2) If the petition is accompanied by a report of an examination and evaluation of the proposed ward or ward as provided for in subsection (b), an order granting temporary authority to the temporary guardian or guardian to admit the proposed ward or ward to a treatment facility and to consent to the care and treatment of the proposed ward or ward therein. Any such order shall expire immediately after the hearing upon the petition, or as the court may otherwise specify, or upon the discharge of the proposed ward or ward by the head of the treatment facility, if the proposed ward or ward is discharged prior to the time at which the order would otherwise expire.

(3) For good cause shown, an order of continuance of the hearing.

(4) For good cause shown, an order of advancement of the hearing.

(5) For good cause shown, an order changing the place of the hearing.

(e) The hearing on the petition shall be held at the time and place specified in the court's order issued pursuant to subsection (c), unless an order of advancement, continuance, or a change of place of the hearing has been issued pursuant to subsection (d). The petitioner and the proposed ward or ward shall each be afforded an opportunity to appear at the hearing, to testify and to present and cross-examine witnesses. If the hearing has been consolidated with a trial being held pursuant to either the care and treatment act for mentally ill persons or the care and treatment act for persons with an alcohol or substance abuse problem, persons not necessary for the conduct of the proceedings may be excluded as provided for in those acts. The hearing shall be conducted in as informal a manner as may be consistent with orderly procedure. The court shall have the authority to receive all relevant and material evidence which may be offered, including the testimony or written report, findings or recommendations of any professional or other person who has examined or evaluated the proposed ward or ward pursuant to any order issued by the court pursuant to subsection (d). Such evidence shall not be privileged for the purpose of this hearing.

(f) Upon completion of the hearing, if the court finds by clear and convincing evidence that the criteria set out in K.S.A. 39-1803, ~~subsection (c) of~~ K.S.A. 59-2946(e), ~~subsection (f) of~~ K.S.A. 59-29b46(h) or K.S.A. 76-12b03, and amendments thereto, are met, and after a careful consideration of reasonable alternatives to admission of the proposed ward or ward to a treatment facility, the court may enter an order granting such authority to the temporary guardian or guardian as is appropriate, including continuing authority to the guardian to readmit the ward to an appropriate treatment facility as may later become necessary. Any such grant of continuing authority shall expire two years after the date of final discharge of the ward from such a treatment facility if the ward has not had to be readmitted to a treatment facility during that two-year period of time. Thereafter, any such grant of continuing authority may be renewed only after the filing of another petition seeking authority in compliance with the provision of this section.

(g) Nothing herein shall be construed so as to prohibit the head of a treatment facility from admitting a proposed ward or ward to that facility as a voluntary patient if the head of the treatment facility is satisfied that the proposed ward or ward at that time

has the capacity to understand such ward's illness and need for treatment, and to consent to such ward's admission and treatment. Upon any such admission, the head of the treatment facility shall give notice to the temporary guardian or guardian as soon as possible of the ward's admission, and shall provide to the temporary guardian or guardian copies of any consents the proposed ward or ward has given. Thereafter, the temporary guardian or guardian shall timely either seek to obtain proper authority pursuant to this section to admit the proposed ward or ward to a treatment facility and to consent to further care and treatment, or shall otherwise assume responsibility for the care of the proposed ward or ward, consistent with the authority of the temporary guardian or guardian, and may arrange for the discharge from the facility of the proposed ward or ward, unless the head of the treatment facility shall file a petition requesting the involuntary commitment of the proposed ward or ward to that or some other facility.

(h) As used herein, "treatment facility" means the Kansas neurological institute, Larned state hospital, Osawatomie state hospital, Parsons state hospital and training center, the rainbow mental health facility, any intermediate care facility for people with intellectual disability, any psychiatric hospital licensed pursuant to K.S.A. 75-3307b, and amendments thereto, and any other facility for mentally ill persons or people with intellectual or developmental disabilities licensed pursuant to K.S.A. 75-3307b, and amendments thereto, if the proposed ward or ward is to be admitted as an inpatient or resident of that facility.

Sec. 53. K.S.A. 65-4016 is hereby amended to read as follows: 65-4016. The secretary shall adopt rules and regulations with respect to treatment facilities to be licensed and designed to further the accomplishment of the purposes of this law in promoting a safe and adequate treatment program for individuals in treatment facilities in the interest of public health, safety and welfare~~ including, but not limited to, minimum qualifications for employees of licensed or certified programs which are less than the qualifications required for a registered alcohol and other drug abuse counselor~~. Boards of trustees or directors of institutions licensed under this act shall have the right to select the professional staff members of such institutions and to select and employ interns, nurses and other personnel.

Sec. 54. K.S.A. 2015 Supp. 65-4024a is hereby amended to read as follows: 65-4024a. As used in this act:

(a) "Act" means the alcohol or other drug addiction treatment act.

(b) "Alcohol or other drug addiction" means a pattern of substance use, leading to significant impairment or distress, manifested by three or more of the following occurring at any time in the same 12-month period:

(1) Tolerance, defined as: (A) A need for markedly increased amounts of the substance to achieve intoxication or desired effect; or (B) a markedly diminished effect with continued use of the same amount of substance;

(2) withdrawal, as manifested by either of the following: (A) The characteristic withdrawal syndrome for the substance; or (B) the same or a closely related substance is taken to relieve or avoid withdrawal symptoms;

(3) the substance is often taken in larger amounts or over a longer period than was intended;

(4) there is a persistent desire or unsuccessful efforts to cut down or control substance use;

(5) a great deal of time is spent in activities necessary to obtain the substance, use the substance or recover from its effects;

(6) important social, occupational or recreational activities are given up or reduced because of substance use;

(7) the substance use is continued despite knowledge of having a persistent or recurrent physical or psychological problem that is likely to have been caused or exacerbated by the substance.

(c) "Care or treatment" means such necessary services as are in the best interests of the physical and mental health of the patient.

(d) "Committee" means the Kansas citizens committee on alcohol and other drug abuse.

(e) ~~"Counselor" means an individual whose education, experience and training has been evaluated and approved by the Kansas department for aging and disability services to provide the scope of practice afforded to an alcohol and drug credentialed counselor or counselor assistant working in a licensed, certified alcohol and drug treatment program.~~

~~(f)~~ "Department" means the Kansas department for aging and disability services.

~~(g)~~ (f) "Designated state funded assessment center" or "assessment center" means a treatment facility designated by the secretary.

~~(h)~~ (g) "Discharge" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

~~(i)~~ (h) "Government unit" means any county, municipality or other political subdivision of the state; or any department, division, board or other agency of any of the foregoing.

~~(j)~~ (i) "Head of the treatment facility" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

~~(k)~~ (j) "Incapacitated by alcohol" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

~~(l)~~ (k) "Intoxicated individual" means an individual who is under the influence of alcohol or drugs or both.

~~(m)~~ (l) "Law enforcement officer" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

(m) "Licensed addiction counselor" means a person who engages in the practice of addiction counseling limited to substance use disorders and who is licensed by the behavioral sciences regulatory board. Such person shall engage in the practice of addiction counseling in a state-licensed or certified alcohol and other drug treatment program or while completing a Kansas domestic violence offender assessment for participants in a certified batterer intervention program pursuant to K.S.A. 2015 Supp. 75-7d01 through 75-7d13, and amendments thereto, unless otherwise exempt from licensure under K.S.A. 59-29b46(n), and amendments thereto.

(n) "Licensed clinical addiction counselor" means a person who engages in the independent practice of addiction counseling and diagnosis and treatment of substance use disorders specified in the edition of the American psychiatric association's diagnostic and statistical manual of mental disorders (DSM) designated by the board by rules and regulations and is licensed by the behavioral sciences regulatory board.

(o) "Patient" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

~~(o)~~ (p) "Private treatment facility"~~ shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

~~(p)~~ (q) "Public treatment facility"~~ shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

~~(q)~~ (r) "Treatment"~~ shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

~~(r)~~ (s) "Treatment facility"~~ shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

~~(s)~~ (t) "Secretary" means the secretary for aging and disability services.";

Also on page 52, in line 4, after "K.S.A." by inserting "59-29b54, 59-29b61, 65-4016,"; in line 8, after "Supp." by inserting "59-29b46, 59-3077, 65-4024a,";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after "K.S.A." by inserting "59-29b54, 59-29b61, 65-4016,"; in line 6, after "Supp." by inserting "59-29b46, 59-3077, 65-4024a,"; and the bill be passed as amended.

Committee on **Insurance and Financial Institutions** recommends **SB 438**, as amended by Senate Committee, be passed.

Committee on **Judiciary** recommends **HB 2713** be amended on page 96, in line 2, by striking "(h)";

On page 97, in line 4, by striking "(i)" and inserting "(h)";

On page 101, in line 24, by striking "(i)" and inserting "(h)";

On page 104, in line 39, by striking "adption" and inserting "adoption";

On page 113, in line 20, by striking "(i)" and inserting "(h)";

On page 114, in line 16, by striking "(i)" and inserting "(h)";

On page 115, in line 12, by striking "(i)" and inserting "(h)"; in line 26, by striking "(i)" and inserting "(h)"; in line 28, by striking "(i)" and inserting "(h)"; in line 43, by striking "(i)" and inserting "(h)";

On page 116, in line 2, by striking "(i)" and inserting "(h)";

On page 133, in line 6, after "17-7924" by inserting "(c)";

On page 135, in line 39, after "17-7924" by inserting "(c)"; and the bill be passed as amended.

Committee on **Judiciary** recommends **Substitute for SB 22** be amended on page 1, following line 6, by inserting:

"Section 1. K.S.A. 12-4112 is hereby amended to read as follows: 12-4112. No person shall be assessed costs for the administration of justice in any municipal court case, except for:

(a) Witness fees and mileage as set forth in K.S.A. 12-4411, and amendments thereto;

(b) ~~for~~ the assessment required by K.S.A.~~ 2001 Supp.~~ 20-1a11, and amendments thereto;~~ for the judicial branch education fund;~~

(c) ~~for~~ the assessment required by K.S.A. 12-4117, and amendments thereto~~, for the law enforcement training center fund established pursuant to K.S.A. 74-5619, and amendments thereto, the local law enforcement training reimbursement fund established pursuant to K.S.A. 74-5620, and amendments thereto, and the juvenile detention facilities fund as provided in K.S.A. 12-4117, and amendments thereto~~; and

(d) ~~for~~ the assessment required by K.S.A. 12-16,119, and amendments thereto~~, for the detention facility processing fee~~.

Sec. 2. K.S.A. 2015 Supp. 12-4117 is hereby amended to read as follows: 12-4117. (a) In each case filed in municipal court other than a nonmoving traffic violation, where there is a finding of guilty or a plea of guilty, a plea of no contest, forfeiture of bond or a diversion, a sum in an amount of ~~$20~~ $22.50 shall be assessed and such assessment shall be credited as follows:

One dollar to the local law enforcement training reimbursement fund established pursuant to K.S.A. 74-5620, and amendments thereto, $11.50 to the law enforcement training center fund established pursuant to K.S.A. 74-5619, and amendments thereto, ~~$2.50~~ $5 to the Kansas commission on peace officers' standards and training fund established by K.S.A. 74-5619, and amendments thereto, $2 to the juvenile detention facilities fund established pursuant to K.S.A. 79-4803, and amendments thereto, to be expended for operational costs of facilities for the detention of juveniles, $.50 to the protection from abuse fund established pursuant to K.S.A. 74-7325, and amendments thereto, $.50 to the crime victims assistance fund established pursuant to K.S.A. 74-7334, and amendments thereto, $1 to the trauma fund established pursuant to K.S.A. 2015 Supp. 75-5670, and amendments thereto, and $1 to the department of corrections forensic psychologist fund established pursuant to K.S.A. 2015 Supp. 75-52,151, and amendments thereto.

(b) The judge or clerk of the municipal court shall remit the appropriate assessments received pursuant to this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the local law enforcement training reimbursement fund, the law enforcement training center fund, the Kansas commission on peace officers' standards and training fund, the juvenile detention facilities fund, the crime victims assistance fund, the trauma fund and the department of corrections forensic psychologist fund as provided in this section.

(c) For the purpose of determining the amount to be assessed according to this section, if more than one complaint is filed in the municipal court against one individual arising out of the same incident, all such complaints shall be considered as one case.";

On page 18, in line 19, before "K.S.A" by inserting "K.S.A. 12-4112 and"; also in line 19, after "Supp." by inserting "12-4117,";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "court; notice" and inserting "courts; assessments; the Kansas commission on peace officers' standards and training fund; notices from district courts"; also in line 1, after "amending" by inserting "K.S.A. 12-4112 and"; in line 2, after "Supp." by inserting "12-4117,"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 58**, as amended by Senate Committee, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 58," as follows:

"House Substitute for SENATE BILL NO. 58

By Committee on Judiciary

"AN ACT concerning the Kansas law enforcement training act; relating to

qualifications of applicants for certification; open records, exemptions; amending K.S.A. 2015 Supp. 74-5605 and 74-5611a and repealing the existing sections.";

And the substitute bill be passed.

(**H Sub for SB 58** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **SB 362** be passed.

Committee on **Judiciary** recommends **SB 407** be amended on page 1, following line 4, by inserting:

"Section 1. K.S.A. 2015 Supp. 22-4903 is hereby amended to read as follows: 22-4903. (a) Violation of the Kansas offender registration act is the failure by an offender, as defined in K.S.A. 22-4902, and amendments thereto, to comply with any and all provisions of such act, including any and all duties set forth in K.S.A. 22-4905 through 22-4907, and amendments thereto. Any violation of the Kansas offender registration act which continues for more than 30 consecutive days shall, upon the 31st consecutive day, constitute a new and separate offense, and shall continue to constitute a new and separate offense every 30 days thereafter for as long as the violation continues.

(b) Aggravated violation of the Kansas offender registration act is violation of the Kansas offender registration act which continues for more than 180 consecutive days. Any aggravated violation of the Kansas offender registration act which continues for more than 180 consecutive days shall, upon the 181st consecutive day, constitute a new and separate offense, and shall continue to constitute a new and separate violation of the Kansas offender registration act every 30 days thereafter, or a new and separate aggravated violation of the Kansas offender registration act every 180 days thereafter, for as long as the violation continues.

(c) (1) Except as provided in subsection (c)(3), violation of the Kansas offender registration act is:

(A) Upon a first conviction, a severity level 6, person felony;

(B) upon a second conviction, a severity level 5, person felony; and

(C) upon a third or subsequent conviction, a severity level 3, person felony.

(2) Except as provided in subsection (c)(3), aggravated violation of the Kansas offender registration act is a severity level 3, person felony.

(3) Violation of the Kansas offender registration act or aggravated violation of the Kansas offender registration act consisting only of failing to remit payment to the sheriff's office as required in ~~subsection (k) of~~ K.S.A. 22-4905(l), and amendments thereto, is:

(A) Except as provided in subsection (c)(3)(B), a class A misdemeanor if, within 15 days of registration, full payment is not remitted to the sheriff's office;

(B) a severity level 9, person felony if, within 15 days of the most recent registration, two or more full payments have not been remitted to the sheriff's office.

(d) Prosecution of violations of this section may be held:

(1) In any county in which the offender resides;

(2) in any county in which the offender is required to be registered under the Kansas offender registration act;

(3) in any county in which the offender is located during which time the offender is not in compliance with the Kansas offender registration act; or

(4) in the county in which any conviction or adjudication occurred for which the offender is required to be registered under the Kansas offender registration act.

Sec. 2. K.S.A. 2015 Supp. 22-4904 is hereby amended to read as follows: 22-4904. (a) (1) At the time of conviction or adjudication for an offense requiring registration as provided in K.S.A. 22-4902, and amendments thereto, the court shall:

(A) Inform any offender, on the record, of the procedure to register and the requirements of K.S.A. 22-4905, and amendments thereto; and

(B) if the offender is released:

(i) Complete a notice of duty to register, which shall include title and statute number of conviction or adjudication, date of conviction or adjudication, case number, county of conviction or adjudication, and the following offender information: Name, address, date of birth, social security number, race, ethnicity and gender;

(ii) require the offender to read and sign the notice of duty to register, which shall include a statement that the requirements provided in this subsection have been explained to the offender;

(iii) order the offender to report within three business days to the registering law enforcement agency in the county or tribal land of conviction or adjudication and to the registering law enforcement agency in any place where the offender resides, maintains employment or attends school, to complete the registration form with all information and any updated information required for registration as provided in K.S.A. 22-4907, and amendments thereto; and

(iv) provide one copy of the notice of duty to register to the offender and, within three business days, send a copy of the form to the law enforcement agency having initial jurisdiction and to the Kansas bureau of investigation.

(2) At the time of sentencing or disposition for an offense requiring registration as provided in K.S.A. 22-4902, and amendments thereto, the court shall ensure the age of the victim is documented in the journal entry of conviction or adjudication.

(3) Upon commitment for control, care and treatment by the Kansas department for aging and disability services pursuant to K.S.A. 59-29a07, and amendments thereto, the court shall notify the registering law enforcement agency of the county where the offender resides during commitment of such offender's commitment. Such notice shall be prepared by the office of the attorney general for transmittal by the court by electronic means, including by fax or e-mail.

(b) The staff of any correctional facility or the registering law enforcement agency's designee shall:

(1) At the time of initial custody, register any offender within three business days:

(A) Inform the offender of the procedure for registration and of the offender's registration requirements as provided in K.S.A. 22-4905, and amendments thereto;

(B) complete the registration form with all information and updated information required for registration as provided in K.S.A. 22-4907, and amendments thereto;

(C) require the offender to read and sign the registration form, which shall include a statement that the requirements provided in this subsection have been explained to the offender;

(D) provide one copy of the form to the offender and, within three business days, send a copy of the form to the Kansas bureau of investigation; and

(E) enter all offender information required by the national crime information center into the national sex offender registry system within three business days of completing the registration or electronically submit all information and updated information required for registration as provided in K.S.A. 22-4907, and amendments thereto,

within three business days to the Kansas bureau of investigation;

(2) notify the Kansas bureau of investigation of the incarceration of any offender and of the location or any change in location of the offender while in custody;

(3) prior to any offender being discharged, paroled, furloughed or released on work or school release that does not require the daily return to a correctional facility:

(A) Inform the offender of the procedure for registration and of the offender's registration requirements as provided in K.S.A. 22-4905, and amendments thereto;

(B) complete the registration form with all information and updated information required for registration as provided in K.S.A. 22-4907, and amendments thereto;

(C) require the offender to read and sign the registration form, which shall include a statement that the requirements provided in this subsection have been explained to the offender;

(D) photograph the offender's face and any identifying marks;

(E) obtain fingerprint and palm prints of the offender; and

(F) provide one copy of the form to the offender and, within three business days, send a copy of the form and of the photograph or photographs to the law enforcement agency having initial jurisdiction and to the Kansas bureau of investigation; and

(4) notify the law enforcement agency having initial jurisdiction and the Kansas bureau of investigation seven business days prior to any offender being discharged, paroled, furloughed or released on work or school release.

(c) The staff of any treatment facility shall:

(1) Within three business days of an offender's arrival for inpatient treatment, inform the registering law enforcement agency of the county or location of jurisdiction in which the treatment facility is located of the offender's presence at the treatment facility and the expected duration of the treatment, and immediately notify the registering law enforcement agency of an unauthorized or unexpected absence of the offender during the offender's treatment;

(2) inform the registering law enforcement agency of the county or location of jurisdiction in which the treatment facility is located within three business days of an offender's discharge or release; and

(3) provide information upon request to any registering law enforcement agency having jurisdiction relevant to determining the presence of an offender within the treatment facility.

(d) The registering law enforcement agency, upon the reporting of any offender, shall:

(1) Inform the offender of the duty to register as provided by the Kansas offender registration act;

(2) (A) explain the procedure for registration and the offender's registration requirements as provided in K.S.A. 22-4905, and amendments thereto;

(B) obtain the information required for registration as provided in K.S.A. 22-4907, and amendments thereto; and

(C) require the offender to read and sign the registration form, which shall include a statement that the requirements provided in this subsection have been explained to the offender;

(3) complete the registration form with all information and updated information required for registration, as provided in K.S.A. 22-4907, and amendments thereto, each time the offender reports to the registering law enforcement agency. All information and

updated information reported by an offender shall be forwarded to the Kansas bureau of investigation within three business days;

(4) maintain the original signed registration form, provide one copy of the completed registration form to the offender and, within three business days, send one copy of the completed form to the Kansas bureau of investigation;

(5) forward a copy of any certified letter used for reporting pursuant to K.S.A. 22-4905, and amendments thereto, when utilized, within three business days to the Kansas bureau of investigation;

(6) obtain registration information from every offender required to register regardless of whether or not the offender remits payment;

(7) upon every required reporting, update the photograph or photographs of the offender's face and any new identifying marks and immediately forward copies or electronic files of the photographs to the Kansas bureau of investigation;

(8) enter all offender information required by the national crime information center into the national sex offender registry system within three business days of completing the registration or electronically submit all information and updated information required for registration as provided in K.S.A. 22-4907, and amendments thereto, within three business days to the Kansas bureau of investigation;

(9) maintain a special fund for the deposit and maintenance of fees paid by offenders. All funds retained by the registering law enforcement agency pursuant to the provisions of this section shall be credited to a special fund of the registering law enforcement agency which shall be used solely for law enforcement and criminal prosecution purposes and which shall not be used as a source of revenue to reduce the amount of funding otherwise made available to the registering law enforcement agency; and

(10) forward any initial registration and updated registration information within three business days to any out of state jurisdiction where the offender is expected to reside, maintain employment or attend school.

(e) (1) The Kansas bureau of investigation shall:

(A) Forward all additions or changes in information to any registering law enforcement agency, other than the agency that submitted the form, where the offender expects to reside, maintain employment or attend school;

(B) ensure that offender information is immediately entered in the state registered offender database and the Kansas registered offender website, as provided in K.S.A. 22-4909, and amendments thereto;

(C) transmit offender conviction or adjudication data, fingerprints and palm prints to the federal bureau of investigation; and

(D) ensure all offender information required by the national crime information center is transmitted into the national sex offender registry system within three business days of such information being electronically submitted to the Kansas bureau of investigation.

(2) The director of the Kansas bureau of investigation may adopt rules and regulations necessary to implement the provisions of the Kansas offender registration act.

(f) The attorney general shall, within 10 business days of an offender being declared a sexually violent predator, forward to the Kansas bureau of investigation all relevant court documentation declaring an offender a sexually violent predator.

(g) The state department of education shall annually notify any school of the Kansas bureau of investigation internet website, and any internet website containing information on the Kansas offender registration act sponsored or created by the registering law enforcement agency of the county or location of jurisdiction in which the school is located, for the purpose of locating offenders who reside near such school. Such notification shall include information that the registering law enforcement agency of the county or location of jurisdiction where such school is located is available to the school to assist in using the registry and providing additional information on registered offenders.

(h) The secretary of health and environment shall annually notify any licensed child care facility of the Kansas bureau of investigation internet website, and any internet website containing information on the Kansas offender registration sponsored or created by the registering law enforcement agency of the county in which the facility is located, for the purpose of locating offenders who reside near such facility. Such notification shall include information that the registering law enforcement agency of the county or location of jurisdiction where such child care facility is located is available to the child care facilities to assist in using the registry and providing additional information on registered offenders.

(i) Upon request, the clerk of any court of record shall provide the Kansas bureau of investigation copies of complaints, indictments, information, journal entries, commitment orders or any other documents necessary to the performance of the duties of the Kansas bureau of investigation under the Kansas offender registration act. No fees or charges for providing such documents may be assessed.

Sec. 3. K.S.A. 2015 Supp. 22-4905 is hereby amended to read as follows: 22-4905. Any offender required to register as provided in the Kansas offender registration act shall:

(a) Except as otherwise provided in this subsection, register in person with the registering law enforcement agency within three business days of coming into any county or location of jurisdiction in which the offender resides or intends to reside, maintains employment or intends to maintain employment, or attends school or intends to attend school. Any such offender who cannot physically register in person with the registering law enforcement agency for such reasons including, but not limited to, incapacitation or hospitalization, as determined by a person licensed to practice medicine or surgery, or involuntarily committed pursuant to the Kansas sexually violent predator act, shall be subject to verification requirements other than in-person registration, as determined by the registering law enforcement agency having jurisdiction;

(b) except as provided further, for any: (1) Sex offender, including a violent offender or drug offender who is also a sex offender, report in person four times each year to the registering law enforcement agency in the county or location of jurisdiction in which the offender resides, maintains employment or is attending a school; and (2) violent offender or drug offender, report in person four times each year to the registering law enforcement agency in the county or location of jurisdiction in which the offender resides, maintains employment or is attending a school, except that, at the discretion of the registering law enforcement agency, one of the four required reports may be conducted by certified letter. When utilized, the certified letter for reporting shall be sent by the registering law enforcement agency to the reported residence of the

offender. The offender shall indicate any changes in information as required for reporting in person. The offender shall respond by returning the certified letter to the registering law enforcement agency within 10 business days by certified mail. The offender shall be required to report to the registering law enforcement agency once during the month of the offender's birthday and every third, sixth and ninth month occurring before and after the month of the offender's birthday. The registering law enforcement agency may determine the appropriate times and days for reporting by the offender, consistent with this subsection. Nothing contained in this subsection shall be construed to alleviate any offender from meeting the requirements prescribed in the Kansas offender registration act;

(c) provide the information required for registration as provided in K.S.A. 22-4907, and amendments thereto, and verify all information previously provided is accurate;

(d) if in the custody of a correctional facility, register with the correctional facility within three business days of initial custody and shall not be required to update such registration until discharged, paroled, furloughed or released on work or school release from a correctional facility. A copy of the registration form and any updated registrations for an offender released on work or school release shall be sent, within three business days, to the registering law enforcement agency where the offender is incarcerated, maintains employment or attends school, and to the Kansas bureau of investigation;

(e) if involuntarily committed pursuant to the Kansas sexually violent predator act, register within three business days of arrival in the county where the offender resides during commitment. The offender shall not be required to update such registration until placed in a reintegration facility, on transitional release or on conditional release. Upon placement in a reintegration facility, on transitional release or on conditional release, the offender shall be personally responsible for complying with the provisions of the Kansas offender registration act;

(f) notwithstanding subsections (a) and (b), if the offender is transient, report in person to the registering law enforcement agency of such county or location of jurisdiction in which the offender is physically present within three business days of arrival in the county or location of jurisdiction. Such offender shall be required to register in person with the registering law enforcement agency every 30 days, or more often at the discretion of the registering law enforcement agency. Such offender shall comply with the provisions of the Kansas offender registration act and, in addition, shall:

(1) Provide a list of places where the offender has slept and otherwise frequented during the period of time since the last date of registration; and

(2) provide a list of places where the offender may be contacted and where the offender intends to sleep and otherwise frequent during the period of time prior to the next required date of registration;

~~(f)~~ (g) if required by out of state law, register in any out of state jurisdiction, where the offender resides, maintains employment or attends school;

~~(g)~~ (h) register in person upon any commencement, change or termination of residence location, employment status, school attendance or other information as provided in K.S.A. 22-4907, and amendments thereto, within three business days of such commencement, change or termination, to the registering law enforcement agency or agencies where last registered and provide written notice to the Kansas bureau of

investigation;

~~(h)~~ (i) report in person to the registering law enforcement agency or agencies within three business days of any change in name;

~~(i)~~ (j) if receiving inpatient treatment at any treatment facility, inform the treatment facility of the offender's status as an offender and inform the registering law enforcement agency of the county or location of jurisdiction in which the treatment facility is located of the offender's presence at the treatment facility and the expected duration of the treatment;

~~(j)~~ (k) submit to the taking of an updated photograph by the registering law enforcement agency on each occasion when the offender registers with or reports to the registering law enforcement agency in the county or location of jurisdiction in which the offender resides, maintains employment or attends school. In addition, such offender shall submit to the taking of a photograph to document any changes in identifying characteristics, including, but not limited to, scars, marks and tattoos;

~~(k)~~ (l) remit payment to the sheriff's office in the amount of $20 as part of the reporting process required pursuant to subsection (b) in each county in which the offender resides, maintains employment or is attending school. Registration will be completed regardless of whether or not the offender remits payment. Failure of the offender to remit full payment within 15 days of registration is a violation of the Kansas offender registration act and is subject to prosecution pursuant to K.S.A. 22-4903, and amendments thereto. Notwithstanding other provisions herein, payment of this fee is not required:

(1) When an offender provides updates or changes in information or during an initial registration unless such updates, changes or initial registration is during the month of such offender's birthday and every third, sixth and ninth month occurring before and after the month of the offender's birthday;

(2) when an offender is transient and is required to register every 30 days, or more frequently as ordered by the registering law enforcement agency, except during the month of the offender's birthday and every third, sixth and ninth month occurring before and after the month of the offender's birthday; or

(3) if an offender has, prior to the required reporting and within the last three years, been determined to be indigent by a court of law, and the basis for that finding is recorded by the court;

~~(l)~~ (m) annually renew any driver's license pursuant to K.S.A. 8-247, and amendments thereto, and annually renew any identification card pursuant to K.S.A. 2015 Supp. 8-1325a, and amendments thereto;

~~(m)~~ (n) if maintaining primary residence in this state, surrender all driver's licenses and identification cards from other states, territories and the District of Columbia, except if the offender is presently serving and maintaining active duty in any branch of the United States military or the offender is an immediate family member of a person presently serving and maintaining active duty in any branch of the United States military;

~~(n)~~ (o) read and sign the registration form noting whether the requirements provided in this section have been explained to the offender; and

~~(o)~~ (p) report in person to the registering law enforcement agency in the jurisdiction of the offender's residence and provide written notice to the Kansas bureau of investigation 21 days prior to any travel outside of the United States, and provide an

itinerary including, but not limited to, destination, means of transport and duration of travel, or if under emergency circumstances, within three business days of making travel arrangements.";

Also on page 1, following line 29, by inserting:

"Sec. 5. K.S.A. 2015 Supp. 22-4903, 22-4904 and 22-4905 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the semicolon by inserting "relating to registration under the Kansas offender registration act; involuntary commitment, transitional release, conditional release; amending K.S.A. 2015 Supp. 22-4903, 22-4904 and 22-4905 and repealing the existing sections; and"; and the bill be passed as amended.

Committee on **Pensions and Benefits** recommends **SB 168**, as amended by Senate Committee, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 168," as follows:

"House Substitute for SENATE BILL NO. 168

By Committee on Pensions and Benefits

"AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; normal retirement; requiring certification that there is no prearranged agreement of employment with participating employers prior to retirement; providing certain penalties for violations thereof; employment after retirement; special provisions for certain retirants; certain duties of the joint committee on pensions, investments and benefits; employer rate of contribution; increasing compensation limitation for members of the Kansas police and firemen's retirement system; amending K.S.A. 74-4957a and K.S.A. 2015 Supp. 46-2201, 74-4914, 74-4937 and 74-4957 and repealing the existing sections.";

And the substitute bill be passed.

(**H Sub for SB 168** was thereupon introduced and read by title.)

Committee on **Taxation** recommends **SB 63** as amended by Senate Committee, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 63," as follows:

"House Substitute for SENATE BILL NO. 63

By Committee on Taxation

"AN ACT concerning taxation; relating to the community improvement district sales tax administration fund; electronic cigarettes; sales tax exemptions, Gove county healthcare endowment foundation, inc.; amending K.S.A. 2015 Supp. 12-6a31, 79-3399 and 79-3606 and repealing the existing sections.";

And the substitute bill be passed.

(**H Sub for SB 63** was thereupon introduced and read by title.)

Committee on **Taxation** recommends **SB 149** be amended as recommended by the House Committee on Judiciary as reported in the Journal of the House on March 23, 2015, and the bill as printed with House committee amendments, be further amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 149," as follows:

"House Substitute for SENATE BILL NO. 149

By Committee on Taxation

"AN ACT concerning income tax; relating to income tax returns and instructions, use tax remittance, checkoff for schools; credits, angel investment credit; amending K.S.A. 2015 Supp. 74-8133 and repealing the existing section.";

And the substitute bill be passed.

(**H Sub for SB 149** was thereupon introduced and read by title.)

Committee on **Transportation** recommends **Substitute for SB 99** be amended on page 2, in line 37, by striking the second "two"; also in line 37, after "semitrailer" by inserting "trailer"; in line 39, by striking "and" and inserting "or"; in line 40, by striking "between" and inserting "during"; also in line 40, by striking "May" and inserting "April"; also in line 40, by striking "December" and inserting "November";

On page 3, following line 7, by inserting:

"Sec. 3. K.S.A. 8-1909 is hereby amended to read as follows: 8-1909. (a) No vehicle or combination of vehicles shall be moved or operated on any highway when the gross weight on two or more consecutive axles exceeds the limitations prescribed in the following table:

Distance in feet between the extremes of any group of 2 or more consecutive axles	Maximum load in pounds carried on any group of 2 or more consecutive axles						
	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles
4	34,000						
5	34,000						
6	34,000						
7	34,000						
8 and less	34,000	34,000					
More than 8	38,000	42,000					
9	39,000	42,500					
10	40,000	43,500					
11		44,000					
12		45,000	50,000				
13		45,500	50,500				
14		46,500	51,500				
15		47,000	52,000				
16		48,000	52,500	58,000			
17		48,500	53,500	58,500			

Distance in feet between the extremes of any group of 2 or more consecutive axles	Maximum load in pounds carried on any group of 2 or more consecutive axles					
2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles
18	49,500	54,000	59,000			
19	50,000	54,500	60,000			
20	51,000	55,500	60,500	66,000		
21	51,500	56,000	61,000	66,500		
22	52,500	56,500	61,500	67,000		
23	53,000	57,500	62,500	68,000		
24	54,000	58,000	63,000	68,500	74,000	
25	54,500	58,500	63,500	69,000	74,500	
26	55,500	59,500	64,000	69,500	75,000	
27	56,000	60,000	65,000	70,000	75,500	
28	57,000	60,500	65,500	71,000	76,500	82,000
29	57,500	61,500	66,000	71,500	77,000	82,500
30	58,500	62,000	66,500	72,000	77,500	83,000
31	59,000	62,500	67,500	72,500	78,000	83,500
32	60,000	63,500	68,000	73,000	78,500	84,500
33		64,000	68,500	74,000	79,000	85,000
34		64,500	69,000	74,500	80,000	85,500
35		65,500	70,000	75,000	80,500	
36		66,000	70,500	75,500	81,000	
37		66,500	71,000	76,000	81,500	
38		67,500	72,000	77,000	82,000	
39		68,000	72,500	77,500	82,500	
40		68,500	73,000	78,000	83,500	
41		69,500	73,500	78,500	84,000	

Distance in feet between the extremes of any group of 2 or more consecutive axles	Maximum load in pounds carried on any group of 2 or more consecutive axles					
2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles
42		70,000	74,000	79,000	84,500	
43		70,500	75,000	80,000	85,000	
44		71,500	75,500	80,500	85,500	
45		72,000	76,000	81,000		
46		72,500	76,500	81,500		
47		73,500	77,500	82,000		
48		74,000	78,000	83,000		
49		74,500	78500	83,500		
50		75,500	79,000	84,000		
51		76,000	80,000	84,500		
52		76,500	80,500	85,000		
53		77,500	81,000	85,500		
54		78,000	81,500			
55		78,500	82,500			
56		79,500	83,000			
57		80,000	83,500			
58			84,000			
59			85,000			
60			85,500			

except that two consecutive sets of tandem axles may carry a gross load of 34,000 pounds each if the overall distance between the first and last axles is 36 feet or more.

(1) The gross weight on any one axle of a vehicle shall not exceed the limits prescribed in K.S.A. 8-1908, and amendments thereto.

(2) Except as otherwise provided by subsection (e), for vehicles and combinations of vehicles on the interstate system the table in this section shall not authorize a maximum gross weight of more than 80,000 pounds.

(3) The table in this section shall not apply to truck tractor and dump semitrailer or truck trailer combination when such are used as a combination unit exclusively for the

transportation of sand, salt for highway maintenance operations, gravel, slag stone, limestone, crushed stone, cinders, coal, blacktop, dirt or fill material, when such vehicles are used for transportation to a construction site, highway maintenance or construction project or other storage facility, except that such vehicles or combination of vehicles shall not be exempted from any application of the table as may be required to determine applicable axle weights for triple and quad axles as defined in K.S.A. 8-1908, and amendments thereto. As used in this ~~subpart~~ paragraph (3), the term "dump semitrailer" means any semitrailer designed in such a way as to divest itself of the load carried thereon.

(b) Any vehicle registered under the laws of this state which vehicle is designed and used primarily for the transportation of property or for the transportation of 10 or more persons may, at the time of its registration, be subjected by the director of vehicles to investigation or test as may be necessary to enable such director to determine whether such vehicle may safely be operated upon the highways in compliance with all provisions of this act. Every such vehicle shall meet the following requirements:

(1) It shall be equipped with brakes as required in K.S.A. 8-1734, and amendments thereto.

(2) Every motor vehicle to be operated outside of business and residence districts shall have motive power adequate to propel such vehicle and any load thereon or to be drawn thereby, at a speed which will not impede or block the normal and reasonable movement of traffic. Exception to this requirement shall be recognized when reduced speed is necessary for safe operation or when a vehicle or combination of vehicles is necessarily or in compliance with law or police direction proceeding at reduced speed.

(c) It shall be unlawful for any person to operate any vehicle or combination of vehicles with a gross weight in excess of the limitations set forth in article 19 of chapter 8 of Kansas Statutes Annotated, and amendments thereto, except as provided in K.S.A. 8-1911, and amendments thereto.

(d) As used in this section, "interstate system" means the national system of interstate and defense highways.

(e) A vehicle, if operated by an engine fueled primarily by natural gas, may exceed any vehicle weight limit under this section, up to a maximum gross vehicle weight of 82,000 pounds, by an amount that is equal to the difference between:

(1) The weight of the vehicle attributable to the natural gas tank and fueling system carried by that vehicle; and

(2) the weight of a comparable diesel tank and fueling system.";

Also on page 3, in line 8, after "8-1905" by inserting "and 8-1909";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "height" by inserting ", weight"; in line 3, after "K.S.A. 8-1905" by inserting "and 8-1909"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 245** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 245," as follows:

"House Substitute for SENATE BILL NO. 245

By Committee on Transportation

"AN ACT concerning memorial signs; relating to a DUI memorial signage program; enacting the Kyle Thornburg and Kylie Jobe believe act; duties of the secretary of transportation.";

And the substitute bill be passed.

(**H Sub for SB 245** was thereupon introduced and read by title.)

Committee on **Transportation** recommends **SB 349**, as amended by Senate Committee, be passed.

Committee on **Transportation** recommends **SB 373** be amended on page 1, in line 36, by striking "60-day"; also in line 36, after "permit" by inserting "pursuant to K.S.A. 8-2409, and amendments thereto,";

On page 2, in line 5, by striking "60-day"; also in line 5, after "permit" by inserting "pursuant to K.S.A. 8-2409, and amendments thereto,"; in line 10, by striking "15" and inserting "16"; in line 35, after "after" by inserting "January 1, 2017, and"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 382** be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 2015 Supp. 8-1103 is hereby amended to read as follows: 8-1103. (a) Whenever any person providing wrecker or towing service, as defined by law, while lawfully in possession of a vehicle, at the direction of a law enforcement officer or the owner or as provided by a city ordinance or county resolution, renders any service to the owner thereof by the recovery, transportation, protection, storage or safekeeping thereof, a first and prior lien on the vehicle is hereby created in favor of such person rendering such service and the lien shall amount to the full amount and value of the service rendered. The lien may be foreclosed in the manner provided in this act. If the name of the owner of the vehicle is known to the person in possession of such vehicle, then within 15 days, notice shall be given to the owner that the vehicle is being held subject to satisfaction of the lien. Any vehicle remaining in the possession of a person providing wrecker or towing service for a period of 30 days after such wrecker or towing service was provided may be sold to pay the reasonable or agreed charges for such recovery, transportation, protection, storage or safekeeping of such vehicle and personal property therein, the costs of such sale, the costs of notice to the owner of the vehicle and publication after giving the notices required by this act, unless a court order has been issued to hold such vehicle for the purpose of a criminal investigation or for use as evidence at a trial. If a court orders any vehicle to be held for the purpose of a criminal investigation or for use as evidence at a trial, then such order shall be in writing, and the court shall assess as costs the reasonable or agreed charges for the protection, storage or safekeeping accrued while the vehicle was held pursuant to such written order. Any personal property within the vehicle need not be released to the owner thereof until the reasonable or agreed charges for such recovery, transportation or safekeeping have been paid, or satisfactory arrangements for payment have been made, except as provided under subsection (c) or for personal medical supplies which shall be released to the owner thereof upon request. The person in possession of such vehicle and personal property shall be responsible only for the reasonable care of such property. Any personal property within the vehicle not returned to the owner shall be sold at the auction authorized by this act.

(b) At the time of providing wrecker or towing service, any person providing such wrecker or towing service shall give written notice to the driver, if available, of the vehicle being towed that a fee will be charged for storage of such vehicle. Failure to

give such written notice shall invalidate any lien established for such storage fee.

(c) A city ordinance or county resolution authorizing the towing of vehicles from private property shall specify in such ordinance or resolution: (1) The maximum rate such wrecker or towing service may charge for such wrecker or towing service and storage fees; (2) that an owner of a vehicle towed shall have access to personal property in such vehicle for 48 hours after such vehicle has been towed and such personal property shall be released to the owner; and (3) that the wrecker or towing service shall report the location of such vehicle to local law enforcement within two hours of such tow.";

Also on page 1, in line 6, by striking "is" and inserting "and K.S.A. 2015 Supp. 8-1103 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "repealing K.S.A. 8-1107" and inserting "concerning abandoned and disabled vehicles; relating to towing vehicles from private property, ordinance or resolution, requirements"; in line 3, after "service" by inserting "; amending K.S.A. 2015 Supp. 8-1103 and repealing the existing section; also repealing K.S.A. 8-1107"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 405** be passed.

Committee on **Veterans, Military and Homeland Security** recommends **SB 313** be amended on page 1, in line 19, before the first "the" by inserting ":

(1) ";

Also on page 1, in line 19, by striking the comma and inserting ";

(2) ";

Also on page 1, in line 21, by striking the comma and inserting ";

(3) (A) The governor, if the entity being audited is an executive branch agency;

(B) the legislative coordinating council, if the agency being audited is a legislative entity; or

(C) the chief justice of the Kansas supreme court, if the entity being audited is a judicial entity;

(4) "

Also on page 1, in line 22, by striking the comma and inserting ";

(5) ";

Also on page 1, in line 23, after "technology" by inserting a semicolon; also in line 23, after "and" by inserting:

"(6) ";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

Committee on **Vision 2020** recommends **SB 443** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 64, by Representative Connie O'Brien, congratulating Dylan Deters for achieving the rank of Eagle Scout;

Request No. 65, by Representative Marty Read, congratulating Kevin Gleason for 35 years of instruction of Vocational Agriculture at Uniontown Jr/Sr High School ;

Request No. 66, by Representative Marty Read, congratulating Bill Johnston for serving as 2016 President of the Kansas Association of Agriculture Educators and 33 years of career service, 25 of them at Jayhawk-Linn High School;

Request No. 67, by Representative Marty Read, commending The Fort Scott National Historic Site Staff for their contribution to the Fort Scott Symbols of Sacrifice Tribute, honoring American Heroes from the War on Terror;

Request No. 68, by Representative Marty Read, commending Anne Emerson for her contribution to the The Fort Scott Symbols of Sacrifice Tribute, honoring American Heroes from the War on Terror;

Request No. 69, by Representative Marty Read, commending Jim Scott for his contribution to The Fort Scott Symbols of Sacrifice Tribute, honoring American Heroes from the War on Terror;

Request No. 70, by Representative Marty Read, commending Jill Warford for her contribution to The Fort Scott Symbols of Sacrifice Tribute, honoring American Heroes from the War on Terror;

Request No. 71, by Representative Marty Read, commending Fort Superintendent, Betty Boyko for her contribution to the Fort Scott Symbols of Sacrifice Tribute, honoring American Heroes from the War on Terror;

Request No. 72, by Representative Willie Dove, commending Lieutenant Colonel Michael Essary for 28 years of honorable service to his country;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

REPORT ON ENGROSSED BILLS

HB 2595 reported correctly engrossed March 17, 2016.

REPORT ON ENROLLED RESOLUTIONS

HR 6049, **HR 6050** reported correctly enrolled and properly signed on March 18, 2016.

On motion of Rep. Vickrey, the House adjourned until 9:00 a.m., Monday, March 21, 2016.

Journal of the House

FORTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, March 21, 2016, 9:00 a.m.

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

The roll was called with 123 members present.
Reps. Helgerson and Kelley were excused on excused absence by the Speaker.
Present later: Reps. Helgerson, Kelley.

Prayer by Rabbi Zalman Tiechtel, Rohr Chabad Center for Jewish Life, Lawrence, and guest of Rep. Highberger:

> Almighty G-d, Master of the Universe.
>
> The members of this honorable House of Representatives of the State of Kansas, gather here today to do the people's business in good faith and with selfless dedication. In doing so, they fulfill a fundamental precept, which, according to sacred Biblical tradition, You first issued to Adam at the time of his creation and to Noah after the Great Flood - the commandment to govern by just laws.
>
> At mankind's beginning, You issued forth seven universal commandments for all humanity to heed, which came to be known as the "Seven Noahide Laws". The last of those precepts is that every society legislate for itself a system of law, order and social justice, based on the recognition and acknowledgment of You, Almighty G-d, as the Sovereign ruler of all people and of all nations.
>
> Almighty G-d, you created us all in love. Teach us to love all that is good and beautiful in this world.
>
> Teach us to honor the dignity of difference, recognizing that one that is not in our image is nonetheless in your image. Never forgetting that the people not like us, are still people, like us.
>
> At this fateful moment in the human story, bless us all, that we may be a blessing to others.
>
> Guide the nations of the world to honor you by honoring one another. So that by reaching out in love, we may turn enemies into friends and become your family on earth as you are our parent in heaven.
>
> Grant us, Almighty G-d, that those assembled here to enact

laws to govern this blessed State of Kansas be cognizant of Your presence and conduct their deliberations accordingly. Allow them to debate their differences vigorously, but to remember foremost that to legislate for the common good of the people is not only a civic privilege, but also a divinely mandated responsibility.

May they contemplate and bear in mind as they engage in the enactment of just and benevolent law and public policy that in doing so they are fulfilling Your G-dly will. Amen.

The Pledge of Allegiance was led by Rep. Highberger.

INTRODUCTION OF GUESTS

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

Today we'd like to recognize Colby Johnson, a junior at Burlington High School, who won the class 4A State Wrestling Championship this past month. This win tops off an excellent year for Colby, in which he earned his 100th career win and was also recognized as both the Outstanding Wrestler at the Burlington Invitational and Regional Wrestler of the Year at the Columbus Class 4A Regional Tournament. Colby was one of two wrestlers to enter the state tournament undefeated. This year, he made Burlington High School history by becoming the second Burlington wrestler to earn an individual state championship and the first to post an undefeated season with a record of 45-0.

With him today are his parents, Tim and Kristy Johnson, his brother Cael, and his coach, Doug Vander Linden, whose encouragement and support I'm sure has played a huge part in his success.

Congratulations Colby, on your superior proof of strength and agility. We're proud of you.

Rep. Mast presented Colby Johnson and Coach Linden with House certificates.

INTRODUCTION OF GUESTS

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

A few weeks ago I had the opportunity to attend the annual Boys and Girls Club Youth of the Year event here in Topeka. There I got to hear the stories of ten amazing young people who have worked against long odds to improve their lives and to give back to their communities in service to others. Quite a few of you here today were also there, and I am sure that you were as glad as I was that I didn't have to be one of the judges and to have to choose a winner from among those talented and hard-working kids.

But the judges did have to choose, and they selected Jazmyne McNair of Lawrence as 2016 Kansas Boys & Girls Club Youth of the Year. I'd like to tell you a little bit about Jazmyne.

Jazmyne McNair embodies academic success and good character and citizenship every day. As a junior at Lawrence High School, Jazmyne balances a multitude of

extracurricular activities, school projects, working at the Boys & Girls Club, and even finds time to teach Sunday School classes. Her commitment to being in the community is as evident as her passion for helping others find their voice and use it.

Jazmyne has been a member of the LHS orchestra for three years, the choir for three years, the forensic team for three years, and has been part of more than 10 concerts and plays. This forensics season Jazmyne is a two-time State Qualifier, which includes five top-five finishes. In March, she was selected to travel to Chicago with the LHS Symphonic, Philharmonic, and Concert Orchestras.

Away from school, Jazmyne is equally diligent. Since seventh grade, she has volunteered as a Sunday school teacher for all age levels at her church. She is also active with empowering fellow women in her school and community. Though she is still a year away from college, she has aspirations of majoring in music therapy or music education at Kansas State University.

As winner of the state title, Jazmyne will take part in the Southwest Regional Youth of the Year contest June 20 in Dallas. She is joined here today by her mother, Melissa Johnson, Alissa Bauer, Director of Marketing at the Boys & Girls Club of Lawrence, and Colby Wilson, Executive Director of the Boys & Girls Club of Lawrence.

Friends, please join me in congratulating Jazmyne McNair, the 2016 Kansas Boys & Girls Club Youth of the Year.

Rep. Highberger presented Ms. McNair with a framed House certificate.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **SB 404, SB 457**.
Federal and State Affairs: **SB 421**.
Health and Human Services: **SB 422, SB 445**.
Judiciary: **SB 454**.
Taxation: **SB 474**.

MESSAGES FROM THE GOVERNOR

HB 2438 approved on March 18, 2016.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Peck, **HR 6053**, by Rep. Peck, as follows, was introduced and adopted:

HR 6053—A RESOLUTION honoring Frank Foster for his service in World War II, the Korean War and the Vietnam War.

WHEREAS, Frank Foster is one of a small number of Americans still living who served in the United States Armed Forces during World War II, the Korean War and the Vietnam War; and

WHEREAS, Frank Foster served the U.S. Navy as a mechanic for 25 years, from 1942 through 1967, and spent time in Pearl Harbor, Australia, Hong Kong, China,

Singapore, Saudi Arabia, the Suez Canal, the Sahara Desert, the Mediterranean Sea, Gibraltar, Morocco, Norway, England, the Panama Canal, Korea, Vietnam and Japan; and

WHEREAS, Between his deployments to Korea and Vietnam, Frank Foster married his wife, Norma, in 1959 and, together, they raised a family in Elk City, Montgomery County, Kansas; and

WHEREAS, Frank Foster instilled in his five children a deep love and respect for their country and they all went on to serve in the U.S. Armed Forces; and

WHEREAS, The freedoms and security we cherish as Kansans and Americans come at a very high price for those serving in the military, especially in times of conflict. It is, therefore, fitting and proper that we, the beneficiaries of those who risk their lives, express our appreciation and gratitude for their sacrifices and courageous acts at every given opportunity: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we honor Frank Foster for his military service in World War II, the Korean War and the Vietnam War; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send two enrolled copies of this resolution to Representative Peck.

INTRODUCTION OF GUESTS

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

Today we have one of those once in a legislative career opportunities. Not only will we recognize the boys in blue for a World Series Championship, but we have the privilege of honoring a great American Patriot – Frank Foster.

The 94 year-old man standing before you today is a three-war military veteran. Frank Foster served in the U.S. Navy during three wars that involved the United States; World War II, the Korean War, and the Vietnam War. The number of veterans still living who fought for American freedoms in World War II is getting smaller by the month. Additionally, the number of Americans who were willing to give of themselves by serving our nation in World War II, Korea, and Vietnam was not that large to begin with and it is getting very small. Therefore, it is fitting that we bestow special honor today in recognizing and thanking Frank Foster for his sacrificial service to help make this the greatest nation in modern history.

Not only do we thank Frank Foster for a courageous, 25-year military career, but we thank Frank and his wife Norma for instilling a great love of country in their five children. All five of Frank and Norma's children also served in the United States military. Their oldest, Michael, served in the US Army and retired from the Army National Guard; Greg attended the US Naval Academy and served in the Navy Reserves; James retired from the US Army Special Forces; Charles served in and retired from the US Air Force; and their youngest, and only girl, Michelle served eight years in the US Navy. When you add it all up, Frank Foster and his five children served in the United States Armed Forces for a total of 129 years.

Please join me in thanking and honoring a Great American – Frank Foster

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Schwab, **HR 6054**, by Reps. Merrick, Burroughs, Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Campbell, Carlin, Carmichael, Carpenter, Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, Jones, Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Whipple, Whitmer, Williams, Wilson, Winn and Wolfe Moore, as follows, was introduced and adopted:

HR 6054—A RESOLUTION congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

A RESOLUTION congratulating and commending the Kansas City Royals baseball organization on their World Championship 2015 season.

WHEREAS, The Kansas City Royals are the 2015 World Series Champions, earning the title of World Champions of Major League Baseball; and

WHEREAS, The Kansas City Royals are also the 2015 American League Central Division Champions and won the 2015 American League pennant for the second year in a row; and

WHEREAS, The Kansas City Royals won an American League leading 95 games, and won 11 more games in the postseason, culminating in a dominant World Series victory over the New York Mets in five games, in the best-of-seven annual championship classic, earning the Royals their first championship since 1985; and

WHEREAS, The 2015 World Series matchup between the Royals and the Mets featured the first-ever Fall Classic between two of Major League Baseball's expansion franchises; and

WHEREAS, Game one of the World Series was played on October 27, 2015, which exactly 30 years prior to such day, on October 27, 1985, the Kansas City Royals won game seven and their first World Series Championship; and

WHEREAS, With the first pitch in the bottom of the first inning of the first game of the 2015 World Series, Royals shortstop, Alcides Escobar hit the first inside-the-park home run by a lead-off hitter in a World Series game since 1903; and

WHEREAS, The opening game also set the tone for this memorable series when Royals All-Star Alex Gordon sent the game into extra innings in the ninth inning, becoming only the fifth player in history to tie a World Series game with a ninth-inning home run. The Royals went on to a dramatic victory in the 14-inning contest, which matched the longest game in World Series history; and

WHEREAS, The Kansas City Royals catcher, Salvador Perez, was chosen as the Most Valuable Player of the 2015 World Series, for being the player selected as having

the most impact on the performance of the Royals in the World Series; and

WHEREAS, Time and time again, the Kansas City Royals found a way to rally in late innings to win a critical game and turn the improbable into the probable, which was no more apparent than in the championship-clinching game five of the World Series, where the Royals scored two runs in the ninth inning, and scored five runs in the 12th inning, for the victory; and

WHEREAS, Named to the 2015 American League All-Star team were seven Kansas City Royals: Salvador Perez, Alcides Escobar, Lorenzo Cain and Alex Gordon, as starters, and Mike Moustakas, Kelvin Herrera and Wade Davis; and

WHEREAS, The owners, manager, coaches, trainers, other associated organizational persons, and most of all, the players of the Kansas City Royals baseball organization are to be congratulated and commended for their outstanding efforts in earning the title of 2015 World Champions of Major League Baseball: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That the Kansas City Royals baseball club and all persons connected therewith, including all Royals fans, be congratulated on their outstanding 2015 Major League baseball season, and winning their second World Championship; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send enrolled copies of this resolution to the Kansas City Royals baseball club.

INTRODUCTION OF GUESTS

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

Colleagues,

"We're all told some at point in time that we can no longer play the children's game. Some of us are told at 18, some of us are told at 40. But we're all told"

That is one of my favorite lines from the movie, "Moneyball". It puts into perspective what baseball is. It is a kids game kids play. And a select few get to play the kids game like kids while being grown ups. I remember being that kid, lying on the living room floor in 1985 when Denny Mathews said, "And no outs to go." The Kansas City Royals got their first World Series Trophy.

Last November 3 of my 4 boys were lying on the living room floor watching men, play baseball like little kids. Taking chances, stealing home, making clutch hits, secret handshakes, high fives, gatorade baptisms, a catcher harassing a center fielder, a first baseman who has his own haircut……that my son Caleb right their is sporting…..a magic number 1738, and a rookie driving in the ahead run.

This time we would hear Ryan Lefebvre say, "One ball, two strikes. Davis comes to the plate…Strike three called!!!!! They've done it!! The Royals are World Series Champions.The World Champion Kansas City Royals."

I have with me here today the famous KayCee, Curt Nelson—Director of the Royals Hall of Fame, and Toby Cook, Vice President of Publicity.

Gentleman, please send our thank to Mr. Glass, Mr. Dayton Moore, Coach Ned Yost, and all the men who played the boys game like grown boys and brought home that piece of hardware right there…..The World Series Trophy. And Thank you for the memories you gave myself and my four sons and the entire region.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Esau, **HR 6047**, A RESOLUTION encouraging the department of health and environment to develop guidelines for the disposal of household generated sharps, was adopted.

There being no objections, the following remarks of Rep. Esau are spread upon the Journal:

As some of you know, I have been a Type I diabetic for almost 35 years. This means I give myself injections of insulin and test my blood sugar several times a day.

Each injection and every test requires the use of a "sharp" item – either a needle or a lancet. These sharps must be disposed safely after each use and as such, I place them in a plastic container and seal and dispose of that container when it is full.

In the 35 years I have been diabetic, I have never received instruction on how to properly dispose of these sharps. While I researched and found the proper way, it is unfortunate that many people who must dispose of sharps mistakenly place them in with the recyclable items.

This resolution would help on instruction of proper disposal.

CONSENT CALENDAR

No objection was made to **SB 443** appearing on the Consent Calendar for the first day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

H Sub for SB 249, AN ACT concerning the authority of state agencies to enter into indebtedness on behalf of the state; relating to the issuance of bonds by the Kansas development finance authority; monthly reports by the authority; amending K.S.A. 74-8913 and K.S.A. 2015 Supp. 74-8905 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 8; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusk, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn.

Nays: Ballard, Carlin, Kuether, Lusker, C. Smith, Tietze, Ward, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Helgerson, Kelley, Suellentrop.

The substitute bill passed, as amended.

H Sub for SB 255, AN ACT concerning court fees and funds; amending K.S.A. 2015 Supp. 21-6614 and repealing the existing section; reviving and amending K.S.A. 5-517 and 20-166 and K.S.A. 2013 Supp. 20-1a04, 28-172b, 74-7325, 74-7334 and 75-7021 and repealing the revived sections; also repealing K.S.A. 5-517, as amended by section 5 of chapter 82 of the 2014 Session Laws of Kansas, and 20-166, as amended by section 8 of chapter 82 of the 2014 Session Laws of Kansas; K.S.A. 2013 Supp. 20-1a04, as amended by section 6 of chapter 82 of the 2014 Session Laws of Kansas, 20-367, 21-6614d, 28-172b, as amended by section 28 of chapter 82 of the 2014 Session Laws of Kansas, 38-2312c, 60-2001b, 74-7325, as amended by section 38 of chapter 82 of the 2014 Session Laws of Kansas, 74-7334, as amended by section 39 of chapter 82 of the 2014 Session Laws of Kansas, and 75-7021, as amended by section 42 of chapter 82 of the 2014 Session Laws of Kansas; and K.S.A. 2015 Supp 20-1a16 and 21-6614f, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Helgerson, Kelley, Suellentrop.

The substitute bill passed.

SB 329, AN ACT concerning water; relating to multi-year flex accounts; amending K.S.A. 2015 Supp. 82a-708c and 82a-736 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers,

Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Helgerson, Kelley.

The bill passed.

SB 330, AN ACT concerning conservation; establishing the Kansas conservation reserve enhancement program, was considered on final action.

On roll call, the vote was: Yeas 97; Nays 26; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Curtis, E. Davis, Dierks, Doll, Dove, Edmonds, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Goico, Gonzalez, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Hoffman, Houston, Huebert, Hutton, Jennings, Johnson, D. Jones, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lusk, Lusker, Mason, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, Proehl, Rahjes, Read, Rhoades, Rooker, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, S. Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barton, B. Carpenter, Corbet, DeGraaf, Esau, Garber, Grosserode, Hedke, Highland, Hildabrand, Houser, Hutchins, K. Jones, Kahrs, Lunn, Macheers, Mast, McPherson, R. Powell, Rubin, Scapa, Suellentrop, Sutton, Todd, Weber, C., Whitmer.

Present but not voting: None.

Absent or not voting: Helgerson, Kelley.

The bill passed.

SB 367, AN ACT concerning children and minors; relating to juvenile justice; amending K.S.A. 12-4112, 20-167, 75-3722 and 75-6704 and K.S.A. 2015 Supp. 8-241, 8-2110, 12-4117, 38-2202, 38-2232, 38-2242, 38-2243, 38-2260, 38-2288, 38-2302, 38-2304, 38-2313, 38-2325, 38-2330, 38-2331, 38-2332, 38-2342, 38-2343, 38-2344, 38-2346, 38-2347, 38-2360, 38-2361, {38-2364,} 38-2367, 38-2368, 38-2369, 38-2371, 38-2372, 38-2373, 38-2374, 38-2375, 38-2376, 38-2377, 38-2389, 65-5603, 72-1113, 72-8222, 72-89b03, 72-89c02, 74-4914, 75-7023, 75-7038, 75-7044, 75-7046 and 79-4803 and repealing the existing sections; also repealing K.S.A. 2015 Supp. 38-2334 and 38-2335, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 6; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Estes, Ewy, Finch, Finney, Francis, Frownfelter,

Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Esau, Kahrs, Mast, Tietze, Ward, Waymaster.

Present but not voting: None.

Absent or not voting: Helgerson, Kelley.

The bill passed, as amended.

SB 412, AN ACT concerning counties; relating to the grant of an easement to a water district, conditions and purposes; amending K.S.A. 19-3521b and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Helgerson, Kelley.

The bill passed.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Rhoades in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2471**, **SB 485**, **SB 484**, **SB 352** be passed.

HB 2739, **H Sub for SB 149**, **H Sub for SB 63**, **HB 2724** be passed over and retain a place on the calendar (see further action Afternoon Session page 2347)

Committee report recommending a substitute bill to **H Sub for SB 245** be adopted; and the substitute bill be passed.

Committee report recommending a substitute bill to **H Sub for SB 402** be adopted; and the substitute bill be passed.

Committee report recommending a substitute bill to **Sub HB 2054** be adopted.

On motion of Rep. Pauls, **Sub HB 2054** be amended on page 1, in line 7, after the first comma by inserting "and"; also in line 7, by striking the second comma and inserting "and"; in line 8, by striking "and otherwise participate in government" and inserting ", in connection with a public issue or issue of public interest"; in line 21, by striking "matter of public concern" and inserting "public issue or issue of public interest";

On page 2, in line 4, by striking all after "other"; in line 5, by striking "concern" and inserting "public issues or issues of public interest"; in line 15, after "communication" by inserting "or conduct"; in line 22, by striking "Matter of public concern" and inserting "Public issue or issue of public interest";

On page 4, in line 12, after "customer" by inserting ", except as provided in subsection (i)"; in line 15, after "(i)" by inserting "Subsection (h)(2) shall not apply to any action against any person or entity based upon the creation, dissemination, exhibition, advertisement or other similar promotion of any dramatic, literary, musical, political or artistic work, including, but not limited to, a motion picture or television program, or an article published in a newspaper or magazine of general circulation.

(j)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly

and the substitute bill be passed as amended.

Committee report recommending a substitute bill to **H Sub for SB 168** be adopted; and the substitute bill be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **HB 2587** be amended on page 3, in line 4, after "(f)" by inserting "If a city or county is a defendant in litigation arising from enforcing the federal immigration laws to the full extent permitted by federal law, the attorney general shall, at the request of the city or county, defend the city or county in the litigation. All costs incurred by the attorney general to defend a city or county as provided in this subsection, including payment of court costs, shall be paid from the state general fund.

(g) If a city or county incurs liability for enforcing the federal immigration laws to the full extent permitted by federal law, the city or county responsible for the costs incurred shall be reimbursed for such costs by filing a claim against the state pursuant to article 9 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto.

(h) ";

On page 1, in the title, in line 3 before the period, by inserting "; litigation against municipality, defense by attorney general, claim against the state";

And the bill be passed as amended.

Committee on **Judiciary** recommends **Substitute for SB 428**, as amended by Senate Committee of the Whole, be amended on page 1, in line 16, by striking all after the period; by striking all in lines 17 through 24; in line 28, after the period by inserting "The procedures should include:

(1) Use of blind and blinded procedures;

(2) instructions to the witness that the perpetrator may or may not be present;

(3) use of non-suspect fillers who are reasonably similar to the perpetrator and do not make the suspect stand out; and

(4) after an identification is made by the witness, eliciting a confidence statement, in the witness's own words, regarding the level of certainty in the selection."; and the bill be passed as amended.

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

AFTERNOON SESSION

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

MESSAGES FROM THE SENATE

The Senate nonconcurs in House amendments to **SB 318**, requests a conference and has appointed Senators Olson, Petersen and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2131** and has appointed Senators Olson, Petersen and Francisco as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 318**.

Speaker Merrick thereupon appointed Reps. Hedke, Corbet and Kuether as conferees on the part of the House.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Gonzalez, the House nonconcurred in Senate amendments to **HB 2501** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Gonzalez, Pauls and Highberger as conferees on the part of the House.

On motion of Rep. Gonzalez, the House nonconcurred in Senate amendments to **HB 2462** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Gonzalez, Pauls and Highberger as conferees on the part of the House.

On motion of Rep. Gonzalez, the House nonconcurred in Senate amendments to **HB 2545** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Gonzalez, Pauls and Highberger as conferees on the part of the House.

On motion of Rep. Gonzalez, the House nonconcurred in Senate amendments to **HB 2447** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Gonzalez, Pauls and Highberger as conferees on the part of the House.

On motion of Rep. Hawkins, the House nonconcurred in Senate amendments to **HB 2615** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Hawkins, Dove and Ward as conferees on the part of the House.

On motion of Rep. Schwab, the House nonconcurred in Senate amendments to **HB 2446** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Schwab, Kelly and Houston as conferees on the part of the House.

On motion of Rep. Highland, the House nonconcurred in Senate amendments to **S Sub for HB 2008** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Highland, Lunn and Winn as conferees on the part of the House.

On motion of Rep. Highland, the House nonconcurred in Senate amendments to **HB 2622** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Highland, Lunn and Winn as conferees on the part of the House.

On motion of Rep. Barker, the House nonconcurred in Senate amendments to **S Sub for HB 2112** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

On motion of Rep. Barker, the House nonconcurred in Senate amendments to **Sub HB 2151** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

On motion of Rep. Huebert, the House nonconcurred in Senate amendments to **HB 2163** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Huebert, Phillips and Alcala as conferees on the part of the House.

On motion of Rep. Huebert, the House nonconcurred in Senate amendments to **HB 2164** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Huebert, Phillips and Alcala as conferees on the part of the House.

On motion of Rep. Proehl, the House nonconcurred in Senate amendments to **Sub HB 2473** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Proehl, Ryckman, Sr. and Lusker as conferees on the part of the House.

On motion of Rep. Proehl, the House nonconcurred in Senate amendments to **HB 2522** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Proehl, Ryckman, Sr. and Lusker as conferees on the part of the House.

On motion of Rep. Proehl, the House nonconcurred in Senate amendments to **HB 2563** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Proehl, Ryckman, Sr. and Lusker as conferees on the part of the House.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Garber in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2739**, **HB 2553**, **SB 392**, **SB 225**, **SB 459**, **SB 349**, **SB 362**, **SB 438** be passed.

Committee report recommending a substitute bill to **H Sub for SB 149** be adopted; and the substitute bill be passed.

Committee report recommending a substitute bill to **H Sub for SB 63** be adopted.

Roll call was demanded on motion of Rep. Sawyer to amend **H Sub for SB 63** on page 38, in line 12, by striking the second "and";

On page 39, in line 11, after "2019" by inserting "; and

(mmmm) all sales of tangible personal property purchased by or on behalf of the assistance league of Wichita, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing services to members of the community through the provision of philanthropic projects, and all sales of any such property by or on behalf of such organization for such purpose";

On page 1, in the title, in line 3, after the period by inserting ", the assistance league of Wichita"

On roll call, the vote was: Yeas 42; Nays 78; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcala, Ballard, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Curtis, Doll, Finney, Frownfelter, Goico, Hawkins, Helgerson, Henderson, Henry, Hibbard, Highberger, Houston, Hutton, Kuether, Lusk, Lusker, Moxley, Ousley, Pauls, Ruiz, Sawyer, Scapa, Schroeder, Scott, Tietze, Todd, Trimmer, Victors, Ward, Weber, C., Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, B. Carpenter, W. Carpenter, Claeys, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Dove, Esau, Estes, Ewy, Finch, Francis, Gallagher, Garber, Gonzalez, Grosserode, Hedke, Hemsley, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Hutchins, Jennings, Johnson, D. Jones, K. Jones, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, F. Patton, Peck,

Phillips, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Schwab, Schwartz, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Vickrey, Waymaster, Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Edmonds, Huebert, Kahrs, Kelley, R. Powell.

The motion of Rep. Sawyer did not prevail.

Also, roll call was demanded on motion of Rep. Houston to amend **H Sub for SB 63**, on page 38, in line 12, by striking the second "and";

On page 39, in line 11, after "2019" by inserting "; and

(mmmm) all sales of tangible personal property and services purchased by the Kansas DUI impact center, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of helping DUI victims by reducing the traumatic effects a crash caused by an impaired driver has on individuals and their families while increasing awareness of the human consequences of vehicular crime committed under the influence of drugs and alcohol through community outreach, education and prevention, and all sales of any such property by or on behalf of the Kansas DUI impact center, inc., for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the Kansas DUI impact center, inc., for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by the Kansas DUI impact center, inc. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling of such facilities for the Kansas DUI impact center, inc. When the Kansas DUI impact center, inc., contracts for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the Kansas DUI impact center, inc., a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the Kansas DUI impact center, inc., shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for

any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto";
On page 1, in the title, in line 3, after "inc." by inserting ", Kansas DUI impact center, inc."

On roll call, the vote was: Yeas 37; Nays 81; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcala, Anthimides, Ballard, Burroughs, Campbell, Carlin, Carmichael, W. Carpenter, Curtis, Doll, Dove, Finney, Frownfelter, Hedke, Helgerson, Henderson, Henry, Highberger, Houston, Hutton, Kuether, Lusk, Lusker, Mason, Ousley, Ruiz, Sawyer, Scapa, Scott, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, B. Carpenter, Clark, Clayton, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Esau, Estes, Ewy, Finch, Francis, Gallagher, Garber, Goico, Gonzalez, Hawkins, Hemsley, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Huebert, Hutchins, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Macheers, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Peck, Phillips, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Schroeder, Schwartz, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Claeys, Edmonds, Grosserode, Hill, Kelley, R. Powell, Schwab.

The motion of Rep. Houston did not prevail and the substitute bill be passed.

On motion of Rep. Lunn, **HB 2724** be amended on page 8, following line 39, by inserting:

"New Sec. 2. (a) Each participating employer shall report to the system the amount of vacation leave and sick leave each member has accumulated and the member's rate of compensation, as of July 1, 2016. Upon request of the executive director, any state agency or participating employer shall provide such additional information as may be needed by the executive director to carry out the provisions of this section. Such report shall be made to the system by September 1, 2016.

(b) The provisions of this section shall apply to participating employers in the Kansas police and firemen's retirement system, K.S.A. 74-4951 et seq., and amendments thereto.

(c) The provisions of this section shall be part of and supplemental to the provisions of K.S.A. 74-4901 et seq., and amendments thereto.";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "system" by inserting "and systems thereunder"; in line 3, after the second semicolon by inserting "reporting requirements of participating employers;" and the bill be passed as amended.

On motion of Rep. Highberger, **SB 366** be amended on page 1, following line 16, by inserting:

"(c) This section shall not impair the right of any owner of privately owned property to enter into a voluntary agreement with a political subdivision to agree to requirements that would have the effect of controlling the amount of rent charged or the purchase price agreed upon between the parties to the transaction for the lease or purchase of privately owned property in return for grants or incentives provided by the political subdivision to the owner of privately owned property." ; and the bill be passed as amended.

Committee report to **HB 2665** be adopted.

On motion of Rep. Frownfelter to amend **HB 2665**, the motion did not prevail.

Also, on further motion of Rep. Frownfelter to amend, the motion did not prevail.

Also, roll call was demanded on motion of Rep. Curtis to amend **HB 2665** as amended by House Committee, on page 1, in line 12, after the period by inserting "This subsection shall not be construed to prevent interior inspections of privately owned residential property, whether or not the lawful occupant or owner consents, in Wyandotte County, Kansas at the time: (1) The privately owned residential property is first licensed under a residential property licensing ordinance or resolution; or (2) a change of the lawful occupant or in ownership of residential property, licensed under a residential property licensing ordinance or resolution, occurs in Wyandotte County, Kansas. This subsection will sunset June 30, 2021."

On roll call, the vote was: Yeas 55; Nays 64; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Ballard, Barker, Becker, Boldra, Bollier, Burroughs, Campbell, Carlin, Clark, Clayton, Curtis, Dierks, Doll, Dove, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Helgerson, Henderson, Hibbard, Highberger, Highland, Hill, Hineman, Houston, Jennings, Kuether, Lewis, Lusk, Lusker, Moxley, Ousley, F. Patton, Phillips, Ruiz, Ryckman Sr., Sawyer, Schroeder, Scott, Sloan, C. Smith, S. Swanson, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Anthimides, Barton, Billinger, Bradford, Bruchman, Carmichael, B. Carpenter, W. Carpenter, Claeys, Concannon, Corbet, E. Davis, DeGraaf, Esau, Estes, Garber, Goico, Grosserode, Hawkins, Hedke, Hemsley, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, Peck, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Scapa, Schwab, Schwartz, Seiwert, Sutton, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Edmonds, Henry, Kleeb, Rooker, Ryckman, Suellentrop.

The motion of Rep. Curtis did not prevail and the bill be passed as amended.

Committee report to **HCR 5022** be adopted; and the resolution be adopted as amended.

Committee report to **SB 418** be adopted; and the bill be passed as amended.

Committee report to **SB 387** be adopted; and the bill be passed as amended.

Committee report to **SB 326** be adopted; and the bill be passed as amended.

Committee report to **SB 373** be adopted; and the bill be passed as amended.

Committee report to **Sub for SB 99** be adopted.

On motion of Rep. Peck to amend **Sub for SB 99**, the motion did not prevail; and the bill be passed as amended.

Committee report recommending a substitute bill to **H Sub for SB 227** be adopted; and the substitute bill be passed.

Committee report to **SB 388** be adopted; and the bill be passed as amended.

Committee report to **Sub SB 323** be adopted.

On motion of Rep. O'Brien, **Sub SB 323** be amended, as amended by House Committee, on page 1, in line 5, before "Section" by inserting "New"; following line 30, by inserting:

"Sec. 2. K.S.A. 2015 Supp. 72-89d01 is hereby amended to read as follows: 72-89d01. K.S.A. 2015 Supp. 72-89d01 through 72-89d08 and section 8, and amendments thereto, shall be known and may be cited as the freedom from unsafe restraint and seclusion act.

Sec. 3. K.S.A. 2015 Supp. 72-89d02 is hereby amended to read as follows: 72-89d02. As used in K.S.A. 2015 Supp. 72-89d01 through 72-89d07, and amendments thereto:

(a) "Appointing authority" means a group of persons empowered by statute to make human resource decisions that affect the employment of officers.

(b) "Campus police officer" means a school security officer designated by the board of education of any school district pursuant to K.S.A. 72-8222, and amendments thereto.

(c) "Chemical restraint" means the use of medication to control a student's violent physical behavior or restrict a student's freedom of movement.

(d) "Commissioner" means the commissioner of education.

(e) "Complaint" means a written document that a parent files with a local board as provided for in this act.

~~(a)~~ (f) "Department" means the state department of education.

~~(b)~~ (g) "Emergency safety intervention" means the use of seclusion or physical restraint, but does not include the use of time-out.

(h) "Hearing officer" means the state department employee designated to conduct an administrative review.

(i) "Incident" means each occurrence of the use of an emergency safety intervention.

(j) "Law enforcement officer" and "police officer" means a full-time or part-time salaried officer or employee of the state, a county or a city, whose duties include the prevention or detection of crime and the enforcement of criminal or traffic law of this state or any Kansas municipality. This term includes a campus police officer.

(k) "Legitimate law enforcement purpose" means a goal within the lawful authority of an officer that is to be achieved through methods or conduct condoned by the officer's appointing authority.

(l) "Local board" means the board of education of a district or the governing body

of any accredited nonpublic school.

(m) "Mechanical restraint" means any device or object used to limit a student's movement.

~~(c)~~ (n) "Parent" means: (1) A natural parent; (2) an adoptive parent; (3) a person acting as a parent as defined in K.S.A. 72-1046(d)(2), and amendments thereto; (4) a legal guardian; (5) an education advocate for a student with an exceptionality; (6) a foster parent, unless the student is a child with an exceptionality; or (7) a student who has reached the age of majority or is an emancipated minor.

(o) "Physical escort" means the temporary touching or holding the hand, wrist, arm, shoulder or back of a student who is acting out for the purpose of inducing the student to walk to a safe location. Physical escort shall not be considered an emergency safety intervention.

~~(d)~~ (p) "Physical restraint" means bodily force used to substantially limit a student's movement, except that consensual, solicited or unintentional contact and contact to provide comfort, assistance or instruction shall not be deemed to be physical restraint.

~~(e)~~ (q) "School" means any learning environment, including any nonprofit institutional day or residential school or accredited nonpublic school, that receives public funding or which is subject to the regulatory authority of the state board of education.

(r) "School resource officer" means a law enforcement officer or police officer employed by a local law enforcement agency who is assigned to a district through an agreement between the local law enforcement agency and the district.

(s) "School security officer" means a person who is employed by a board of education of any school district for the purpose of aiding and supplementing state and local law enforcement agencies in which the school district is located, but is not a law enforcement officer or police officer.

~~(f)~~ (t) "Seclusion" means placement of a student in a location where all the following conditions are met:

(1) The student is placed in an enclosed area by school personnel;

(2) the student is purposefully isolated from adults and peers; and

(3) the student is prevented from leaving, or the student reasonably believes that such student will be prevented from leaving, the enclosed area.

(u) "State board" means the Kansas state board of education.

(v) "Time-out" means a behavioral intervention in which a student is temporarily removed from a learning activity without being secluded.

Sec. 4. K.S.A. 2015 Supp. 72-89d03 is hereby amended to read as follows: 72-89d03. (a) Emergency safety interventions shall be used only when a student presents a reasonable and immediate danger of physical harm to such student or others with the present ability to effect such physical harm. Less restrictive alternatives to emergency safety interventions, such as positive behavior interventions support, shall be deemed inappropriate or ineffective under the circumstances by the school employee witnessing the student's behavior prior to the use of any emergency safety interventions. The use of an emergency safety ~~interventions~~ intervention shall cease as soon as the immediate danger of physical harm ceases to exist. Violent action that is destructive of property may necessitate the use of an emergency safety intervention. Use of an emergency safety intervention for purposes of discipline, punishment or for the convenience of a school employee shall not meet the standard of immediate danger of physical harm.

(b) A student shall not be subjected to ~~seclusion~~ an emergency safety intervention if the student is known to have a medical condition that could put the student in mental or physical danger as a result of ~~seclusion~~ the emergency safety intervention. The existence of such medical condition must be indicated in a written statement from the student's licensed health care provider, a copy of which shall be provided to the school and placed in the student's file. Such written statement shall include an explanation of the student's diagnosis, a list of any reasons why an emergency safety intervention would put the student in mental or physical danger and any suggested alternatives to the use of emergency safety interventions. Notwithstanding the provisions of this subsection, a student may be subjected to an emergency safety intervention, if not subjecting the student to an emergency safety intervention would result in significant physical harm to the student or others.

(c) When a student is placed in seclusion, a school employee shall be able to see and hear the student at all times.

(d) All seclusion rooms equipped with a locking door shall be designed to ensure that the lock automatically disengages when the school employee viewing the student walks away from the seclusion room, or in cases of emergency, such as fire or severe weather.

(e) A seclusion room shall be a safe place with proportional and similar characteristics as other rooms where students frequent. Such room shall be free of any condition that could be a danger to the student, and shall be well-ventilated and sufficiently lighted.

(f) The following types of restraint shall be prohibited:

(1) Prone, or face-down, physical restraint; supine, or face-up physical restraint; physical restraint that obstructs the airway of a student; or any physical restraint that impacts a student's primary mode of communication;

(2) chemical restraint, except as prescribed treatments for a student's medical or psychiatric condition by a person appropriately licensed to issue such treatments; and

(3) mechanical restraint, except those protective or stabilizing devices either ordered by a person appropriately licensed to issue the order for the device or required by law, any device used by a certified law enforcement officer in carrying out law enforcement duties, seatbelts and any other safety equipment when used to secure students during transportation.

(g) Each local board shall develop and implement written policies to govern the use of emergency safety interventions in schools. At a minimum, written district policies shall conform to the standards, definitions and requirements of this act.

Such written policies shall include that:

(1) (A) School personnel training shall be designed to meet the needs of personnel as appropriate to their duties and potential need for the use of emergency safety interventions;

(B) training shall address prevention techniques, de-escalation techniques and positive behavioral intervention strategies;

(C) training shall be consistent with nationally recognized training programs; and

(D) schools shall maintain written or electronic documentation on training provided and lists of participants in each training for inspection by the Kansas state board of education;

(2) a local dispute resolution process shall be developed, which shall include the

following:

(A) A procedure for a parent to file a complaint with the local board. If a parent believes that an emergency safety intervention has been used on the parent's child in violation of the act, rules and regulations or the local board's emergency safety intervention policy, the parent may file a complaint within 30 days of the date on which the parent was informed of the use of the emergency safety intervention;

(B) a procedure for complaint investigation;

(C) a procedure to implement a dispute-resolution final decision. The local board's decision shall be in writing and shall include findings of fact and any corrective action required by the school if the local board deems such action necessary. The local board's final decision shall be mailed to the parent and the department within 30 days of the the local board's receipt of the complaint; and

(D) a procedure setting out the parent's right to request an administrative review by the state board, including information as to the deadline by which the parent must submit the request to the state board;

(3) a system for the collection and maintenance of documentation for each use of an emergency safety intervention as set forth in K.S.A. 2015 Supp. 72-89d04, and amendments thereto;

(4) a procedure for the periodic review of the use of emergency safety interventions at each school, which shall be compiled and submitted at least biannually to the superintendent or the superintendent's designee; and

(5) a schedule for when and how parents are provided with notice of the local board's written policies on the use of emergency safety interventions.

(h) Written policies developed pursuant to this act shall be accessible on each school's website and shall be included in each school's code of conduct, school safety plan or student handbook.

(i) (1) Campus police officers and school resource officers shall be exempt from the requirements of this act when engaged in an activity that has a legitimate law enforcement purpose.

(2) School security officers shall not be exempt from the requirements of this act.

Sec. 5. K.S.A. 2015 Supp. 72-89d04 is hereby amended to read as follows: 72-89d04. (a) (1) When a student is subjected to an emergency safety intervention, the school shall notify the parent~~, or if a parent cannot be notified, then shall notify an emergency contact person for such student,~~ on the same day the emergency safety intervention was used. If the school is unable to contact the parent, the school shall attempt to contact the parent using at least two methods of contact. The same-day notification requirement of this subsection shall be deemed satisfied if the school attempts at least two methods of contact. A parent may designate a preferred method of contact to receive the same-day notification required by this subsection. A parent may agree, in writing, to receive only one same-day notification from the school for multiple incidents occurring on the same day. Written documentation of the use of an emergency safety ~~interventions used~~ intervention shall be completed and provided to the parent no later than the school day following the day on which the emergency safety intervention was used. Such written documentation shall include: (A) The events leading up to the incident; (B) student behaviors that necessitated the emergency safety intervention; (C) steps taken to transition the student back into the educational setting; (D) the date and time the incident occurred, the type of emergency safety intervention used, the duration

of the emergency safety intervention and the school personnel who used or supervised the emergency safety intervention; (E) space or an additional form for parents to provide feedback or comments to the school regarding the incident; (F) a statement that invites and strongly encourages parents to schedule a meeting to discuss the incident and how to prevent future use of emergency safety interventions; and (G) email and phone information for the parent to contact the school to schedule the emergency safety intervention meeting. Schools may group incidents together when documenting the items in subparagraphs (A), (B) and (C) if the triggering issue necessitating the emergency safety interventions is the same.

(2) The parent shall be provided the following information after the first incident in which an emergency safety intervention is used during the school year, and may be provided such information after each subsequent incident that occurs during the school year: ~~(1)~~ (A) A copy of the standards of when emergency safety interventions can be used; ~~(2)~~ (B) a flyer on the parent's rights; ~~(3)~~ (C) information on the parent's right to file a complaint through the local dispute resolution process and the complaint process of the state board of education; and ~~(4)~~ (D) information that will assist the parent in navigating the complaint process, including contact information for the parent training and information center and protection and advocacy system. Upon the first occurrence of an incident involving the use of emergency safety interventions, the parent shall be provided the foregoing information in printed form~~, and~~ or, upon the parent's written request, by email. Upon the occurrence of a second or subsequent incident, the parent shall be provided with a full and direct website address containing such information.

(b) ~~If a parent believes emergency safety interventions have been used in violation of this act, rules and regulations adopted pursuant thereto or policies of the school district, then within 30 days from being informed of the use of emergency safety intervention, such parent may file a complaint through the local dispute resolution process. A parent may file a complaint under the state board of education complaint process within 30 days from the date a final decision is issued pursuant to the local dispute resolution process~~ If a school is aware that a law enforcement officer or school resource officer has used seclusion, physical restraint or mechanical restraint on a student, the school shall notify the parent the same day using the parent's preferred method of contact. A school shall not be required to provide written documentation to a parent, as set forth in subsection (a)(1) regarding law enforcement use of an emergency safety intervention, or report to the department law enforcement use of an emergency safety intervention. For purposes of this subsection, mechanical restraint includes, but is not limited to, the use of handcuffs.

(c) The department shall compile reports from schools on the use of emergency safety interventions and provide the results based on aggregate data on the department website, and to the governor and the committees on education in the senate and the house of representatives by January 20, 2016, and annually thereafter. The department's reported results shall include, but shall not be limited to, the following information:

(1) The number of incidents in which emergency safety interventions were used on students who have an individualized education program;

(2) the number of incidents in which emergency safety interventions were used on students who have a section 504 plan;

(3) the number of incidents in which emergency safety interventions were used on students who do not have an individualized education program or a section 504 plan;

(4) the total number of incidents in which emergency safety interventions were used on students;

(5) the total number of students with behavior intervention plans subjected to an emergency safety intervention;

(6) the number of students physically restrained;

(7) the number of students placed in seclusion;

(8) the maximum and median number of minutes a student was placed in seclusion;

(9) the maximum number of incidents in which emergency safety interventions were used on a student;

(10) the information reported under subsection (c)(1) through (c)(3) ~~reported~~ by the school to the extent possible;

(11) the information reported under subsections (c)(1) through (c)(9) aggregated by age ~~and~~, ethnicity, gender and eligibility for free and reduced lunch of the students on a statewide basis; and

(12) such other information as the department deems necessary to report.

Sec. 6. K.S.A. 2015 Supp. 72-89d05 is hereby amended to read as follows: 72-89d05. (a) ~~If there is a third incident involving the use of emergency safety interventions within a school year on~~ After each incident, a parent may request a meeting with the school to discuss and debrief the incident. A parent may request such meeting verbally, in writing or by electronic means. A school shall hold a meeting requested under this subsection within 10 school days of the parent's request. The focus of any meeting convened under this subsection shall be to discuss proactive ways to prevent the need for emergency safety interventions and to reduce incidents in the future.

(1) For a student who has an individualized education program or a section 504 plan, ~~then~~ such student's individualized education program team or section 504 plan team shall ~~meet within 10 days after such third incident to~~ discuss the incident and consider the need to conduct a functional behavioral analysis, develop a behavior intervention plan or amend either if already in existence~~, unless the individualized education program team or the section 504 plan team has agreed on a different process~~. For a student with a section 504 plan, such student's section 504 plan team shall discuss and consider the need for an evaluation under the special education for exceptional children act, K.S.A. 72-961 et seq., and amendments thereto. For students who have an individualized education program and are placed in a private school by a parent, a meeting called under this subsection shall include the parent and the private school, who shall consider whether the parent should request an individualized education program team meeting. If the parent requests an individualized education program team meeting, the private school shall help facilitate such meeting.

~~(b) If there is a third incident involving the use of emergency safety interventions within a school year on a student who is not described in subsection (a), then a meeting between such student's parent and school employees shall be conducted within 10 days after such third incident to~~

(2) For a student who does not have an individualized education program or section 504 plan, the parent and school shall discuss the incident and consider the appropriateness of a referral for an evaluation under the special education for exceptional children act, K.S.A. 72-961 et seq., and amendments thereto, the need for a functional behavioral analysis or the need for a behavior intervention plan. Any meeting

called pursuant to this subsection shall include the student's parent, a school administrator for the school where the student attends, one of the student's teachers, a school employee involved in the incident and such other school employees designated by the school administrator as appropriate for such meeting.

~~(c)~~ (b) The parent shall determine whether the student shall be invited to any meeting called pursuant to this section.

~~(d)~~ (c) The time for calling a meeting pursuant to this section shall be extended beyond the ~~10-day~~ 10-school-day limit if the parent of the student is unable to attend within that time period.

~~(e)~~ (d) Nothing in this section shall be construed to prohibit the development and implementation of a functional behavioral analysis or a behavior intervention plan for any student if such student may benefit from such measures ~~but has had less than three incidents involving emergency safety interventions within a school year~~.

Sec. 7. K.S.A. 2015 Supp. 72-89d06 is hereby amended to read as follows: 72-89d06. The state board of education shall adopt rules and regulations as necessary to implement the provisions of this act on or before March 1, ~~2016~~ 2017. Such rules and regulations shall include, but not be limited to, the exact statutory language for the standards for the use ~~and~~, reporting and other requirements of emergency safety interventions as provided in K.S.A. 2015 Supp. 72-89d02 through 72-89d05, and amendments thereto.

New Sec. 8. (a) Any parent who has filed a written complaint with a local board regarding the use of an emergency safety intervention may request an administrative review by the state board of the local board's final decision.

(b) Each parent seeking administrative review shall provide the following information in the request:

(1) The name of the student and the student's contact information;

(2) the name and contact information, to the extent known, for all involved parties, including teachers, aides, administrators and district staff;

(3) a detailed statement of the basis for seeking administrative review, with all supporting facts and documentation. The documentation shall include a copy of the complaint filed with the local board and shall include the local board's final decision, if issued. The request shall be legibly written or typed and shall be signed by the parent. Relevant written instruments or documents in the possession of the parent shall be attached as exhibits or, if unavailable, referenced in the request for administrative review; and

(4) written consent to disclose any personally identifiable information from the student's education records necessary to conduct an investigation pursuant to this act.

(c) (1) Each request for administrative review shall be filed with the commissioner within 30 days from the date a final decision is issued, pursuant to the local dispute-resolution process or, if a final decision is not issued, within 60 days from the date a written complaint was filed with the local board.

(2) The hearing officer shall forward a copy of the request for administrative review to the clerk of the local board from whom the administrative review is sought.

(d) Upon receipt of each request for administrative review, the hearing officer shall consider the local board's final decision and may initiate its own investigation of the complaint. Any investigation may include the following:

(1) A discussion with the parent, during which additional information may be

gathered and specific allegations identified, verified and recorded;

(2) contact with the local board or other district staff against which the request for administrative review is filed, to allow the local board to respond to the request with facts and information supporting the local board's final decision; and

(3) an on-site investigation by department officers or employees.

(e) If the hearing officer receives information that the hearing officer determines was not previously made available to both parties during the local board's dispute-resolution process, the hearing officer may remand the issue back to the local board. The local board then has 30 days to issue a written amended final decision. Upon remand, the hearing officer's case will be closed. All rights to and responsibilities of an administrative review shall begin again when the local board's amended final decision is issued or 30 days from when the hearing officer's remand is issued, whichever occurs first.

(f) Within 60 days of the commissioner's receipt of the request for administrative review, the hearing officer shall inform the parent, the school's head administrator, the district superintendent, the local board clerk and the state board, in writing, of the results of the administrative review. This time frame may be extended for good cause upon approval by the commissioner.

(g) The results of the administrative review shall contain findings of fact, conclusions of law, and, if needed, suggested corrective action. The hearing officer shall determine whether the district is in violation of this act based solely on the information obtained by the hearing officer during the course of the investigation and the administrative review process. This determination shall include one of the following:

(1) The local board appropriately resolved the complaint pursuant to its dispute-resolution process;

(2) the local board should reevaluate the complaint pursuant to its dispute-resolution process with suggested findings of fact; and

(3) the hearing officer's suggested corrective action is necessary to ensure that local board policies meet the requirements of law.

(h) Nothing in this section shall require exhaustion of other remedies before using the procedures or seeking remedies that are otherwise available.

Sec. 9. K.S.A. 2015 Supp. 72-89d08 is hereby amended to read as follows: 72-89d08. The provisions of K.S.A. 2015 Supp. ~~72-89d01 through 72-89d08~~ 72-89d05 and 72-89d07 and section 8, and amendments thereto, shall expire on June 30, 2018.

Sec. 10. K.S.A. 2015 Supp. 72-89d01, 72-89d02, 72-89d03, 72-89d04, 72-89d05, 72-89d06 and 72-89d08 are hereby repealed.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking "school districts" and inserting "schools; relating to standards and requirements for the treatment of students; restraint and seclusion of students"; in line 2, after "personnel" by inserting "; amending K.S.A. 2015 Supp. 72-89d01, 72-89d02, 72-89d03, 72-89d04, 72-89d05, 72-89d06 and 72-89d08 and repealing the existing sections" ; and the bill be passed as amended.

Committee report to **HB 2483** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **HB 2292** be amended by substituting a new bill as recommended by the House Committee on Education as reported in the Journal of the House on February 18, 2016, and the substitute bill be amended by substituting a new bill to be designated as "Substitute for Substitute for HOUSE BILL NO. 2292," as follows:

"Substitute for Substitute for HOUSE BILL NO. 2292
By Committee on Education

"AN ACT concerning schools; relating to curriculum standards; amending K.S.A. 2015 Supp. 72-6479 and repealing the existing section.";

And the substitute bill be passed.

(**Sub for Sub HB 2292** was thereupon introduced and read by title.)

Committee on **Taxation** recommends **SB 280**, as amended by Senate Committee, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 280," as follows:

"House Substitute for SENATE BILL NO. 280
By Committee on Taxation

"AN ACT concerning property taxation; relating to powers of taxing jurisdictions; valuation, appeals, procedure; ratio study, presentation to county commissioners, exemptions; bed and breakfasts; oil and gas leases, determination of value of production, evidence; county appraisers, persons eligible; market study analysis; tax liens, extinguishment; delinquent real property taxes, interest rate, claims against the county; amending K.S.A. 3-114, 12-1688, 19-432, 19-3557, 19-3617, 19-3622, 27-322, 27-333, 79-504, 79-1412a, 79-1456, 79-1460a, 79-1490, 79-2011, 80-1520 and 80-1548 and K.S.A. 2015 Supp. 12-1927, 12-1928, 12-1936, 27-323, 74-2426, 74-2433, 74-2438, 77-618, 79-331, 79-425a, 79-503a, 79-1439, 79-1448, 79-1460, 79-1476, 79-2004, 79-2005 and 79-2026 and repealing the existing sections.";

And the substitute bill be passed.

(**H Sub for SB 280** was thereupon introduced and read by title.)

MESSAGES FROM THE SENATE

The Senate nonconcurs in House amendments to **H Sub for SB 255**, requests a conference and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **SB 367**, requests a conference and has appointed Senators Smith, Knox and Pettey as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **H Sub for SB 255**.

Speaker Merrick thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 367**.

Speaker Merrick thereupon appointed Reps. Gonzalez, Finch and Highberger as conferees on the part of the House.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Schwartz, the House nonconcurred in Senate amendments to **HB 2480** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Schwartz, Boldra and Victors as conferees on the part of the House.

On motion of Rep. Schwartz, the House nonconcurred in Senate amendments to **HB 2490** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Schwartz, Boldra and Victors as conferees on the part of the House.

CHANGE OF CONFEREES

Speaker Merrick announced the appointment of Reps. Ryckman, Schwartz and Henry to replace Reps. Brunk, Couture-Lovelady and Tietze as conferees on **HB 2268**.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Vickrey pursuant to House Rule 2311, **H Sub for SB 245** was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

H Sub for SB 245, AN ACT concerning memorial signs; relating to a DUI memorial signage program; enacting the Kyle Thornburg and Kylie Jobe believe act; duties of the secretary of transportation, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.
Absent or not voting: Edmonds.
The substitute bill passed.

REPORT ON ENROLLED RESOLUTIONS

HR 6051, **HR 6052** reported correctly enrolled and properly signed on March 21, 2016.

On motion of Rep. Vickrey, the House adjourned until 9:00 a.m., Tuesday, March 22, 2016.

Journal of the House

FORTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, March 22, 2016, 9:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 125 members present.

Prayer by Chaplain Brubaker:

Almighty Loving God,
We thank You for this Holy Week,
where we can pause to remember just how much You love us.
Help us to never forget that Your love is unconditional
and it is for everyone.
As days get a little longer with more discussion and debate,
I pray that if these leaders are wrong,
You will right them;
if they get lost in what to do,
You will guide them into Your will;
if any of them start to give up,
You will keep them going;
Lead them in Your light and love.
For those who lost their lives in Brussels,
I pray for their families – the city – the country
as they deal with this tragedy.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Gallagher.

INTRODUCTION OF GUESTS

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

I come today to honor Lieutenant Colonel Michael Essary, US Army on his retirement.

Lieutenant Colonel Michael Essary's military career began the day after his 17th birthday in 1988 when he joined the 827th Supply Company of the US Army Reserve in Muskogee, Oklahoma. He spent six years in the Reserves attaining the rank of Sergeant. He and his unit were activated in 1991 in support of Operation Desert Storm.

Lieutenant Colonel Michael Essary is a 1989 graduate of Porter High School in Oklahoma and a 1994 graduate of Northeastern Oklahoma State University where he was commissioned as a US Army officer in the NSU ROTC program.

Lieutenant Colonel Essary's military assignments include Germany; Fort Dix, New Jersey; Fort Lee, Virginia; two tours at Fort Bliss, Texas; two tours at Fort Riley, Kansas; Fort Irwin, California; Camp Doha, Kuwait; Chicago, Illinois; Red River Army Depot, Texarkana, Texas; the Military District of Washington, DC and two tours at Fort Leavenworth, Kansas.

His combat deployments include three tours in Iraq, two tours in Bosnia-Herzegovina and a staff assistant visit to Bagram, Afghanistan.

Lieutenant Colonel Essary's final military assignment was as the Chief Observer Coach and Trainer with the Mission Command Training Program at Fort Leavenworth, Kansas. In this position he led a team of senior military officers who traveled the world training high level military headquarters as they prepare for deployments to Iraq and Afghanistan.

Lieutenant Colonel Essary's awards and decorations include the Legion of Merit, two Bronze Star Medals as well as numerous other medals for merit and achievement over his 27-year military career. He earned the Combat Action Badge for actions in Iraq and he was awarded the Airborne Badge as a parachutist and the Air Assault Badge.

Lieutenant Colonel Essary lives in Basehor, Kansas with his wife, Shelly, and sons Anderson (age 7) and Archer (age 4). He is the son of Roy and Nana Essary of Porter, Oklahoma.

Congratulations on your retirement Lieutenant Colonel Essary.

I ask that we rise, congratulate and honor Lieutenant Colonel Michael Essary.

Rep. Dove presented Lieutenant Colonel Essary with a framed House certificate.

PERSONAL PRIVILEGE

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

I want to briefly turn our attention to the events in Brussels, Belgium. For those that do not know, there were two attacks. One occurred at the Zaventem airport and another at the Molenbeek metro stop. At least 31 people are dead and dozens have been injured. This is four days after the capture of Salah Abraham in Brussels. He is the main suspect in the Paris attacks from last November. As it is so soon after the events it is unclear what will happen next. It is still all together proper for us to take a moment to share our thoughts and prayers for the innocent victims of these horrible attacks.

MESSAGES FROM THE SENATE

The Senate nonconcurs in House amendments to **H Sub for SB 249**, requests a conference and has appointed Senators Masterson, Denning and Kelly as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **H Sub for SB 245**, requests a conference and has appointed Senators Petersen, Wolf and Pettey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2008** and has appointed Senators Abrams, Arpke and Hensley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2622** and has appointed Senators Abrams, Arpke and Hensley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **Sub HB 2151** and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2112** and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2446** and has appointed Senators Longbine, Bowers and Hawk as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2615** and has appointed Senators O'Donnell, Bowers and Kelly as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **Sub HB 2473** and has appointed Senators Petersen, Wolf and Pettey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2522** and has appointed Senators Petersen, Wolf and Pettey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2563** and has appointed Senators Petersen, Wolf and Pettey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2163** and has appointed Senators Pyle, Fitzgerald and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2164** and has appointed Senators Pyle, Fitzgerald and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2447** and has appointed Senators Smith, Knox and Pettey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2462** and has appointed Senators Smith, Knox and Pettey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2545** and has appointed Senators Smith, Knox and Pettey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2501** and has appointed Senators Smith, Knox and Pettey as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **H Sub for SB 245**.

Speaker Pro Tem Mast thereupon appointed Reps. Proehl, Ryckman Sr. and Lusker as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **H Sub for SB 249**.

Speaker Pro Tem Mast thereupon appointed Reps. Ryckman, Schwartz and Henry as conferees on the part of the House.

CONSENT CALENDAR

No objection was made to **SB 443** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Sub HB 2054, AN ACT enacting the public speech protection act, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Carmichael.

Present but not voting: None.

Absent or not voting: O'Brien.

The substitute bill passed, as amended.

HB 2471, AN ACT concerning the Kansas board of barbering; disciplinary authority; amending K.S.A. 65-1810, 65-1812, 65-1819 and 65-1820a and K.S.A. 2015 Supp. 65-1824 and repealing the existing sections, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 86; Nays 39; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Becker, Billinger, Bollier, Bradford, Bruchman, Burroughs, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, E. Davis, Dierks, Doll, Dove, Edmonds, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Goico, Gonzalez, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Houser, Houston, Jennings, Johnson, D. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lusk, Lusker, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Rooker, Ruiz, Ryckman Sr., Sawyer, Schwab, Scott, Seiwert, Sloan, C. Smith, S. Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barker, Barton, Boldra, Campbell, B. Carpenter, W. Carpenter, Claeys, Corbet, DeGraaf, Esau, Garber, Grosserode, Hedke, Helgerson, Hildabrand, Hoffman, Huebert, Hutchins, Hutton, K. Jones, Kelley, Lunn, Macheers, Mason, McPherson, Peck, R.

Powell, Read, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwartz, Suellentrop, Sutton, Todd, Weber, C., Whitmer.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

HB 2483, AN ACT concerning postsecondary education; relating to postsecondary career technical education performance-based funding; amending K.S.A. 2015 Supp. 72-4490 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

HB 2553, AN ACT concerning municipal courts; relating to assessments; the Kansas commission on peace officers' standards and training fund; amending K.S.A 12-4112 and K.S.A. 2015 Supp. 12-4117 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 99; Nays 26; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Curtis, E. Davis, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Gallagher, Goico, Gonzalez, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Scott, Seiwert, Sloan, C. Smith, Suellentrop, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Alcala, Barton, B. Carpenter, W. Carpenter, Corbet, DeGraaf, Edmonds,

Frownfelter, Garber, Grosserode, Helgerson, Hildabrand, Houser, K. Jones, Kahrs, Kuether, Mason, McPherson, Peck, R. Powell, Read, Scapa, Schwab, Schwartz, Sutton, Ward.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

HB 2665, AN ACT concerning city and county inspections of residential properties, was considered on final action.

On roll call, the vote was: Yeas 70; Nays 55; Present but not voting: 0; Absent or not voting: 0.

Yeas: Anthimides, Barker, Barton, Bradford, Bruchman, Campbell, Carmichael, B. Carpenter, W. Carpenter, Claeys, Concannon, Corbet, E. Davis, DeGraaf, Dove, Esau, Estes, Finch, Garber, Goico, Grosserode, Hawkins, Hedke, Hemsley, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Scapa, Schwab, Seiwert, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C., Whipple, Whitmer, K. Williams.

Nays: Alcala, Alford, Ballard, Becker, Billinger, Boldra, Bollier, Burroughs, Carlin, Clark, Clayton, Curtis, Dierks, Doll, Edmonds, Ewy, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Helgerson, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Houston, Jennings, Kelly, Kiegerl, Kuether, Lewis, Lusk, Lusker, Moxley, Ousley, Rooker, Ruiz, Ryckman Sr., Sawyer, Schroeder, Schwartz, Scott, Sloan, C. Smith, Tietze, Trimmer, Victors, Ward, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

HB 2724, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; limits on calculations of members' benefits; amounts taxable under 409A and 457(f) plans; reporting requirements of participating employers; amending K.S.A. 2015 Supp. 74-4902 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 72; Nays 53; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Corbet, E. Davis, DeGraaf, Dove, Edmonds, Esau, Estes, Garber, Goico, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, Peck, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schwab, Schwartz, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Weber, C., Whitmer, K. Williams.

Nays: Alcala, Ballard, Becker, Bollier, Burroughs, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, Dierks, Doll, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Helgerson, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Jennings, Kuether, Lewis, Lusk, Lusker, Moxley, Ousley, F. Patton,

Phillips, Rooker, Ruiz, Sawyer, Schroeder, Scott, S. Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Waymaster, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

HB 2739, AN ACT concerning the budget process; implementation of a program service inventory, performance based budgeting system and integrated budget fiscal process, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 1; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Helgerson.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

HCR 5022, A CONCURRENT RESOLUTION urging Congress to propose the regulation freedom amendment to the United States Constitution, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 10; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Carmichael, Doll, Henderson, Highberger, Houston, Kuether, Ruiz, Scott, Sloan, Tietze.

Present but not voting: None.

Absent or not voting: Kiegerl.

The resolution was adopted, as amended.

H Sub for SB 63, AN ACT concerning taxation; relating to the community improvement district sales tax administration fund; electronic cigarettes; sales tax exemptions, Gove county healthcare endowment foundation, inc.; amending K.S.A. 2015 Supp. 12-6a31, 79-3399 and 79-3606 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 108; Nays 17; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Goico, Gonzalez, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Mason, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barton, Bruchman, Esau, Garber, Grosserode, Hildabrand, Houser, K. Jones, Kahrs, Macheers, Mast, McPherson, R. Powell, Scapa, Sutton, Ward, Whitmer.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed.

Sub for SB 99, AN ACT concerning the uniform act regulating traffic; relating to height, weight and length of vehicles and loads; exceptions to maximums; amending K.S.A. 8-1905 and 8-1909 and K.S.A. 2015 Supp. 8-1904 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab,

Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed, as amended.

H Sub for SB 149, AN ACT concerning income tax; relating to income tax returns and instructions, use tax remittance, checkoff for schools; credits, angel investment credit; amending K.S.A. 2015 Supp. 74-8133 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 3; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Grosserode, Houser, McPherson.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed.

H Sub for SB 168, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; normal retirement; requiring certification that there is no prearranged agreement of employment with participating employers prior to retirement; providing certain penalties for violations thereof; employment after retirement; special provisions for certain retirants; certain duties of the joint committee on pensions, investments and benefits; employer rate of contribution; increasing compensation limitation for members of the Kansas police and firemen's retirement system; amending K.S.A. 74-4957a and K.S.A. 2015 Supp. 46-2201, 74-4914, 74-4937 and 74-4957 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter,

Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed.

SB 225, AN ACT relating to the interstate compact for recognition of emergency personnel licensure, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 1; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Schwab.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

H Sub for SB 227, AN ACT concerning weights and measures; relating to charging for services; unlawful acts; technical representatives; amending K.S.A. 2015 Supp. 83-214, 83-219 and 83-302 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 101; Nays 24; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Burroughs, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Goico, Gonzalez, Hawkins, Hedke,

Helgerson, Hemsley, Henderson, Henry, Hibbard, Highland, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusk, Lusker, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, Proehl, Rahjes, Read, Rooker, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barton, Bruchman, B. Carpenter, DeGraaf, Edmonds, Garber, Grosserode, Highberger, Hildabrand, Houser, K. Jones, Kahrs, Kelley, Kuether, Macheers, Mason, McPherson, R. Powell, Rhoades, Rubin, Scapa, Sutton, Ward, Whitmer.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed.

Sub SB 323, AN ACT concerning schools; relating to standards and requirements for the treatment of students; restraint and seclusion of students; creating the Jason Flatt act; requiring suicide prevention training for school district personnel; amending K.S.A. 2015 Supp. 72-89d01, 72-89d02, 72-89d03, 72-89d04, 72-89d05, 72-89d06 and 72-89d08 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 1; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Peck.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed, as amended.

SB 326, AN ACT concerning alcoholic beverages; relating to microbreweries; amending K.S.A. 2015 Supp. 41-308b and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 10; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf,

Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Sawyer, Scapa, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Frownfelter, Kahrs, Kelley, Kiegerl, Macheers, Mason, Peck, R. Powell, Ryckman Sr., Schroeder.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

SB 349, AN ACT concerning motor vehicles; relating to commercial driver's licenses; hazardous materials endorsement exemption, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 1; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Ward.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

SB 352, AN ACT concerning real estate; relating to licensing requirements for nonresidents; amending K.S.A. 58-3040 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 4; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter,

Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Carlin, Kuether, Ruiz, Tietze.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

SB 362, AN ACT concerning the criminal justice information system; relating to electronically stored information; hearsay exception for official record, authentication of record; amending K.S.A. 60-465 and K.S.A. 2015 Supp. 22-4701, 22-4705 and 60-460 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 2; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Curtis, E. Davis, DeGraaf, Dierks, Doll, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Corbet, Dove.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

SB 366, AN ACT relating to economic development; concerning price controls on the purchase or sale of private residential or commercial property; amending K.S.A. 12-16,120 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 103; Nays 22; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Campbell, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau,

Estes, Ewy, Finch, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Waymaster, Weber, C., Whipple, Whitmer, K. Williams.

Nays: Alcala, Ballard, Burroughs, Carlin, Curtis, Finney, Frownfelter, Henderson, Henry, Highberger, Houston, Kuether, Lewis, Ousley, Ruiz, Scott, Tietze, Victors, Ward, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

SB 373, AN ACT concerning motor vehicles; relating to driver's licenses; operating vehicles with temporary registration; amending K.S.A. 2015 Supp. 8-235 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 91; Nays 34; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Burroughs, Campbell, Carmichael, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, Dierks, Doll, Esau, Estes, Ewy, Finch, Finney, Francis, Gallagher, Goico, Gonzalez, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houston, Hutchins, Jennings, Johnson, D. Jones, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Mason, Merrick, Moxley, O'Brien, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Read, Rooker, Ruiz, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barton, Bruchman, Carlin, B. Carpenter, W. Carpenter, Claeys, DeGraaf, Dove, Edmonds, Frownfelter, Garber, Grosserode, Hawkins, Hedke, Hildabrand, Houser, Huebert, Hutton, K. Jones, Kahrs, Kelley, Macheers, Mast, McPherson, Osterman, Peck, R. Powell, Rhoades, Rubin, Ryckman, Scapa, Sutton, Weber, C., Whitmer.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

SB 387, AN ACT concerning financial institutions; relating to certain savings account promotions; state bank commissioner; credit union administrator, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter,

Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

SB 388, AN ACT concerning postsecondary education; relating to the awarding of credit hours for degree completion, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 1; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Ward.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

SB 392, AN ACT concerning criminal procedure; relating to the uniform mandatory disposition of detainer act; notice; amending K.S.A. 22-4302, 22-4306 and 22-4308 and K.S.A. 2015 Supp. 22-4301, 22-4303 and 22-4304 and repealing the existing sections; also repealing K.S.A. 22-4307, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter,

Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

H Sub for SB 402, AN ACT concerning certified nurse-midwives; relating to scope of practice; licensure; amending K.S.A. 2015 Supp. 65-1130 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 87; Nays 38; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Ballard, Barker, Billinger, Boldra, Bollier, Bradford, Burroughs, Campbell, Carlin, W. Carpenter, Claeys, Clark, Clayton, Concannon, Curtis, E. Davis, Dierks, Dove, Edmonds, Esau, Estes, Ewy, Finney, Francis, Frownfelter, Gallagher, Goico, Gonzalez, Hawkins, Hedke, Helgerson, Hemsley, Hibbard, Highland, Hineman, Hoffman, Houston, Hutchins, Hutton, Johnson, D. Jones, Kahrs, Kelley, Kelly, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Merrick, Moxley, O'Brien, Osterman, Ousley, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schwab, Schwartz, Scott, Sloan, Suellentrop, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn.

Nays: Alcala, Anthimides, Barton, Becker, Bruchman, Carmichael, B. Carpenter, Corbet, DeGraaf, Doll, Finch, Garber, Grosserode, Henderson, Henry, Highberger, Hildabrand, Hill, Houser, Huebert, Jennings, K. Jones, Kiegerl, Kuether, Mason, Mast, McPherson, F. Patton, Peck, Ruiz, Schroeder, Seiwert, C. Smith, Sutton, S. Swanson, Victors, Waymaster, Wolfe Moore.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed.

EXPLANATION OF VOTE

Mr. Speaker: I vote YES on **H Sub for SB 402**. The bill allows nurse mid-wives to practice without physician oversight by placing said mid-wives under the supervision of the Board of Healing Arts. Mid-wives who wish to remain in collaborative practice with a physician will continue to be licensed by the Board of Nursing. The state is best served if all providers who practice medicine are licensed by the Board who oversees the practice of medicine. – Barbara Bollier, Linda Gallagher, Jarrod Ousley

SB 418, AN ACT concerning children and minors; relating to children in need of care and juvenile offenders; amending K.S.A. 2015 Supp. 38-2202, 38-2210, 38-2231, 38-2263, 38-2264, 38-2265, 38-2287, 38-2302, 38-2310, 38-2365, 65-535 and 75-7023 and repealing the existing sections; also repealing K.S.A. 2015 Supp. 38-2310a, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

SB 438, AN ACT concerning insurance; relating to property and casualty insurance; policy renewals, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

SB 459, AN ACT concerning the state fire marshal; relating to certain license fees; amending K.S.A. 2015 Supp. 31-133a, 31-503 and 31-504 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 3; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Kuether, Tietze, Ward.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

SB 484, AN ACT concerning tribal-state compacts; approving a compact between the Prairie Band Potawatomi Nation and the state of Kansas; relating to cigarette and tobacco sales, taxation and escrow collection, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

SB 485, AN ACT concerning tribal-state compacts; approving a compact between the Iowa Tribe of Kansas and Nebraska and the state of Kansas; relating to cigarette and tobacco sales and taxation, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Seiwert, the House concurred in Senate amendments to **S Sub for HB 2131**, AN ACT concerning telecommunications; relating to local exchange carriers; concerning the Kansas universal service fund; concerning wireless communications, siting of equipment; relating to municipalities and state entities, public lands and public right-of-way; amending K.S.A. 17-1902 and 66-2004 and K.S.A. 2015 Supp. 66-2005, 66-2007, 66-2008 and 66-2017 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 112; Nays 12; Present but not voting: 1; Absent or not voting: 0.

Yeas: Alcala, Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Hutchins, Hutton, Jennings, Johnson, K. Jones, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Ousley, F. Patton, Pauls, Peck, Phillips, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze,

Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Wilson, Winn, Wolfe Moore.

Nays: Anthimides, DeGraaf, Helgerson, Hemsley, Huebert, D. Jones, Kahrs, R. Powell, Scapa, Suellentrop, Whitmer, K. Williams.

Present but not voting: Osterman.

Absent or not voting: None.

On motion of Rep. Barker, the House nonconcurred in Senate amendments to **Sub HB 2062** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2740, AN ACT concerning education; relating to the financing and instruction thereof; making and concerning appropriations for the fiscal year ending June 30, 2017, for the department of education; relating to the classroom learning assuring student success act; amending K.S.A. 2015 Supp. 72-6463, 72-6465, 72-6476, 72-6481 and 74-4939a and repealing the existing sections, by Committee on Appropriations.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Schwab in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that **SB 314** be passed.

H Sub for Sub HB 2292 be passed over and retain a place on the calendar. (See further action Afternoon Session, HJ p. 2385.)

Committee report to **Sub SB 22** be adopted; and the bill be passed as amended.

Pursuant to House Rule 2311, Rep. Vickrey moved that House Rule 1704 be suspended for the purpose of allowing Reps. Kleeb, Hineman, Hemsley, Lunn, Hutton, Sawyer and Wolfe Moore to speak more than twice on **H Sub for SB 280**. The motion prevailed.

Committee report recommending a substitute bill to **H Sub for SB 280** be adopted.

On motion of Rep. Hutton, **H Sub for SB 280** be amended on page 28, in line 18, by striking all after the period; by striking all in lines 19 through 24; in line 25, by striking all before "The";

On page 29, in line 37, after "for" by inserting "commercial"; in line 39, by striking the comma; by striking all in lines 40 and 41; in line 42, by striking all before the period and inserting ". The county appraiser shall review the computer-assisted mass-

appraisal of the property and if the valuation in either of those two years exceeds the value of the previous year by more than 5%, excluding new construction, change in use or change in classification, the county appraiser shall either: (1) Adjust the valuation of the property based on the information provided in the previous appeal; or (2) order an independent fee simple appraisal of the property to be performed by a Kansas certified real property appraiser. As used in this section, "new construction" means the construction of any new structure or improvements or the remodeling or renovation of any existing structures or improvements on real property";

On page 34, by striking all in lines 16 through 27;

On page 42, following line 33, by inserting:

"New Sec. 35. In any county which exceeds the statewide average, the director of property valuation shall be required to perform, or to contract with an independent third party to perform, a market-based appraisal of no less than 1% of the commercial properties appraised by the computer- assisted mass-appraisal system within the county as a verification of the accuracy of such system. The properties shall be selected at random from commercial property and represent a reasonable cross-section of use and value across the state. The property owner shall be allowed the opportunity to meet with the appraiser in order to offer pertinent data and insight on the issues that would affect the value of the property. This appraisal will not be an official appraisal of the property and will be used for the purposes of quality assurance of the mass-appraisal system. If the independent appraisal reveals a statistical deviation greater than 5% on more than 25% of the audited properties, then the director will perform additional audits in those counties and require corrective action necessary to ensure a fair and accurate appraisal.

New Sec. 36. Within 60 days after the date the notice of informal meeting results or final determination is mailed to the taxpayer pursuant to K.S.A. 79-1448, and amendments thereto, any taxpayer aggrieved by the final determination of the county appraiser, who has not filed an appeal with the board of tax appeals pursuant to K.S.A. 2015 Supp. 74-2433f, K.S.A. 79-1448 or K.S.A. 79-1609 and K.S.A. 79-1611, and amendments thereto, may file with the county appraiser a third-party fee simple appraisal performed by a Kansas certified general real property appraiser that reflects the value of the property as of January 1 for the same tax year being appealed. Within 15 days after receipt of the appraisal, the county appraiser shall mail a revised notice reflecting the opinion of value of the third-party fee simple appraisal performed by a Kansas certified general real property appraiser. Within 15 days after the date of mailing the revised notice, the county appraiser may file a notice of appeal in writing with the board of tax appeals if the county appraiser does not agree with the appraisal and shall provide a copy of the notice of appeal to the taxpayer. The board of tax appeals shall have the authority to hear the appeal by the county appraiser. The burden of proof shall be on the county appraiser.

New Sec. 37. In those counties which fail to meet the minimum requirements for substantial appraisal compliance, the director of property valuation shall present the most recent results of the ratio study, including the results of any audits to such board of county commissioners in an open meeting. As a part of such presentation, the director shall present a summary of the number of valuation appeals that were filed in that county and the outcomes of those protests that resulted in reduced valuations of property.";

Also on page 42, in line 37, by striking all after "79-1460a"; in line 38, by striking

"1490";

And by renumbering sections accordingly;

On page 1, in the title, in line 9, by striking "79-1490," and the substitute bill be passed as amended.

Committee report to **HB 2713** be adopted; and the bill be passed as amended.

Committee report to **SB 408** be adopted; and the bill be passed as amended.

Committee report to **SB 407** be adopted; and the bill be passed as amended.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

Speaker pro tem Mast announced the referral of **HB 2740** to Committee on Appropriations.

PERSONAL PRIVILEGE

Rep. Carmichael rose on a point of personal privilege to request consent of the body to change his Final Action vote on **SB 366** from nay to aye. (See HJ p. 2374.) His request was granted. The final vote has therefore been corrected and the vote tally is 102-23.

On motion of Rep. Vickrey, the House recessed until 1:15 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **HB 2480** and has appointed Senators Powell, Kerschen and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2490** and has appointed Senators Love, Kerschen and Francisco as conferees on the part of the Senate.

The Senate concurs in House amendments to **H Sub for SB 245**, and requests return of the bill.

Announcing passage of **SB 363, SB 436, SB 437, SB 439**.

Announcing adoption of **SCR 1610**.

Announcing passage of **HB 2518, HB 2549**.

Announcing passage of **HB 2134**, as amended, **HB 2456**, as amended, **HB 2502**, as amended, **HB 2547**, as amended, **HB 2610**, as amended, **HB 2617**, as amended, **HB**

2632, as amended, **HB 2696**, as amended; **HB 2056,** as amended by **Senate Substitute for HB 2056, HB 2059,** as amended by **Senate Substitute for HB 2059, HB 2156,** as amended by **Senate Substitution HB 2156, HB 2441,** as amended by **Senate Substitute for HB 2441**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 363, SB 436, SB 437, SB 439, SCR 1610

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Schwab in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that **SB 338** be passed.

Committee report to **SB 19** be adopted; and the bill be passed as amended.

Committee report to **HB 2729** be adopted; on motion of Rep. Grosserode, **HB 2729** be amended, as amended by House Committee, on page 1, in line 10, after the semicolon by inserting "and"; in line 11, by striking all after "food"; in line 12, by striking all before the period; in line 23, by striking "within"; also in line 23, before "3%" by inserting "not to exceed"; also in line 23, by striking the first "of" and inserting "over"

Also, on motion of Rep. Hutton, **HB 2729** be amended, as amended by House Committee, on page 2, in line 26, by striking all after "Services"; in line 27, by striking all before the semicolon

Roll call was demanded on motion of Rep. Hibbard to re-refer **HB 2729** to Committee on Education Budget.

On roll call, the vote was: Yeas 69; Nays 52; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Alford, Ballard, Barker, Becker, Billinger, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, Dierks, Doll, Edmonds, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Helgerson, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Hutton, Jennings, Johnson, D. Jones, Kelly, Kuether, Lewis, Lusk, Lusker, Moxley, Osterman, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Rooker, Ruiz, Ryckman Sr., Sawyer, Schroeder, Scott, Sloan, C. Smith, S. Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Anthimides, Barton, Boldra, Bollier, Bradford, Bruchman, B. Carpenter, W. Carpenter, Claeys, Corbet, E. Davis, DeGraaf, Dove, Esau, Garber, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, K. Jones, Kahrs, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, O'Brien, Peck, R. Powell, Read, Rhoades, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber, C., Whitmer.

Present but not voting: None.

Absent or not voting: Goico, Kelley, Merrick, Rubin.

The motion prevailed and **HB 2729** be re-referred to Committee on Education Budget.

Committee report to **SB 449** be adopted; and the bill be passed as amended.

Committee report to **SB 224** be adopted; and the bill be passed as amended.

Committee report to **HR 6045** be adopted; and the resolution be adopted as amended.

Roll call was demanded on motion to adopt the committee report recommending amendments to **Sub for Sub HB 2292**.

On roll call, the vote was: Yeas 54; Nays 69; Present but not voting: 0; Absent or not voting: 2.

Yeas: Barker, Barton, Bruchman, B. Carpenter, W. Carpenter, Claeys, Corbet, E. Davis, DeGraaf, Dove, Esau, Estes, Finch, Garber, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Peck, R. Powell, Read, Rhoades, Ryckman, Ryckman Sr., Scapa, Schwab, Sutton, Todd, Vickrey, Weber, C., Whitmer, K. Williams.

Nays: Alcala, Alford, Anthimides, Ballard, Becker, Billinger, Boldra, Bollier, Bradford, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, Dierks, Doll, Edmonds, Ewy, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Helgerson, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Jennings, Kelly, Kuether, Lewis, Lusk, Lusker, Moxley, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Rooker, Rubin, Ruiz, Sawyer, Schroeder, Schwartz, Scott, Seiwert, Sloan, C. Smith, S. Swanson, Thimesch, Thompson, Tietze, Trimmer, Victors, Ward, Waymaster, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Goico, Suellentrop.

The motion did not prevail.

The question reverted back to the bill as considered by the committee.

Roll call was demanded on motion of Rep. Mast to re-refer **Sub for Sub HB 2292** to Committee on Education.

On roll call, the vote was: Yeas 19; Nays 103; Present but not voting: 0; Absent or not voting: 3.

Yeas: Ballard, Carmichael, Curtis, Finney, Frownfelter, Helgerson, Henderson, Highberger, Kuether, Sawyer, Schroeder, Schwab, Scott, Sloan, C. Smith, Tietze, Ward, Winn, Wolfe Moore.

Nays: Alcala, Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Francis, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Peck, Phillips, R. Powell,

Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schwartz, Seiwert, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson.

Present but not voting: None.

Absent or not voting: Goico, McPherson, Pauls.

The motion did not prevail.

Having voted on the prevailing side, pursuant to House Rule 2303, Rep. Bradford moved that the House reconsider its adverse action in not adopting the committee report to **Sub for Sub HB 2292**. The motion prevailed.

The question reverted back to the motion of Rep. Grosserode to adopt the committee report. The motion prevailed; and committee reports recommending substitute bills to **Sub for Sub HB 2292** be adopted;

On motion of Rep. Grosserode, **Sub for Sub HB 2292** be amended on page 2, by striking all in lines 30 and 31

Also, on motion of Rep. McPherson, **Sub for Sub HB 2292** be amended on page 1, in line 12, after the period by inserting "The Kansas curriculum standards shall incorporate the capacities set forth in K.S.A. 2015 Supp. 72-1127(c), and amendments thereto."

Also, roll call was demanded on motion of Rep. Houser to amend **Sub for Sub HB 2292**, **on page 1, following line 4, by inserting:**

"New Section 1. Sections 1 through 7, and amendments thereto, shall be known and may be cited as the local control of Kansas education act.

New Sec. 2. As used in this act:

(a) "State board" means the Kansas state board of education;

(b) "department" means the Kansas state department of education;

(c) "education entity" means the state board, the department, any school district, any school, local government or private enterprise that exercises any responsibilities or decision-making authority with respect to K-12 public education in the state of Kansas;

(d) "school" means any public school operated by a unified school district and any nonpublic school accredited by the state board;

(e) "state official" means any official in state or local government in Kansas, whether elected or appointed; and

(f) "common core state standards" means the common core standards adopted by the Kansas state board of education on or after October 12, 2010, and any subsequent amendments to the common core standards. "Common core state standards" includes "common core state standards for English language arts & literacy in history/social studies, science, and technical subjects," "common core state standards for mathematics," "Kansas college and career ready standards" and "next generation science standards."

New Sec. 3. (a) The state shall retain sole control over the development, establishment and revision of K-12 curriculum standards.

(b) Any education entity or any state official shall not join any consortium or any other organization when participation in that consortium or organization would cede any measure of control over any aspect of Kansas public education to any entity not explicitly allowed authority over education in article 6 of the constitution of the state of Kansas. No such person or entity shall condition or delay a decision on academic

standards or curriculum according to the decision of any consortium, organization, any other state government, the federal government or any other entity not explicitly allowed authority over education in article 6 of the constitution of the state of Kansas.

(c) Nothing in sections 1 through 6, and amendments thereto, shall disallow an education entity from participating in or spending money on advanced placement, international baccalaureate or other programs and courses if at least one of the following conditions is met:

(1) The program or course meets or exceeds the Kansas curriculum standards under section 4(b), and amendments thereto; or

(2) the program or course is a dual-enrollment course that provides students with an opportunity to earn college credit in grade 11 or 12.

(d) Beginning July 1, 2017, any education entity or any state official shall not accept public or private moneys or spend any moneys for the purchase of materials, for teacher in-service training or for assessments that support, align or are used to implement the common core state standards. Textbooks purchased prior to July 1, 2017, may continue to be used by school districts, as long as no new moneys are spent in order to use such textbooks.

(e) No law or rule or regulation shall condition teacher evaluation or pay on state assessment scores or student participation in state assessments.

New Sec. 4. (a) Beginning July 1, 2017, the state board shall not implement any past academic standards or related assessments or any future academic standards or related assessments that are aligned with the common core state standards.

(b) Beginning July 1, 2017, the state board shall:

(1) Reinstate the curriculum standards used to teach K-12 English language arts, mathematics, science and social studies and the related assessments in effect during the 2008-2009 school year; or

(2) adopt the Massachusetts curriculum standards used to teach K-12 English language arts, mathematics, science and social studies and the related assessments in effect during the 2008-2009 school year, except that any references in such standards shall be changed to refer to this state and any state history or government content standards shall be changed to reflect the history and government of Kansas. Revised Kansas curriculum standards used to teach K-12 English language arts, mathematics, science and social studies shall be developed through the process provided for in K.S.A. 2015 Supp. 72-6479, and amendments thereto. These standards shall take effect on July 1, 2022.

(c) If advanced placement, international baccalaureate, dual credit or other similar courses and tests are administered to public high school students after July 1, 2017, they shall be aligned with Kansas curriculum standards in effect pursuant to subsection (b).

New Sec. 5. The state board of education shall rescind any requirement, agreement or waiver with the United States department of education or any other federal agency which conditioned the receipt of federal funding upon the board revising educational curriculum standards to align with the common core state standards. The state board shall not agree to future federal educational funding, waivers, agreements or requirements which condition the receipt of federal funding upon academic curriculum being aligned to the common core state standards.

New Sec. 6. The state board of education shall not adopt or develop a criterion-referenced formative or summative assessment instrument under this act based on or

aligned with common core state standards.

New Sec. 7. If any provision of this act is held invalid, such invalidity shall not affect other provisions and to this end the provisions of this act are declared to be severable.

Sec. 8. K.S.A. 2015 Supp. 72-6216 is hereby amended to read as follows: 72-6216. As used in K.S.A. 2015 Supp. 72-6215 through 72-6223, and amendments thereto:

(a) "Aggregate data" means data collected or reported at the group, cohort or institutional level and which contains no personally identifiable student data.

(b) "Biometric data" means one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual, such as fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics and handwriting.

(c) "Department" means the state department of education.

(d) "Directory information" means a student's name, address, telephone listing, participation in officially recognized activities and sports, weight and height if the student is a member of an athletic team, and degrees, honors or awards received.

(e) "Educational agency" means a school district or the department.

(f) "Prior written consent" means that a parent or legal guardian's signature is required on a written document that notifies the parent or legal guardian what data will be collected, how the data will be collected, how the data will be used, what person or entity the data will be shared with and the dates over which the disclosed data will be used.

(g) "School district" means a unified school district organized and operated under the laws of this state.

~~(g)~~ (h) "Statewide longitudinal student data system" means any student data system maintained by the department, which assigns a state identification number for each student who attends an accredited public or private school in Kansas and uses the state identification number to collect student data.

~~(h)~~ (i) "Student data" means the following information contained in a student's educational record:

(1) State and national assessment results, including information on untested students;

(2) course taking and completion, credits earned and other transcript information;

(3) course grades and grade point average;

(4) date of birth, grade level and expected date of graduation;

(5) degree, diploma, credential attainment and other school exit information such as general education development and drop-out data;

(6) attendance and mobility;

(7) data required to calculate the federal four-year adjusted cohort graduation rate, including sufficient exit and drop-out information;

(8) remediation;

(9) special education data;

(10) demographic data and program participation information; and

(11) any other information included in a student's educational record.

~~(i)~~ (j) "Personally identifiable student data" means student data that, alone

or in combination, is linked or linkable to a specific student and would allow a reasonable person to identify the student with reasonable certainty.

Sec. 9. K.S.A. 2015 Supp. 72-6217 is hereby amended to read as follows: 72-6217. (a) Any student data submitted to and maintained by a statewide longitudinal student data system shall only be disclosed by an educational agency in accordance with the provisions of this section. An educational agency shall ~~provide annual written notice to each student's parent or legal guardian that student data may be disclosed in accordance with this section. Such notice shall be signed by the student's parent or legal guardian and maintained on file with the district~~ not disclose any personally identifiable student data unless prior written consent is provided by the parent or legal guardian of the respective student. Personally identifiable student data may be disclosed if the parent or legal guardian provides prior written consent for the disclosure.

(b) Student data that is not personally identifiable student data may be disclosed at any time to:

(1) The authorized personnel of an educational agency who require such disclosures to perform their assigned duties; and

(2) the authorized personnel of the state board of regents who require such disclosures to perform their assigned duties~~; and~~

~~(3) the student and the parent or legal guardian of the student, provided the student data pertains solely to such student~~.

(c) Student data that is not personally identifiable student data may be disclosed to the authorized personnel of any state agency not specified in subsection (b), or to a service provider of a state agency, educational agency or school who is engaged to perform a function of instruction, assessment or longitudinal reporting, provided there is a data-sharing agreement between the educational agency and such other state agency or service provider that provides the following:

(1) The purpose, scope and duration of the data-sharing agreement;

(2) that the recipient of the student data use such information solely for the purposes specified in the agreement;

(3) that the recipient shall comply with data access, use and security restrictions that are specifically described in the agreement; and

(4) that the student data shall be destroyed when no longer necessary for the purposes of the data-sharing agreement or upon expiration of the data-sharing agreement, whichever occurs first. Except that a service provider engaged to perform a function of instruction may retain student transcripts as required by applicable laws and rules and regulations. Destruction shall comply with the NISTSP800-88 standards of data destruction.

(d) ~~(1) Except as otherwise provided in paragraph (2), student~~ Aggregate data may be disclosed to any governmental entity ~~not specified in subsection (b) or (c),~~ or to any public or private audit and evaluation or research organization~~, provided that only aggregate data is disclosed to such governmental entity or audit and evaluation or research organization~~.

~~(2) Personally identifiable student data may be disclosed if the student, if an adult, or the parent or legal guardian of the student, if a minor, consents to such disclosure in writing.~~

(e) Notwithstanding the provisions of subsections (b), (c) and (d), an educational agency may disclose:

(1) Directory information of a student when ~~such agency deems such disclosure necessary and the disclosure of which has been consented to in writing by~~ such student's parent or legal guardian provides prior written consent;

(2) directory information to an enhancement vendor that provides photography services, class ring services, yearbook publishing services, memorabilia services or other substantially similar services when such student's parent or legal guardian provides prior written consent;

(3) any information required to be disclosed pursuant to K.S.A. 65-101, 65-118 and 65-202, and amendments thereto, provided such information is disclosed in accordance with any provisions of such statutes regarding the confidentiality and disclosure of such information;

(4) any student data in order to comply with any lawful subpoena or court order directing such disclosure; and

(5) student data to a public or private postsecondary educational institution which is required by such postsecondary educational institution for the purposes of application or admission of a student to such postsecondary educational institution, provided that such disclosure is consented to in writing by such student.

Sec. 10. K.S.A. 2015 Supp. 72-6218 is hereby amended to read as follows: 72-6218. (a) No school district shall collect biometric data from a student, or use any device or mechanism to assess a student's physiological or emotional state, unless the student, if an adult, or the parent or legal guardian of the student, if a minor, consents in writing.

(b) No school district shall disclose any disciplinary, criminal, medical, mental health or counseling records of a student without prior written consent, except that a school district may disclose such records when:

(1) Disclosure is necessary pursuant to K.S.A. 65-101, 65-118 and 65-202, and amendments thereto, provided such information is disclosed in accordance with any provisions of such statutes regarding the confidentiality and disclosure of such information;

(2) disclosure is necessary pursuant to K.S.A. 38-2223, and amendments thereto;

(3) a lawful subpoena or court order requires disclosure; or

(4) a medical emergency necessitates disclosure.";

Also on page 1, in line 10, after "establish" by inserting "model"; in line 13, after "be" by inserting "adopted in accordance with section 4, and amendments thereto, and shall"; in line 16, by striking all after "(2)"; by striking all in lines 17 through 24; in line 25, by striking all before the period and inserting "Districts may use the model curriculum standards as a guideline in developing district standards.

(3) The state board may not use standards prohibited by section 3, and amendments thereto, or any results from tests associated with those standards in evaluation or accreditation of any school or school district";

On page 2, by striking all in lines 30 and 31; in line 32, after "Supp." by inserting "72-6216, 72-6217, 72-6218 and"; also in line 32, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the second semicolon by inserting "relating to student data privacy;"; in line 2, after "Supp." by inserting "72-6216, 72-6217, 72-6218

and"; also in line 2, by striking "section" and inserting "sections"

On roll call, the vote was: Yeas 27; Nays 89; Present but not voting: 0; Absent or not voting: 9.

Yeas: Barton, B. Carpenter, Corbet, E. Davis, DeGraaf, Dove, Frownfelter, Garber, Houser, Huebert, Hutchins, K. Jones, Kahrs, Kelley, Kelly, Lunn, Macheers, Osterman, Pauls, Peck, Read, Rhoades, Rubin, Scapa, Sutton, Weber, C., Whitmer.

Nays: Alcala, Alford, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Curtis, Dierks, Doll, Esau, Estes, Ewy, Finch, Finney, Francis, Gallagher, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houston, Hutton, Jennings, Johnson, D. Jones, Kiegerl, Kleeb, Kuether, Lewis, Lusk, Lusker, McPherson, Moxley, O'Brien, Ousley, F. Patton, Phillips, Proehl, Rahjes, Rooker, Ruiz, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Anthimides, Edmonds, Goico, Mason, Mast, Merrick, R. Powell, Ryckman, Suellentrop.

The motion did not prevail.

Also, on motion of Rep. Scapa to amend **Sub for Sub HB 2292**, the motion did not prevail.

Also, roll call was demanded on motion of Rep. Hedke, to amend **Substitute for Substitute for HB 2292**, on page 1, in line 23, after "(4)" by inserting "Advanced placement and international baccalaureate courses or programs shall continue in existence consistent with any Kansas curriculum standards adopted pursuant to subsection (b)(3).

(5) "

On roll call, the vote was: Yeas 62; Nays 58; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Anthimides, Barker, Barton, Billinger, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Corbet, DeGraaf, Dove, Esau, Estes, Garber, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kiegerl, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, Peck, R. Powell, Read, Rhoades, Rubin, Ryckman, Scapa, Schwab, Seiwert, C. Smith, Sutton, Thimesch, Todd, Vickrey, Weber, C., Whipple, Whitmer, K. Williams.

Nays: Alcala, Ballard, Becker, Boldra, Bollier, Burroughs, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, Dierks, Doll, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Jennings, Kelly, Kuether, Lewis, Lusk, Lusker, Moxley, Ousley, F. Patton, Phillips, Proehl, Rahjes, Rooker, Ruiz, Ryckman Sr., Sawyer, Schroeder, Schwartz, Scott, Sloan, S. Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Waymaster, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: E. Davis, Edmonds, Goico, Kleeb, Suellentrop.

The motion prevailed.

Also, roll call was demanded on motion to recommend **Sub for Sub HB 2292** favorably for passage.

On roll call, the vote was: Yeas 44; Nays 78; Present but not voting: 0; Absent or not voting: 3.

Yeas: Barton, Bradford, Bruchman, B. Carpenter, Claeys, Corbet, E. Davis, DeGraaf, Dove, Esau, Garber, Grosserode, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, D. Jones, K. Jones, Kahrs, Kelley, Kiegerl, Lunn, Macheers, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, Peck, R. Powell, Read, Rhoades, Rubin, Ryckman, Scapa, Sutton, Vickrey, Weber, C., Whitmer.

Nays: Alcala, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Burroughs, Campbell, Carlin, Carmichael, W. Carpenter, Clark, Clayton, Concannon, Curtis, Dierks, Doll, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Hawkins, Helgerson, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Hutton, Jennings, Johnson, Kelly, Kleeb, Kuether, Lewis, Lusk, Lusker, Mason, Moxley, Ousley, F. Patton, Phillips, Proehl, Rahjes, Rooker, Ruiz, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Victors, Ward, Waymaster, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Edmonds, Goico, Suellentrop.

The motion did not prevail.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Gonzalez, the House nonconcurred in Senate amendments to **S Sub for HB 2056** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Gonzalez, Pauls and Highberger as conferees on the part of the House.

On motion of Rep. Schwartz, the House nonconcurred in Senate amendments to **S Sub for HB 2059** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Schwartz, Boldra and Victors as conferees on the part of the House.

On motion of Rep. Schwab, the House nonconcurred in Senate amendments to **HB 2134** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Schwab, Kelly and Houston as conferees on the part of the House.

On motion of Rep. Schwartz, the House nonconcurred in Senate amendments to **S Sub for HB 2156** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Schwartz, Boldra and Victors as conferees on the part of the House.

On motion of Rep. Highland, the House nonconcurred in Senate amendments to **S Sub for HB 2441** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Highland, Lunn and Winn as conferees on the part of the House.

On motion of Rep. Hawkins, the House nonconcurred in Senate amendments to **HB 2456** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Hawkins, Dove and Ward as conferees on the part of the House.

On motion of Rep. Barker, the House nonconcurred in Senate amendments to **HB 2502** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

On motion of Rep. Schwartz, the House nonconcurred in Senate amendments to **HB 2547** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Schwartz, Boldra and Victors as conferees on the part of the House.

On motion of Rep. Proehl, the House nonconcurred in Senate amendments to **HB 2610** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Proehl, Ryckman, Sr. and Lusker as conferees on the part of the House.

On motion of Rep. Hutton, the House nonconcurred in Senate amendments to **HB 2617** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Hutton, Mason and Frownfelter as conferees on the part of the House.

On motion of Rep. Schwab, the House nonconcurred in Senate amendments to **HB 2632** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Schwab, Kelly and Houston as conferees on the part of the House.

On motion of Rep. Barker, the House nonconcurred in Senate amendments to **HB 2696** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

PERSONAL PRIVILEGE

Rep. Helgerson rose on a point of personal privilege to request consent of the body to change his Final Action vote on **SB 366** from nay to aye. (See HJ p. 2374.) His request was granted. The final vote therefore has been corrected and the vote tally is 103-22.

REPORT ON ENGROSSED BILLS

Sub HB 2054, **HB 2483**, **HB 2665**, **HB 2724** reported correctly engrossed March 21, 2016.

REPORT ON ENROLLED BILLS

HB 2442, **HB 2454**, **HB 2485**, **HB 2512**, **HB 2516**, **HB 2536**, **HB 2567** reported correctly enrolled, properly signed and presented to the Governor on March 22, 2016.

REPORT ON ENROLLED RESOLUTIONS

HCR 5008, **HCR 5024** reported correctly enrolled and properly signed on March 22, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, March 23, 2016.

Journal of the House

FORTY-SEVENTH DAY

Hall of the House of Representatives,
Topeka, KS, Wednesday, March 23, 2016, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 123 members present.
Reps. Goico and Houser were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord God in Heaven,
Thank You for another opportunity
to make the most of a new and beautiful day.
Rekindle the call of these leaders to serve.
Renew their faith to make a difference for others.
Remind them of the suffering and the vulnerable.
Ready them to withstand the criticism
when they know what is right before You.
Reaffirm them when they are characterized
by half-truths and attributed with motives that are beneath them.
Reinforce them with personal integrity and compassion.
Reignite them with a determination
that comes from Your grace and honor.
In Your Son's Name I pray,
Amen.

The Pledge of Allegiance was led by Rep. Becker.

INTRODUCTION OF GUESTS

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

It is my honor to recognize the Jackson Heights Boys' Basketball team for becoming 2016 2A Boys' State Basketball Champions. This team is also back to back 2A Sub-State Champions and NEK League Champions in 2015 and 2016. Their team record this year is an impressive 24 wins and 2 losses, with an overall 31 wins and 1 loss in League play the last 2 seasons. This championship team includes 12 athletes, 2 managers, Coach Chris Brown and Assistant Coach Josh Gray.

Special recognition goes to athlete Zane Richter 1st Team All State in the (Wichita Eagle and Topeka Capital Journal). With the permission of the speaker, I'd like to honor and recognize Braden Dohl, Westin Jacobsen, Wyatt Olberding, Mason Thomas, Zane Richter, Brady Holliday, Lane Holliday, Austin Sauvage, Mason Hamilton, Lane Thomas, Kaleb Keehn, and Adam Brey and Jackson Heights Principal Darren Shupe.

Rep. Hutchins presented the team with a framed House certificate.

PERSONAL PRIVILEGE

Rep. Ewy recognized and welcomed the Kiowa County High School Government class from Greensburg, in the gallery.

INTRODUCTION OF GUESTS

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

Rep. Finney and I are here today with a two-fold purpose: One is to celebrate and recognize International Children's Book Day, which is an annual event held on April 2: which is also the birth date of Hans Christian Andersen, the famous author who wrote some classic fairytales such as the "Little Mermaid," "The Snow Queen," "The Ugly Duckling," "The Nightingale" and many more. The celebration is sponsored by the International Board on Books for Young People (IBBY) with the goal to "inspire a love of reading and to call attention to children's books."

I think we would all agree that books open new worlds of possibilities for children and taking the time and making the investment into our children's education, when they are young, helps them to be more prepared for what the future will bring to them.

Also, we want to welcome and congratulate Storytime Village, Inc., who since 2009; with the support of parents and the community, are fostering a lifelong love of reading in underserved Kansas children from birth to age 8." Standing on the ancient African proverb "it takes a village to raise a child", they strive to give every child in Kansas, regardless of their socioeconomic background, race, and/or gender the opportunity for a better future through literacy.

Since its inception in 2009, Storytime Village has been dedicated to helping the youngest in our communities thrive through partnerships that provide early childhood development, family engagement fostered through reading, and better access to books.

We would ask that you join us in congratulating Ms. Prisca Barnes-Founder and CEO, staff and supporters of Storytime Village, Inc. for their great efforts in reaching out to our communities and helping children through this great program.

Rep. Houston presented them with a House certificate.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **SB 436**.
Federal and State Affairs: **SCR 1610**.
Health and Human Services: **SB 363**, **SB 437**.
Judiciary: **SB 439**.

MESSAGES FROM THE SENATE

Announcing passage of **SB 353, SB 359**.

Announcing passage of **HB 2088,** as amended by **Senate Substitute for HB 2088; HB 2509,** as amended by **Senate Substitute for HB 2509**.

Announcing passage of **HB 2436**, as amended, **HB 2460**, as amended, **HB 2463**, as amended; **Subsitute for HB 2289**, as amended.

Also, the Senate accedes to the request of the House for a conference on **Sub HB 2062** and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **H Sub for SB 63**, requests a conference and has appointed Senators Donovan, Tyson and Holland as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **Sub for SB 99**, requests a conference and has appointed Senators Petersen, Wolf and Pettey as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **H Sub for SB 149**, requests a conference and has appointed Senators Donovan, Tyson and Holland as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **H Sub for SB 168**, requests a conference and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **H Sub for SB 227**, requests a conference and has appointed Senators Powell, Kerschen and Francisco as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **Sub SB 323**, requests a conference and has appointed Senators Abrams, Arpke and Hensley as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **SB 373**, requests a conference and has appointed Senators Petersen, Wolf and Pettey as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **SB 387**, requests a conference and has appointed Senators Longbine, Bowers and Hawk as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **SB 388**, requests a conference and has appointed Senators Abrams, Arpke and Hensley as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **H Sub for SB 402**, requests a conference and has appointed Senators O'Donnell, Denning and Kelly as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **SB 418**, requests a conference and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **SB 366**, requests a conference and has appointed Senators Lynn, Wagle and Holland as conferees on the part of the Senate.

Also. the Senate accedes to the request of the House for a conference on **S Sub for HB 2056** and has appointed Senators Smith, Knox and Pettey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2059** and has appointed Senators Powell, Kerschen and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2134** and has appointed Senators **L**ongbine, Bowers and Hawk as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2156** and has appointed Senators Powell, Kerschen and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2441** and has appointed Senators Abrams, Arpke and Hensley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2456** and has appointed Senators O'Donnell, Bowers and Kelly as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2502** and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2547** and has appointed Senators Powell, Kerschen and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2610** and has appointed Senators Petersen, Wolf and Pettey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2617** and has appointed Senators Lynn, Wagle and Holland as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2632** and has appointed Senators Longbine, Bowers and Hawk as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2696** and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate announced the appointment of Senator Baumgardner to replace Senator Arpke as a conferee on **S Sub for HB 2008**.

The Senate announced the appointment of Senator Baumgardner to replace Senator Arpke as a conferee on **HB 2622.**

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 353, SB 359

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **H Sub for SB 63**.

Speaker Pro Tem Mast thereupon appointed Reps. Kleeb, Suellentrop and Sawyer as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **Sub for SB 99**.

Speaker Pro Tem Mast thereupon appointed Reps. Proehl, Ryckman, Sr. and Lusker as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **H Sub for SB 149**.

Speaker Pro Tem Mast thereupon appointed Reps. Kleeb, Suellentrop and Sawyer as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **H Sub for SB 168**.

Speaker Pro Tem Mast thereupon appointed Reps. Johnson, Thompson and Trimmer as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **H Sub for SB 227**.

Speaker Pro Tem Mast thereupon appointed Reps. Schwartz, Boldra and Victors as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **Sub SB 323**.

Speaker Pro Tem Mast thereupon appointed Reps. Highland, Lunn and Winn as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 366**.

Speaker Pro Tem Mast thereupon appointed Reps. Hutton, Mason and Frownfelter as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 373**.

Speaker Pro Tem Mast thereupon appointed Reps. Proehl, Ryckman, Sr. and Lusker as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 387**.

Speaker Pro Tem Mast thereupon appointed Reps. Schwab, Kelly and Houston as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 388**.

Speaker Pro Tem Mast thereupon appointed Reps. Highland, Lunn and Winn as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **H Sub for SB 402**.

Speaker Pro Tem Mast thereupon appointed Reps. Hawkins, Dove and Ward as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 418**.

Speaker Pro Tem Mast thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Gonzalez, **HR 6055**, by Reps. DeGraaf, Claeys, Gonzalez and Waymaster, as follows, was introduced and adopted:

HR 6055—A RESOLUTION designating the month of April as Parkinson's Disease Awareness Month.

WHEREAS, Parkinson's disease is the second most common neurodegenerative disease in the United States, after Alzheimer's disease; and

WHEREAS, It is estimated that the disease affects over 1,000,000 people in the United States, including thousands of Kansans; and

WHEREAS, Although research suggests that the cause of Parkinson's disease is a combination of genetic and environmental factors, the exact cause and progression of the disease is still unknown; and

WHEREAS, There is no objective test for Parkinson's disease, and the potential for misdiagnosis can be high; and

WHEREAS, Symptoms of Parkinson's disease vary from person to person and include: Tremors; slow movement; rigidity; difficulty with balance, swallowing, chewing and speaking; cognitive problems; dementia; mood disorders, such as depression and anxiety; bladder and bowel issues; skin problems; diminished sense of smell; and sleep disruptions; and

WHEREAS, Medications mask some symptoms of Parkinson's disease for a limited amount of time each day, often with dose-limiting side effects; and

WHEREAS, Ultimately the medications and treatments lose their effectiveness, generally after four to eight years, leaving the person unable to move, speak or swallow; and

WHEREAS, There is, as yet, no absolute cure, therapy or drug to successfully slow or halt the progression of Parkinson's disease; and

WHEREAS, Increased education and research are needed to help find more effective treatments and a cure for Parkinson's disease; and

WHEREAS, The federal government, through the National Institutes of Health, the Department of Defense Neurotoxin Exposure Treatment Parkinson's Research Program, the Veterans Affairs Parkinson's Disease Research, Education and Clinical Centers and other agencies, supports vital work to better understand Parkinson's disease and to find new treatments; and

WHEREAS, In the fight against Parkinson's, Kansans can be proud. The University of Kansas Medical Center's Parkinson's Disease and Movement Disorder Center is a designated National Parkinson Foundation Center of Excellence; and

WHEREAS, Many individuals and entities have worked to promote Parkinson's Disease awareness, education and patient support, including support groups and organizations such as the Parkinson's Program at Meadowlark Hills and the National Parkinson Foundation of the Heartland; as well as patients, notably, Rob Peppers, Representative Pete DeGraaf, Representative Ramon Gonzalez Jr., former Representative J. Basil Dannebohm and Lisa Reser; and advocates Michelle Haub, Shana Gatschet, Dr. Rajesh Pahwa and others: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we designate the month of April as Parkinson's Disease Awareness Month. We will

continue to support research to find better treatments, and eventually, an absolute cure for Parkinson's disease; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representatives DeGraaf, Claeys, Gonzalez and Waymaster.

INTRODUCTION OF GUESTS

There being no objection, the following remarks are spread upon the Journal:

Remarks of Rep. Waymaster:

The U.S. Senate designated April as Parkinson's Awareness Month for the first time on March 26th, 2010 when S. Res. 474 was passed by unanimous consent.

Today, for the fourth consecutive year, we join with our nation and other states in showing our support of those who suffer from Parkinson's Disease. Committed to a cure, we stand with patients, family members, friends, advocates and caregivers. I'm honored to be co-sponsoring this year's proclamation with Rep. Claeys, Rep. Gonzalez, and Rep. DeGraaf, our friend and colleague who has Parkinson's disease. I'm also pleased to welcome back Rep. Dannebohm, our former colleague, whose time serving in this chamber was cut short due to the affect the disease had on him.

Parkinson's Disease Awareness Month was first proclaimed by the Kansas House in 2013 when it was sponsored by Representative Ronald Ryckman (R-Meade). In 2014, the resolution was once again sponsored by Ryckman and co-sponsored by Representative Marshall Christmann (R-Lyons). In 2015, the resolution was co-sponsored by Representative Fred Patton (R-Topeka) and Representative Gail Finney (D-Wichita).

Parkinson's disease is a progressive neurological disorder and symptoms can vary from person to person. Although promising research is being conducted, there is currently no cure for or definitive cause of Parkinson's disease.

As many as 1 million Americans have the disease. In 2005, an estimated 5,500 Kansans suffered from Parkinson's Disease. By 2014, that number had increased to an estimated 14,000.

So as we recognize April as Parkinson's Awareness Month, we are mindful of those who struggle and pledge our support and encouragement to them in their fight against this terrible disease.

Remarks of Rep. Claeys:

Joining us here on the floor today are …

• Lisa Reser from Ellinwood, Kansas. Mrs. Reser is a fifth grade teacher suffering from Parkinson's Disease. Though she faces the daily challenges of living with the disease, from the time she started her career as a child care provider to the present day as an educator, Lisa has been committed to the well being of Kansas children for more than 25 years. The disease forced her to retire but she refuses to let it take away her positive spirit. She, like so many who suffer, desire increased awareness and a cure. Lisa is accompanied by her husband, Scott, her daughters Ashley and Emily, and her grandchildren Harper, Hudson, Kobe, and Kade.

• Michelle Haub, Michelle is the co-creator and Director of the Parkinson's Program of Manhattan at Meadowlark Hills in Manhattan, KS. Here she leads an active program for those affected by PD with exercise & voice classes, education meetings, social activities, community outreach and fundraising. In 2014, the Parkinson's Program of Manhattan received the Excellence in Social Accountability Award from LeadingAge Kansas. Michelle is also an active volunteer as she was previously the Vice President for Professional Practices, a Committee Chair, and is the current Past President and on the Legislative Task Force for KSHA. Accompanying Michelle are Matthew Schindler, a Parkinson's patient and his wife, Susan.

• Representative J. Basil Dannebohm. In the summer of 2012, Dannebohm was diagnosed with Young Onset Parkinson's Disease. Since that time, he has been an advocate for Parkinson's Disease research, treatment and awareness. Representative Dannebohm travels across the country promoting awareness and offering encouragement to his fellow patients. His message has inspired numerous Parkinson's patients to live each day to the fullest. He has been the driving force each year behind this proclamation. Accompanying Representative Dannebohm is Courtney Blankenship. Miss Blankenship is currently the titleholder of Miss Yellow Brick Road and will compete this summer in the Miss Kansas Pageant. Whether running in a 5K, participating in an Art Exhibition, or traveling to promote Parkinson's awareness, Representative Dannebohm has always been able to rely on Courtney and her pageant sisters to assist in advancing the cause.

Will all of you join me in giving encouragement to these individuals, their loved ones and all Kansas with Parkinson's disease? Thank you.

Remarks of Rep. DeGraaf:

Today as we pause to recognize and learn more about those who struggle with Parkinson Disease, I want to express my personal thanks to each of you for your support and patience as I have worked through my need for back surgery and then the issues surrounding my recent Parkinson's disease (PD) diagnosis.

Early diagnosis of PD is important because there are new medicines and strategies to help people with PD mitigate their symptoms. If it had not been for my back challenges, it may have been another five or even ten years before I had diagnoses.

While each of us with Parkinson has a different journey, there are a number of similarities. On your desk is a handout that lists most of the common challenges. As I look back, if I had know the signs, the first indicator I received was my diminished sense of smell.

It was about a year ago today that I first learned I might have Parkinson's. Initially I felt devastated and then I began to learn about all the support that is available. I want to publicly thank Representative Basil Dannebohm, who took my wife and me to a national Parkinson's conference the day after my diagnosis, and Michelle Haub, who provides outstanding support programs through Meadowlark Hills, in Manhattan, Kansas. I also want to thank my wife, Karen, all the spouses, family members, and various caregivers that lovingly, with great patience and longsuffering, help us cope and know that we are not alone!

Remarks of Rep. Gonzalez:

Thank you House of Representatives for taking the time to become aware of Parkinson's disease. I was asked to share the effects of Parkinson's on me personally. I was diagnosed in 2011. I always proud of my handwriting, but it now it starts with big letters and they get smaller. I still enjoy life and being able to have fun with my grandkids. I walk slower, so don't run over me in the hallways. I again thank you all for your awareness of Parkinson's disease.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Winn, **HR 6056**, by Rep. Winn, as follows, was introduced and adopted:

HR 6056—A RESOLUTION congratulating and commending the 2015-2016 Kansas City Kansas Community College Women's Basketball team on winning the 2016 National Junior College Athletic Association Division II Championship.

WHEREAS, The 2015-2016 Kansas City Kansas Community College (KCKCC) Women's Basketball team, the Lady Blue Devils, won the 2016 National Junior College Athletic Association (NJCAA) Division II Championship by beating Illinois Central with an 81-59 victory at Cavalier Gymnasium, Overland Park, Kansas, on March 19, 2016. The win marks the first time in KCKCC's history to win the Championship; and

WHEREAS, The 2016 NJCAA Division Champions are: Erin Anderson, Brooklyn Bockover, Aricca Daye, Ky'Ana French, Whitney Hazlett, Janay Jacobs, Kyliea Jarrett, Cheyenne North, Sierra Roberts, Nimo Samana, Valencia Scott, Millie Shade, Brie Tauai and Brooklyn Wagler; and

WHEREAS, The head coach is Joe McKinstry and the assistant coaches are Chamissa Anderson and Dawn Adams; and

WHEREAS, The Lady Blue Devils were powered by a balanced offense that saw five players score in double figures, with Sierra Roberts leading the way with a game high of 16 points. Brooklyn Wagler tallied 15 points, while Cheyenne North and Erin Anderson each finished with 14 points. Brie Tauai came off the bench to chip in 11 points; and

WHEREAS, The Lady Blue Devils shot 46.2% from the field and converted 40% of their attempts from three-point distance. The team also controlled the boards as they out-rebounded Illinois Central 48-34, with Cheyenne North leading all players with 16 rebounds and Brooklyn Wagler finishing with 10 rebounds; and

WHEREAS, The only time the Lady Blue Devils trailed in the game was at the 9:42 mark of the first quarter. After surrendering the first basket of the game, the Lady Blue Devils never looked back, as they charged forward with a 12-2 point run; and

WHEREAS, The Lady Blue Devils kept the momentum into the second half and added a stifling defense to the mix, as they outscored Illinois Central 21-7 in the quarter, with the trio of Anderson, North and Roberts contributing 14 points in the period; and

WHEREAS, Despite a better second half from Illinois Central, the Lady Blue Devils maintained their advantage for the remainder of the contest, eventually pushing their lead to as much as 24 points down the stretch; and

WHEREAS, Cheyenne North was named the tournament's Most Valuable Player, Coach Joe McKinstry was named the Coach of the Tournament and Erin Anderson and Brooklyn Wagler were named to the All-Tournament Team: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend the 2015-2016 Kansas City Kansas Community College Women's Basketball team on winning the 2016 National Junior College Athletic Association Division II Championship; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Winn.

INTRODUCTION OF GUESTS

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

Today I have the distinct honor and privilege to congratulate the 2016 National Junior College Athletic Association Division II Women's Basketball National Champions, the Kansas City Kansas Community College Lady Blue Devils.

There is no doubt about the strength and toughness of the Lady Blue Devils. In the championship game, the Lady Blue Devils shot 46.2% from the field and converted 40% of its attempts from the three-point distance. Furthermore, the Lady Blue Devils controlled the boards as it out-rebounded Illinois Central 48-34.

In the span of four days the Lady Blue Devils defeated the No.1, No.2, No.5 and No. 12 seeded teams by an average of 19 points per game. After a 72-53 win that ended Waubonsee's 18-game winning streak on Wednesday, the Lady Blue Devils defeated No. 5 Owens 78-64 on Thursday, unbeaten and No.1 ranked Monroe 81-59 Friday and No. 2 Illinois Central 81-59 in the national championship game on Saturday, March 19, 2016.

I would like to welcome to the House of Representatives the President, Dr. Doris Givens, CFO and COO Dr. Susan Lindahl, Athletic Director Tony Tompkins, Head Coach Joe McKinstry, and assistant coaches Dawn Adams and Chamissa Anderson. The Lady Blue Devils are: Erin Anderson, Brooklyn Bockover, Aricca Daye, Ky'Ana French, Whitney Hazlett, Janay Jacobs, Kyliea Jarrett, Cheyenne North, Sierra Roberts, Nimo Samana, Valencia Scott, Millie Shade, Brie Tauai and Brooklyn Wagler.

Please join me in congratulating the 2016 NJCAA Division II Women's National Champions-the Kansas City Kansas Community College Lady Blue Devils Women's Basketball Team.

CONSIDERATION OF VETO

On motion of Rep. Schwab the House proceeded to reconsider line item vetoes on **H Sub for SB 161** AN ACT making and concerning appropriations for the fiscal years ending June 30, 2016, June 30, 2017, and June 30, 2018, for the state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 75-3722 and K.S.A. 2015 Supp. 68-2320, 74-4914d, 74-4920, 74-50,107, 74-99b34, 75-2319 and 79-34,161 and repealing the existing sections..

The Governor's objection of the line item which reads as follows: 35(g) 36(f) having been read (HJ Page 2285) the question being shall the line item be passed not withstanding the Governor's veto?

On roll call, the vote was: Yeas 24; Nays 97; Present but not voting: 0; Absent or not voting: 4.

Yeas: Anthimides, Barton, Carmichael, B. Carpenter, W. Carpenter, E. Davis, Dove, Edmonds, Esau, Grosserode, Hawkins, Huebert, K. Jones, Kelley, Lunn, Macheers, McPherson, Peck, R. Powell, Rubin, Schwab, Todd, Whitmer, K. Williams.

Nays: Alcala, Alford, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, DeGraaf, Dierks, Doll, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houston, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lusk, Lusker, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Read, Rhoades, Rooker, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Goico, Houser, Kahrs, Scapa.

A two-thirds majority of the members elected to the House not having voted in favor of the line items over the Governor's veto, the motion did not prevail, the line item veto did not pass.

CONSENT CALENDAR

No objection was made to **SB 443** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 443, AN ACT declaring the cage elevator in the Kansas state capitol building as the official cage elevator of the state of Kansas, was considered on final action.

On roll call, the vote was: Yeas 80; Nays 41; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Alford, Anthimides, Ballard, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Curtis, DeGraaf, Dierks, Edmonds, Estes, Ewy, Finch, Finney, Francis, Gallagher, Gonzalez, Helgerson, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Huebert, Hutchins, Johnson, Kelly, Kleeb, Kuether, Lewis, Lusk, Lusker, Mason, Mast, Moxley, O'Brien, Ousley, F. Patton, Pauls, Peck, Phillips, Proehl, Rahjes, Read, Rooker, Ruiz, Sawyer, Schroeder, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, C., Whipple, Wilson, Winn, Wolfe Moore.

Nays: Barker, Barton, B. Carpenter, W. Carpenter, Corbet, E. Davis, Doll, Dove, Esau, Frownfelter, Garber, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Hutton, Jennings, D. Jones, K. Jones, Kelley, Kiegerl, Lunn,

Macheers, McPherson, Merrick, Osterman, R. Powell, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schwab, Sutton, Todd, Waymaster, Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Goico, Houser, Kahrs, S. Swanson.

The bill passed.

HB 2713, AN ACT concerning corporations; relating to the Kansas general corporation code; business entity standard treatment act; amending K.S.A. 17-1289, 17-2036, 17-2718, 17-4634, 17-6001, 17-6004, 17-6006, 17-6007, 17-6008, 17-6009, 17-6010, 17-6101, 17-6102, 17-6104, 17-6106, 17-6301, 17-6302, 17-6304, 17-6401, 17-6402, 17-6404, 17-6405, 17-6407, 17-6408, 17-6409, 17-6410, 17-6412, 17-6413, 17-6414, 17-6415, 17-6416, 17-6420, 17-6422, 17-6425, 17-6426, 17-6501, 17-6502, 17-6503, 17-6505, 17-6506, 17-6508, 17-6509, 17-6510, 17-6512, 17-6513, 17-6514, 17-6515, 17-6516, 17-6517, 17-6518, 17-6521, 17-6522, 17-6523, 17-6603, 17-6605, 17-6701, 17-6702, 17-6703, 17-6705, 17-6706, 17-6707, 17-6708, 17-6710, 17-6712, 17-6801, 17-6803, 17-6804, 17-6805, 17-6805a, 17-6807, 17-6808, 17-6809, 17-6810, 17-6811, 17-6812, 17-6813, 17-6902, 17-6903, 17-6904, 17-6905, 17-6906, 17-6907, 17-6908, 17-6909, 17-6910, 17-6911, 17-6913, 17-7001, 17-7003, 17-7101, 17-7102, 17-7201, 17-7203, 17-7204, 17-7205, 17-7206, 17-7208, 17-7209, 17-7211, 17-7212, 17-7213, 17-7215, 17-7302, 17-7305, 17-7307, 17-7404, 17-7503, 17-7504, 17-7505, 17-7510 and 17-7512 and K.S.A. 2015 Supp. 17-6002, 17-6305, 17-6601, 17-6602, 17-7002, 17-7207, 17-7506, 17-76,139, 17-7903, 17-7908, 17-7918, 17-7919, 17-7924, 17-7925, 17-7927, 17-7928, 17-7929, 17-7931, 17-7934, 56-1a606, 56-1a607, 56a-1201 and 56a-1202 and repealing the existing sections; also repealing 17-12,100, 17-12,101, 17-12,102, 17-12,103, 17-12,104 and 17-6704, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Houser.

The bill passed, as amended.

HR 6045, A RESOLUTION urging the federal government to require the use of sound science in evaluating crop protection chemistries and nutrients, was considered

on final action.

On roll call, the vote was: Yeas 118; Nays 5; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Carmichael, Highberger, Houston, Kuether, Tietze.

Present but not voting: None.

Absent or not voting: Goico, Houser.

The resolution was adopted, as amended.

SB 19, AN ACT concerning administrative procedure; relating to the Kansas administrative procedure act; Kansas judicial review act; amending K.S.A. 77-502, 77-545, 77-546, 77-548 and 77-613 and K.S.A. 2015 Supp. 77-519, 77-521 and 77-531 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Ward.

Present but not voting: None.

Absent or not voting: Goico, Houser.

The bill passed, as amended.

Sub SB 22, AN ACT concerning courts; relating to municipal courts; assessments; the Kansas commission on peace officers' standards and training fund; notices from

district courts; amending K.S.A. 12-4112 and K.S.A. 2015 Supp. 12-4117, 12-4516, 21-6614, 22-2410 and 22-3609 and repealing the existing sections; also repealing K.S.A. 2015 Supp. 12-4516d and 21-6614f, was considered on final action.

On roll call, the vote was: Yeas 109; Nays 14; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barton, B. Carpenter, Corbet, Edmonds, Garber, Hildabrand, K. Jones, Kahrs, McPherson, Peck, R. Powell, Scapa, Sutton, Ward.

Present but not voting: None.

Absent or not voting: Goico, Houser.

The substitute bill passed, as amended.

SB 224, AN ACT concerning the emergency medical services board; imposition of fines; investigation authority; issuance of subpoenas; amending K.S.A. 65-6130 and K.S.A. 2015 Supp. 65-6111 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 93; Nays 30; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Burroughs, Carmichael, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, Dierks, Doll, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Hawkins, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houston, Hutchins, Hutton, Johnson, D. Jones, Kelly, Kleeb, Kuether, Lewis, Lusk, Lusker, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Read, Rooker, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barton, Bruchman, Campbell, Carlin, B. Carpenter, W. Carpenter, DeGraaf, Dove, Edmonds, Esau, Garber, Grosserode, Hedke, Hildabrand, Huebert, Jennings, K. Jones, Kahrs, Kelley, Kiegerl, Lunn, Macheers, McPherson, Peck, R. Powell, Rhoades, Rubin, Scapa, Sutton, Whitmer.

Present but not voting: None.

Absent or not voting: Goico, Houser.

The bill passed, as amended.

H Sub for SB 280, AN ACT concerning property taxation; relating to powers of taxing jurisdictions; valuation , appeals, procedure; ratio study, presentation to county commissioners, exemptions; bed and breakfasts; oil and gas leases, determination of value of production, evidence; county appraisers, persons eligible; market study analysis; tax liens, extinguishment; delinquent real property taxes, interest rate, claims against the county; amending K.S.A. 3-114, 12-1688, 19-432, 19-3557, 19-3617, 19-3622, 27-322, 27-333, 79-504, 79-1412a, 79-1456, 79-1460a, 79-2011, 80-1520 and 80-1548 and K.S.A. 2015 Supp. 12-1927, 12-1928, 12-1936, 27-323, 74-2426, 74-2433, 74-2438, 77-618, 79-331, 79-425a, 79-503a, 79-1439, 79-1448, 79-1460, 79-1476, 79-2004, 79-2005 and 79-2026 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Houser.

The substitute bill passed, as amended.

SB 314, AN ACT concerning the local food and farm task force; extending the expiration date; amending K.S.A. 2015 Supp. 2-3805 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 93; Nays 30; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Corbet, Curtis, DeGraaf, Dierks, Doll, Edmonds, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Hawkins, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Hoffman, Houston, Hutton, Jennings, Johnson, D. Jones, Kelley, Kelly, Kleeb, Kuether, Lewis, Lusk, Lusker, Mason, Mast, Merrick, Moxley, Osterman, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, S. Swanson, Thimesch,

Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Barton, B. Carpenter, W. Carpenter, Claeys, E. Davis, Dove, Esau, Garber, Grosserode, Hedke, Highland, Hildabrand, Huebert, Hutchins, K. Jones, Kahrs, Kiegerl, Lunn, Macheers, McPherson, O'Brien, Peck, R. Powell, Rhoades, Scapa, Sutton, Todd, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Goico, Houser.

The bill passed.

SB 338, AN ACT concerning cities; relating to the rehabilitation of abandoned property; amending K.S.A. 2015 Supp. 12-1750 and 12-1756a and repealing the existing sections; also repealing K.S.A. 2015 Supp. 12-1756e, was considered on final action.

On roll call, the vote was: Yeas 79; Nays 44; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Barker, Barton, Becker, Bollier, Bradford, Burroughs, Campbell, Claeys, Clark, Clayton, Concannon, Curtis, E. Davis, Dierks, Doll, Edmonds, Finch, Francis, Frownfelter, Gallagher, Gonzalez, Hedke, Helgerson, Hemsley, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lusk, Lusker, Mason, Moxley, O'Brien, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schwab, Seiwert, Sloan, C. Smith, Suellentrop, S. Swanson, Thimesch, Thompson, Tietze, Trimmer, Victors, Ward, Waymaster, Weber, C., Whipple, K. Williams, Wilson, Wolfe Moore.

Nays: Anthimides, Ballard, Billinger, Boldra, Bruchman, Carlin, Carmichael, B. Carpenter, W. Carpenter, Corbet, DeGraaf, Dove, Esau, Estes, Ewy, Finney, Garber, Grosserode, Hawkins, Henderson, Hildabrand, Houston, K. Jones, Kahrs, Kelley, Lunn, Macheers, Mast, McPherson, Merrick, Osterman, Peck, R. Powell, Read, Rhoades, Scapa, Schroeder, Schwartz, Scott, Sutton, Todd, Vickrey, Whitmer, Winn.

Present but not voting: None.

Absent or not voting: Goico, Houser.

The bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: I VOTE NO ON SB 338. KANSAS ALREADY HAS SUFFICIENT TOOLS IN PLACE TO ADDRESS BLIGHT. **SB 338** circumvents our current eminent domain statutes by redefining "abandoned property" and by allowing our local governments to expeditiously confiscate, seize or destroy law abiding citizens' private property without compensation, adequate notice, and a legal property title. This is an egregious overreach that deprives some citizens of their private property rights without sufficient due process and it will cause irreparable harm to our most vulnerable citizens that do not have the resources to protect their property. – GAIL FINNEY, BRODERICK HENDERSON, RODERICK HOUSTON, BEN SCOTT, VALDENIA WINN, JOHN CARMICHAEL, KASHA KELLEY, BILL SUTTON, JERRY LUNN, CHARLES MACHEERS

SB 407, AN ACT concerning civil commitment of sexually violent predators; relating to registration under the Kansas offender registration act; involuntary commitment, transitional release, conditional release; amending K.S.A. 2015 Supp. 22-4903, 22-4904 and 22-4905 and repealing the existing sections; and reviving K.S.A. 59-29a18, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Houser.

The bill passed, as amended.

SB 408, AN ACT concerning abuse, neglect and exploitation of persons; relating to reporting and investigation; duties and powers of attorney general, law enforcement and department of corrections; amending K.S.A. 2015 Supp. 38-2223, 38-2226 and 75-723 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 103; Nays 19; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Estes, Ewy, Finch, Francis, Frownfelter, Gallagher, Gonzalez, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highland, Hill, Hineman, Hoffman, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Becker, Carmichael, B. Carpenter, Edmonds, Esau, Finney, Garber, Grosserode, Helgerson, Highberger, Hildabrand, Houston, Kahrs, Kelley, Lunn,

McPherson, Todd, Ward, Whitmer.

Present but not voting: None.

Absent or not voting: Goico, Houser, Tietze.

The bill passed, as amended.

SB 449, AN ACT concerning {psychiatric health; relating to professions regulated by} the behavioral sciences regulatory board; {prohibiting outsourcing of operations or facilities of state psychiatric hospitals;} amending K.S.A. 59-29b54, 59-29b61, 65-4016, 65-5806, 65-5808, 65-6314, 65-6407, 65-6408, 65-6411, 74-5311, 74-5318, 74-5361, 74-5362, 74-5363, 74-5365 and 74-5370 and K.S.A. 2015 Supp. 59-29b46, 59-3077, 65-4024a, 65-5807, 65-5809, 65-6309, 65-6311, 65-6313, 65-6405, 65-6406, 65-6607, 65-6608, 65-6609, 65-6610, 65-6611, 65-6612, 65-6613, 65-6614, 65-6615, 65-6616, 65-6617, 65-6618, 65-6620, 74-5310, 74-5315, 74-5316, 74-5324, 74-5367, 74-5369, 74-5375, 74-5376, 74-7507 and 74-7508 and repealing the existing sections; also repealing K.S.A. 74-5319, 74-5320, 74-5321, 74-5325, 74-5326, 74-5327, 74-5328, 74-5332, 74-5333, 74-5334, 74-5336 and 74-5338 and K.S.A. 2015 Supp. 65-5815, 65-6412, 65-6619 and 74-5337, was considered on final action.

On roll call, the vote was: Yeas 97; Nays 26; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Curtis, E. Davis, Dierks, Doll, Dove, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lusk, Lusker, Mason, Mast, Merrick, Osterman, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Read, Rooker, Rubin, Ruiz, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Barton, B. Carpenter, Corbet, DeGraaf, Edmonds, Esau, Garber, Grosserode, Hildabrand, Kahrs, Kelley, Lunn, Macheers, McPherson, Moxley, O'Brien, Peck, R. Powell, Rhoades, Ryckman, Scapa, Suellentrop, Sutton, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Goico, Houser.

The bill passed, as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2734** be amended on page 2, following line 7, by inserting:

"(3) Notwithstanding the provisions of sections 52 and 53 of chapter 104 of the 2015 Session Laws of the Kansas, section 18 of 2016 House Substitute for Senate Bill No. 161, this or any other appropriation act of the 2016 regular session of the legislature, the legislative budget committee may meet not more than 10 days to study and review such policies as determined by the chairperson of the committee.";

And the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2741, AN ACT concerning education; relating to the financing and instruction thereof; creating the school district finance and student success act; amending K.S.A. 46-1701, 72-8208a and 75-6510 and K.S.A. 2015 Supp. 10-1116a, 12-1770a, 12-1775a, 60-2102, 72-978, 72-1046b, 72-1398, 72-1414, 72-1923, 72-5333b, 72-5413, 72-64b01, 72-64b03, 72-64c03, 72-64c05, 72-6624, 72-6625, 72-6757, 72-6760, 72-67,115, 72-8187, 72-8230, 72-8233, 72-8236, 72-8251, 72-8254, 72-8316, 72-8415b, 72-8804, 72-8908, 72-99a02, 74-4939a, 74-8925, 74-99b43, 75-2319, 75-6506, 75-6508, 75-6509, 79-201x, 79-213, 79-2001 and 79-2925b and repealing the existing sections; also repealing K.S.A. 2015 Supp. 72-3715, by Committee on Appropriations.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Suellentrop to concur in Senate amendments to **S Sub for HB 2088**, Rep. Kleeb offered a substitute motion to nonconcur in Senate amendments to **S Sub for HB 2088** and asked for a conference. The substitute motion prevailed.

Speaker Merrick thereupon appointed Reps. Kleeb, Suellentrop and Sawyer as conferees on the part of the House.

On motion of Rep. Barker, the House nonconcurred in Senate amendments to **Sub HB 2289** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

On motion of Rep. Proehl, the House nonconcurred in Senate amendments to **HB 2436** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Proehl, Ryckman, Sr. and Lusker as conferees on the part of the House.

On motion of Rep. Gonzalez, the House nonconcurred in Senate amendments to **HB 2460** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Gonzalez, Pauls and Highberger as conferees on the part of the House.

On motion of Rep. Gonzalez, the House nonconcurred in Senate amendments to **HB 2463** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Gonzalez, Pauls and Highberger as conferees on the part of the House.

On motion of Rep. Campbell, the House nonconcurred in Senate amendments to **S Sub for HB 2509** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Campbell, Sloan and Curtis as conferees on the part of the House.

REPORT ON ENGROSSED BILLS

HB 2713 reported correctly engrossed March 22, 2016.

On motion of Rep. Vickrey, the House adjourned until 9:00 a.m., Thursday, March 24, 2016.

Journal of the House

FORTY-EIGHTH DAY

Hall of the House of Representatives,
Topeka, KS, Thursday, March 24, 2016, 9:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 123 members present.
Reps. Edmonds and Seiwert were excused on excused absence by the Speaker.
Present later: Reps. Edmonds and Seiwert.
Excused later: Rep. Rubin.

Prayer by Chaplain Brubaker:

Gracious and Loving God,
Thank You for Your faithfulness and
for this new day.
Thank you for the gift of Your grace and presence
as these leaders have met together
and so faithfully served the last few months.
We are grateful for the fellowship and understanding,
the mutual respect and shared vision,
and for the perseverance and insight
into the common concerns addressed in this legislature.
Continue to guide them and bless them.
In Christ's Name I pray,
Amen.

The Pledge of Allegiance was led by Rep. Boldra.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2741**.
Taxation: **SB 353, SB 359**.

MESSAGES FROM THE SENATE

The Senate announced the appointment of Senator Arpke to replace Senator Baumgardner as a conferee on **S Sub for HB 2008**.

The Senate announced the appointment of Senator Arpke to replace Senator Baumgardner as a conferee on **HB 2622**.

The Senate announced the appointment of Senator Longbine to replace Senator

Smith as a conferee on **H Sub for SB 168**.

The Senate announced the appointment of Senator Hensley to replace Senator Haley as a conferee on **H Sub for SB 168**.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2088** and has appointed Senators Donovan, Tyson and Holland as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **Sub HB 2289** and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2436** and has appointed Senators Petersen, Wolf and Pettey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2460** and has appointed Senators Smith, Knox and Pettey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2463** and has appointed Senators Smith, Knox and Pettey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2509** and has appointed Senators Lynn, Wagle and Holland as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **SB 19**, requests a conference and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **Sub SB 22**, requests a conference and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **SB 407**, requests a conference and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **SB 408**, requests a conference and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **SB 449**, requests a conference and has appointed Senators O'Donnell, Bowers and Kelly as conferees on the part of the Senate.

Also, announcing passage of **SB 424, SB 469, SB 480, SB 509**; **Sub SB 356, Sub SB 462**.

Announcing passage of **HB 2018,** as amended by **Senate Substitute for HB 2018**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

Sub SB 356, **SB 424**, **Sub SB 462**, **SB 469**, **SB 480**, **SB 509**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 19**.

Speaker pro tem Mast thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a

conference on **Sub SB 22**.

Speaker pro tem Mast thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 407**.

Speaker pro tem Mast thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 408**.

Speaker pro tem Mast thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 449**.

Speaker pro tem Mast thereupon appointed Reps. Hawkins, Dove and Ward as conferees on the part of the House.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Gonzalez, the House nonconcurred in Senate amendments to **S Sub for HB 2018** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Gonzalez, Pauls and Highberger as conferees on the part of the House.

On motion of Rep. Vickrey, the House recessed until 11:00 a.m.

LATE MORNING SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 318** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

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

Dennis Hedke
Ken Corbet
Annie Kuether
Conferees on part of House

Rob Olson
Mike Petersen
Marci Francisco
Conferees on part of Senate

On motion of Rep. Hedke the conference committee report on **SB 318** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Hedke, Corbet and Kuether as second conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 367** submits the following report:

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

On page 3, in line 1, by striking "two months" and inserting "one month"; in line 2, by striking "four" and inserting "three"; in line 6, after the period by inserting "When the court extends the term of probation for a juvenile offender, the court services officer or community correctional services officer responsible for monitoring such juvenile offender shall record the reason given for extending probation. Court services officers shall report such records to the office of judicial administration, and community correctional services officers shall report such records to the department of corrections. The office of judicial administration and the department of corrections shall report such recorded data to the Kansas juvenile justice oversight committee on a quarterly basis.";

On page 6, by striking all in line 36; following line 39, by inserting:

"(F) the requirement for youth residential facilities to maintain sight and sound separation between children in need of care that have an open juvenile offender case and children in need of care that do not have an open juvenile offender case;";

On page 7, in line 2, after "identify" by inserting "evidence-based"; in line 23, by striking "and"; in line 26, by striking "attorney" and inserting "attorneys"; also in line 26, after "training" by inserting "; and

(8) data received from the office of judicial administration and the department of corrections, pursuant to section 1, and amendments thereto, pertaining to extensions of probation for juvenile offenders and an analysis of such data to identify how probation extensions are being used and conclusions regarding the effectiveness of such extensions";

On page 58, in line 29, by striking "a" and inserting "an evidence-based";

On page 59, in line 32, by striking "7" and inserting "6";

On page 65, in line 31, before "secretary" by inserting "office of judicial administration and the"; also in line 31, by striking all after "corrections"; by striking all in line 32;

On page 66, in line 27, by striking "a" and inserting "an"; in line 28, by striking "felony";

On page 108, by striking all in lines 31 through 43;

On page 109, by striking all in lines 1 through 22 and inserting:

"Sec. 61. K.S.A. 75-3722, as amended by section 111 of 2016 House Substitute for Senate Bill No. 161, is hereby amended to read as follows: 75-3722. (a) An allotment system will be applicable to the expenditure of the resources of any state agency, under rules and regulations established as provided in K.S.A. 75-3706, and amendments thereto, only if in the opinion of the secretary of administration on the advice of the director of the budget, the use of an allotment plan is necessary or beneficial to the

state. In making this determination the secretary of administration shall take into consideration all pertinent factors including:

(1) Available resources;

(2) current spending rates;

(3) work loads;

(4) new activities, especially any proposed activities not covered in the agency's request to the governor and the legislature for appropriations;

(5) the minimum current needs of each agency;

(6) requests for deficiency appropriations in prior fiscal years;

(7) unexpended and unencumbered balances; and

(8) revenue collection rates and prospects.

(b) Whenever for any fiscal year it appears that the resources of the general fund or any special revenue fund are likely to be insufficient to cover the appropriations made against such general fund or special revenue fund, the secretary of administration, on the advice of the director of the budget, shall, in such manner as he or she may determine, inaugurate the allotment system so as to assure that expenditures for any particular fiscal year will not exceed the available resources of the general fund or any special revenue fund for that fiscal year.

(c) (1) The allotment system shall not apply to the legislature or to the courts or their officers and employees, or to payments made from the juvenile justice improvement fund, established in section 13, and amendments thereto, for the development and implementation of evidence-based community programs and practices for juvenile offenders and their families. During the fiscal year ending June 30, 2017, the allotment system provided by this section shall not apply to any item of appropriation for employer contributions for the state of Kansas and participating employers who are eligible employers as specified in K.S.A. 74-4931(1), (2) and (3), and amendments thereto, under the Kansas public employees retirement system pursuant to K.S.A. 74-4939, and amendments thereto.

(2) Agencies affected by decisions of the secretary of administration under this section shall be notified in writing at least 30 days before such decisions may become effective and any affected agency may, by written request addressed to the governor within 10 days after such notice, ask for a review of the decision by the finance council. The finance council shall hear appeals and render a decision within 20 days after the governor receives requests for such hearings.";

On page 119, in line 10, after "75-3722" by inserting ", as amended by section 111 of 2016 House Substitute for Senate Bill No. 161,"; in line 12, by striking the fourth comma;

On page 1, in the title, in line 2, after "75-3722" by inserting ", as amended by section 111 of 2016 House Substitute for Senate Bill No.161,";

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

Ramon C. Gonzalez
Blaine Finch
Dennis "Boog" Highberger
Conferees on part of House

GREG SMITH
FORREST J. KNOX
PAT PETTEY
Conferees on part of Senate

On motion of Rep. Finch, the conference committee report on **SB 367** was adopted.

On roll call, the vote was: Yeas 118; Nays 5; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Esau, Kahrs, Kelley, Mast, Ward.

Present but not voting: None.

Absent or not voting: Edmonds, Seiwert.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Hawkins, the House concurred in Senate amendments to **HB 2387**, AN ACT concerning emergency medical services; amending K.S.A. 2015 Supp. 65-6102, 65-6111, 65-6112, 65-6120, 65-6121, 65-6129b, 65-6129c, 65-6133, 65-6135 and 65-6144 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

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

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.
Present but not voting: None.
Absent or not voting: Edmonds, Kleeb, Sawyer, Seiwert, Suellentrop.

On motion of Rep. Schwab, the House concurred in Senate amendments to **HB 2134**, AN ACT concerning consumer credit; relating to security freezes on protected consumer reports; amending K.S.A. 2015 Supp. 50-702 and repealing the existing section.

(The House requested the Senate to return the bill, which was in conference).

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

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.
Present but not voting: None.
Absent or not voting: Edmonds, Kleeb, Sawyer, Seiwert, Suellentrop.

On motion of Rep. Pauls, the House concurred in Senate amendments to **HB 2447**, AN ACT concerning crimes, punishment and criminal procedure; relating to the secretary of corrections; program credits; delinquent time lost on parole; amending K.S.A. 2015 Supp. 21-6821 and 75-5217 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 119; Nays 1; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz,

Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Ward.

Present but not voting: None.

Absent or not voting: Edmonds, Kleeb, Sawyer, Seiwert, Suellentrop.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6057—**

By Representative Burroughs

HR 6057---A RESOLUTION supporting the Federal Railroad Administration's proposed rule, requiring that trains operated in America be operated by no smaller than a two-person crew.

WHEREAS, The safe operation of freight and passenger trains is vital to commerce, and Kansas supports efforts to keep train operations safe in our state; and

WHEREAS, The Federal Railroad Administration (FRA) has published a notice of proposed rulemaking (NPRM) regarding adequate staffing on trains, a factor believed to be vital to ensuring safe train operations; and

WHEREAS, Polling across America from North Dakota to Alabama shows overwhelming bi-partisan support of two-person crews, with 83 to 87 percent of those polled in favor of mandating that trains be operated by a crew of at least two qualified individuals; and

WHEREAS, National studies show that a minimum of two on-board crew members is vital to operating trains safely and minimizing the likelihood of train-related accidents; and

WHEREAS, Virtually all trains in North America are already operated by crews of at least two individuals, making the economic impact of this proposed rule minimal; and

WHEREAS, The FRA agrees that, while advancements in automated technology, such as Positive Train Control (PTC) systems, improve railroad safety, they are not a substitute for a train's on-board crew members: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we support the FRA's proposed rule, requiring that trains operated in America be operated by no smaller than a two-person crew; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall cause this resolution to be filed with the United States Department of Transportation in the form of comments in support of the proposed rule.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **SB 59**, as amended by House Committee, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 59," as follows:

"House Substitute for SENATE BILL NO. 59

By Committee on Appropriations

"AN ACT concerning education; relating to the financing and instruction thereof; making and concerning appropriations for the fiscal year ending June 30, 2017, for the department of education; relating to the classroom learning assuring student success act; amending K.S.A. 2015 Supp. 72-6463, 72-6465, 72-6474, 72-6476, 72-6481 and 74-4939a and repealing the existing sections.";

And the substitute bill be passed.

(**H Sub for SB 59** was thereupon introduced and read by title.)

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **S Sub for HB 2018** and has appointed Senators Smith, Knox and Pettey as conferees on the part of the Senate.

The Senate adopts the Conference Committee report to agree to disagree on **SB 318**, and has appointed Senators Olson, Petersen and Francisco as second conferees on the part of the Senate.

Announcing passage of **HB 2655** as amended by **Senate Substitute for HB 2655**.

CONCUR AND NONCONCUR

On motion of Rep. Hutton to concur in conference on **HB 2617**, the motion was withdrawn.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 390** submits the following report:

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

On page 60, in line 30, after "other" by inserting "state or"; by striking all in lines 31 and 32; in line 33, by striking all before the comma; also in line 33, after "bank" by inserting "or trust company";

On page 71, following line 2, by inserting:

"New Sec. 65. (a) A bank, savings bank, savings and loan association or credit union may conduct a savings promotion in which promotion participants deposit money into a savings account or other savings program in order to obtain entries and participate in the promotion, provided that the bank, savings bank, savings and loan association or credit union:

(1) Conducts the promotion in a manner so as to ensure that each entry has an equal chance of winning the designated prize;

(2) fully discloses the terms and conditions of the promotion to each of its account holders;

(3) maintains records sufficient to facilitate an audit of the promotion;

(4) ensures that only account holders 18 years of age and older are permitted to participate in the promotion;

(5) does not require any consideration; and

(6) offers an interest rate and charges fees on any promotion-qualifying account that are approximately the same as those on a comparable account that does not qualify for the promotion.

(b) (1) The state bank commissioner is authorized to promulgate rules and regulations as necessary to effectuate the provisions of this section pertaining to banks, savings banks and savings and loan associations. Such rules and regulations shall be promulgated by July 1, 2017.

(2) The credit union administrator is authorized to promulgate rules and regulations as necessary to effectuate the provisions of this section pertaining to credit unions. Such rules and regulations shall be promulgated by July 1, 2017.

(3) The state bank commissioner and credit union administrator shall collaborate in order to promulgate rules and regulations affecting account holders that are consistent, other than the type of institution to which they apply.";

And by renumbering sections accordingly;

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

SCOTT SCHWAB
JIM KELLY
RODERICK HOUSTON
Conferees on part of House

JEFF LONGBINE
ELAINE BOWERS
TOM HAWK
Conferees on part of Senate

On motion of Rep. Kelly, the conference committee report on **SB 390** was adopted.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K.

Williams, Wilson, Winn, Wolfe Moore.
Nays: None.
Present but not voting: None.
Absent or not voting: Edmonds, Rubin.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Ryckman, the House concurred in Senate amendments to **S Sub for HB 2655**, AN ACT concerning education; relating to the financing and instruction thereof; making and concerning appropriations for the fiscal year ending June 30, 2017, for the department of education; relating to the classroom learning assuring student success act; amending K.S.A. 2015 Supp. 72-6463, 72-6465, 72-6474, 72-6476, 72-6481 and 74-4939a and repealing the existing sections.

Call of the House was demanded.

On roll call, the vote was: Yeas 93; Nays 31; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusk, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Ryckman, Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Nays: Alcala, Anthimides, Ballard, Burroughs, Carlin, Carmichael, Curtis, Edmonds, Finney, Frownfelter, Helgerson, Henderson, Henry, Highberger, Houston, Kuether, Lusker, Osterman, Ruiz, Sawyer, Scapa, Scott, Sloan, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.
Absent or not voting: Rubin.

EXPLANATIONS OF VOTE

Mr. Speaker: I vote yes on **S Sub for HB 2655**. There were three solutions identified. SB 512 and HB 2731, were fashioned after the prior formulas that the Supreme Court suggested would be one obvious choice and yet not one district supported the plan and the members of the respective committees that heard evidence on the bill did not believe it was the best option for Kansas schools. It includes a "hold harmless" provision that means no school districts lose funds. School districts testified that the hold harmless provision is necessary. I believe this bill, at this time, is the best option among those that I have seen. – Marc Phoades, Peggy Mast, John Whitmer, Les Mason, John Bradford, Dennis Hedke, Bill Sutton, Tony Barton, Will Carpenter, Mike Houser, Charles Macheers, Sharon Schwartz, Becky Hutchins, Chuck Weber, S. Mike Kiegerl, Mario Goico, Steve Huebert, Kyle Hoffman, Ken Corbet, Dick Jones

Mr. Speaker: I vote yes on **S Sub for HB 2655** because I want to respond to the

Supreme Court's concern over the equalization and, more importantly, because it will allow the legislature to focus on enacting a new school finance package, based upon input from the educational professionals, that will ensure that all Kansas children continue to receive the opportunity to pursue their chosen occupation through a suitable public education. – STEPHEN ALFORD, TROY WAYMASTER, JOE SEIWERT

MR. SPEAKER: I am voting YES today on **S Sub for HB 2655** for the purpose of keeping schools open. This plan misses the point of the equity portion of the Gannon case, provides no relief to the unequal tax burden facing certain districts in our state and perpetuates funding levels already ruled unconstitutional. However, there is nothing more important than ensuring our children have access to public education. Alternate options exist but this is the only one we have been given a chance to vote on. – SUZIE SWANSON, DIANA DIERKS, DON HILL, TOM MOXLEY, LARRY HIBBARD, GREG LEWIS, RAMON GONZALEZ, STEPHANIE CLAYTON, SUE BOLDRA, LINDA GALLAGHER, JOHN EWY

MR. SPEAKER: While I am doubtful **S Sub for HB 2655** is a solution that will satisfy the court, I am voting YES today for the purpose of keeping schools open. Better options could be developed but this is the only one we have been given a chance to vote on. It is unfortunate that this solution was crafted by a small minority of legislators without full deliberation or inclusion. – DON HINEMAN, MELISSA ROOKER

MR. SPEAKER: I vote to concur in **S Sub for HB 2655** even though I suspect it will not meet the Supreme Court's directive. The reason for my vote is to show the Court that the legislature is giving a good faith effort to meet our assignment and perhaps the Court, in turn, will pull back its deadline to close schools allowing more time for us to find a final workable solution. – STEVEN R. BECKER

MR. SPEAKER: I vote No on **S Sub for HB 2655** because the equalization formula offered does not appreciably increase aid to schools. It shifts money within existing inadequate appropriated funds and has the probability of requiring increases in local mill levies. Providing flexibility to school districts to move funds between inadequately funded programs does not improve educational outcomes. Including KPERS contributions in the school finance formula does not add money to classrooms and educational outcomes. **S Sub for HB 2655** resembles rearranging the deck chairs on the Titanic. – TOM SLOAN

MR. SPEAKER: I vote no on **S Sub for HB 2655**. This bill does absolutely nothing to respond to the court's ruling, or to remedy the inequities in SB 7 (the Block Grant bill), which the Supreme Court has declared unconstitutional. Rather, this bill is a naked and brazen attempt by supporters to create a legislative record that would force the Court to keep schools open, while **not** responding to the constitutional demand for an equitable school finance system.

We believe that this legislation is unconstitutional on its face, and is simply an effort to manipulate the judicial process, along with public opinion. – PAM CURTIS, BRODERICK HENDERSON, VALDENIA WINN, SYDNEY CARLIN, TOM BURROUGHS, LOUIS RUIZ

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on

House amendments to **SB 318** submits the following report:

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

On page 1, in line 13, after "transfer" by inserting "$45,000 from the KETA administrative fund of the state corporation commission to the state general fund and transfer"; also in line 13, after "all" by inserting "remaining";

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

Dennis Hedke
Ken Corbet
Conferees on part of House

Rob Olson
Mike Petersen
Marci Francisco
Conferees on part of Senate

On motion of Rep. Hedke, the conference committee report on **SB 318** was adopted.

On roll call, the vote was: Yeas 98; Nays 26; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusk, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C., Whipple, Whitmer, K. Williams.

Nays: Alcala, Ballard, Burroughs, Carlin, Carmichael, Curtis, Finney, Frownfelter, Helgerson, Henderson, Highberger, Houston, Kuether, Lusker, Ousley, Ruiz, Sawyer, Scott, C. Smith, Tietze, Trimmer, Victors, Ward, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Rubin.

MESSAGES FROM THE SENATE

The Senate concurs in House amendments to **H Sub for SB 55**, and requests return of the bill.

The Senate concurs in House amendments to **Sub for SB 99**, and requests return of the bill.

The Senate adopts the Conference Committee report on **SB 367**.

The Senate adopts the Conference Committee report on **HB 2563**.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 73, by Representative Tom Phillips, congratulating Cooper Lohman for being named the Kansas Middle School State Honoree for the Prudential Spirit Community Award;

Request No. 74, by Representative Becky Hutchins, congratulating Jackson Heights High School Boys Basketball Team for winning the 2A State championship;

Request No. 75, by Representatives Roderick Houston and Gail Finney, recognizing Storytime Village, Inc. for their dedication to helping our children thrive in the area of early childhood development;

Request No. 76, by Representative Ken Rahjes recognizing Coach Bill Johnson of Norton Community High School for coaching the 2016 State 3-2-1A champion wrestling team;

Request No. 77, by Representative Ken Rahjes recognizing Norton Community High School for winning the 2016 Kansas State 3-2-1A wrestling title;

Request No. 78, by Representative Kasha Kelley congratulating Mitchell and Christopher Gingher for exemplary community involvement as young people;

Request No. 79, by Representative Richard Billinger congratulating the Colby High School Wrestling team for winning the Class 4A wrestling championship;

Request No. 80, by Representative John Ewy commending Sharon Miller for 35 years of service as a medication aide at The Kansas Soldiers' Home, Fort Dodge;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

CHANGE OF CONFEREES

Speaker pro tem Mast announced the appointment of Reps. Pauls, Todd and Scott as a member of the conference committee on **HB 2502** to replace Reps. Barker, Macheers and Carmichael.

MESSAGES FROM THE SENATE

Announcing adoption of **SCR 1613**.

Also, announcing passage of **HB 2571**, as amended.

Announcing passage of **HB 2558**, as amended.

The Senate nonconcurs in House amendments to **SB 224**, requests a conference and has appointed Senators Ostmeyer, LaTurner and Faust-Goudeau as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **H Sub for SB 280**, requests a conference and has appointed Senators Donovan, Tyson and Holland as conferees on the part of the Senate.

The Senate nonconcurs in House amendments to **SB 326**, requests a conference and has appointed Senators Ostmeyer, LaTurner and Faust-Goudeau as conferees on the part

of the Senate.

The Senate announced the appointment of Senator Ostmeyer to replace Senator King as a conferee on **HB 2502**.

The Senate announced the appointment of Senator LaTurner to replace Senator Smith as a conferee on **HB 2502**.

The Senate announced the appointment of Senator Faust-Goudeau to replace Senator Haley as a conferee on **HB 2502**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Burroughs, **SCR 1613**, A CONCURRENT RESOLUTION relating to the 2016 regular session of the legislature; extending such session beyond 90 calendar days; and providing for adjournment thereof, was introduced and emergency adopted.

REPORT ON ENGROSSED BILLS

S Sub for HB 2131 reported correctly re-engrossed March 23, 2016.

REPORT ON ENGROSSED RESLOLUTIONS

HR 6045 reported correctly engrossed March 23, 2016.

REPORT ON ENROLLED RESOLUTIONS

HR 6047, HR 6053, **HR 6054** reported correctly enrolled and properly signed on March 24, 2016.

BILLS STRICKEN FROM CALENDAR

In accordance with House Rule 1507, the following bills were stricken from the Calendar for March 24, 2016: **SB 17, H Sub for Sub SB 18, H Sub for SB 58, SB 97, H Sub for SB 106, H Sub for SB 125, H Sub for SB 136, SB 159, SB 361, SB365, SB 370, SB 375, SB 382, SB 405, SB 426**

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Wednesday, April 27, 2016.

In The House Of Representatives
Of The State Of Kansas

Protest of Representatives Carmichael and Ward
Senate Substitute for House Bill 2655
March 24, 2016

Mr. Speaker:

Pursuant to Article 2, Section 10, of the Constitution of the State of Kansas we lodge this protest against Senate Substitute for House Bill No. 2655.

On February 9, 2016 one of the undersigned, Representative Carmichael, along with others introduced House Bill 2655, a bill to commemorate the laying of the cornerstone of the Kansas Capitol. Following full committee hearing and review, the bill was amended and recommended by a House standing committee for passage. Thereafter the amended bill was heard and debated by the House Committee of the Whole on February 22, 2016 and recommended favorably for passage. By emergency action of the full House on the same day, the bill was passed by the House of Representatives and forwarded to the Senate for its consideration.

The bill then remained a stranger to the House until hours prior to the House's First Adjournment on March 24, 2016, when it reappeared on a motion to concur with a substitute bill passed by the Senate the same morning. The substitute bill was never considered by a House standing or special committee, nor by the House Committee of the Whole. Instead, just hours after its passage by the Senate, the substitute bill arrived on the House floor for an up or down vote, without opportunity for receipt of testimony in committee nor an opportunity for full debate and amendment by members of the House.

The substitute bill which arrived on the House floor was described as a "legislative fix" for the constitutional infirmities in the so called "block grant" school funding plan passed by the House in the dark of night last year. In fact, the substitute bill does nothing to actually equalize purchasing power between districts resulting from differences in local wealth. Instead it is a freeze of equalization payments at the current levels accomplished through the artifice of a "hold harmless" provision that benefits wealthier school districts at the expense of poorer districts. The bill also violates the constitutional requirement of equity by expanding Local Option Budget (LOB) authority only for districts wealthy enough to afford local property tax increases. As a result the substitute bill not only violates the constitutional requirement of equity in purchasing power between districts through the so-called "hold harmless" provision, it also denies equity in tax burden for education between districts by sanctioning increases in LOB levies by wealthy districts the proceeds of which will now go to support operating budgets.

Given the necessary time constraints imposed on the Legislature by our Supreme Court's decision in *Gannon v. State of Kansas, et. al.*, _____ Kan. _____, Docket No. 113,267, February 11, 2016, which was itself made necessary by the Legislature's previous unconstitutional enactments, prudence would have dictated the Legislature find safe harbor in a system which has repeatedly been found by both the District Court

Three Judge Panel and our Supreme Court to be constitutionally equitable; namely, the prior equalization formulas. Those formulas, in combination, pass our Supreme Court's equity test, but this substitute bill does not. The substitute bill continues to create "winners and losers" as the attached chart and spreadsheet, which are incorporated by reference herein, graphically demonstrate. These charts and spreadsheets, provided to the Legislature by the Kansas State Department of Education, compare the substitute bill's effects with the prior equalization formulas previously found constitutional. Regrettably, this information was for the most part unavailable to House members in time for meaningful review prior to the passage of Senate Substitute for House Bill 2655 because the well-established committee process of the House was ignored in the members' rush to leave town for "spring break."

When compared to the prior equalization formulas, the substitute bill's disastrous effects on equity become apparent. The bill essentially switches the LOB equalization formula to a less generous equalization formula than was previously authorized. While the capital outlay equalization formula might have been approved by the courts for capital outlay it was not approved for LOB. LOB is a much larger component in classroom funding. This is the direct result of the Legislature's attempt to construct an educational funding formula based not on sound educational considerations and needs, but rather based on the amount of money available in the State General Fund following the disastrous tax loopholes created by the Legislature and Governor in 2012 and 2013. The bill prorates down the amount of LOB equalization to fit the currently available dollars. Such a proration was found unconstitutional by our Supreme Court in its first *Gannon* decision.

In addition, the "hold harmless" provisions in the substitute bill (described as "school district equalization state aid") allow wealthier districts to retain more resources and thereby retain the ability to provide greater educational opportunity than less wealthy districts. This allows the wealthier districts to keep the financial advantage bestowed upon them by the block grants enacted under 2015 House Substitute for Senate Bill 7 as compared with less financially fortunate districts. This runs directly counter to the purpose of equalization aid which is to "equalize" purchasing power between districts for educational needs. The bill instead ensures that wealthier districts maintain their financial advantage over less wealthy districts and therefore fails the Kansas Constitution's educational equity requirement.

Meanwhile, the substitute bill's funding scheme allows wealthy districts to distort the equalization system to their advantage in a way that less wealthy districts cannot. For example, Shawnee Mission USD 512, a district that regularly touts their ability to pass increased local school mill levies, could raise their mill levy to completely backfill the $3,040,285 amount they lose in LOB equalization aid under the substitute bill's supposed LOB equalization formula. Under the substitute bill, USD 512 would then receive an additional $3,040,285 in "hold harmless" money, thereby allowing them to increase spending by $3 million dollars over the block grant formula of the existing law. On the other hand, Kansas City USD 500 loses $2,502,864 in equalization aid under the substitute bill. However, the economically less fortunate Kansas City School District is much less likely to receive taxpayer approval for an increased local school mill levy to backfill this loss. The "hold harmless" money the Kansas City District receives will be only $1,240,706, resulting in a net decrease in LOB funding to Kansas City schools of

$1,262,158 over the amount it receives under the current block grant formula. This example clearly denies Kansas City children and taxpayers substantially similar educational opportunity through similar tax effort.

The substitute bill also perpetuates the short-changing of equalization funds which our courts have repeatedly found contrary to the Kansas Constitution. By ensuring that any gains in capital outlay equalization are then deducted from any "hold harmless" money a district receives, the substitute bill decreases funding to districts that receive capital outlay equalization payments as compared with districts that do not receive these equalization payments.

Additionally, local school mill levies continue to range from 7.87 mills in Meade USD 266 to 44.4 mills in South Haven USD 509 for providing the same educational opportunity. This may have been acceptable under the Kansas Constitution had the Legislature found shelter in the safe harbor suggested by our courts and simply re-adopted and funded the pre-block grant funding formula, but since the Legislature did not take refuge in the safe harbor, the new scheme must pass the equity test. Under the substitute bill's funding scheme, districts will be incentivized to shift more funding locally to backfill the loss of LOB aid due to the less generous LOB formula. This will only exacerbate the range of tax effort required to obtain "similar educational opportunity." It therefore violates our Supreme Court's correct reading of the Kansas Constitution and concomitant holding that "School districts must have reasonably equal access to substantially similar educational opportunity through similar tax effort." This disparate tax effort required by the substitute bill does not come even close to "similar."

In our community, the Wichita Public Schools USD 259 are already being forced to consider raising their LOB mill levy in order to make up for losses incurred through the operation of the block grants. The substitute bill means Wichita taxpayers will face more local tax increases just to stay even. For districts like Wichita, and other less wealthy districts, the substitute bill can only be viewed as yet another package of concessions for wealthier, more politically powerful districts, that continues to arbitrarily pick, based on political strength, economic winners and losers. This increases the inequity in funding for classrooms across the state and does not cure that inequity as properly required by our Supreme Court.

The substitute bill is the product of politics rather than a consideration of the actual cost to educate Kansas school children. Clearly, the bill does not, by design or in its likely implementation, provide for "reasonably equal access to substantially similar educational opportunity through similar tax effort." An attempted re-formulation of the same resources previously found to violate the Kansas Constitution through a bill that perpetuates wealth-based disparities between districts rather than curing them cannot reasonably be viewed as an appropriate and constitutional response to our Supreme Court's decision in *Gannon*. By passing the substitute bill, the Legislature once again fails in its duty under the Kansas Constitution to provide for an equitable educational opportunity for all Kansas school children.

Finally, if this substitute bill is found to be unconstitutional by our Supreme Court, the majority party of this Legislature will have brought us dangerously closer to the Court's June 30 deadline to comply with the *Gannon* decision. If the majority party is truly concerned about keeping schools open next fall, they should have appropriated the

additional and necessary $38 million for public education in the fiscal year 2017 budget which passed the Legislature over a month ago. Appropriating the necessary $38 million would have been, and remains, a far more certain solution in meeting the equity test in *Gannon* than the uncertainty resulting from the passage of this ill-conceived legislation.

We therefore lodge this protest, and the attachments thereto, with the Chief Clerk of the Kansas House of Representative for publication in the Journal of the House of Representatives pursuant to Article 2, Section 10 of the Constitution of the State of Kansas.

Jim Ward
Kansas State Representative
District 86

John Carmichael
Kansas State Representative
District 92

			RETURN TO OLD FORMULAS Supreme Court Safe Harbor		
			A	B	C
			Gain/Loss in Capital Outlay Aid	Gain/Loss in LOB Aid	Total Gain/Loss in Aid
USD#	County Name	USD Name	SF16-126 Col 4	SF16-116 Col 4	Calculated (A + B)
259	Sedgwick	Wichita	4,508,756	5,132,809	9,641,565
500	Wyandotte	Kansas City	1,262,158	970,843	2,233,001
497	Douglas	Lawrence	656,309	1,496,590	2,152,899
501	Shawnee	Topeka Public Schools	829,524	1,032,306	1,861,830
437	Shawnee	Auburn Washburn	776,699	1,061,106	1,837,805
260	Sedgwick	Derby	822,104	769,429	1,591,533
305	Saline	Salina	560,848	587,798	1,148,646
457	Finney	Garden City	293,038	771,202	1,064,241
231	Johnson	Gardner Edgerton	532,373	374,709	907,082
266	Sedgwick	Maize	629,126	120,546	749,672
443	Ford	Dodge City	419,403	318,461	737,865
253	Lyon	Emporia	557,901	168,711	726,613
265	Sedgwick	Goddard	417,394	292,761	710,154
368	Miami	Paola	231,900	478,744	710,644
345	Shawnee	Seaman	354,751	166,303	521,054
313	Reno	Buhler	238,318	279,662	517,980
204	Wyandotte	Bonner Springs	281,143	231,411	512,554
489	Ellis	Hays	0	487,958	487,958
214	Grant	Ulysses	0	487,259	487,259
203	Wyandotte	Piper-Kansas City	162,149	322,090	484,239
450	Shawnee	Shawnee Heights	307,760	167,957	475,716
250	Crawford	Pittsburg	130,319	330,234	460,553
490	Butler	El Dorado	78,638	367,066	445,703
263	Sedgwick	Mulvane	246,570	369,731	616,301
416	Miami	Louisburg	149,710	263,758	413,468
453	Leavenworth	Leavenworth	226,875	185,708	412,584
202	Wyandotte	Turner-Kansas City	218,981	159,606	378,587
375	Butler	Circle	72,089	288,346	360,435
262	Sedgwick	Valley Center Pub Sch	176,871	162,394	339,265
458	Leavenworth	Basehor-Linwood	183,164	140,731	323,896
407	Russell	Russell County	70,624	576,112	646,736
290	Franklin	Ottawa	199,433	111,953	311,386
331	Kingman	Kingman - Norwich	113,499	270,026	383,525
428	Barton	Great Bend	129,100	175,520	304,620
413	Neosho	Chanute Public Schools	202,962	96,141	299,103
435	Dickinson	Abilene	178,373	115,150	293,523
418	McPherson	McPherson	148,145	129,670	277,814
308	Reno	Hutchinson Public Schools	163,146	113,387	276,533
480	Seward	Liberal	0	261,677	261,677

S Sub for HB 2655

New LOB Formula and Hold Harmless

D	E	F	G	H	I
Gain/Loss in LOB Aid	Gain/Loss in Capital Outlay Aid	New Formula Gain/Loss in Aid	Hold Harmless Payment	Total Aid Gain/Loss in Aid	Difference Between Old Formulas and S Sub for HB2655
		Calculated		Calculated	Calculated
SF16-126 Col 4	SF16-117 Col 4	(D + E)	SF16-133 Col 4	(F + G)	(H - C)
-6,045,648	4,508,756	-1,536,892	1,536,892	0	-9,641,565
-2,502,864	1,262,158	-1,240,706	1,240,706	0	-2,233,001
-2,377,404	656,309	-1,721,096	1,721,096	0	-2,152,899
-1,804,935	829,524	-975,411	975,411	0	-1,861,830
-622,735	776,699	153,964	0	153,964	-1,683,841
-735,024	822,104	87,080	0	87,080	-1,504,453
-1,248,914	560,848	-688,066	688,066	0	-1,148,646
-595,555	293,038	-302,517	302,517	0	-1,064,241
-706,254	532,373	-173,881	173,881	0	-907,082
-1,165,811	629,126	-536,684	536,684	0	-749,672
-788,687	419,403	-369,283	369,283	0	-737,865
-633,906	557,901	-76,005	76,005	0	-726,613
-680,851	417,394	-263,457	263,457	0	-710,154
-47,738	231,900	184,162	0	184,162	-526,482
-714,134	354,751	-359,383	359,383	0	-521,054
-331,796	238,318	-93,478	93,478	0	-517,980
-427,970	281,143	-146,826	146,826	0	-512,554
-317,906	0	-317,906	317,906	0	-487,958
0	0	0	0	0	-487,259
-269,147	162,149	-106,997	106,997	0	-484,239
-596,977	307,760	-289,218	289,218	0	-475,716
-282,583	130,319	-152,264	152,264	0	-460,553
-269,181	78,638	-190,544	190,544	0	-445,703
-55,372	246,570	191,198	0	191,198	-425,103
-172,834	149,710	-23,125	23,125	0	-413,468
-587,559	226,875	-360,684	360,684	0	-412,584
-484,713	218,981	-265,733	265,733	0	-378,587
-293,716	72,089	-221,627	221,627	0	-360,435
-299,711	176,871	-122,841	122,841	0	-339,265
-279,044	183,164	-95,880	95,880	0	-323,896
257,388	70,624	328,012	0	328,012	-318,724
-382,498	199,433	-183,065	183,065	0	-311,386
-35,949	113,499	77,551	0	77,551	-305,974
-434,133	129,100	-305,033	305,033	0	-304,620
-319,215	202,962	-116,253	116,253	0	-299,103
-184,899	178,373	-6,527	6,527	0	-293,523
-688,878	148,145	-540,733	540,733	0	-277,814
-762,972	163,146	-599,826	599,826	0	-276,533
-495,290	0	-495,290	495,290	0	-261,677

			RETURN TO OLD FORMULAS Supreme Court Safe Harbor		
			A	B	C
			Gain/Loss in Capital Outlay Aid	Gain/Loss in LOB Aid	Total Gain/Loss in Aid
USD#	County Name	USD Name	SF16-126 Col 4	SF16-116 Col 4	Calculated (A + B)
469	Leavenworth	Lansing	109,147	147,380	256,527
409	Atchison	Atchison Public Schools	112,164	128,622	240,786
466	Scott	Scott County	21,880	218,133	240,013
445	Montgomery	Coffeyville	55,251	183,890	239,141
383	Riley	Manhattan-Ogden	0	226,458	226,458
261	Sedgwick	Haysville	-24,663	240,573	215,911
494	Hamilton	Syracuse	35,806	197,949	233,755
491	Douglas	Eudora	109,827	80,278	190,105
405	Rice	Lyons	70,841	208,526	279,367
230	Johnson	Spring Hill	0	181,581	181,581
205	Butler	Bluestem	57,613	124,168	181,781
348	Douglas	Baldwin City	120,067	60,705	180,772
394	Butler	Rose Hill Public Schools	104,596	74,905	179,502
114	Doniphan	Riverside	0	188,397	188,397
402	Butler	Augusta	193,229	-18,809	174,421
431	Barton	Hoisington	48,885	339,358	388,243
232	Johnson	De Soto	495,480	-331,295	164,185
483	Seward	Kismet-Plains	0	161,412	161,412
373	Harvey	Newton	236,161	-76,532	159,628
257	Allen	Iola	89,321	66,862	156,183
355	Barton	Ellinwood Public Schools	45,148	343,455	388,603
417	Morris	Morris County	56,732	95,080	151,811
400	McPherson	Smoky Valley	110,105	38,343	148,447
350	Stafford	St John-Hudson	0	148,413	148,413
264	Sedgwick	Clearwater	99,239	48,853	148,092
396	Butler	Douglass Public Schools	47,544	100,531	148,075
270	Rooks	Plainville	0	146,454	146,454
267	Sedgwick	Renwick	154,108	-12,291	141,817
385	Butler	Andover	445,569	-303,842	141,727
470	Cowley	Arkansas City	51,508	78,233	129,741
273	Mitchell	Beloit	76,722	52,695	129,417
287	Franklin	West Franklin	56,631	69,784	126,415
366	Woodson	Woodson	2,648	122,461	125,109
506	Labette	Labette County	91,923	31,683	123,606
508	Cherokee	Baxter Springs	83,323	82,595	165,919
218	Morton	Elkhart	151,571	183,297	334,868
293	Gove	Quinter Public Schools	36,505	104,602	141,107
340	Jefferson	Jefferson West	63,272	49,212	112,485
477	Gray	Ingalls	7,671	136,357	144,028

S Sub for HB 2655

New LOB Formula and Hold Harmless

D	E	F	G	H	I
Gain/Loss in LOB Aid	Gain/Loss in Capital Outlay Aid	New Formula Gain/Loss in Aid	Hold Harmless Payment	Total Aid Gain/Loss in Aid	Difference Between Old Formulas and S Sub for HB2655
		Calculated		Calculated	Calculated
SF16-126 Col 4	SF16-117 Col 4	(D + E)	SF16-133 Col 4	(F + G)	(H - C)
-301,893	109,147	-192,746	192,746	0	-256,527
-223,242	112,164	-111,078	111,078	0	-240,786
-135,092	21,880	-113,212	113,212	0	-240,013
-389,721	55,251	-334,470	334,470	0	-239,141
-1,536,205	0	-1,536,205	1,536,205	0	-226,458
-422,672	-24,663	-447,335	447,335	0	-215,911
-15,072	35,806	20,734	0	20,734	-213,021
-164,977	109,827	-55,150	55,150	0	-190,105
19,028	70,841	89,869	0	89,869	-189,498
-293,948	0	-293,948	293,948	0	-181,581
-56,881	57,613	732	0	732	-181,049
-258,149	120,067	-138,082	138,082	0	-180,772
-179,755	104,596	-75,159	75,159	0	-179,502
12,411	0	12,411	0	12,411	-175,986
-380,141	193,229	-186,912	186,912	0	-174,421
166,216	48,885	215,100	0	215,100	-173,143
-2,022,965	495,480	-1,527,485	1,527,485	0	-164,185
0	0	0	0	0	-161,412
-689,770	236,161	-453,610	453,610	0	-159,628
-189,235	89,321	-99,914	99,914	0	-156,183
190,623	45,148	235,771	0	235,771	-152,832
-164,849	56,732	-108,118	108,118	0	-151,811
-249,239	110,105	-139,135	139,135	0	-148,447
0	0	0	0	0	-148,413
-194,003	99,239	-94,764	94,764	0	-148,092
-52,688	47,544	-5,144	5,144	0	-148,075
0	0	0	0	0	-146,454
-486,381	154,108	-332,273	332,273	0	-141,817
-1,224,162	445,569	-778,593	778,593	0	-141,727
-383,843	51,508	-332,335	332,335	0	-129,741
-203,131	76,722	-126,409	126,409	0	-129,417
-147,513	56,631	-90,882	90,882	0	-126,415
-33,810	2,648	-31,162	31,162	0	-125,109
-215,501	91,923	-123,578	123,578	0	-123,606
-40,859	83,323	42,465	0	42,465	-123,454
60,515	151,571	212,086	0	212,086	-122,782
-16,562	36,505	19,943	0	19,943	-121,164
-145,711	63,272	-82,439	82,439	0	-112,485
24,186	7,671	31,858	0	31,858	-112,171

			RETURN TO OLD FORMULAS Supreme Court Safe Harbor		
			A	B	C
			Gain/Loss in Capital Outlay Aid	Gain/Loss in LOB Aid	Total Gain/Loss in Aid
USD#	County Name	USD Name	SF16-126 Col 4	SF16-116 Col 4	Calculated (A + B)
382	Pratt	Pratt	109,265	2,663	111,928
388	Ellis	Ellis	63,307	201,209	264,516
330	Wabaunsee	Mission Valley	52,513	55,913	108,426
309	Reno	Nickerson	54,188	52,922	107,109
353	Sumner	Wellington	164,453	-58,742	105,711
432	Ellis	Victoria	0	103,522	103,522
252	Lyon	Southern Lyon County	50,257	52,988	103,245
282	Elk	West Elk	20,962	79,880	100,842
325	Phillips	Phillipsburg	32,150	55,746	87,896
369	Harvey	Burrton	40,259	139,219	179,479
503	Labette	Parsons	44,300	42,991	87,291
289	Franklin	Wellsville	71,910	15,316	87,226
484	Wilson	Fredonia	20,189	60,945	81,135
473	Dickinson	Chapman	-17,436	97,535	80,099
397	Marion	Centre	45,106	69,540	114,646
113	Nemaha	Prairie Hills	72,950	4,477	77,427
347	Edwards	Kinsley-Offerle	37,583	38,995	76,578
286	Chautauqua	Chautauqua Co Community	6,395	68,962	75,357
511	Harper	Attica	11,276	72,073	83,349
358	Sumner	Oxford	45,956	141,459	187,414
101	Neosho	Erie-Galesburg	42,938	26,178	69,115
268	Sedgwick	Cheney	49,452	18,719	68,171
487	Dickinson	Herington	0	66,014	66,014
410	Marion	Durham-Hillsboro-Lehigh	58,680	6,415	65,096
447	Montgomery	Cherryvale	44,627	18,001	62,628
509	Sumner	South Haven	9,665	105,538	115,203
434	Osage	Santa Fe Trail	34,670	26,102	60,772
439	Harvey	Sedgwick Public Schools	12,600	47,653	60,253
207	Leavenworth	Ft Leavenworth	3,023	69,289	72,312
465	Cowley	Winfield	164,626	-105,386	59,239
320	Pottawatomie	Wamego	61,788	-3,896	57,892
376	Rice	Sterling	49,189	7,963	57,152
403	Rush	Otis-Bison	0	57,129	57,129
333	Cloud	Concordia	67,847	-13,962	53,885
404	Cherokee	Riverton	-6,456	57,760	51,304
288	Franklin	Central Heights	39,054	10,257	49,311
395	Rush	LaCrosse	7,025	41,347	48,372
357	Sumner	Belle Plaine	38,894	8,386	47,280
248	Crawford	Girard	30,793	15,867	46,660

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New LOB Formula and Hold Harmless

D	E	F	G	H	I
Gain/Loss in LOB Aid	Gain/Loss in Capital Outlay Aid	New Formula Gain/Loss in Aid	Hold Harmless Payment	Total Aid Gain/Loss in Aid	Difference Between Old Formulas and S Sub for HB2655
		Calculated		Calculated	Calculated
SF16-126 Col 4	SF16-117 Col 4	(D + E)	SF16-133 Col 4	(F + G)	(H - C)
-373,782	109,265	-264,517	264,517	0	-111,928
91,079	63,307	154,386	0	154,386	-110,130
-136,896	52,513	-84,383	84,383	0	-108,426
-272,711	54,188	-218,523	218,523	0	-107,109
-349,018	164,453	-184,565	184,565	0	-105,711
0	0	0	0	0	-103,522
-133,607	50,257	-83,350	83,350	0	-103,245
-36,436	20,962	-15,474	15,474	0	-100,842
-92,430	32,150	-60,280	60,280	0	-87,896
51,513	40,259	91,772	0	91,772	-87,706
-218,717	44,300	-174,417	174,417	0	-87,291
-206,772	71,910	-134,862	134,862	0	-87,226
-140,475	20,189	-120,285	120,285	0	-81,135
-226,618	-17,436	-244,053	244,053	0	-80,099
-8,485	45,106	36,621	0	36,621	-78,025
-383,134	72,950	-310,184	310,184	0	-77,427
-111,390	37,583	-73,807	73,807	0	-76,578
-16,048	6,395	-9,653	9,653	0	-75,357
-2,523	11,276	8,754	0	8,754	-74,596
67,172	45,956	113,128	0	113,128	-74,287
-165,559	42,938	-122,621	122,621	0	-69,115
-138,423	49,452	-88,971	88,971	0	-68,171
-47,114	0	-47,114	47,114	0	-66,014
-186,307	58,680	-127,627	127,627	0	-65,096
-103,575	44,627	-58,948	58,948	0	-62,628
44,602	9,665	54,267	0	54,267	-60,936
-212,642	34,670	-177,972	177,972	0	-60,772
-48,449	12,600	-35,849	35,849	0	-60,253
9,108	3,023	12,132	0	12,132	-60,180
-571,881	164,626	-407,256	407,256	0	-59,239
-327,496	61,788	-265,708	265,708	0	-57,892
-126,574	49,189	-77,386	77,386	0	-57,152
0	0	0	0	0	-57,129
-262,440	67,847	-194,593	194,593	0	-53,885
-122,514	-6,456	-128,970	128,970	0	-51,304
-130,682	39,054	-91,628	91,628	0	-49,311
-90,382	7,025	-83,358	83,358	0	-48,372
-118,039	38,894	-79,145	79,145	0	-47,280
-170,283	30,793	-139,490	139,490	0	-46,660

			RETURN TO OLD FORMULAS Supreme Court Safe Harbor		
			A	B	C
			Gain/Loss in Capital Outlay Aid	Gain/Loss in LOB Aid	Total Gain/Loss in Aid
USD#	County Name	USD Name	SF16-126 Col 4	SF16-116 Col 4	Calculated (A + B)
326	Phillips	Logan	0	46,463	46,463
327	Ellsworth	Ellsworth	31,417	14,956	46,373
249	Crawford	Frontenac Public Schools	21,842	22,896	44,739
245	Coffey	LeRoy-Gridley	0	44,381	44,381
372	Shawnee	Silver Lake	45,831	-1,857	43,974
341	Jefferson	Oskaloosa Public Schools	9,290	33,842	43,132
499	Cherokee	Galena	26,348	16,565	42,914
420	Osage	Osage City	24,153	18,422	42,575
323	Pottawatomie	Rock Creek	0	42,186	42,186
336	Jackson	Holton	65,919	-24,850	41,069
343	Jefferson	Perry Public Schools	23,623	16,745	40,368
504	Labette	Oswego	17,712	22,085	39,797
219	Clark	Minneola	0	39,699	39,699
464	Leavenworth	Tonganoxie	-26,998	62,946	35,948
367	Miami	Osawatomie	78,675	-42,949	35,726
206	Butler	Remington-Whitewater	23,597	10,562	34,159
421	Osage	Lyndon	29,991	3,809	33,801
356	Sumner	Conway Springs	49,413	-17,639	31,773
398	Marion	Peabody-Burns	0	30,713	30,713
285	Chautauqua	Cedar Vale	0	30,380	30,380
471	Cowley	Dexter	16,970	12,332	29,302
271	Rooks	Stockton	0	27,449	27,449
408	Marion	Marion-Florence	0	26,642	26,642
297	Cheyenne	St Francis Comm Sch	0	20,922	20,922
306	Saline	Southeast Of Saline	0	20,414	20,414
312	Reno	Haven Public Schools	66,528	-47,699	18,829
419	McPherson	Canton-Galva	13,823	4,217	18,040
212	Norton	Northern Valley	14,466	1,076	15,542
246	Crawford	Northeast	43,287	-29,258	14,028
386	Greenwood	Madison-Virgil	10,160	3,376	13,536
505	Labette	Chetopa-St. Paul	24,411	-10,982	13,429
371	Gray	Montezuma	9,554	2,554	12,108
242	Wallace	Weskan	0	11,506	11,506
359	Sumner	Argonia Public Schools	0	10,634	10,634
108	Washington	Washington Co. Schools	3,908	5,085	8,993
411	Marion	Goessel	9,414	-1,721	7,693
438	Pratt	Skyline Schools	31,108	-25,538	5,570
322	Pottawatomie	Onaga-Havensville-Wheaton	31,240	-27,230	4,009
448	McPherson	Inman	24,032	-21,078	2,954

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New LOB Formula and Hold Harmless

D	E	F	G	H	I
Gain/Loss in LOB Aid	Gain/Loss in Capital Outlay Aid	New Formula Gain/Loss in Aid	Hold Harmless Payment	Total Aid Gain/Loss in Aid	Difference Between Old Formulas and S Sub for HB2655
		Calculated		Calculated	Calculated
SF16-126 Col 4	SF16-117 Col 4	(D + E)	SF16-133 Col 4	(F + G)	(H - C)
-46,844	0	-46,844	46,844	0	-46,463
-187,355	31,417	-155,937	155,937	0	-46,373
-111,824	21,842	-89,982	89,982	0	-44,739
0	0	0	0	0	-44,381
-157,086	45,831	-111,255	111,255	0	-43,974
-111,831	9,290	-102,541	102,541	0	-43,132
-102,278	26,348	-75,930	75,930	0	-42,914
-131,009	24,153	-106,857	106,857	0	-42,575
-164,492	0	-164,492	164,492	0	-42,186
-239,384	65,919	-173,465	173,465	0	-41,069
-289,101	23,623	-265,478	265,478	0	-40,368
-56,487	17,712	-38,775	38,775	0	-39,797
-84,689	0	-84,689	84,689	0	-39,699
-322,038	-26,998	-349,035	349,035	0	-35,948
-313,930	78,675	-235,255	235,255	0	-35,726
-201,860	23,597	-178,263	178,263	0	-34,159
-105,099	29,991	-75,108	75,108	0	-33,801
-135,100	49,413	-85,687	85,687	0	-31,773
-125,290	0	-125,290	125,290	0	-30,713
-3,358	0	-3,358	3,358	0	-30,380
-31,423	16,970	-14,453	14,453	0	-29,302
-80,629	0	-80,629	80,629	0	-27,449
-134,098	0	-134,098	134,098	0	-26,642
-92,022	0	-92,022	92,022	0	-20,922
-255,415	0	-255,415	255,415	0	-20,414
-383,753	66,528	-317,224	317,224	0	-18,829
-188,068	13,823	-174,245	174,245	0	-18,040
-89,530	14,466	-75,064	75,064	0	-15,542
-144,553	43,287	-101,266	101,266	0	-14,028
-86,657	10,160	-76,497	76,497	0	-13,536
-108,219	24,411	-83,808	83,808	0	-13,429
-101,046	9,554	-91,492	91,492	0	-12,108
-17,107	0	-17,107	17,107	0	-11,506
-73,925	0	-73,925	73,925	0	-10,634
-166,153	3,908	-162,245	162,245	0	-8,993
-85,801	9,414	-76,387	76,387	0	-7,693
-181,179	31,108	-150,071	150,071	0	-5,570
-145,165	31,240	-113,925	113,925	0	-4,009
-220,421	24,032	-196,389	196,389	0	-2,954

			RETURN TO OLD FORMULAS Supreme Court Safe Harbor		
			A	B	C
			Gain/Loss in Capital Outlay Aid	Gain/Loss in LOB Aid	Total Gain/Loss in Aid
					Calculated
USD#	County Name	USD Name	SF16-126 Col 4	SF16-116 Col 4	(A + B)
393	Dickinson	Solomon	22,574	-20,377	2,197
224	Washington	Clifton-Clyde	0	1,579	1,579
220	Clark	Ashland	0	1,352	1,352
211	Norton	Norton Community Schools	36,424	-35,203	1,221
210	Stevens	Hugoton Public Schools	0	1,168	1,168
389	Greenwood	Eureka	10,316	-9,330	986
392	Osborne	Osborne County	19,440	-18,960	481
454	Osage	Burlingame Public School	0	473	473
468	Lane	Healy Public Schools	0	0	0
275	Logan	Triplains	0	0	0
291	Gove	Grinnell Public Schools	0	0	0
474	Kiowa	Haviland	0	0	0
476	Gray	Copeland	0	0	0
292	Gove	Wheatland	0	0	0
106	Ness	Western Plains	0	0	0
269	Rooks	Palco	0	0	0
502	Edwards	Lewis	0	0	0
399	Russell	Paradise	0	0	0
314	Thomas	Brewster	0	0	0
103	Cheyenne	Cheylin	0	0	0
332	Kingman	Cunningham	0	0	0
401	Rice	Chase-Raymond	0	0	0
217	Morton	Rolla	0	0	0
209	Stevens	Moscow Public Schools	0	0	0
241	Wallace	Wallace County Schools	0	0	0
216	Kearny	Deerfield	0	0	0
351	Stafford	Macksville	0	0	0
482	Lane	Dighton	0	0	0
459	Ford	Bucklin	0	0	0
255	Barber	South Barber	0	0	0
200	Greeley	Greeley County Schools	0	0	0
303	Ness	Ness City	0	0	0
227	Hodgeman	Hodgeman County Schools	0	0	0
310	Reno	Fairfield	0	0	0
507	Haskell	Satanta	0	0	0
300	Comanche	Comanche County	0	0	0
444	Rice	Little River	0	0	0
111	Doniphan	Doniphan West Schools	0	0	0
422	Kiowa	Kiowa County	0	0	0

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New LOB Formula and Hold Harmless

D	E	F	G	H	I
Gain/Loss in LOB Aid	Gain/Loss in Capital Outlay Aid	New Formula Gain/Loss in Aid	Hold Harmless Payment	Total Aid Gain/Loss in Aid	Difference Between Old Formulas and S Sub for HB2655
		Calculated		Calculated	Calculated
SF16-126 Col 4	SF16-117 Col 4	(D + E)	SF16-133 Col 4	(F + G)	(H - C)
-145,883	22,574	-123,309	123,309	0	-2,197
-127,159	0	-127,159	127,159	0	-1,579
0	0	0	0	0	-1,352
-253,864	36,424	-217,440	217,440	0	-1,221
0	0	0	0	0	-1,168
-183,480	10,316	-173,164	173,164	0	-986
-150,376	19,440	-130,936	130,936	0	-481
-68,019	0	-68,019	68,019	0	-473
0	0	0	0	0	0
0	0	0	0	0	0
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			RETURN TO OLD FORMULAS Supreme Court Safe Harbor		
			A	B	C
			Gain/Loss in Capital Outlay Aid	Gain/Loss in LOB Aid	Total Gain/Loss in Aid
					Calculated
USD#	County Name	USD Name	SF16-126 Col 4	SF16-116 Col 4	(A + B)
281	Graham	Graham County	0	0	0
208	Trego	Wakeeney	0	0	0
226	Meade	Meade	0	0	0
274	Logan	Oakley	0	0	0
251	Lyon	North Lyon County	0	0	0
452	Stanton	Stanton County	0	0	0
374	Haskell	Sublette	0	0	0
254	Barber	Barber County North	0	0	0
112	Ellsworth	Central Plains	0	0	0
215	Kearny	Lakin	0	0	0
244	Coffey	Burlington	0	0	0
362	Linn	Prairie View	0	0	0
363	Finney	Holcomb	0	0	0
321	Pottawatomie	Kaw Valley	0	0	0
436	Montgomery	Caney Valley	22,058	-24,293	-2,235
342	Jefferson	McLouth	22,281	-24,544	-2,263
390	Greenwood	Hamilton	0	-2,897	-2,897
235	Bourbon	Uniontown	0	-3,103	-3,103
381	Ford	Spearville	13,053	-17,426	-4,373
284	Chase	Chase County	0	-4,647	-4,647
460	Harvey	Hesston	46,316	-51,316	-5,000
384	Riley	Blue Valley	0	-6,899	-6,899
412	Sheridan	Hoxie Community Schools	0	-11,597	-11,597
339	Jefferson	Jefferson County North	20,071	-32,219	-12,148
429	Doniphan	Troy Public Schools	13,545	-26,369	-12,824
115	Nemaha	Nemaha Central	0	-15,619	-15,619
498	Marshall	Valley Heights	24,965	-41,096	-16,132
479	Anderson	Crest	0	-17,519	-17,519
338	Jefferson	Valley Falls	23,067	-40,674	-17,607
109	Republic	Republic County	0	-17,794	-17,794
461	Wilson	Neodesha	46,331	-65,813	-19,482
365	Anderson	Garnett	82,131	-101,643	-19,512
449	Leavenworth	Easton	28,299	-48,002	-19,703
107	Jewell	Rock Hills	0	-21,459	-21,459
349	Stafford	Stafford	6,337	-28,705	-22,367
337	Jackson	Royal Valley	41,950	-66,459	-24,509
462	Cowley	Central	17,280	-42,065	-24,785
378	Riley	Riley County	45,573	-70,468	-24,895
360	Sumner	Caldwell	10,773	-35,950	-25,177

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New LOB Formula and Hold Harmless

D	E	F	G	H	I
Gain/Loss in LOB Aid	Gain/Loss in Capital Outlay Aid	New Formula Gain/Loss in Aid	Hold Harmless Payment	Total Aid Gain/Loss in Aid	Difference Between Old Formulas and S Sub for HB2655
		Calculated		Calculated	Calculated
SF16-126 Col 4	SF16-117 Col 4	(D + E)	SF16-133 Col 4	(F + G)	(H - C)
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
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0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
-239,531	22,058	-217,473	217,473	0	2,235
-194,210	22,281	-171,929	171,929	0	2,263
-7,136	0	-7,136	7,136	0	2,897
-93,554	0	-93,554	93,554	0	3,103
-133,059	13,053	-120,006	120,006	0	4,373
-4,647	0	-4,647	4,647	0	4,647
-270,744	46,316	-224,427	224,427	0	5,000
-62,896	0	-62,896	62,896	0	6,899
-64,249	0	-64,249	64,249	0	11,597
-139,362	20,071	-119,291	119,291	0	12,148
-136,658	13,545	-123,114	123,114	0	12,824
-15,619	0	-15,619	15,619	0	15,619
-161,729	24,965	-136,764	136,764	0	16,132
-104,821	0	-104,821	104,821	0	17,519
-141,638	23,067	-118,571	118,571	0	17,607
-241,846	0	-241,846	241,846	0	17,794
-250,286	46,331	-203,955	203,955	0	19,482
-429,918	82,131	-347,786	347,786	0	19,512
-235,822	28,299	-207,523	207,523	0	19,703
-21,459	0	-21,459	21,459	0	21,459
-145,450	6,337	-139,113	139,113	0	22,367
-246,065	41,950	-204,116	204,116	0	24,509
-129,589	17,280	-112,309	112,309	0	24,785
-292,576	45,573	-247,003	247,003	0	24,895
-143,827	10,773	-133,054	133,054	0	25,177

			RETURN TO OLD FORMULAS Supreme Court Safe Harbor		
			A	B	C
			Gain/Loss in Capital Outlay Aid	Gain/Loss in LOB Aid	Total Gain/Loss in Aid
USD#	County Name	USD Name	SF16-126 Col 4	SF16-116 Col 4	Calculated (A + B)
426	Republic	Pike Valley	8,614	-38,185	-29,571
496	Pawnee	Pawnee Heights	0	-30,949	-30,949
481	Dickinson	Rural Vista	0	-32,301	-32,301
493	Cherokee	Columbus	34,756	-68,315	-33,559
387	Wilson	Altoona-Midway	0	-39,888	-39,888
335	Jackson	North Jackson	3,723	-48,855	-45,132
430	Brown	South Brown County	39,756	-85,243	-45,487
311	Reno	Pretty Prairie	12,863	-59,709	-46,845
240	Ottawa	Twin Valley	29,667	-77,676	-48,009
334	Cloud	Southern Cloud	0	-49,047	-49,047
294	Decatur	Oberlin	0	-49,926	-49,926
440	Harvey	Halstead	24,940	-78,075	-53,135
272	Mitchell	Waconda	0	-53,812	-53,812
239	Ottawa	North Ottawa County	-29,753	-25,092	-54,846
105	Rawlins	Rawlins County	5,221	-60,309	-55,087
315	Thomas	Colby Public Schools	44,730	-101,805	-57,075
380	Marshall	Vermillion	30,491	-88,829	-58,337
492	Butler	Flinthills	5,625	-64,096	-58,471
415	Brown	Hiawatha	0	-58,914	-58,914
316	Thomas	Golden Plains	0	-62,815	-62,815
456	Osage	Marais Des Cygnes Valley	0	-64,595	-64,595
237	Smith	Smith Center	11,968	-78,380	-66,411
102	Gray	Cimmaron-Ensign	18,267	-87,804	-69,537
467	Wichita	Leoti	0	-69,661	-69,661
329	Wabaunsee	Mill Creek Valley	9,206	-80,562	-71,356
299	Lincoln	Sylvan Grove	0	-72,558	-72,558
110	Phillips	Thunder Ridge Schools	1,237	-77,117	-75,880
463	Cowley	Udall	14,687	-90,872	-76,185
225	Meade	Fowler	0	-76,428	-76,428
361	Harper	Anthony-Harper	0	-80,374	-80,374
344	Linn	Pleasanton	18,628	-100,193	-81,566
307	Saline	Ell-Saline	33,772	-117,641	-83,869
243	Coffey	Lebo-Waverly	8,467	-100,949	-92,482
446	Montgomery	Independence	70,276	-163,324	-93,048
423	McPherson	Moundridge	0	-108,769	-108,769
379	Clay	Clay Center	-78,661	-41,669	-120,330
364	Marshall	Marysville	0	-132,249	-132,249
377	Atchison	Atchison Co Comm Schools	4,289	-142,627	-138,338
223	Washington	Barnes	0	-140,253	-140,253

S Sub for HB 2655

New LOB Formula and Hold Harmless

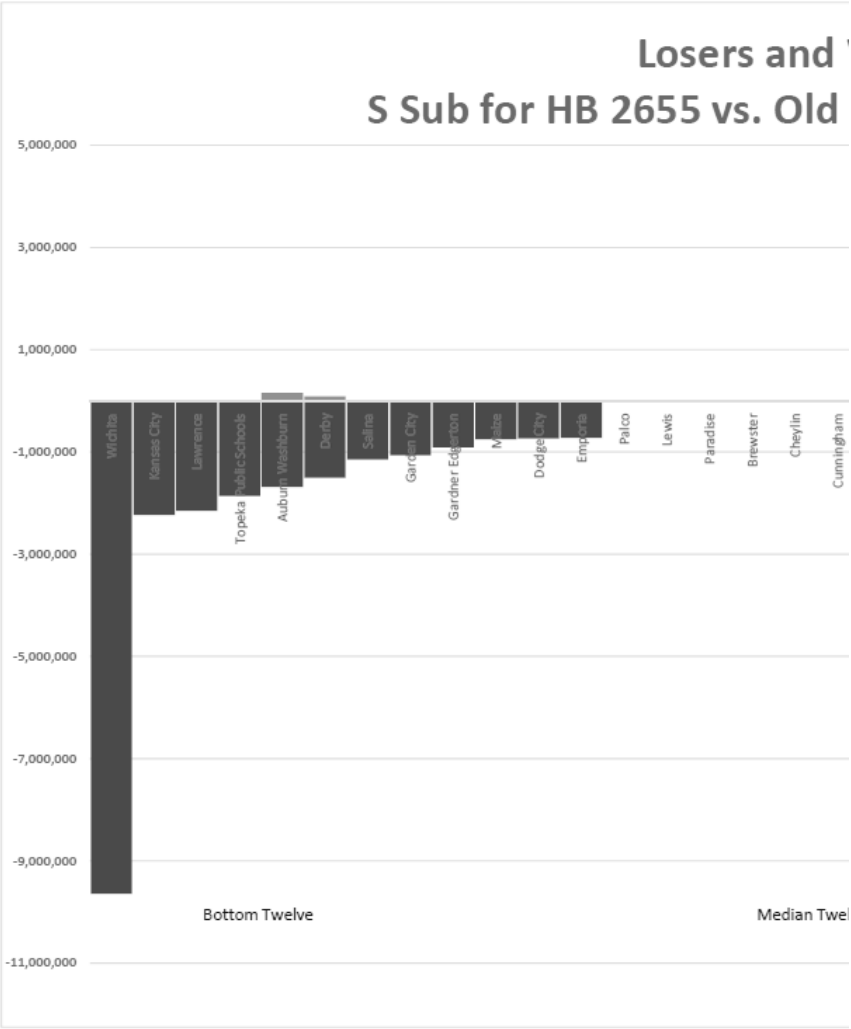
D	E	F	G	H	I
Gain/Loss in LOB Aid	Gain/Loss in Capital Outlay Aid	New Formula Gain/Loss in Aid	Hold Harmless Payment	Total Aid Gain/Loss in Aid	Difference Between Old Formulas and S Sub for HB2655
		Calculated		Calculated	Calculated
SF16-126 Col 4	SF16-117 Col 4	(D + E)	SF16-133 Col 4	(F + G)	(H - C)
-152,081	8,614	-143,467	143,467	0	29,571
-85,280	0	-85,280	85,280	0	30,949
-141,353	0	-141,353	141,353	0	32,301
-387,249	34,756	-352,494	352,494	0	33,559
-39,888	0	-39,888	39,888	0	39,888
-160,826	3,723	-157,103	157,103	0	45,132
-252,507	39,756	-212,752	212,752	0	45,487
-164,188	12,863	-151,324	151,324	0	46,845
-258,276	29,667	-228,609	228,609	0	48,009
-119,683	0	-119,683	119,683	0	49,047
-49,926	0	-49,926	49,926	0	49,926
-291,933	24,940	-266,992	266,992	0	53,135
-197,983	0	-197,983	197,983	0	53,812
-222,723	-29,753	-252,476	252,476	0	54,846
-218,936	5,221	-213,715	213,715	0	55,087
-457,878	44,730	-413,148	413,148	0	57,075
-260,333	30,491	-229,841	229,841	0	58,337
-170,372	5,625	-164,747	164,747	0	58,471
-197,162	0	-197,162	197,162	0	58,914
-162,331	0	-162,331	162,331	0	62,815
-155,879	0	-155,879	155,879	0	64,595
-274,626	11,968	-262,658	262,658	0	66,411
-285,031	18,267	-266,764	266,764	0	69,537
-157,678	0	-157,678	157,678	0	69,661
-290,683	9,206	-281,477	281,477	0	71,356
-72,558	0	-72,558	72,558	0	72,558
-205,051	1,237	-203,813	203,813	0	75,880
-206,438	14,687	-191,751	191,751	0	76,185
-89,000	0	-89,000	89,000	0	76,428
-80,374	0	-80,374	80,374	0	80,374
-192,875	18,628	-174,247	174,247	0	81,566
-252,817	33,772	-219,044	219,044	0	83,869
-270,076	8,467	-261,609	261,609	0	92,482
-627,014	70,276	-556,737	556,737	0	93,048
-121,534	0	-121,534	121,534	0	108,769
-369,689	-78,661	-448,351	448,351	0	120,330
-173,754	0	-173,754	173,754	0	132,249
-434,626	4,289	-430,337	430,337	0	138,338
-175,837	0	-175,837	175,837	0	140,253

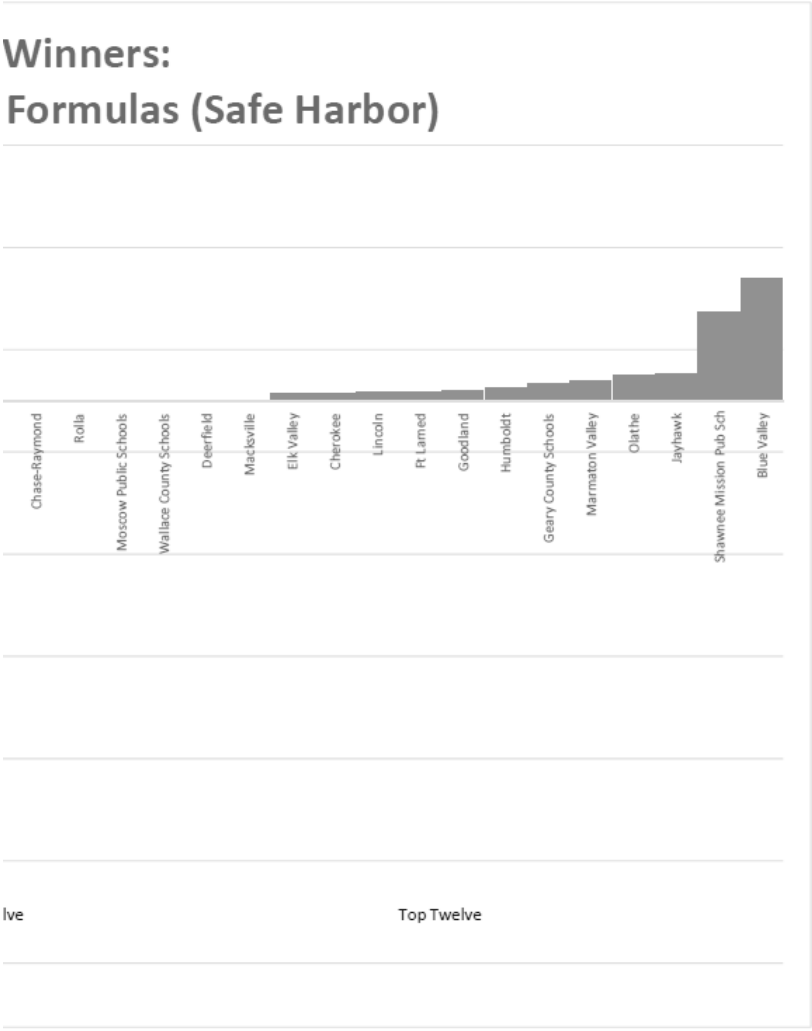
			RETURN TO OLD FORMULAS Supreme Court Safe Harbor		
			A	B	C
			Gain/Loss in Capital Outlay Aid	Gain/Loss in LOB Aid	Total Gain/Loss in Aid
					Calculated
USD#	County Name	USD Name	SF16-126 Col 4	SF16-116 Col 4	(A + B)
234	Bourbon	Fort Scott	-28,319	-112,514	-140,833
283	Elk	Elk Valley	0	-141,713	-141,713
247	Crawford	Cherokee	15,868	-166,473	-150,605
298	Lincoln	Lincoln	-10,762	-151,278	-162,041
495	Pawnee	Ft Larned	-74,248	-94,812	-169,060
352	Sherman	Goodland	-22,702	-185,127	-207,828
258	Allen	Humboldt	59,573	-307,364	-247,791
475	Geary	Geary County Schools	-154,601	-180,051	-334,652
256	Allen	Marmaton Valley	0	-400,146	-400,146
233	Johnson	Olathe	557,018	-1,055,910	-498,892
346	Linn	Jayhawk	-27,233	-512,901	-540,133
512	Johnson	Shawnee Mission Pub Sch	0	-1,737,506	-1,737,506
229	Johnson	Blue Valley	0	-2,407,372	-2,407,372
	TOTALS		23,489,840	14,512,479	38,002,319

S Sub for HB 2655

New LOB Formula and Hold Harmless

D	E	F	G	H	I
Gain/Loss in LOB Aid	Gain/Loss in Capital Outlay Aid	New Formula Gain/Loss in Aid	Hold Harmless Payment	Total Aid Gain/Loss in Aid	Difference Between Old Formulas and S Sub for HB2655
		Calculated		Calculated	Calculated
SF16-126 Col 4	SF16-117 Col 4	(D + E)	SF16-133 Col 4	(F + G)	(H - C)
-429,972	-28,319	-458,290	458,290	0	140,833
-156,179	0	-156,179	156,179	0	141,713
-369,680	15,868	-353,812	353,812	0	150,605
-327,143	-10,762	-337,905	337,905	0	162,041
-389,566	-74,248	-463,813	463,813	0	169,060
-568,624	-22,702	-591,325	591,325	0	207,828
-485,907	59,573	-426,335	426,335	0	247,791
-1,363,276	-154,601	-1,517,877	1,517,877	0	334,652
-400,146	0	-400,146	400,146	0	400,146
-9,575,361	557,018	-9,018,343	9,018,343	0	498,892
-660,809	-27,233	-688,042	688,042	0	540,133
-3,040,285	0	-3,040,285	3,040,285	0	1,737,506
-2,407,372	0	-2,407,372	2,407,372	0	2,407,372
		0			
-82,908,792	23,489,840	-59,418,952	61,792,947	2,373,994	-35,628,324


Losers and
S Sub for HB 2655 vs. Old
5,000,000
3,000,000
1,000,000
-1,000,000
-3,000,000
-5,000,000
-7,000,000
-9,000,000
-11,000,000
Wichita
Kansas City
Lawrence
Topeka
Public Schools
Auburn Washburn
Derby
Salina
Garden City
Gardner Edgerton
Dodge City
Emporia
Palco
Lewis
Paradise
Brewster
Cheylin
Cunningham
Bottom Twelve
Median Twel


Winners:
Formulas (Safe Harbor)
Chase-Raymond
Rolla
Moscow Public Schools
Wallace County Schools
Deerfield
Macksville
Elk Valley
Cherokee
Lincoln
Ft Larned
Goodland
Humboldt
Geary County Schools
Marmaton Valley
Olathe
Jayhawk
Shawnee Mission Pub Sch
Blue Valley
lve
Top Twelve

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Journal of the House

FORTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, April 27, 2016, 10:00 a.m.

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

The roll was called with 121 members present.

Reps. Ewy, Hildabrand, Kelley and Pauls were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Angela Madden, pastor, First Presbyterian Church, Winfield, and guest of Rep. Trimmer:

> Gracious and loving God, Thank you for the gift of another day.
>
> Thank you for the gift of serving your people as leaders.
>
> In this Chamber, where the people's House gathers, we pause to offer You gratitude for the gift of this good land on which we live, and for this great Nation which You have inspired and motivate towards positive development.
>
> Continue to inspire the American people, and Kansans in particular, that, through the difficulties of these days, we might keep liberty, grace, and justice alive in our State and in your world.
>
> We know that we make messes and need your help to unravel whatever is broken. We acknowledge we cannot do it alone.
>
> Enhance Spiritual Qualities of Leadership within each of us:
>
> Courage to set aside any egos,
> Risk to notice and do what is just,
> Bravery to seek out the lost, forgotten and marginalized.
>
> Remind us that beside each one of us is an Administrative Professional sharing their talents to supplant our successes. Give us gratitude for these vital people.
>
> Afford to us, and all people, a vividly keen sense of Your presence, that we may learn to understand each other, to respect each other, to work with each other, to live with each other, and to do good to each other, as we practice Your kindness.
>
> So shall we make our state strong in goodness, and good in its strength.
>
> May all that is done this 27th day of April, 2016, reflect the character of your own heart. Amen.

The Pledge of Allegiance was led by Rep. Frownfelter.

INTRODUCTION OF GUESTS

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

Mr. Speaker I am privileged to present to the Kansas House of Representatives the Centralia High School Boys and Girls class 1A Division 1 State Basketball Championship teams. Today I recognize the following faculty and staff:

Cole Alderfer: head coach

Dusty Thompson: assistant coach

Ben Steinlage: assistant coach

Levi Koch

Trenton Stallbaumer

Dustin Talley

Collin Holthaus

Sean Rempe

Braden Deters

Alec Duryea

Jason Gore

Jonathan Johnson

Stephan LeBlanc

Bryson Johnson

Kobe Rumbo

Trenton Flentie

Managers: Otto Nermo and Tristan Meade

Roger Holthaus: head coach

Janelle Glatczak: assistant coach

Lora Whetzal: assistant coach

Maegan Koch

Katie Glatczak

Sadie Jones

Parker Bowers

Kori McNally

Drew Kramer

Cassidy Haufler

Mayda Stallbaumer

Sadi Boyce

Madison Lueger

Tara Bergman

Chelsea Huerter

Kate Elliott

Managers:Taylor Flentie, Kaci McNally and Logan Whetzal

Principal: Larry Glatczak

Superintendent: Mischel Miller

Rep. Garber presented the teams with a framed House certificate.

INTRODUCTION OF GUESTS

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

Almost one month ago as we were finishing up the Regular session here in Topeka, there was a massive wildfire being battled in Comanche and Barber Counties. The 2016 Historic Wildfire ended up burning almost 40,000 of acres in Comanche, almost 240,000 acres in Barber and around 90,000 in Oklahoma before being extinguished nearly a week later. The fire is being called the largest private property fire in the history of the United States and the massive undertaking to stop this huge fire was fought by hundreds of firefighters, most of them serving on volunteer departments from around the state. Today I have with me Fire Chief Greg Ellis from Comanche County and Fire Chief Rick Wesley of Barber County on behalf of the men and women who serve on their departments.

Joining the two chiefs and representing the hundreds of firefighters that came to the aid of Comanche and Barber Counties are members of the Kansas State Firefighters Association, Kevin Flory and Doug Schmitt, Chief Tim Wayne of the Topeka Fire Department, and Larry Biles and Ross Hauck of the State Forest Service. It was truly an all-hands-on-deck approach, these gentlemen and the departments that they represent battled rough terrain, high winds, and very dry conditions and I feel did an outstanding job.

Volunteer fire departments make up the vast majority of firefighters in Kansas who put their lives and their professions on the line daily to make sure that damage to our homes, businesses, and property are at a minimum if a fire begins. When the whistle blows they drop whatever they are doing at work or play and answer the call to put out whatever fire or emergency may be happening. I have several friends and relatives that are volunteers and over my life I have witnessed them leaving family gatherings, work, or a good night's sleep because of a fire or emergency. Their success would not be possible without the training that is available through professional departments, the Forest Service, and most of all the Kansas State Firefighters Association. I have spoken and attended a couple of these trainings and I have always left knowing that because of this training our volunteers are safer and better prepared to handle whatever fire comes their way.

Today I have certificates of appreciation for the Comanche & Barber County Fire Departments and the Firefighters Association. I ask that you please join me in thanking them for their service and a job well done.

Rep. Hoffman presented framed House certificates to the firefighters from Barber County, Comanche County and the Kansas State Firefighters Association.

POINT OF PERSONAL PRIVILEGE

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

Thank you Mr. Speaker. In my six years in the House this is my first time to speak in this manner-personal privilege. I might be breaking my own three rules for speaking on the floor.

1. Less is more-but know what you are talking about
2. Don't speak unless have something to add or if don't have votes
3. And what is on coffee cup, quote from Mark Twain, "It is better to be thought a fool and to speak up and remove all doubt."

It has been my honor to serve for great people of 115th District and State of Kansas. The friendship I have made will be with me all my days of this earth. I have learned much from each one and on both sides of the aisle. Thank you.

A special thanks to my lovely wife, Mary who has been at my side going on 50th years this December, and without her support and prayers it would have been very difficult to persevere. Anyone that knows her knows that she is a wife of noble character as stated in Proverbs 31. Thank you.

We have been blessed with three wonderful children. It has been my honor to be in the first father/son to serve at the same time in Kansas. I have had many share with me and state how proud you must be of your son. My reply usually is, "He is an overcomer, overcomes me and takes after his mother." I have so many memories being here with him that will last a life time. Thank you son for you dedication, service, and character for the State of Kansas. I have seen you raise to so many challenges and seek a solution. Your mother and I are so proud of you. I will never forget us swearing in together.

It is time for me to move on and I'm sure the Lord will open a door for Mary and I. Not doing anything is not an option. I would like to close by quoting Proverbs 1:5 "Let the wise listen and add to their learning and let the discerning get guidance."

On motion of Rep. Vickrey, the House recessed until 10:45 a.m.

LATE MORNING SESSION

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

INTRODUCTION OF GUESTS

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

Good morning. Today I am pleased to recognize and congratulate the Osage City Basketball team, who won the Class 3A State Championship last month. The team is here with their coach Dennis Fort. This win tops off an excellent year for the team, who were ranked no. 1 throughout the season and finished with a record of 25-1. Today, I'd like to introduce:

Players: Zach Irvin, Trenton Plinsky, Ryan Haskins, Kaleb Irvin, Joe Schemm, Duncan Fort, Tucker Kimball, Jason Cooley, Derrik Cooley, Brett Sage, Tyson Wilkins, Carter Swindale, Peyton Pearson. Team Managers: Timberly Dunham, Faith Holmberg, Raymond Vawter. Head Coach: Dennis Fort. Assistant Coaches: Jimmy Bellinger and Jordan Tice.

Congratulations Osage City Basketball Team! Your district and community recognize your hard work and are proud of your victory.

Rep. Mast presented House certificates to the team.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2742, AN ACT reconciling amendments to certain statutes; amending K.S.A. 2015 Supp. 44-706 and repealing the existing section; also repealing K.S.A. 2015 Supp. 17-7673b, 17-7674b, 17-7677b, 38-2310a, 44-706c, 59-29a24a and 65-2895a, by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **Sub SB 356**, **SB 469**, **SB 509**.
Commerce, Labor and Economic Development: **HR 6057**.
Corrections and Juvenile Justice: **SB 480**.
Judiciary: **SB 424**, **Sub SB 462**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **SB 437** from Committee on Health and Human Services and referral to Committee on Federal and State Affairs.

MESSAGES FROM THE GOVERNOR

HB 2442, **HB 2454**, **HB 2485**, **HB 2512**, **HB 2516**, **HB 2536**, **HB 2567** approved on March 24, 2016.
HB 2518, **HB 2549** approved on March 28, 2016.
HB 2134, **HB 2387**, **HB 2447** approved on March 31, 2016.
S Sub for HB 2131 approved on April 6, 2016.

MESSAGES FROM THE GOVERNOR

STATEMENT OF THE GOVERNOR

UPON SIGNING OF SENATE SUBSTITUTE FOR HOUSE BILL 2655

Senate Substitute for House Bill 2655, which I have signed today, responds to the Kansas Supreme Court's February 11 decision regarding the "equity requirement" of school finance that the court has found in Article 6, Section 6(b) of the Kansas Constitution. The court announced that it would order the closing of Kansas schools unless the legislature took action, and advised that these matters "can be cured in a variety of ways – at the choice of the legislature." Because I agree with the choice made by the legislature and I want to keep our schools open, I have signed the bill and I am adding this message to state why I agree with the choice made by the legislature.

The provision of the Kansas Constitution at issue here provides simply that "The legislature shall make suitable provision for finance of the educational interests of the state." This language, added to the Constitution in 1966, now has been the impetus for a decades-long cycle of litigation. In an effort to address this problem and best serve "the educational interests of the state," the 2015 legislature passed and I signed a repeal of

the old, outmoded school funding formula — replacing it with a two year unrestricted "block grant" to school districts that freed them to use the funds as they deemed appropriate, and allowed time to develop a new, modernized approach to school funding. In the most recent court decision, it was found that this action did not result in "reasonably equal access to substantially similar educational opportunity through similar tax effort." The bill I have signed today solves this equity issue by adopting the capital outlay equalization formula previously approved by the court itself.

Some already have criticized the solution in this bill as a "product of politics," at least partly because the bill contains "hold harmless" provisions to ensure that no school district will experience a reduction in current funding. This is a curious allegation – coming as it does from those who have proposed no solution of their own, other than spending more and more taxpayer dollars – because our Constitution explicitly commits these matters to our legislature. When the legislature acts, it represents the collective judgment of 165 elected representatives of the people. I do not take that judgment lightly. Before approving this bill by substantial majorities in both houses, the legislature considered several other alternatives, none of which attracted the necessary support. One failed bill would have required tens of millions of dollars in additional funding, and another would have resulted in outright cuts to the current funding of dozens of school districts. See Senate Bill 512, House Bill 2731. The solution that emerged in this bill is most certainly the result of a delicate legislative compromise – a compromise that I respectfully endorse and that the court should review with appropriate deference. Additionally, the hold harmless language contained in this bill was endorsed by the Kansas Commissioner of Education and the Deputy Commissioner for Fiscal and Administrative Services as being necessary for school district budgeting purposes.

In the appropriations bill that I signed earlier this year, additional funds were allocated to assist the legislature in documenting the legislative history of the bills under consideration to address the court decision. See House Substitute for Senate Bill 161. This information should assist the court in understanding the deliberative process as it occurs in the Statehouse, as well as all of the data and material that informs the decisions of individual legislators. I will also ask that the Attorney General submit this message to the court, so that the justices can be informed of the considerations that underlie my approval of the bill as an exercise of my constitutional duty and authority under Article 2, Section 14 of the Kansas Constitution.

Dated: April 6, 2016

Sam Brownback
Governor of Kansas

COMMUNICATIONS FROM STATE OFFICERS

From Nick Jordan, Secretary of Revenue, pursuant to K.S.A. 74-50, 118(c), annual report to the Governor and Legislature estimating the state tax expenditures from income tax credits claimed and sales tax exemptions allowed under the Kansas Enterprise Zone Act.

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

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6058**—

By Representatives Todd and Merrick

HR 6058—A RESOLUTION supporting Taiwan's participation in international trade agreements and international organizations and reaffirming Kansas' commitment to its relationship with Taiwan.

A RESOLUTION commending the Republic of China's (Taiwan's) presidential election; supporting Taiwan's efforts to secure entry to the Trans-Pacific Partnership (TPP) and its signing of the Free Trade Agreement (FTA) and the Bilateral Investment Agreement (BIA) with the United States; reaffirming support for increasing Taiwan's international profile; and for strengthening and expanding sister-state ties between Kansas and Taiwan.

WHEREAS, The state of Kansas is proud of the sister-state relationship it has enjoyed with the Republic of China (Taiwan) since 1989, marked by strong bilateral economic, social and cultural exchange and tourism; and

WHEREAS, Taiwan shares the same values of freedom, democracy, human rights, the rule of law, and peace and prosperity with the state of Kansas and the United States as a whole; and

WHEREAS, On January 16, 2016, Taiwan held its sixth direct presidential election, demonstrating again the strength and vitality of its democratic system and confirming that Taiwan is a beacon of democracy in Asia and beyond; and

WHEREAS, The United States ranks as Taiwan's third-largest trading partner. Taiwan is the tenth-largest trading partner of the United States, and bilateral trade reached $67.4 billion in value in 2014; and

WHEREAS, Every other year, Taiwan has sent an agricultural trade goodwill mission to the U.S. Midwest region, including Kansas, to demonstrate Taiwan's continuing goodwill and willingness to purchase Kansas agricultural products, and the Kansas agricultural industry has benefited greatly over the past decades from the sale of beef, wheat and corn to Taiwan; and

WHEREAS, Taiwan and the state of Kansas have enjoyed a long and mutually beneficial relationship with the prospect of future growth, with Taiwan ranking as Kansas' third-largest import partner and the thirteenth-largest export market in 2014; and

WHEREAS, Negotiations for a Bilateral Investment Agreement between Taiwan and the United States are an important step toward further strengthening bilateral trade and paving the way for entering into a Free Trade Agreement between our countries, thereby increasing Kansas' exports to Taiwan and creating bilateral investment through tariff reduction and other trade facilitation measures; and

WHEREAS, Taiwan, seeking to contribute to greater regional integration in the Asia-Pacific region and promoting bilateral investment and trade relations with the United States, applauds the United States' announcement to expand TPP membership in the future to include other countries, such as Taiwan; and

WHEREAS, Taiwan's inclusion in the TPP would contribute substantially to the depth, viability and quality of the TPP. Taiwan's strong economic weight in the Asia-Pacific region and the world, its well-developed knowledge base and highly skilled workforce, its vital position along regional supply chains and value chains, and its positive economic and strategic gains for all, make Taiwan an ideal candidate-economy for the TPP's expansion: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we commend and support Taiwan's mature and vital democracy; celebrate the 27th anniversary of sister-state relations with Taiwan; endorse the signing of the Bilateral Investment Agreement (BIA) and the Free Trade Agreement (FTA) with the United States; and continue to support Taiwan's appropriate participation in international organizations which impact the health, safety and well-being of its people; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send enrolled copies of this resolution to Representatives Todd and Merrick.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **SB 387**, **SB 373**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 387** submits the following report:

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

On page 1, by striking all in lines 6 through 34; following line 34, by inserting:

"New Section 1. For the purpose of preparation of the governor's budget report and related legislative measure or measures for submission to the legislature, the pooled money investment board established in K.S.A. 75-4221a, and amendments thereto, shall be considered a separate state agency and shall be titled for such purpose as the "pooled money investment board." The budget estimates and requests of such board shall be presented as from a state agency separate from the state treasurer and such separation shall be maintained in the budget documents and reports prepared by the director of the budget and the governor, or either of them, including all related legislative reports and measures submitted to the legislature.

Sec. 2. K.S.A. 2015 Supp. 75-4222 is hereby amended to read as follows: 75-4222. (a) It shall be unlawful for the pooled money investment board to award a state bank account to any depository bank in which any member of the board is interested as a stockholder or officer, except upon the unanimous vote of the other members of the board.

(b) The board shall appoint a director of investments who shall be in the unclassified service under the Kansas civil service act. The board may appoint investment officers and investment analysts, who shall be in the unclassified service of the Kansas civil service act. In addition the board may appoint such employees as may be needed who shall be in the classified service of the Kansas civil service act.

(c) From and after the effective date of this act, all current employees of the office of the state treasurer performing any responsibilities, powers, duties or functions related to the municipal investment pool fund are hereby transferred to the pooled money investment board. All such employees shall retain all retirement benefits and all rights of civil service which such employees had before the effective date of this act and their service shall be deemed to have been continuous. All such transfers shall be in accordance with civil service laws and rules and regulations.

(d) ~~From and after the effective date of this act, the liability for all accrued compensation, wages or salaries of employees who, immediately prior to such date, were engaged in the performance of responsibilities, powers, duties or functions relating to the municipal investment pool fund in the office of the state treasurer and who are transferred to the pooled money investment board pursuant to subsection (c), shall be assumed and paid from appropriations to the state treasurer for operations of the municipal investment pool fund and operations of the pooled money investment board.~~

~~(e)~~ The employees working for the pooled money investment board shall have access at all times to all papers, documents and property in the custody or possession of the state treasurer that relate to duties of the board, and the state treasurer shall take such steps as may be necessary to make this provision of law effective for such purposes as the pooled money investment board may indicate.

~~(f) On and after the effective date of this act, the state treasurer shall provide the pooled money investment board office space, services, equipment, materials and supplies, and all purchasing and related management functions required by the pooled money investment board in the exercise of the powers, duties and functions imposed or authorized upon such board. The portion of the state treasurer's budget relating to the operations of the pooled money investment board shall be approved by the pooled money investment board prior to submission to the director of the budget.~~

~~(g)~~ (e) The director of investments shall keep and preserve a written record of the board's proceedings.

~~(h)~~ (f) The board shall make an annual report to the legislature of the investments by the board of all moneys under the jurisdiction and control of the board, by filing a copy of the report with the chief clerk of the house of representatives and with the secretary of the senate no later than the 10th calendar day of each regular session of the legislature.

Sec. 3. K.S.A. 2015 Supp. 75-4222 is hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2; in line 3, by striking all before the period and inserting "the pooled money investment board; establishing the board as a separate state agency and eliminating certain administrative and budgetary duties relating to the board from the state treasurer; amending K.S.A. 2015 Supp. 75-4222 and repealing the existing section"

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

SCOTT SCHWAB
JIM KELLY
RODERICK HOUSTON
Conferees on part of House

Jeff Longbine
Elaine Bowers
Tom Hawk
Conferees on part of Senate

On motion of Rep. Schwab, the conference committee report on **SB 387** was adopted.

Call of the House was demanded.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Concannon, Dove, Ewy, Hildabrand, Kelley, Pauls.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 373** submits the following report:

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

On page 1, by striking all in lines 6 through 36;

On page 2, by striking all in lines 1 through 34; Following line 34 by inserting:

"New Section 1. (a) The registered owner of a vehicle driven on a turnpike project shall pay all tolls associated with that vehicle's use on any turnpike project. The Kansas turnpike authority may provide by regular U.S. mail or accepted United States postal service tracking method a notice of toll-evasion violation to the registered owner of a vehicle driven on any turnpike project for which the toll has not been paid. The notice of toll evasion may include a toll-evasion civil penalty, administrative fee, and costs for each instance in which the registered owner of a vehicle driven on any turnpike project has failed to pay the toll.

(b) <u>On and after January 1, 2018,</u> if the outstanding amount of any tolls due and owing by the registered owner exceeds $100, the director or the director's designee is authorized to instruct the division of vehicles to require payment of any tolls due and owing to the county treasurer at the time of registration or renewal of registration or

otherwise to refuse to register or renew the registration of the vehicle, as set forth in K.S.A. 8-173(e), and amendments thereto, of the registered owner or owners, until those amounts are paid to the satisfaction of the director or the director's designee.

(c) The registered owner may contest any notice of toll evasion, including all tolls, penalties, fees, costs and registration holds, directly to the Kansas turnpike authority. Upon receipt of a contest from the registered owner, the authority shall investigate and provide to the registered owner, within 30 days of receipt of the registered owner's submission, a toll-evasion violation order, which shall contain the findings of the investigation. A registered owner may thereafter pay the specified amount or contest these findings and conclusions of the authority by requesting an administrative hearing within 15 days of receipt of the toll-evasion violation order, pursuant to the Kansas administrative procedure act.

(1) The administrative hearing shall be conducted in accordance with the provisions of the Kansas administrative procedure act.

(2) Any party may appeal the administrative hearing order to the district court, in accordance with the provisions of the Kansas judicial review act.

(d) The turnpike authority may adopt any rules and regulations necessary to carry out the provisions of this section.

Sec. 2. K.S.A. 2015 Supp. 8-173 is hereby amended to read as follows: 8-173. (a) An application for registration of a vehicle as provided in article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto, shall not be accepted unless the person making such application shall exhibit:

(1) A receipt showing that such person has paid all personal property taxes levied against such person for the preceding year, including taxes upon such vehicle, except that if such application is made before May 11, such receipt need show payment of only one-half the preceding year's tax; or

(2) evidence that such vehicle was assessed for taxation purposes by a state agency, or was assessed as stock in trade of a merchant or manufacturer or was exempt from taxation under the laws of this state.

(b) An application for registration of a vehicle as provided in article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto, shall not be accepted if the records of the county treasurer show that the applicant is delinquent and owes personal property taxes levied against the applicant for any preceding year.

(c) An original application for registration of a motor vehicle shall not be accepted until the applicant signs a certification, provided by the director of motor vehicles, certifying that the applicant has and will maintain, during the period of registration, the required insurance, self-insurance or other financial security required pursuant to K.S.A. 40-3104, and amendments thereto.

(d) An application for registration or renewal of registration of a vehicle shall not be accepted if the applicant is unable to provide proof of the insurance, self-insurance or other financial security required by article 31 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto. Proof of insurance shall be verified by examination of the insurance card or other documentation issued by an insurance company, a certificate of self-insurance issued by the commissioner, a binder of insurance, a certificate of insurance, a motor carrier identification number issued by the state corporation commission, proof of insurance for vehicles covered under a fleet policy, a commercial policy covering more than one vehicle or a policy of insurance

required by K.S.A. 40-3104, and amendments thereto, and for vehicles used as part of a drivers education program, a dealership contract and a copy of a motor vehicle liability insurance policy issued to a school district or accredited nonpublic school. Examination of a photocopy, facsimile or an image displayed on a cellular phone or any other type of portable electronic device of any of these documents shall suffice for verification of registration or renewal. Any person to whom such image of proof of insurance, self-insurance or other financial security required by article 31 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, is displayed, shall view only such image displayed on such cellular phone or other portable electronic device. Such person shall be prohibited from viewing any other content or information stored on such cellular phone or other portable electronic device. Proof of insurance may also be verified on-line or electronically and the commissioner of insurance may require, by duly adopted rules and regulations, any motor vehicle liability insurance company authorized to do business in this state to provide verification of insurance in that manner. Any motor vehicle liability insurance company which is providing verification of insurance on-line or electronically on the day preceding the effective date of this act may continue to do so in the same manner and shall be deemed to be in compliance with this section.

(e) On and after January 1, 2018, an application for registration or renewal of registration of a vehicle shall not be accepted, if the records of the division show that after three attempts by the Kansas turnpike authority to contact the registered owner, including at least one registered letter, the registered owner of such vehicle has unpaid tolls and that the director of the Kansas turnpike authority or the director's designee has instructed the division to refuse to accept the registration or renewal of registration, pursuant to section 1, and amendments thereto, unless the owner or registered owner makes payment to the county treasurer at the time of registration or renewal of registration. Of such moneys collected, 15% shall be retained by the county treasurer and the remainder shall be remitted to the Kansas turnpike authority.";

Also on page 2, in line 35, by striking "8-235" and inserting "8-173"; in line 37, by striking all before "its";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "to"; in line 2, by striking all before the semicolon and inserting "vehicle registration, failure or refusal to pay tolls"; also in line 2, by striking "8-"; in line 3, by striking "235" and inserting "8-173";

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

Richard J. Proehl
Ronald W. Ryckman, Sr.
Adam J. Lusker, Sr.
Conferees on part of House

Kay Wolf
Mike Petersen
Pat Pettey
Conferees on part of Senate

On motion of Rep. Proehl, the conference committee report on **SB 373** was adopted.

On roll call, the vote was: Yeas 82; Nays 39; Present but not voting: 0; Absent or not

voting: 4.

Yeas: Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Campbell, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clayton, Concannon, Corbet, E. Davis, Dierks, Doll, Dove, Esau, Estes, Finch, Francis, Frownfelter, Gallagher, Gonzalez, Hawkins, Hedke, Helgerson, Hemsley, Hibbard, Hill, Hineman, Hutton, Jennings, Johnson, D. Jones, Kahrs, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, F. Patton, Phillips, R. Powell, Proehl, Rahjes, Rhoades, Rooker, Ryckman, Ryckman Sr., Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, Suellentrop, S. Swanson, Thimesch, Thompson, Tietze, Todd, Vickrey, Victors, Waymaster, Weber, C., Whipple, K. Williams, Wilson, Wolfe Moore.

Nays: Alcala, Barton, Bruchman, Burroughs, Carlin, Clark, Curtis, DeGraaf, Edmonds, Finney, Garber, Goico, Grosserode, Henderson, Henry, Highberger, Highland, Hoffman, Houser, Houston, Huebert, Hutchins, K. Jones, Kiegerl, Macheers, McPherson, Ousley, Peck, Read, Rubin, Ruiz, Sawyer, Scapa, C. Smith, Sutton, Trimmer, Ward, Whitmer, Winn.

Present but not voting: None.

Absent or not voting: Ewy, Hildabrand, Kelley, Pauls.

CHANGE OF CONFEREES

Speaker Merrick announced the appointment of Rep. Carmichael as a member of the conference committee on **HB 2617** to replace Rep. Frownfelter.

Also, the appointment of Rep. Finch as a member of the conference committee on **SB 325**, **S Sub for HB 2018**, **S Sub for HB 2049**, **S Sub for HB 2056**, **HB 2460**, **HB 2462**, **HB 2463**, **HB 2501**, **HB 2545** to replace Rep. Pauls.

REPORT ON ENROLLED BILLS

HB 2518, **HB 2549** reported correctly enrolled, properly signed and presented to the Governor on March 25, 2016.

S Sub for HB 2131, **HB 2134**, **HB 2387**, **HB 2447**, **S Sub for HB 2655** reported correctly enrolled, properly signed and presented to the Governor on March 29, 2016.

REPORT ON ENROLLED RESOLUTIONS

HR 6045, **HR 6055**, **HR 6056** reported correctly enrolled and properly signed on March 29, 2016.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Thursday, April 28, 2016.

Journal of the House

FIFTIETH DAY

Hall of the House of Representatives,
Topeka, KS, Thursday, April 28, 2016, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 121 members present.

Reps. Edmonds, Ewy, Ruiz and Victors were excused on excused absence by the Speaker.

Present later: Rep. Edmonds.

Excused later: Reps. Grosserode, Kiegerl and Rahjes.

Prayer by guest chaplain, the Rev. Monsignor Thomas Tank, Church of the Ascension, Overland Park, and guest of Rep. Kleeb:

> Lord God, in whom we live, move and have our being, we pray for a greater awareness of your presence and action in and through our lives. We pray that You continue to bless our nation and our state. Help us to build up an earthly society that reflects the truth and beauty of Your eternal kingdom.
>
> We pray for Your guidance for all civic leaders, and especially for our legislators; pour forthYour Spirit upon them that they may discern wisely and legislate justly protecting the dignity of each human person and promoting the common good of all.
>
> We pray for Your blessings for all the citizens of our state. May we be inspired to work for the welfare of each other with an awareness of our common responsibility for the good of the earth and the good of our world. We remember in a special way those who are hurting, those who are marginalized, those who struggle to provide the basics for a dignified human life. May we put aside personal agendas and partisan concerns in order to work together for the common good of our state and all of our fellow citizens.
>
> Lord, we pray that You bless us this day and guide us that the workings of this legislative body may truly enhance the welfare of our state and promote and safeguard the wellbeing of all. May Your blessings be with us this day and always, now and forever. Amen.

The Pledge of Allegiance was led by Rep. Hemsley.

INTRODUCTION OF GUESTS

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

The definition of teamwork: joint action by a group of people, in which individual interests are subordinate to group unity and efficiency; coordinated effort, as of an athletic team.

Skills for Good Teamwork

• Respect for individual contributions
• Putting aside individual glory
• Consensus building
• Clear communication
• Persuasive speech
• Compromise

This was the formula the Clay Center Community High School coaches and players embraced and it lead to the big prize, the 2016 State 4A, Division II, Girls Basketball Championship this March.

I was only able to watch the CCCHS Lady Tigers play three games, two sub-state games in Clay Center and the first game of the State Tournament in Emporia. Each contest was the epitome of teamwork--no stand out, no hero, just a group of girls dedicated to an efficient, coordinated effort. The result was the first Girls State Championship in school history.

You may remember that I had the honor of introducing the Lady Tigers Volleyball State Champs last year and the formula for success for this group of girls was the same: athletes who are willing to put in the work, who like and respect each other and strive to achieve on the court and in the classroom. The cumulative grade point average of the Lady Tigers Basketball team is a 3.74.

With us today are coaches Jeff Edwards, Nicole Johnson (formerly known as Nicole Ohlde), and Mike Beying and players Savannah Kipfer, Jennessa Wickersham, Hailey Franson, Allie Wright-Frederick, Addy Mullin, Lauren Lane, Megan Robbins, Katelyn Bohnenblust, Brianne Wilson, Courtney Hammel, Sydney Callaway, Erin Hammel, Emma Smith and Zoe Auld.

Please join me in congratulating these outstanding young women and their coaches.

Rep. Swanson presented the team with a framed House certificate.

INTRODUCTION OF GUESTS

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

This morning it is my pleasure to introduce the Dighton girl's basketball team, the Class 1A Division II champions for 2016. On the way to the championship they took second in Northwest Kansas League, both during the regular season and league tournament. The team finished the year with a record of 16-3. All three of their losses were to Hoxie, the team we recognized in this chamber last year for having a win streak of 100 games.

Team members are: Seniors: Kiara Budd, Dakota Hoffman, Payden Shapland, and

Morgan Tucker. Juniors: Jordan Speer and Sara Cramer Sophomores: Mallory Dowell and Balinda Conine
Freshmen:Emily Sheppard, Kenadee O'Brien, Gentry Shapland and Marissa Villareal Team managers: Morgan Conine, Alexis Peck, and Jillian Doris.

The coach is Amy Felker and assistant coach is Kelsey Hubin. Coach Felker played college ball first at Seward County Community College and then had an outstanding career at Friends University. She was named KBCA 1A-II Coach of the Year, Kansas-sports.com 1A-II Coach of the Year, Garden City Telegram All-Area Coach of the Year, and Hutchinson News All-Area Coach of the Year.

Coach Hubin started her college career at Colby Community College and then played for Rock Valley College in Rockford Illinois.

Senior milestones:

Dakota Hoffman: State Powerlifting Champion in 2014 and 2015. She will play college ball for Dodge City Community College.

Kiara Budd will play for Lamar Community College in Colorado.

Payden Shapland will attend Sterling College on a cross country scholarship.

Underclass honors:

Sara Cramer was chosen all-area player of the year by Garden City Telegram, WIBW all-tournament team, 2016.

Jordan Speer is the reigning state champion in shot put and was also chosen for the WIBW all-tournament team, 2016.

This is truly a team, characterized by individual effort and dedication, but molded into a cohesive unit which has experienced great success in team sports, including three appearances in state basketball, two appearances in state volleyball, four appearances in state cross country and four appearances in state track.

Please join me in congratulating the team on their accomplishments.

Rep. Hineman presented the team with a framed House certificate.

INTRODUCTION OF GUESTS

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

Members, friends and colleagues… In my experience serving in the Kansas Legislature there have been few consistencies. One thing that has been very consistent is the academic and athletic excellence from the only high school located in the 96th district, Wichita South High.

This year, for a fourth year in a row, I have the honor to present the Wichita South Lady Titan Basketball team. For a fourth year in a row, the Lady Titans are the 6A State Champions. They are the first team in Kansas history to capture four 6A State Championship titles.

In addition, this team went undefeated in an impressive 25-0 season. The team is lead by Head Coach Scales who in the past five years holds an outstanding record of 115 wins and only 13 losses.

The lady titans have also won four consecutive Greater Wichita Athletic Association league titles, Four consecutive mid-season tournament titles, and won the Firebird Winter Classic at Free State tournament Champions. This team reached a national

ranking of number 19 in the country as well.

Each of the five seniors on this team have been offered scholarships to further their education at the next level. Demonstrating success in the classroom as well, The team also holds an impressive combined overall GPA of 3.25

Ladies, you continue to represent the very best of our community. The lessons learned and continued success on the court will no doubt lead you to success in your future professional lives. Thank you for being such a source of pride for our South Wichita community. Today it is a pleasure to recognize your success on the House floor.

Please join me in honoring Coach Scales and the Wichita South High Lady Titans!!

Rep. Whipple presented the team with a framed House certificate.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Appropriations: **HB 2742**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **SB 224**, **H Sub for SB 280**, **SB 326**, **HB 2480**, **HB 2563**, **HB 2615**.

MESSAGES FROM THE SENATE

The Senate announced the appointment of Senator Love to replace Senator Powell as a conferee on **HB 2480**.

The Senate announced the appointment of Senator Powell to replace Senator Love as a conferee on **HB 2490**.

The Senate adopts the Conference Committee report to agree to disagree on **HB 2615**, and has appointed Senators O'Donnell, Bowers and Kelly as second conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 224**.

Speaker pro tem Mast thereupon appointed Reps. Pauls, Todd and Tietze as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **H Sub for SB 280**.

Speaker pro tem Mast thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 326**.

Speaker pro tem Mast thereupon appointed Reps. Pauls, Todd and Tietze as conferees on the part of the House.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. E. Davis, **HR 6059**, as follows, was introduced and adopted:

By Representative Davis

HR 6059—A RESOLUTION congratulating the University of Kansas for 150 years of service to the state of Kansas.

A RESOLUTION congratulating the University of Kansas for 150 years of outstanding service to the State of Kansas, the United States and the world.

WHEREAS, The University of Kansas was founded in 1865 as the State University for the State of Kansas, embodying the values and ideals of the people who fought and died to ensure Kansas would enter the Union as a free State, as symbolized by the university's mascot, the Jayhawk;

WHEREAS, 150 years after its founding, the University of Kansas is home to 28,000 students and 2,800 faculty, and the university graduates more than 6,700 individuals each year who join the ranks of the 340,000 Jayhawk alumni living throughout Kansas, the United States and the world;

WHEREAS, The University of Kansas has been a member of the prestigious Association of American Universities since 1909;

WHEREAS, The University of Kansas has been open to all genders and races since its founding, and the university's first valedictorian was Flora Richardson in 1873;

WHEREAS, The University of Kansas has 13 schools and offers more than 600 degree programs. Students come from all 50 States and 105 countries to study at the university;

WHEREAS, The University of Kansas recognizes that the understanding of world cultures is essential for American progress, and the university offers more than 40 separate language courses;

WHEREAS, One of the continuing education programs at the University of Kansas includes fire and law enforcement training centers that annually train over 16,000 public safety officers across Kansas;

WHEREAS, Basketball was first played at the University of Kansas in 1898, coached by James Naismith, the inventor of the game, and the university has one of the most successful basketball programs in the country, winning over 2,180 games and 5 national championships;

WHEREAS, Allen Fieldhouse has hosted the University of Kansas basketball games since 1955, and the building remains one of the most historically significant and prestigious buildings in college athletics;

WHEREAS, President Theodore Roosevelt pronounced the university's chant — Rock Chalk Jayhawk — the "greatest college cheer ever devised";

WHEREAS, The University of Kansas has a long history of working with our nation's military, is one of only 50 schools to host all three ROTC programs, and works with the Army's Command and General Staff College at Fort Leavenworth to produce military and civilian faculty with the advanced degrees necessary to teach at the highest level;

WHEREAS, Research at the University of Kansas provides numerous economic and societal contributions. Helium was first isolated in Bailey Hall, and the first time-

release capsule was developed by a University of Kansas professor;

WHEREAS, The Spencer Museum of Art houses an internationally known and diverse collection numbering approximately 38,000 works of art and artifacts in all media;

WHEREAS, The Kenneth Spencer Research Library is home to some of the rarest and most precious volumes and materials in the world, including cuneiform tablets written four millennia ago;

WHEREAS, Astronauts, artists, authors, business leaders, Pulitzer Prize winners, a Nobel laureate, and Governors and Senators launched their careers at the University of Kansas, including former Senate Majority Leader Bob Dole; and

WHEREAS, The Robert J. Dole Institute of Politics offers opportunities for all citizens to discover how they might best serve their communities: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize the diverse elements of the University of Kansas are united by the university's mission to educate leaders, build healthy communities and make discoveries that benefit and improve society; and

Be it further resolved: That we congratulate the University of Kansas for 150 years of outstanding service to the State of Kansas, the United States and the world; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Erin Davis.

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

Today as we recognize KU's 150th year, there are many accomplishments and accolades we can celebrate. For example, we can celebrate that since its founding, the University of Kansas has accepted all races and genders. We can celebrate that the University of Kansas is the only Kansas university to boast both schools of medicine and law, both of which are among the best in the nation. We can celebrate the university's school of Music, producing many renowned performers, prodigies and scholars. We can celebrate the University's engineering and business schools, which are second to none. We can celebrate the beautiful Mount Oread where the main campus has been since the University's founding. And, we can certainly also celebrate the inventor of basketball, James Naismith, and his bringing the game first to KU, thus beginning a tradition that has touched the lives of so many Kansans.

These are just a few examples of why we celebrate the University of Kansas today, and these accomplishments should be celebrated. But most of all today, I want to celebrate the University of Kansas for what the school means to me and to so many Kansans and alumni. I celebrate the tradition of taking my kids to the pre-season basketball Late Night. I celebrate the tradition of walking through the World War II Memorial Camapanile and then down the Hill to Memorial Stadium for commencement. I celebrate the tradition of Waving the Wheat after witnessing a Jayhawk win in Allen Fieldhouse. I celebrate the Rock Chalk Chant, the words of which were among the first my children spoke. I celebrate the University's scholars and students, the professors and student athletes. I celebrate all these things and many more which make the University of Kansas more than just my alma mater, but part of my life and family tradition. Most of all, I celebrate the University of Kansas because I am a Kansan and I am a Jayhawk. Rock Chalk!

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Merrick, **HR 6060**, as follows, was introduced and adopted:

By Representative Merrick

HR 6060—A RESOLUTION congratulating and commending Bob Davis on his outstanding sports broadcasting career and retirement; and designating April 28, 2016, as Bob Davis Day.

WHEREAS, Bob Davis was born on May 27, 1944, and grew up in Topeka, Kansas, where he graduated from Topeka West High School and Washburn University. Bob began his career in 1968 at KAYS Radio and TV as a staff announcer, but was soon covering games for Fort Hays State, two local high schools and American Legion Baseball. The Kansas State High School Activities Association recognized him with the Oscar Stauffer Sports Broadcasting Award in 1975 and 1978 for his high school sports broadcasts; and

WHEREAS, Bob Davis began with the Jayhawk Radio Network in the fall of 1984 and broadcast eight of the Jayhawks' 14 NCAA Final Four appearances, including KU's 1988 and 2008 national championships, and half of KU's 12 football bowl games, including the Jayhawks' victory in the 2008 Orange Bowl. He also served for many years as host of the weekly radio show "Hawk Talk," featuring the Jayhawk football and basketball coaches; and

WHEREAS, In 1997, Bob Davis joined the Kansas City Royals' broadcasting team when he was paired with the late Paul Splittorff in the Royals' television booth. Bob continued his broadcasting work for the Royals for 16 seasons until retiring in 2012; and

WHEREAS, Bob Davis called 372 KU men's football games and over 1,160 KU men's basketball games as the Voice of the Jayhawks. Bob retired from broadcasting at KU after the 2015-2016 college basketball season in order to spend more time with his family; and

WHEREAS, Bob Davis was named Kansas Sportscaster of the Year 14 times and is a member of the Kansas Association of Broadcasters (KAB) and the Fort Hays State Athletics and Topeka West High School Graduate Halls of Fame. In 1991, KAB presented him with its Hod Humiston Award for Contributions to Sports Broadcasting. Bob has chaired KAB's Sports Seminar and has judged the Kansas Scholastic Press Association Sports Writing Competition. Bob lectured numerous times at university broadcasting and journalism classes; and

WHEREAS, Bob Davis is married to Linda Michaelis, who attended games he broadcast in Hays, and, after their marriage, became his statistician and spotter. They have a son, Steven, who has broadcast Minor League Baseball games and college and high school games on radio and TV since 2005; a daughter-in-law, Katie; two grandsons, Landon and Will; and a granddaughter, Millie: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend Bob Davis on his outstanding sports broadcasting career and retirement; and

Be it further resolved: That we designate April 28, 2016, as Bob Davis Day; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall

send three enrolled copies of this resolution to Representative Merrick.

INTRODUCTION OF GUESTS

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

Even though you may not recognize my guest, Bob Davis, you've almost certainly heard his voice. It was broadcast across Kansas and around the world for over thirty years.

Bob started his broadcasting career in Hays, Kansas. He brought KU basketball and football games to many, many people. He has won fourteen Kansas sportscaster of the year awards, ten while at the University of Kansas.

Over his career, Bob called more than 1,660 men's basketball games, eight final four appearances and two national championships. He hosted "Hawk Talk" a weekly show featuring KU coaches, and also called baseball games of the Royals for sixteen years.

Bob and I first met when we worked at Ray Beers, "The place to go for for the brands you know." Now he is retiring to spend more time with his family, wife, Linda; son, Steven; daughter-in-law, Katie; two grandsons, Landon and Will and granddaughter, Millie.

For many Kansans, Bob is a member of the family. To me, he is my little brother.

We are sure going to miss his voice on the radio. We are so grateful that he shared his talents with us. Bob, we wish you the best. Thank you for many happy memories.

And happy "Bob Davis Day."

Rep. Merrick presented Mr. Davis with a framed House certificate.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Todd, **HR 6058**, A RESOLUTION supporting Taiwan's participation in international trade agreements and international organizations and reaffirming Kansas' commitment to its relationship with Taiwan, was adopted.

INTRODUCTION OF GUESTS

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

Taiwan is an important partner of Kansas. It is a major market for Kansas wheat, corn, and beef. While it is a dynamic country with a strong economy, it is geographically small without enough arable land to produce all of the food needed to support their population.

That is why just last year a delegation of flour millers from Taiwan signed a letter of intent to purchase 62.5 million bushels of wheat, a deal when it was signed worth $544 million.

Taiwan has other business ties with Kansas. Garmin was co-founded by a Taiwanese national, Min Kao. It has it's primary production facility in the Xizhi District of New Tapei City.

Domestically, Taiwan is celebrating the election in January of it's first female President, Tsai Ing-Wen.

With us today we have Jerry Chang from the Tapei Economic and Cultural Office, located in Denver. He has served his country for 23 year in countries around the world. Please join me in welcoming Mr. Chang to Kansas.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2563** submits the following report:

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

On page 1, by striking all in lines 6 through 34;

By striking all on page 2;

On page 3, by striking all in lines 1 and 2; following line 2, by inserting:

"Section 1. K.S.A. 2015 Supp. 8-197 is hereby amended to read as follows: 8-197. (a) The provisions of K.S.A. 8-197 to 8-199, inclusive, and amendments thereto, shall be a part of and supplemental to the provisions of article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto, and as used in such sections, the words and phrases defined by K.S.A. 8-126, and amendments thereto, shall have the meanings respectively ascribed to them therein.

(b) As used in K.S.A. 8-197 through 8-199, and amendments thereto:

(1) (A) "Nonhighway vehicle" means:

(i) Any motor vehicle which cannot be registered because it is not manufactured for the purpose of using the same on the highways of this state and is not provided with the equipment required by state statute for vehicles of such type which are used on the highways of this state;

(ii) any motor vehicle, other than a salvage vehicle, for which the owner has not provided motor vehicle liability insurance coverage or an approved self insurance plan under K.S.A. 40-3104, and amendments thereto, and has not applied for or obtained registration of such motor vehicle in accordance with article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto;

(iii) any all-terrain vehicle;

(iv) any work-site utility vehicle;

(v) any micro utility truck; ~~or~~

(vi) recreational off-highway vehicle; or

(vii) any travel trailer which cannot be registered because it is not manufactured for the purpose of using the travel trailer on the highways of this state and is not provided with the equipment by state statute for travel trailers which are used on the highways of this state; and

(B) "nonhighway vehicle" shall not include an implement of husbandry, as defined in K.S.A. 8-126, and amendments thereto.

(2) "Salvage vehicle" means:

(A) Any motor vehicle, other than a late model vehicle, which is of a type required to be registered in this state, but which cannot be registered because it has been wrecked or damaged to the extent that: The equipment required by state statute on any such vehicle used on the highways of this state is not present or is not in good condition or proper adjustment, as prescribed by state statute or any rules and regulations adopted

pursuant thereto, or such vehicle is in an inoperable condition or a condition that would render the operation thereof on the highways of this state a hazard to the public safety; and in either event, such vehicle would require substantial repairs to rebuild or restore such vehicle to a condition which will permit the registration thereof;

(B) a late model vehicle which is of a type required to be registered in this state and which has been wrecked or damaged to the extent that the total cost of repair is 75% or more of the fair market value of the motor vehicle immediately preceding the time it was wrecked or damaged and such condition was not merely exterior cosmetic damage to such vehicle as a result of windstorm or hail; ~~or~~

(C) a motor vehicle, which is of a type required to be registered in this state that the insurer determines is a total loss and for which the insurer takes title; or

(D) a travel trailer which is of a type required to be registered in this state, but which cannot be registered because it has been wrecked or damaged to the extent that: (i) The equipment required by state statute on any such travel trailer used on the highways of this state is not present or is not in good condition or proper adjustment, as prescribed by state statute or any rules and regulations; or (ii) such travel trailer is in an inoperable condition or a condition that would render the operation on the highways of this state a hazard to the public safety; and in either event, such travel trailer would require substantial repairs to rebuild or restore to a condition which will permit the registration of the travel trailer;

(3) "salvage title" means a certificate of title issued by the division designating a motor vehicle or travel trailer a salvage vehicle;

(4) "rebuilt salvage vehicle" means any motor vehicle or travel trailer previously issued a salvage title;

(5) "rebuilt salvage title" means a certificate of title issued by the division for a vehicle previously designated a salvage vehicle which is now designated a rebuilt salvage vehicle;

(6) "late model vehicle" means any motor vehicle which has a manufacturer's model year designation of or later than the year in which the vehicle was wrecked or damaged or any of the six preceding years;

(7) "fair market value" means the retail value of a motor vehicle as:

(A) Set forth in a current edition of any nationally recognized compilation, including an automated database of retail value; or

(B) determined pursuant to a market survey of comparable vehicles with regard to condition and equipment; and

(8) "cost of repairs" means the estimated or actual retail cost of parts needed to repair a vehicle plus the cost of labor computed by using the hourly labor rate and time allocations for automobile repairs that are customary and reasonable. Retail costs of parts and labor rates may be based upon collision estimating manuals or electronic computer estimating systems customarily used in the automobile industry. The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing or reinstalling tires, sound systems, or any sales tax on parts or materials to rebuild or reconstruct the vehicle.

Sec. 2. K.S.A. 2015 Supp. 8-198 is hereby amended to read as follows: 8-198. (a) A nonhighway or salvage vehicle shall not be required to be registered in this state, as provided in K.S.A. 8-135, and amendments thereto, but nothing in this section shall be construed as abrogating, limiting or otherwise affecting the provisions of K.S.A. 8-142,

and amendments thereto, which make it unlawful for any person to operate or knowingly permit the operation in this state of a vehicle required to be registered in this state.

(b) Upon the sale or transfer of any nonhighway vehicle or salvage vehicle, the purchaser thereof shall obtain a nonhighway certificate of title or salvage title, whichever is applicable, in the following manner:

(1) If the transferor is a vehicle dealer, as defined in K.S.A. 8-2401, and amendments thereto, and a certificate of title has not been issued for such vehicle under this section or under the provisions of K.S.A. 8-135, and amendments thereto, such transferor shall make application for and assign a nonhighway certificate of title or a salvage title, whichever is applicable, to the purchaser of such nonhighway vehicle or salvage vehicle in the same manner and under the same conditions prescribed by K.S.A. 8-135, and amendments thereto, for the application for and assignment of a certificate of title thereunder. Upon the assignment thereof, the purchaser shall make application for a new nonhighway certificate of title or salvage title, as provided in subsection (c) or (d).

(2) Except as provided in ~~subsection (b) of~~ K.S.A. 8-199(b), and amendments thereto, if a certificate of title has been issued for any such vehicle under the provisions of K.S.A. 8-135, and amendments thereto, the owner of such nonhighway vehicle or salvage vehicle may surrender such certificate of title to the division of vehicles and make application to the division for a nonhighway certificate of title or salvage title, whichever is applicable, or the owner may obtain from the county treasurer's office a form prescribed by the division of vehicles and, upon proper execution thereof, may assign the nonhighway certificate of title, salvage title or the regular certificate of title with such form attached to the purchaser of the nonhighway vehicle or salvage vehicle. Upon receipt of the nonhighway certificate of title, salvage title or the regular certificate of title with such form attached, the purchaser shall make application for a new nonhighway certificate of title or salvage title, whichever is applicable, as provided in subsection (c) or (d).

(3) If the transferor is not a vehicle dealer, as defined in K.S.A. 8-2401, and amendments thereto, and a certificate of title has not been issued for the vehicle under this section or a certificate of title was not required under K.S.A. 8-135, and amendments thereto, the transferor shall make application to the division for a nonhighway certificate of title or salvage title, whichever is applicable, as provided in this section, except that in addition thereto, the division shall require a bill of sale or such transferor's affidavit, with at least one other corroborating affidavit, that such transferor is the owner of such nonhighway vehicle or salvage vehicle. If the division is satisfied that the transferor is the owner, the division shall issue a nonhighway certificate of title or salvage title, whichever is applicable, for such vehicle, and the transferor shall assign the same to the purchaser, who shall make application for a new nonhighway certificate of title or salvage title, whichever is applicable, as provided in subsection (c) or (d).

(c) Every purchaser of a nonhighway vehicle, whether assigned a nonhighway certificate of title or a regular certificate of title with the form specified in ~~paragraph (2) of~~ subsection (b)(2) attached, shall make application to the county treasurer of the county in which such person resides for a new nonhighway certificate of title in the same manner and under the same conditions as for an application for a certificate of title

under K.S.A. 8-135, and amendments thereto. Such application shall be in the form prescribed by the director of vehicles and shall contain substantially the same provisions as required for an application under ~~subsection (c)(1) of~~ K.S.A. 8-135(c)(1), and amendments thereto. In addition, such application shall provide a place for the applicant to certify that the vehicle for which the application for a nonhighway certificate of title is made is a nonhighway vehicle and other provisions the director deems necessary. Each application for a nonhighway certificate of title shall be accompanied by a fee of $10, and if the application is not made to the county treasurer within the time prescribed by K.S.A. 8-135, and amendments thereto, for making application for a certificate of title thereunder, an additional fee of $2.

(d) (1) Except as otherwise provided by this section, the owner of a vehicle that meets the definition of a salvage vehicle shall apply for a salvage title before the ownership of the motor vehicle or travel trailer is transferred. In no event shall such application be made more than 60 days after the vehicle is determined to be a salvage vehicle.

(2) Every insurance company, which pursuant to a damage settlement, acquires ownership of a vehicle that has incurred damage requiring the vehicle to be designated a salvage vehicle, shall apply for a salvage title within 60 days after the title is assigned and delivered by the owner to the insurance company, with all liens released. In the event that an insurance company is unable to obtain voluntary assignment of the title after 30 days from the date the vehicle owner enters into an oral or written damage settlement agreement where the owner agrees to transfer the title, the insurance company may submit an application on a form prescribed by the division for a salvage title. The form shall be accompanied by an affidavit from the insurance company stating that: (A) The insurance company is unable to obtain a transfer of the title from the owner following an oral or written acceptance of an offer of damage settlement; (B) there is evidence of the damage settlement; (C) that there are no existing liens on the vehicle or all liens on the vehicle have been released; (D) the insurance company has physical possession of the vehicle; and (E) the insurance company has provided the owner, at the owner's last known address, 30 days' prior notice of such intent to transfer and the owner has not delivered a written objection to the insurance company.

(3) Every insurance company which makes a damage settlement for a vehicle that has incurred damage requiring such vehicle to be designated a salvage vehicle, but does not acquire ownership of the vehicle, shall notify the vehicle owner of the owner's obligation to apply for a salvage title for the motor vehicle or travel trailer, and shall notify the division of this fact in accordance with procedures established by the division. The vehicle owner shall apply for a salvage title within 60 days after being notified by the insurance company.

(4) The lessee of any vehicle which incurs damage requiring the vehicle to be designated a salvage vehicle shall notify the lessor of this fact within 30 days of the determination that the vehicle is a salvage vehicle.

(5) The lessor of any motor vehicle or travel trailer which has incurred damage requiring the vehicle to be titled as a salvage vehicle, shall apply for a salvage title within 60 days after being notified of this fact by the lessee.

(6) Every person acquiring ownership of a motor vehicle or travel trailer that meets the definition of a salvage vehicle, for which a salvage title has not been issued, shall apply for the required document prior to any further transfer of such vehicle, but in no

event, more than 60 days after ownership is acquired.

(7) Every purchaser of a salvage vehicle, whether assigned a salvage title or a regular certificate of title with the form specified in ~~paragraph (2) of~~ subsection (b)(2) attached, shall make application to the county treasurer of the county in which such person resides for a new salvage title, in the same manner and under the same condition as for an application for a certificate of title under K.S.A. 8-135, and amendments thereto. Such application shall be in the form prescribed by the director of vehicles and shall contain substantially the same provisions as required for an application under ~~subsection (c)(1) of~~ K.S.A. 8-135(c)(1), and amendments thereto. In addition, such application shall provide a place for the applicant to certify that the vehicle for which the application for salvage title is made is a salvage vehicle, and other provisions the director deems necessary. Each application for a salvage title shall be accompanied by a fee of $10 and if the application is not made to the county treasurer within the time prescribed by K.S.A. 8-135, and amendments thereto, for making application for a certificate of title thereunder, an additional fee of $2.

(8) Failure to apply for a salvage title as provided by this subsection shall be a class C nonperson misdemeanor.

(e) A nonhighway certificate of title or salvage title shall be in form and color as prescribed by the director of vehicles. A nonhighway certificate of title or salvage title shall indicate clearly and distinctly on its face that it is issued for a nonhighway vehicle or salvage vehicle, whichever is applicable. A nonhighway certificate of title or salvage title shall contain substantially the same information as required on a certificate of title issued under K.S.A. 8-135, and amendments thereto, and other information the director deems necessary.

(f) (1) A nonhighway certificate of title or salvage title may be transferred in the same manner and under the same conditions as prescribed by K.S.A. 8-135, and amendments thereto, for the transfer of a certificate of title, except as otherwise provided in this section. A nonhighway certificate of title or salvage title may be assigned and transferred only while the vehicle remains a nonhighway vehicle or salvage vehicle.

(2) Upon transfer or sale of a nonhighway vehicle in a condition which will allow the registration of such vehicle, the owner shall assign the nonhighway certificate of title to the purchaser, and the purchaser shall obtain a certificate of title and register such vehicle as provided in K.S.A. 8-135, and amendments thereto. No regular certificate of title shall be issued for a vehicle for which there has been issued a nonhighway certificate of title until there has been compliance with K.S.A. 8-116a, and amendments thereto.

(3) (A) Upon transfer or sale of a salvage vehicle which has been rebuilt or restored or is otherwise in a condition which will allow the registration of such vehicle, the owner shall assign the salvage title to the purchaser, and the purchaser shall obtain a rebuilt salvage title and register such vehicle as provided in K.S.A. 8-135, and amendments thereto. No rebuilt salvage title shall be issued for a vehicle for which there has been issued a salvage title until there has been compliance with K.S.A. 8-116a, and amendments thereto, and the notice required in ~~paragraph (3)(B) of this~~ subsection(f)(3)(B) has been attached to such vehicle.

(B) As part of the inspection for a rebuilt salvage title conducted under K.S.A. 8-116a, and amendments thereto, the Kansas highway patrol shall attach a notice affixed

to the left door frame of the rebuilt salvage vehicle indicating the vehicle identification number of such vehicle and that such vehicle is a rebuilt salvage vehicle. In addition to any fee allowed under K.S.A. 8-116a, and amendments thereto, a fee of $5 shall be collected from the owner of such vehicle requesting the inspection for the notice required under this paragraph. All moneys received under this paragraph shall be remitted in accordance with ~~subsection (c) of~~ K.S.A. 8-116a(e), and amendments thereto.

(C) Failure to apply for a rebuilt salvage title as provided by this paragraph shall be a class C nonperson misdemeanor.

(g) The owner of a salvage vehicle which has been issued a salvage title and has been assembled, reconstructed, reconstituted or restored or otherwise placed in an operable condition may make application to the county treasurer for a permit to operate such vehicle on the highways of this state over the most direct route from the place such salvage vehicle is located to a specified location named on the permit and to return to the original location. No such permit shall be issued for any vehicle unless the owner has motor vehicle liability insurance coverage or an approved self-insurance plan under K.S.A. 40-3104, and amendments thereto. Such permit shall be on a form furnished by the director of vehicles and shall state the date the vehicle is to be taken to the other location, the name of the insurer, as defined in K.S.A. 40-3103, and amendments thereto, and the policy number or a statement that the vehicle is included in a self-insurance plan approved by the commissioner of insurance, a statement attesting to the correctness of the information concerning financial security, the vehicle identification number and a description of the vehicle. Such permit shall be signed by the owner of the vehicle. The permit shall be carried in the vehicle for which it is issued and shall be displayed so that it is visible from the rear of the vehicle. The fee for such permit shall be $1 which shall be retained by the county treasurer, who shall annually forward 25% of all such fees collected to the division of vehicles to reimburse the division for administrative expenses, and shall deposit the remainder in a special fund for expenses of issuing such permits.

(h) A nonhighway vehicle or salvage vehicle for which a nonhighway certificate of title or salvage title has been issued pursuant to this section shall not be deemed a motor vehicle for the purposes of K.S.A. 40-3101 to 40-3121, inclusive, and amendments thereto, except when such vehicle is being operated pursuant to subsection (g). Any person who knowingly makes a false statement concerning financial security in obtaining a permit pursuant to subsection (g), or who fails to obtain a permit when required by law to do so is guilty of a class C misdemeanor.

(i) Any person who, on July 1, 1996, is the owner of an all-terrain vehicle, as defined in K.S.A. 8-126, and amendments thereto, shall not be required to file an application for a nonhighway certificate of title under the provisions of this section for such all-terrain vehicle, unless the person transfers an interest in such all-terrain vehicle.

(j) Any person who, on July 1, 2006, is the owner of a work-site utility vehicle, as defined in K.S.A. 8-126, and amendments thereto, shall not be required to file an application for a nonhighway certificate of title under the provisions of this section for such work-site utility vehicle, unless the person transfers an interest in such work-site utility vehicle.

Sec. 3. K.S.A. 8-199 is hereby amended to read as follows: 8-199. (a) Except as provided in subsection (b), it shall be unlawful for any person to sell or transfer the

ownership of any nonhighway vehicle or salvage vehicle, unless such person shall give to the purchaser thereof an assigned nonhighway certificate of title or salvage title.

(b) The sale or transfer of ownership of a nonhighway vehicle or salvage vehicle shall include the acquisition of any such vehicle by an insurer, as defined by K.S.A. 40-3103, and amendments thereto, from any person upon payment of consideration therefor in satisfaction of such insurer's obligation under a policy of motor vehicle insurance but the transferor of a vehicle for which a title has been issued under K.S.A. 8-135, and amendments thereto, shall not be required to obtain a nonhighway certificate of title or salvage title for such vehicle and may assign to the insurer the certificate of title issued pursuant to K.S.A. 8-135, and amendments thereto. It shall be unlawful for any insurer to sell or attempt to sell any nonhighway vehicle or salvage vehicle, through power of attorney or otherwise, unless such insurer shall obtain a nonhighway certificate of title or salvage title issued in the name of the insurer.

(c) Any person, firm, company, corporation, partnership, association or other legal entity who violates the provisions of this section shall be guilty of a class C misdemeanor.

(d) Nothing in this act shall be construed as relieving any person of the payment of the tax imposed on the sale of a motor vehicle <u>or travel trailer</u> pursuant to K.S.A. 79-3603, and amendments thereto.";

Also on page 3, in line 3, before "K.S.A" by inserting "K.S.A. 8-199 and"; also in line 3, by striking "8-235 is" and inserting "8-197 and 8-198 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "motor"; also in line 1, by striking all after "to"; in line 2, by striking all before the semicolon and inserting "travel trailers"; also in line 2, after "amending" by inserting "K.S.A. 8-199 and"; in line 3, by striking "8-235" and inserting "8-197 and 8-198"; also in line 3, by striking "section" and inserting "sections";

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

Mike Petersen
Kay Wolf
Pat Pettey
Conferees on part of Senate

Richard J. Proehl
Ronald W. Ryckman, Sr.
Adam J. Lusker, Sr.
Conferees on part of House

On motion of Rep. Proehl, the conference committee report on **HB 2563** was adopted.

Call of the House was demanded.

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

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber,

Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Edmonds, Ewy, Merrick, Ruiz, Victors.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2615** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

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

MICHAEL O'DONNELL, II
ELAINE BOWERS
Conferees on part of Senate

DANIEL R. HAWKINS
WILLIE O. DOVE
Conferees on part of House

On motion of Rep. Hawkins the conference committee report on **HB 2615** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Hawkins, Dove and Ward as second conferees on the part of the House.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Schwartz, the House concurred in Senate amendments to **HB 2480**, AN ACT concerning livestock; relating to marks and brands; amending K.S.A. 47-418, 47-421, 47-423 and 47-426 and K.S.A. 2015 Supp. 47-414, 47-414a, 47-416, 47-417, 47-417a, 47-420, 47-422, 47-428, 47-446 and 47-1011a and repealing the existing sections; also repealing K.S.A. 47-436, 47-438, 47-439, 47-440, 47-445 and 47-447 and K.S.A. 2015 Supp. 47-418a, 47-432, 47-433, 47-434, 47-435, 47-437, 47-441 and 47-442.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 102; Nays 18; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Carlin, Carmichael, W. Carpenter, Claeys, Clark,

Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Goico, Gonzalez, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Mason, Mast, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Read, Rooker, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Seiwert, C. Smith, Suellentrop, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barton, Campbell, B. Carpenter, Garber, Grosserode, Hildabrand, Houser, K. Jones, Kelley, Macheers, McPherson, Peck, R. Powell, Rhoades, Rubin, Scapa, Sutton, Whitmer.

Present but not voting: None.

Absent or not voting: Ewy, Merrick, Ruiz, Sloan, Victors.

CHANGE OF CONFEREES

Speaker pro tem Mast announced the appointment of Rep. Wilson as a member of the conference committee on **H Sub for SB 227**, **H Sub for SB 337**, **S Sub for HB 2059**, **S Sub for HB 2156**, **HB 2490**, **HB 2547** to replace Rep. Victors.

Also, the appointment of Rep. Pauls as a member of the conference committee on **SB 325**, **S Sub for HB 2049**, **HB 2460** to replace Rep. Finch.

Also, the appointment of Reps. Kleeb, Suellentrop and Sawyer as members of the conference committee on **HB 2632** to replace Reps. Schwab, Kelly and Houston.

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **Sub SB 22**.

MESSAGES FROM THE SENATE

The Senate announced the appointment of Senator Masterson to replace Senator Longbine as a conferee on **HB 2632**.

The Senate announced the appointment of Senator Denning to replace Senator Bowers as a conferee on **HB 2632**.

The Senate announced the appointment of Senator Kelly to replace Senator Hawk as a conferee on **HB 2632**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 22** submits the following report:

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

On page 1, by striking all in lines 9 through 36;

By striking all on pages 2 through 18;

On page 19, by striking all in lines 1 through 32 and inserting:

"New Section 1. (a) Every audio or video recording made and retained by law enforcement using a body camera or a vehicle camera shall be considered a criminal investigation record as defined in K.S.A. 45-217, and amendments thereto. The provisions of this subsection shall expire on July 1, 2021, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2021.

(b) In addition to any disclosure authorized pursuant to the open records act, K.S.A. 45-215 et seq., and amendments thereto, a person described in subsection (c) may request to listen to an audio recording or to view a video recording made by a body camera or a vehicle camera. The law enforcement agency shall allow the person to listen to the requested audio recording or to view the requested video recording, and may charge a reasonable fee for such services provided by the law enforcement agency.

(c) Any of the following may make a request under subsection (b):

(1) A person who is a subject of the recording;

(2) a parent or legal guardian of a person under 18 years of age who is a subject of the recording;

(3) an attorney for a person described in subsection (c)(1) or (c)(2); and

(4) an heir at law, an executor or an administrator of a decedent, when the decedent is a subject of the recording.

(d) As used in this section:

(1) "Body camera" means a device that is worn by a law enforcement officer that electronically records audio or video of such officer's activities.

(2) "Vehicle camera" means a device that is attached to a law enforcement vehicle that electronically records audio or video of law enforcement officers' activities.

Sec. 2. K.S.A. 2015 Supp. 9-513c is hereby amended to read as follows: 9-513c. (a) Notwithstanding any other provision of law, all information or reports obtained and prepared by the commissioner in the course of licensing or examining a person engaged in money transmission business shall be confidential and may not be disclosed by the commissioner except as provided in subsection (c) or (d).

(b) (1) All confidential information shall be the property of the state of Kansas and shall not be subject to disclosure except upon the written approval of the state bank commissioner.

(2) The provisions of this subsection shall expire on June 30, 2019, unless the legislature acts to reenact such provisions. The provisions of this paragraph shall be reviewed by the legislature prior to July 1, 2019.

(c) (1) The commissioner shall have the authority to share supervisory information, including reports of examinations, with other state or federal agencies having regulatory

authority over the person's money transmission business and shall have the authority to conduct joint examinations with other regulatory agencies.

(2) (A) The requirements under any federal or state law regarding the confidentiality of any information or material provided to the nationwide multi-state licensing system, and any privilege arising under federal or state law, including the rules of any federal or state court, with respect to such information or material, shall continue to apply to such information or material after the information or material has been disclosed to the system. Such information and material may be shared with all state and federal regulatory officials with financial services industry oversight authority without the loss of confidentiality protections provided by federal and state laws.

(B) The provisions of this paragraph shall expire July 1, 2018, unless the legislature acts to reenact such provisions. The provisions of this section shall be reviewed by the legislature prior to July 1, 2018.

(d) The commissioner may provide for the release of information to law enforcement agencies or prosecutorial agencies or offices who shall maintain the confidentiality of the information.

(e) The commissioner may accept a report of examination or investigation from another state or federal licensing agency, in which the accepted report is an official report of the commissioner. Acceptance of an examination or investigation report does not waive any fee required by this act.

(f) Nothing shall prohibit the commissioner from releasing to the public a list of persons licensed or their agents or from releasing aggregated financial data on such persons.

(g) The provisions of subsection (a) shall expire on July 1, ~~2016~~ 2021, unless the legislature acts to reauthorize such provisions. The provisions of subsection (a) shall be reviewed by the legislature prior to July 1, ~~2016~~ 2021.

Sec. 3. K.S.A. 2015 Supp. 12-5374 is hereby amended to read as follows: 12-5374. (a) Not later than 30 days after the receipt of moneys from providers pursuant to K.S.A. 2015 Supp. 12-5370 and 12-5371, and amendments thereto, and the department pursuant to K.S.A. 2015 Supp. 12-5372, and amendments thereto, the LCPA shall distribute such moneys to PSAPs based upon the following distribution method: In a county with a population over 80,000, 82% of the money collected from service users whose place of primary use, as provided by the providers, is within the county shall be distributed to the PSAPs within the county based on place of primary use information; in a county with a population between 65,000 and 79,999, 85% of the money collected from service users whose place of primary use, as provided by the providers, is within the county shall be distributed to the PSAPs within the county based on place of primary use information; in a county with a population between 55,000 and 64,999, 88% of the money collected from service users whose place of primary use, as provided by the providers, is within the county shall be distributed to the PSAPs within the county based on place of primary use information; in a county with a population between 45,000 and 54,999, 91% of the money collected from service users whose place of primary use, as provided by the providers, is within the county shall be distributed to the PSAPs within the county based on place of primary use information; in a county with a population between 35,000 and 44,999, 94% of the money collected from service users whose place of primary use, as provided by the providers, is within the county shall be distributed to the PSAPs within the county based on place of

primary use information; in a county with a population between 25,000 and 34,999, 97% of the money collected from service users whose place of primary use, as provided by the providers, is within the county shall be distributed to the PSAPs within the county based on place of primary use information; and in a county with a population of less than 25,000, 100% of the money collected from service users whose place of primary use, as provided by the providers, is within the county shall be distributed to the PSAPs within the county based on place of primary use information. There shall be a minimum county distribution of $50,000 and no county shall receive less than $50,000 of direct distribution moneys. If there is more than one PSAP in a county then the direct distribution allocated to that county by population shall be deducted from the minimum county distribution and the difference shall be proportionately divided between the PSAPs in the county. All moneys remaining after distribution and any moneys which cannot be attributed to a specific PSAP shall be transferred to the 911 state grant fund.

(b) All fees remitted to the LCPA shall be deposited in the 911 state fund and for the purposes of this act be treated as if they are public funds, pursuant to article 14 of chapter 9 of the Kansas Statutes Annotated, and amendments thereto.

(c) All moneys in the 911 state fund that have been collected from the prepaid wireless 911 fee shall be deposited in the 911 state grant fund unless $2 million of such moneys have been deposited in any given year then all remaining moneys shall be distributed to the counties in an amount proportional to each county's population as a percentage share of the population of the state. For each PSAP within a county, such moneys shall be distributed to each PSAP in an amount proportional to the PSAP's population as a percentage share of the population of the county. If there is no PSAP within a county, then such moneys shall be distributed to the PSAP providing service to such county. Such moneys distributed to counties and PSAPs only shall be used for the uses authorized in K.S.A. 2015 Supp. 12-5375, and amendments thereto.

(d) The LCPA shall keep accurate accounts of all receipts and disbursements of moneys from the 911 fees.

(e) Information provided by providers to the local collection point administrator or to the 911 coordinating council pursuant to this act will be treated as proprietary records which will be withheld from the public upon request of the party submitting such records.

(f) The provisions of subsection (e) shall expire on July 1, ~~2017~~ 2021, unless the legislature acts to reenact such provision. The provisions of subsection (e) shall be reviewed by the legislature prior to July 1, ~~2016~~ 2021.

~~(g) This section shall take effect on and after January 1, 2012.~~

Sec. 4. K.S.A. 2015 Supp. 16-335 is hereby amended to read as follows: 16-335. (a) Except as provided by this section, all information which the secretary of state shall gather or record in making an investigation and examination of any cemetery corporation, or the reporting by the cemetery corporation or the trustee, shall be deemed to be confidential information, and shall not be disclosed by the secretary of state, any assistant, examiner or employee thereof, except to: (1) Officers and the members of the board of directors of the cemetery corporation being audited; (2) the attorney general, when in the opinion of the secretary of state the same should be disclosed; and (3) the appropriate official for the municipality in which the cemetery resides when in the opinion of the secretary of state the same should be disclosed.

(b) Upon request, the secretary of state may disclose to any person whether a cemetery corporation maintains a cemetery merchandise trust fund under K.S.A. 16-322, and amendments thereto, and whether such funds are maintained in compliance with the provisions of such laws.

(c) The provisions of subsection (a) shall expire on July 1, ~~2016~~ 2021, unless the legislature acts to reauthorize such provisions. The provisions of subsection (a) shall be reviewed by the legislature prior to July 1, ~~2016~~ 2021.

(d) This section shall be part of and supplemental to article 3 of chapter 16 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 5. K.S.A. 2015 Supp. 17-1312e is hereby amended to read as follows: 17-1312e. (a) Except as provided by this section, all information which the secretary of state shall gather or record in making an investigation and examination of any cemetery corporation, or the reporting by the cemetery corporation or the trustee, shall be deemed to be confidential information, and shall not be disclosed by the secretary of state, any assistant, examiner or employee thereof, except to: (1) Officers and the members of the board of directors of the cemetery corporation being audited; (2) the attorney general, when in the opinion of the secretary of state the same should be disclosed; and (3) the appropriate official for the municipality in which the cemetery resides when in the opinion of the secretary of state the same should be disclosed.

(b) Upon request, the secretary of state may disclose to any person whether a cemetery corporation maintains a permanent maintenance fund under K.S.A. 17-1311, and amendments thereto, and whether such funds are maintained in compliance with the provisions of such laws.

(c) The provisions of subsection (a) shall expire on July 1, ~~2016~~ 2021, unless the legislature acts to reauthorize such provisions. The provisions of subsection (a) shall be reviewed by the legislature prior to July 1, ~~2016~~ 2021.

Sec. 6. K.S.A. 2015 Supp. 25-2309 is hereby amended to read as follows: 25-2309. (a) Any person may apply in person, by mail, through a voter registration agency, or by other delivery to a county election officer to be registered. Such application shall be made on: (1) A form approved by the secretary of state, which shall be provided by a county election officer or chief state election official upon request in person, by telephone or in writing; or (2) the national mail voter registration form issued pursuant to federal law.

Such application shall be signed by the applicant under penalty of perjury and shall contain the original signature of the applicant or the computerized, electronic or digitized transmitted signature of the applicant. A signature may be made by mark, initials, typewriter, print, stamp, symbol or any other manner if by placing the signature on the document the person intends the signature to be binding. A signature may be made by another person at the voter's direction if the signature reflects such voter's intention.

(b) Applications made under this section shall give voter eligibility requirements and such information as is necessary to prevent duplicative voter registrations and enable the relevant election officer to assess the eligibility of the applicant and to administer voter registration, including, but not limited to, the following data to be kept by the relevant election officer as provided by law:

(1) Name;

(2) place of residence, including specific address or location, and mailing address if

the residence address is not a permissible postal address;

(3) date of birth;

(4) sex;

(5) the last four digits of the person's social security number or the person's full driver's license or nondriver's identification card number;

(6) telephone number, if available;

(7) naturalization data (if applicable);

(8) if applicant has previously registered or voted elsewhere, residence at time of last registration or voting;

(9) when present residence established;

(10) name under which applicant last registered or voted, if different from present name;

(11) an attestation that the applicant meets each eligibility requirement;

(12) a statement that the penalty for submission of a false voter registration application is a maximum presumptive sentence of 17 months in prison;

(13) a statement that, if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes;

(14) a statement that if an applicant does register to vote, the office to which a voter registration application is submitted will remain confidential and will be used only for voter registration purposes;

(15) boxes for the applicant to check to indicate whether the applicant is or is not a citizen of the United States, together with the question "Are you a citizen of the United States of America?";

(16) boxes for the county election officer or chief state election official to check to indicate whether the applicant has provided with the application the information necessary to assess the eligibility of the applicant, including such applicant's United States citizenship;

(17) boxes for the applicant to check to indicate whether or not the applicant will be 18 years of age or older on election day, together with the question "Will you be 18 years of age on or before election day?";

(18) in reference to paragraphs (15) and (17) the statement "If you checked 'no' in response to either of these questions, do not complete this form.";

(19) a statement that the applicant shall be required to provide identification when voting; and

(20) political party affiliation declaration, if any. An applicant's failure to make a declaration will result in the applicant being registered as an unaffiliated voter.

If the application discloses any previous registration in any other county or state, as indicated by paragraph (8) or (10), or otherwise, the county election officer shall upon the registration of the applicant, give notice to the election official of the place of former registration, notifying such official of applicant's present residence and registration, and authorizing cancellation of such former registration. This section shall be interpreted and applied in accordance with federal law. No eligible applicant whose qualifications have been assessed shall be denied registration.

(c) Any person who applies for registration through a voter registration agency shall be provided with, in addition to the application under subsection (b), a form which includes:

(1) The question "If you are not registered to vote where you live now, would you like to apply to register to vote here today?";

(2) a statement that if the applicant declines to register to vote, this decision will remain confidential and be used only for voter registration purposes;

(3) a statement that if the applicant does register to vote, information regarding the office to which the application was submitted will remain confidential and be used only for voter registration purposes; and

(4) if the agency provides public assistance~~,~~; (i) The statement "Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.";

(ii) boxes for the applicant to check to indicate whether the applicant would like to register or declines to register to vote, together with the statement "IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.";

(iii) the statement "If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private."; and

(iv) the statement "If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, or your right to choose your own political party or other political preference, you may file a complaint with the Kansas Secretary of State."

(d) If any person, in writing, declines to register to vote, the voter registration agency shall maintain the form prescribed by subsection (c).

(e) A voter registration agency shall transmit the completed registration application to the county election officer not later than five days after the date of acceptance. Upon receipt of an application for registration, the county election officer shall send, by nonforwardable mail, a notice of disposition of the application to the applicant at the postal delivery address shown on the application. If a notice of disposition is returned as undeliverable, a confirmation mailing prescribed by K.S.A. 25-2316c, and amendments thereto, shall occur.

(f) If an application is received while registration is closed, such application shall be considered to have been received on the next following day during which registration is open.

(g) A person who completes an application for voter registration shall be considered a registered voter when the county election officer adds the applicant's name to the county voter registration list.

(h) Any registered voter whose residence address is not a permissible postal delivery address shall designate a postal address for registration records. When a county election officer has reason to believe that a voter's registration residence is not a permissible postal delivery address, the county election officer shall attempt to determine a proper mailing address for the voter.

(i) Any registered voter may request that such person's residence address be concealed from public inspection on the voter registration list and on the original voter registration application form. Such request shall be made in writing to the county election officer, and shall specify a clearly unwarranted invasion of personal privacy or a threat to the voter's safety. Upon receipt of such a request, the county election officer

shall take appropriate steps to ensure that such person's residence address is not publicly disclosed. Nothing in this subsection shall be construed as requiring or authorizing the secretary of state to include on the voter registration application form a space or other provision on the form that would allow the applicant to request that such applicant's residence address be concealed from public inspection.

(j) No application for voter registration shall be made available for public inspection or copying unless the information required by ~~paragraph (5) of~~ subsection (b)(5) has been removed or otherwise rendered unreadable.

(k) If an applicant fails to answer the question prescribed in ~~paragraph (15) of~~ subsection (b)(15), the county election officer shall send the application to the applicant at the postal delivery address given on the application, by nonforwardable mail, with a notice of incompleteness. The notice shall specify a period of time during which the applicant may complete the application in accordance with K.S.A. 25-2311, and amendments thereto, and be eligible to vote in the next election.

(l) The county election officer or secretary of state's office shall accept any completed application for registration, but an applicant shall not be registered until the applicant has provided satisfactory evidence of United States citizenship. Evidence of United States citizenship as required in this section will be satisfied by presenting one of the documents listed in ~~paragraphs (1) through (13) of subsection~~ subsections (l)(1) through (l)(13) in person at the time of filing the application for registration or by including a photocopy of one of the following documents with a mailed registration application. After a person has submitted satisfactory evidence of citizenship, the county election officer shall indicate this information in the person's permanent voter file. Evidence of United States citizenship shall be satisfied by providing one of the following, or a legible photocopy of one of the following documents:

(1) The applicant's driver's license or nondriver's identification card issued by the division of vehicles or the equivalent governmental agency of another state within the United States if the agency indicates on the applicant's driver's license or nondriver's identification card that the person has provided satisfactory proof of United States citizenship;

(2) the applicant's birth certificate that verifies United States citizenship to the satisfaction of the county election officer or secretary of state;

(3) pertinent pages of the applicant's United States valid or expired passport identifying the applicant and the applicant's passport number, or presentation to the county election officer of the applicant's United States passport;

(4) the applicant's United States naturalization documents or the number of the certificate of naturalization. If only the number of the certificate of naturalization is provided, the applicant shall not be included in the registration rolls until the number of the certificate of naturalization is verified with the United States bureau of citizenship and immigration services by the county election officer or the secretary of state, pursuant to 8 U.S.C. § 1373(c);

(5) other documents or methods of proof of United States citizenship issued by the federal government pursuant to the immigration and nationality act of 1952, and amendments thereto;

(6) the applicant's bureau of Indian affairs card number, tribal treaty card number or tribal enrollment number;

(7) the applicant's consular report of birth abroad of a citizen of the United States of

America;

(8) the applicant's certificate of citizenship issued by the United States citizenship and immigration services;

(9) the applicant's certification of report of birth issued by the United States department of state;

(10) the applicant's American Indian card, with KIC classification, issued by the United States department of homeland security;

(11) the applicant's final adoption decree showing the applicant's name and United States birthplace;

(12) the applicant's official United States military record of service showing the applicant's place of birth in the United States; or

(13) an extract from a United States hospital record of birth created at the time of the applicant's birth indicating the applicant's place of birth in the United States.

(m) If an applicant is a United States citizen but does not have any of the documentation listed in this section as satisfactory evidence of United States citizenship, such applicant may submit any evidence that such applicant believes demonstrates the applicant's United States citizenship.

(1) Any applicant seeking an assessment of evidence under this subsection may directly contact the elections division of the secretary of state by submitting a voter registration application or form as described by this section and any supporting evidence of United States citizenship. Upon receipt of this information, the secretary of state shall notify the state election board, as established under K.S.A. 25-2203, and amendments thereto, that such application is pending.

(2) The state election board shall give the applicant an opportunity for a hearing and an opportunity to present any additional evidence to the state election board. Notice of such hearing shall be given to the applicant at least five days prior to the hearing date. An applicant shall have the opportunity to be represented by counsel at such hearing.

(3) The state election board shall assess the evidence provided by the applicant to determine whether the applicant has provided satisfactory evidence of United States citizenship. A decision of the state election board shall be determined by a majority vote of the election board.

(4) If an applicant submits an application and any supporting evidence prior to the close of registration for an election cycle, a determination by the state election board shall be issued at least five days before such election date.

(5) If the state election board finds that the evidence presented by such applicant constitutes satisfactory evidence of United States citizenship, such applicant will have met the requirements under this section to provide satisfactory evidence of United States citizenship.

(6) If the state election board finds that the evidence presented by an applicant does not constitute satisfactory evidence of United States citizenship, such applicant shall have the right to appeal such determination by the state election board by instituting an action under 8 U.S.C. § 1503. Any negative assessment of an applicant's eligibility by the state election board shall be reversed if the applicant obtains a declaratory judgment pursuant to 8 U.S.C. § 1503, demonstrating that such applicant is a national of the United States.

(n) Any person who is registered in this state on the effective date of this

amendment to this section is deemed to have provided satisfactory evidence of citizenship and shall not be required to resubmit evidence of citizenship.

(o) For purposes of this section, proof of voter registration from another state is not satisfactory evidence of United States citizenship.

(p) A registered Kansas voter who moves from one residence to another within the state of Kansas or who modifies such voter's registration records for any other reason shall not be required to submit evidence of United States citizenship.

(q) If evidence of citizenship is deemed to be unsatisfactory due to an inconsistency between the document submitted as evidence and the name or sex provided on the application for registration, such applicant may sign an affidavit:

(1) Stating the inconsistency or inconsistencies related to the name or sex, and the reason therefor; and

(2) swearing under oath that, despite the inconsistency, the applicant is the individual reflected in the document provided as evidence of citizenship. However, there shall be no inconsistency between the date of birth on the document provided as evidence of citizenship and the date of birth provided on the application for registration. If such an affidavit is submitted by the applicant, the county election officer or secretary of state shall assess the eligibility of the applicant without regard to any inconsistency stated in the affidavit.

(r) All documents submitted as evidence of citizenship shall be kept confidential by the county election officer or the secretary of state and maintained as provided by Kansas record retention laws. The provisions of this subsection shall expire on July 1, ~~2016~~ 2021, unless the legislature reviews and reenacts this provision ~~pursuant to K.S.A. 45-229, and amendments thereto,~~ prior to July 1, ~~2016~~ 2021.

(s) The secretary of state may adopt rules and regulations ~~to~~ in order to implement the provisions of this section.

(t) Nothing in this section shall prohibit an applicant from providing, or the secretary of state or county election officer from obtaining satisfactory evidence of United States citizenship, as described in subsection (1), at a different time or in a different manner than an application for registration is provided, as long as the applicant's eligibility can be adequately assessed by the secretary of state or county election officer as required by this section.

~~(u) The proof of citizenship requirements of this section shall not become effective until January 1, 2013.~~

Sec. 7. K.S.A. 2015 Supp. 40-2,118 is hereby amended to read as follows: 40-2,118. (a) For purposes of this act a "fraudulent insurance act" means an act committed by any person who, knowingly and with intent to defraud, presents, causes to be presented or prepares with knowledge or belief that it will be presented to or by an insurer, purported insurer, broker or any agent thereof, any written, electronic, electronic impulse, facsimile, magnetic, oral, or telephonic communication or statement as part of, or in support of, an application for the issuance of, or the rating of an insurance policy for personal or commercial insurance, or a claim for payment or other benefit pursuant to an insurance policy for commercial or personal insurance which such person knows to contain materially false information concerning any fact material thereto; or conceals, for the purpose of misleading, information concerning any fact material thereto.

(b) An insurer that has knowledge or a good faith belief that a fraudulent insurance

act is being or has been committed shall provide to the commissioner, on a form prescribed by the commissioner, any and all information and such additional information relating to such fraudulent insurance act as the commissioner may require.

(c) Any other person that has knowledge or a good faith belief that a fraudulent insurance act is being or has been committed may provide to the commissioner, on a form prescribed by the commissioner, any and all information and such additional information relating to such fraudulent insurance act as the commissioner may request.

(d) (1) Each insurer shall have antifraud initiatives reasonably calculated to detect fraudulent insurance acts. Antifraud initiatives may include fraud investigators, who may be insurer employees or independent contractors and an antifraud plan submitted to the commissioner no later than July 1, 2007. Each insurer that submits an antifraud plan shall notify the commissioner of any material change in the information contained in the antifraud plan within 30 days after such change occurs. Such insurer shall submit to the commissioner in writing the amended antifraud plan.

The requirement for submitting any antifraud plan, or any amendment thereof, to the commissioner shall expire on the date specified in subsection (d)(2) unless the legislature reviews and reenacts the provisions of subsection (d)(2)~~ pursuant to K.S.A. 45-229, and amendments thereto~~ prior to such date.

(2) Any antifraud plan, or any amendment thereof, submitted to the commissioner for informational purposes only shall be confidential and not be a public record and shall not be subject to discovery or subpoena in a civil action unless following an in camera review, the court determines that the antifraud plan is relevant and otherwise admissible under the rules of evidence set forth in article 4 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto. The provisions of this paragraph shall expire on July 1,~~ 2016~~ 2021, unless the legislature reviews and reenacts this provision ~~pursuant to K.S.A. 45-229, and amendments thereto,~~ prior to July 1,~~ 2016~~ 2021.

(e) Except as otherwise specifically provided in K.S.A. 2015 Supp. 21-5812(a), and amendments thereto, and K.S.A. 44-5,125, and amendments thereto, a fraudulent insurance act shall constitute a severity level 6, nonperson felony if the amount involved is $25,000 or more; a severity level 7, nonperson felony if the amount is at least $5,000 but less than $25,000; a severity level 8, nonperson felony if the amount is at least $1,000 but less than $5,000; and a class C nonperson misdemeanor if the amount is less than $1,000. Any combination of fraudulent acts as defined in subsection (a) which occur in a period of six consecutive months which involves $25,000 or more shall have a presumptive sentence of imprisonment regardless of its location on the sentencing grid block.

(f) In addition to any other penalty, a person who violates this statute shall be ordered to make restitution to the insurer or any other person or entity for any financial loss sustained as a result of such violation. An insurer shall not be required to provide coverage or pay any claim involving a fraudulent insurance act.

(g) This act shall apply to all insurance applications, ratings, claims and other benefits made pursuant to any insurance policy.

Sec. 8. K.S.A. 2015 Supp. 40-2,118a is hereby amended to read as follows: 40-2,118a. From and after July 1, 2011, (a) For purposes of this act a "fraudulent insurance act" means an act committed by any person who, knowingly and with intent to defraud, presents, causes to be presented or prepares with knowledge or belief that it will be presented to or by an insurer, purported insurer, broker or any agent thereof, any written

statement as part of, or in support of, an application for the issuance of, or the rating of an insurance policy for personal or commercial insurance, or a claim for payment or other benefit pursuant to an insurance policy for commercial or personal insurance which such person knows to contain materially false information concerning any fact material thereto; or conceals, for the purpose of misleading, information concerning any fact material thereto.

(b) An insurer that has knowledge or a good faith belief that a fraudulent insurance act is being or has been committed shall provide to the commissioner, on a form prescribed by the commissioner, any and all information and such additional information relating to such fraudulent insurance act as the commissioner may require.

(c) Any other person that has knowledge or a good faith belief that a fraudulent insurance act is being or has been committed may provide to the commissioner, on a form prescribed by the commissioner, any and all information and such additional information relating to such fraudulent insurance act as the commissioner may request.

(d) (1) Each insurer shall have antifraud initiatives reasonably calculated to detect fraudulent insurance acts. Antifraud initiatives may include: Fraud investigators, who may be insurer employees or independent contractors; or an antifraud plan submitted to the commissioner no later than July 1, 2007. Each insurer that submits an antifraud plan shall notify the commissioner of any material change in the information contained in the antifraud plan within 30 days after such change occurs. Such insurer shall submit to the commissioner in writing the amended antifraud plan.

The requirement for submitting any antifraud plan, or any amendment thereof, to the commissioner shall expire on the date specified in ~~paragraph (2) of this~~ subsection (d)(2) unless the legislature reviews and reenacts the provisions of ~~paragraph (2) pursuant to K.S.A. 45-229, and amendments thereto~~ subsection (d)(2) prior to such date.

(2) Any antifraud plan, or any amendment thereof, submitted to the commissioner for informational purposes only shall be confidential and not be a public record and shall not be subject to discovery or subpoena in a civil action unless following an in camera review, the court determines that the antifraud plan is relevant and otherwise admissible under the rules of evidence set forth in article 4 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto. The provisions of this paragraph shall expire on July 1, ~~2016~~ 2021, unless the legislature reviews and reenacts this provision ~~pursuant to K.S.A. 45-229, and amendments thereto,~~ prior to July 1, ~~2016~~ 2021.

(e) Except as otherwise specifically provided in K.S.A. 21-3718, and amendments thereto, and K.S.A. 44-5,125, and amendments thereto, a fraudulent insurance act shall constitute a severity level 6, nonperson felony if the amount involved is $25,000 or more; a severity level 7, nonperson felony if the amount is at least $5,000 but less than $25,000; a severity level 8, nonperson felony if the amount is at least $1,000 but less than $5,000; and a class C nonperson misdemeanor if the amount is less than $1,000. Any combination of fraudulent acts as defined in subsection (a) which occur in a period of six consecutive months which involves $25,000 or more shall have a presumptive sentence of imprisonment regardless of its location on the sentencing grid block.

(f) In addition to any other penalty, a person who violates this statute shall be ordered to make restitution to the insurer or any other person or entity for any financial loss sustained as a result of such violation. An insurer shall not be required to provide coverage or pay any claim involving a fraudulent insurance act.

(g) This act shall apply to all insurance applications, ratings, claims and other

benefits made pursuant to any insurance policy.

Sec. 9. K.S.A. 2015 Supp. 40-4913 is hereby amended to read as follows: 40-4913. (a) (1) Each insurer shall notify the commissioner whenever such insurer terminates a business relationship with an insurance agent if:

(A) The termination is for cause;

(B) such insurance agent has committed any act which would be in violation of any provision of ~~subsection (a) of~~ K.S.A. 2015 Supp. 40-4909(a), and amendments thereto; or

(C) such insurer has knowledge that such insurance agent is engaged in any activity which would be in violation of any provision of ~~subsection (a) of~~ K.S.A. 2015 Supp. 40-4909(a), and amendments thereto.

(2) The notification shall:

(A) Be made in a format prescribed by the commissioner;

(B) be submitted to the commissioner within 30 days of the date of the termination of the business relationship; and

(C) contain:

(i) The name of the insurance agent; and

(ii) the reason for the termination of the business relationship with such insurer.

(3) Upon receipt of a written request from the commissioner, each insurer shall provide to the commissioner any additional data, documents, records or other information concerning the termination of the insurer's business relationship with such agent.

(4) Whenever an insurer discovers or obtains additional information which would have been reportable under paragraph (1) ~~of this subsection~~, the insurer shall forward such additional information to the commissioner within 30 days of its discovery.

(b) (1) Each insurer shall notify the commissioner whenever such insurer terminates a business relationship with an insurance agent for any reason not listed in subsection (a).

(2) The notification shall:

(A) Be made in a format prescribed by the commissioner;

(B) be submitted to the commissioner within 30 days of the date of the termination of the business relationship.

(3) Upon receipt of a written request from the commissioner, each insurer shall provide to the commissioner any additional data, documents, records or other information concerning the termination of the insurer's business relationship with such agent.

(4) Whenever an insurer discovers or obtains additional information which would have been reportable under paragraph (1) ~~of this subsection~~, the insurer shall forward such additional information to the commissioner within 30 days of its discovery.

(c) For the purposes of this section, the term "business relationship" shall include any appointment, employment, contract or other relationship under which such insurance agent represents the insurer.

(d) (1) No insurance entity, or any agent or employee thereof acting on behalf of such insurance entity, regulatory official, law enforcement official or the insurance regulatory official of another state who provides information to the commissioner in good faith pursuant to this section shall be subject to a civil action for damages as a result of reporting such information to the commissioner. For the purposes of this

section, insurance entity shall mean any insurer, insurance agent or organization to which the commissioner belongs by virtue of the commissioner's office.

(2) Any document, material or other information in the control or possession of the department that is furnished by an insurance entity or an employee or agent thereof acting on behalf of such insurance entity, or obtained by the insurance commissioner in an investigation pursuant to this section shall be kept confidential by the commissioner. Such information shall not be made public or subject to subpoena, other than by the commissioner and then only for the purpose of enforcement actions taken by the commissioner pursuant to this act or any other provision of the insurance laws of this state.

(3) Neither the commissioner nor any person who received documents, materials or other information while acting under the authority of the commissioner shall be required to testify in any private civil action concerning any confidential documents, materials or information subject to paragraph (2).

(4) The commissioner may share or exchange any documents, materials or other information, including confidential and privileged documents referred to in ~~paragraph (2) of~~ subsection (d)(2), received in the performance of the commissioner's duties under this act, with:

(A) The NAIC;

(B) other state, federal or international regulatory agencies; and

(C) other state, federal or international law enforcement authorities.

(5) (A) The sharing or exchanging of documents, materials or other information under this subsection shall be conditioned upon the recipient's authority and agreement to maintain the confidential and privileged status, if any, of the documents, materials or other information being shared or exchanged.

(B) No waiver of an existing privilege or claim of confidentiality in the documents, materials or information shall occur as a result of disclosure to the commissioner under this section or as a result of sharing as authorized by ~~paragraph (1) of~~ subsection (d)(1).

(6) The commissioner of insurance is hereby authorized to adopt such rules and regulations establishing protocols governing the exchange of information as may be necessary to implement and carry out the provisions of this act.

(e) The provisions of ~~paragraph (2) of~~ subsection (d)(2) shall expire on July 1, ~~2016~~ 2021, unless the legislature acts to reenact such provision. The provisions of ~~paragraph (2) of~~ subsection (d)(2) shall be reviewed by the legislature prior to July 1, ~~2016~~ 2021.

(f) For the purposes of this section, insurance entity shall mean any insurer, insurance agent or organization to which the commissioner belongs by virtue of the commissioner's office.

(g) Any insurance entity, including any authorized representative of such insurance entity, that fails to report to the commissioner as required under the provisions of this section or that is found by a court of competent jurisdiction to have failed to report in good faith, after notice and hearing, may have its license or certificate of authority suspended or revoked and may be fined in accordance with K.S.A. 2015 Supp. 40-4909, and amendments thereto.

Sec. 10. K.S.A. 2015 Supp. 45-217 is hereby amended to read as follows: 45-217. As used in the open records act, unless the context otherwise requires:

(a) "Business day" means any day other than a Saturday, Sunday or day designated as a holiday by the congress of the United States, by the legislature or governor of this

state or by the respective political subdivision of this state.

(b) "Clearly unwarranted invasion of personal privacy" means revealing information that would be highly offensive to a reasonable person, including information that may pose a risk to a person or property and is not of legitimate concern to the public.

(c) "Criminal investigation records" means; (1) Every audio or video recording made and retained by law enforcement using a body camera or vehicle camera as defined by section 1, and amendments thereto; and (2) records of an investigatory agency or criminal justice agency as defined by K.S.A. 22-4701, and amendments thereto, compiled in the process of preventing, detecting or investigating violations of criminal law, but does not include police blotter entries, court records, rosters of inmates of jails or other correctional or detention facilities or records pertaining to violations of any traffic law other than vehicular homicide as defined by K.S.A. 21-3405, prior to its repeal, or K.S.A. 2015 Supp. 21-5406, and amendments thereto.

(d) "Custodian" means the official custodian or any person designated by the official custodian to carry out the duties of custodian of this act.

(e) "Official custodian" means any officer or employee of a public agency who is responsible for the maintenance of public records, regardless of whether such records are in the officer's or employee's actual personal custody and control.

(f) (1) "Public agency" means the state or any political or taxing subdivision of the state or any office, ~~officer,~~ agency or instrumentality thereof, or any other entity receiving or expending and supported in whole or in part by the public funds appropriated by the state or by public funds of any political or taxing subdivision of the state.

(2) "Public agency" shall not include:

(A) Any entity solely by reason of payment from public funds for property, goods or services of such entity; or (B) any municipal judge, judge of the district court, judge of the court of appeals or justice of the supreme court~~; or (C) any officer or employee of the state or political or taxing subdivision of the state if the state or political or taxing subdivision does not provide the officer or employee with an office which is open to the public at least 35 hours a week~~.

(g) (1) "Public record" means any recorded information, regardless of form ~~or~~, characteristics or location, which is made, maintained or kept by or is in the possession of:

(A) Any public agency ~~including, but not limited to, an agreement in settlement of litigation involving the Kansas public employees retirement system and the investment of moneys of the fund~~; or

(B) any officer or employee of a public agency pursuant to the officer's or employee's official duties and which is related to the functions, activities, programs or operations of any public agency.

(2) "Public record" shall include, but not be limited to, an agreement in settlement of litigation involving the Kansas public employees retirement system and the investment of moneys of the fund.

(3) Notwithstanding the provisions of subsection (g)(1), "public record" shall not include:

(A) Records which are owned by a private person or entity and are not related to functions, activities, programs or operations funded by public funds ~~or~~. As used in this

subparagraph, "private person" shall not include an officer or employee of a public agency who is acting pursuant to the officer's or employee's official duties;

(B) records which are made, maintained or kept by an individual who is a member of the legislature or of the governing body of any political or taxing subdivision of the state~~.~~

~~(3) "Public record" shall not include~~ ; or

(C) records of employers related to the employer's individually identifiable contributions made on behalf of employees for workers compensation, social security, unemployment insurance or retirement. The provisions of this ~~subsection~~ subparagraph shall not apply to records of employers of lump-sum payments for contributions as described in this ~~subsection~~ subparagraph paid for any group, division or section of an agency.

(h) "Undercover agent" means an employee of a public agency responsible for criminal law enforcement who is engaged in the detection or investigation of violations of criminal law in a capacity where such employee's identity or employment by the public agency is secret.

Sec. 11. K.S.A. 2015 Supp. 45-229 is hereby amended to read as follows: 45-229. (a) It is the intent of the legislature that exceptions to disclosure under the open records act shall be created or maintained only if:

(1) The public record is of a sensitive or personal nature concerning individuals;

(2) the public record is necessary for the effective and efficient administration of a governmental program; or

(3) the public record affects confidential information.

The maintenance or creation of an exception to disclosure must be compelled as measured by these criteria. Further, the legislature finds that the public has a right to have access to public records unless the criteria in this section for restricting such access to a public record are met and the criteria are considered during legislative review in connection with the particular exception to disclosure to be significant enough to override the strong public policy of open government. To strengthen the policy of open government, the legislature shall consider the criteria in this section before enacting an exception to disclosure.

(b) Subject to the provisions of subsections (g) and (h), any new exception to disclosure or substantial amendment of an existing exception shall expire on July 1 of the fifth year after enactment of the new exception or substantial amendment, unless the legislature acts to continue the exception. A law that enacts a new exception or substantially amends an existing exception shall state that the exception expires at the end of five years and that the exception shall be reviewed by the legislature before the scheduled date.

(c) For purposes of this section, an exception is substantially amended if the amendment expands the scope of the exception to include more records or information. An exception is not substantially amended if the amendment narrows the scope of the exception.

(d) This section is not intended to repeal an exception that has been amended following legislative review before the scheduled repeal of the exception if the exception is not substantially amended as a result of the review.

(e) In the year before the expiration of an exception, the revisor of statutes shall certify to the president of the senate and the speaker of the house of representatives, by

July 15, the language and statutory citation of each exception which will expire in the following year which meets the criteria of an exception as defined in this section. Any exception that is not identified and certified to the president of the senate and the speaker of the house of representatives is not subject to legislative review and shall not expire. If the revisor of statutes fails to certify an exception that the revisor subsequently determines should have been certified, the revisor shall include the exception in the following year's certification after that determination.

(f) "Exception" means any provision of law which creates an exception to disclosure or limits disclosure under the open records act pursuant to K.S.A. 45-221, and amendments thereto, or pursuant to any other provision of law.

(g) A provision of law which creates or amends an exception to disclosure under the open records law shall not be subject to review and expiration under this act if such provision:

(1) Is required by federal law;

(2) applies solely to the legislature or to the state court system;

(3) has been reviewed and continued in existence twice by the legislature; or

(4) has been reviewed and continued in existence by the legislature during the 2013 legislative session and thereafter.

(h) (1) The legislature shall review the exception before its scheduled expiration and consider as part of the review process the following:

(A) What specific records are affected by the exception;

(B) whom does the exception uniquely affect, as opposed to the general public;

(C) what is the identifiable public purpose or goal of the exception;

(D) whether the information contained in the records may be obtained readily by alternative means and how it may be obtained;

(2) an exception may be created or maintained only if it serves an identifiable public purpose and may be no broader than is necessary to meet the public purpose it serves. An identifiable public purpose is served if the legislature finds that the purpose is sufficiently compelling to override the strong public policy of open government and cannot be accomplished without the exception and if the exception:

(A) Allows the effective and efficient administration of a governmental program, which administration would be significantly impaired without the exception;

(B) protects information of a sensitive personal nature concerning individuals, the release of which information would be defamatory to such individuals or cause unwarranted damage to the good name or reputation of such individuals or would jeopardize the safety of such individuals. Only information that would identify the individuals may be excepted under this paragraph; or

(C) protects information of a confidential nature concerning entities, including, but not limited to, a formula, pattern, device, combination of devices, or compilation of information which is used to protect or further a business advantage over those who do not know or use it, the disclosure of which information would injure the affected entity in the marketplace.

(3) Records made before the date of the expiration of an exception shall be subject to disclosure as otherwise provided by law. In deciding whether the records shall be made public, the legislature shall consider whether the damage or loss to persons or entities uniquely affected by the exception of the type specified in paragraph (2)(B) or (2)(C) of this subsection (h) would occur if the records were made public.

(i) (1) Exceptions contained in the following statutes as continued in existence in section 2 of chapter 126 of the 2005 Session Laws of Kansas and which have been reviewed and continued in existence twice by the legislature as provided in subsection (g) are hereby continued in existence: 1-401, 2-1202, 5-512, 9-1137, 9-1712, 9-2217, 10-630, 11-306, 12-189, 12-1,108, 12-1694, 12-1698, 12-2819, 12-4516, 16-715, 16a-2-304, 17-1312e, 17-2227, 17-5832, 17-7511, 17-7514, 17-76,139, 19-4321, 21-2511, 22-3711, 22-4707, 22-4909, 22a-243, 22a-244, 23-605, 23-9,312, 25-4161, 25-4165, 31-405, 34-251, 38-2212, 39-709b, 39-719e, 39-934, 39-1434, 39-1704, 40-222, 40-2,156, 40-2c20, 40-2c21, 40-2d20, 40-2d21, 40-409, 40-956, 40-1128, 40-2807, 40-3012, 40-3304, 40-3308, 40-3403b, 40-3421, 40-3613, 40-3805, 40-4205, 44-510j, 44-550b, 44-594, 44-635, 44-714, 44-817, 44-1005, 44-1019, 45-221(a)(1) through (43), 46-256, 46-259, 46-2201, 47-839, 47-844, 47-849, 47-1709, 48-1614, 49-406, 49-427, 55-1,102, 58-4114, 59-2135, 59-2802, 59-2979, 59-29b79, 60-3333, 60-3336, 65-102b, 65-118, 65-119, 65-153f, 65-170g, 65-177, 65-1,106, 65-1,113, 65-1,116, 65-1,157a, 65-1,163, 65-1,165, 65-1,168, 65-1,169, 65-1,171, 65-1,172, 65-436, 65-445, 65-507, 65-525, 65-531, 65-657, 65-1135, 65-1467, 65-1627, 65-1831, 65-2422d, 65-2438, 65-2836, 65-2839a, 65-2898a, 65-3015, 65-3447, 65-34,108, 65-34,126, 65-4019, 65-4922, 65-4925, 65-5602, 65-5603, 65-6002, 65-6003, 65-6004, 65-6010, 65-67a05, 65-6803, 65-6804, 66-101c, 66-117, 66-151, 66-1,190, 66-1,203, 66-1220a, 66-2010, 72-996, 72-4311, 72-4452, 72-5214, 72-53,106, 72-5427, 72-8903, 73-1228, 74-2424, 74-2433f, 74-4905, 74-4909, 74-50,131, 74-5515, 74-7308, 74-7338, 74-8104, 74-8307, 74-8705, 74-8804, 74-9805, 75-104, 75-712, 75-7b15, 75-1267, 75-2943, 75-4332, 75-4362, 75-5133, 75-5266, 75-5665, 75-5666, 75-7310, 76-355, 76-359, 76-493, 76-12b11, 76-3305, 79-1119, 79-1437f, 79-3234, 79-3395, 79-3420, 79-3499, 79-34,113, 79-3614, 79-3657, 79-4301 and 79-5206.

(2) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) and which have been reviewed during the 2015 legislative session and continued in existence by the legislature as provided in subsection (g) are hereby continued in existence: 17-2036, 40-5301, 45-221(a)(45), (46) and (49), 48-16a10, 58-4616, 60-3351, 72-972a, 74-50,217, 74-99d05 and 75-53,105.

(j) (1) Exceptions contained in the following statutes as continued in existence in section 1 of chapter 87 of the 2006 Session Laws of Kansas and which have been reviewed and continued in existence twice by the legislature as provided in subsection (g) are hereby continued in existence: 1-501, 9-1303, 12-4516a, 39-970, 65-525, 65-5117, 65-6016, 65-6017 and 74-7508.

(2) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) during ~~2010~~ 2015 and which have been reviewed during the 2016 legislative session are hereby continued in existence until July 1, ~~2016~~ 2021, at which time such exceptions shall expire: ~~12-5358,~~ 12-5611, 22-4906, 22-4909, 38-2310, 38-2311, 38-2326, 40-955, 44-1132, 45-221(a)(10)(F) and (a)(50), 60-3333, 65-4a05, 65-445(g), 65-6154, 71-218, 75-457, 75-712c, 75-723 and 75-7c06.

(k) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) and which have been reviewed during the 2014 legislative session and continued in existence by the legislature as provided in subsection (g) are

hereby continued in existence: 1-205, 2-2204, 8-240, 8-247, 8-255c, 8-1324, 8-1325, 12-17,150, 12-2001, 17-12a607, 38-1008, 38-2209, 40-5006, 40-5108, 41-2905, 41-2906, 44-706, 44-1518, 45-221(a)(44), (45), (46), (47) and (48), 50-6a11, 56-1a610, 56a-1204, 65-1,243, 65-16,104, 65-3239, 74-50,184, 74-8134, 74-99b06, 77-503a and 82a-2210.

(l) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) during 2011 are hereby continued in existence until July 1, 2017, at which time such exceptions shall expire: 12-5711, 21-2511, 38-2313, 65-516, 74-8745, 74-8752, 74-8772 and 75-7427.

(m) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) during 2012 and which have been reviewed during the 2013 legislative session and continued in existence by the legislature as provided in subsection (g) are hereby continued in existence: 12-5811, 40-222, 40-223j, 40-5007a, 40-5009a, 40-5012a, 65-1685, 65-1695, 65-2838a, 66-1251, 66-1805, 72-60c01, 75-712 and 75-5366.

Sec. 12. K.S.A. 2015 Supp. 75-5133 is hereby amended to read as follows: 75-5133. (a) Except as otherwise more specifically provided by law, all information received by the secretary of revenue, the director of taxation or the director of alcoholic beverage control from returns, reports, license applications or registration documents made or filed under the provisions of any law imposing any sales, use or other excise tax administered by the secretary of revenue, the director of taxation, or the director of alcoholic beverage control, or from any investigation conducted under such provisions, shall be confidential, and it shall be unlawful for any officer or employee of the department of revenue to divulge any such information except in accordance with other provisions of law respecting the enforcement and collection of such tax, in accordance with proper judicial order or as provided in K.S.A. 74-2424, and amendments thereto.

(b) The secretary of revenue or the secretary's designee may:

(1) Publish statistics, so classified as to prevent identification of particular reports or returns and the items thereof;

(2) allow the inspection of returns by the attorney general or the attorney general's designee;

(3) provide the post auditor access to all such excise tax reports or returns in accordance with and subject to the provisions of K.S.A. 46-1106(g), and amendments thereto;

(4) disclose taxpayer information from excise tax returns to persons or entities contracting with the secretary of revenue where the secretary has determined disclosure of such information is essential for completion of the contract and has taken appropriate steps to preserve confidentiality;

(5) provide information from returns and reports filed under article 42 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, to county appraisers as is necessary to ensure proper valuations of property. Information from such returns and reports may also be exchanged with any other state agency administering and collecting conservation or other taxes and fees imposed on or measured by mineral production;

(6) provide, upon request by a city or county clerk or treasurer or finance officer of any city or county receiving distributions from a local excise tax, monthly reports

identifying each retailer doing business in such city or county or making taxable sales sourced to such city or county, setting forth the tax liability and the amount of such tax remitted by each retailer during the preceding month, and identifying each business location maintained by the retailer and such retailer's sales or use tax registration or account number;

(7) provide information from returns and applications for registration filed pursuant to K.S.A. 12-187, and amendments thereto, and K.S.A. 79-3601, and amendments thereto, to a city or county treasurer or clerk or finance officer to explain the basis of statistics contained in reports provided by subsection (b)(6);

(8) disclose the following oil and gas production statistics received by the department of revenue in accordance with K.S.A. 79-4216 et seq., and amendments thereto: Volumes of production by well name, well number, operator's name and identification number assigned by the state corporation commission, lease name, leasehold property description, county of production or zone of production, name of purchaser and purchaser's tax identification number assigned by the department of revenue, name of transporter, field code number or lease code, tax period, exempt production volumes by well name or lease, or any combination of this information;

(9) release or publish liquor brand registration information provided by suppliers, farm wineries, microdistilleries and microbreweries in accordance with the liquor control act. The information to be released is limited to: Item number, universal numeric code, type status, product description, alcohol percentage, selling units, unit size, unit of measurement, supplier number, supplier name, distributor number and distributor name;

(10) release or publish liquor license information provided by liquor licensees, distributors, suppliers, farm wineries, microdistilleries and microbreweries in accordance with the liquor control act. The information to be released is limited to: County name, owner, business name, address, license type, license number, license expiration date and the process agent contact information;

(11) release or publish cigarette and tobacco license information obtained from cigarette and tobacco licensees in accordance with the Kansas cigarette and tobacco products act. The information to be released is limited to: County name, owner, business name, address, license type and license number;

(12) provide environmental surcharge or solvent fee, or both, information from returns and applications for registration filed pursuant to K.S.A. 65-34,150 and 65-34,151, and amendments thereto, to the secretary of health and environment or the secretary's designee for the sole purpose of ensuring that retailers collect the environmental surcharge tax or solvent fee, or both;

(13) provide water protection fee information from returns and applications for registration filed pursuant to K.S.A. 82a-954, and amendments thereto, to the secretary of the state board of agriculture or the secretary's designee and the secretary of the Kansas water office or the secretary's designee for the sole purpose of verifying revenues deposited to the state water plan fund;

(14) provide to the secretary of commerce copies of applications for project exemption certificates sought by any taxpayer under the enterprise zone sales tax exemption pursuant to K.S.A. 79-3606(cc), and amendments thereto;

(15) disclose information received pursuant to the Kansas cigarette and tobacco act and subject to the confidentiality provisions of this act to any criminal justice agency, as defined in K.S.A. 22-4701(c), and amendments thereto, or to any law enforcement

officer, as defined in K.S.A. 2015 Supp. 21-5111, and amendments thereto, on behalf of a criminal justice agency, when requested in writing in conjunction with a pending investigation;

(16) provide to retailers tax exemption information for the sole purpose of verifying the authenticity of tax exemption numbers issued by the department;

(17) provide information concerning remittance by sellers, as defined in K.S.A. 2015 Supp. 12-5363, and amendments thereto, of prepaid wireless 911 fees from returns to the local collection point administrator, as defined in K.S.A. 2015 Supp. 12-5363, and amendments thereto, for purposes of verifying seller compliance with collection and remittance of such fees;

(18) release or publish charitable gaming information obtained in ~~bingo~~ charitable gaming licensee and registration applications and renewals in accordance with the ~~bingo act, K.S.A. 79-4701~~ Kansas charitable gaming act, K.S.A. 2015 Supp. 75-5171 et seq., and amendments thereto. The information to be released is limited to: The name, address, phone number, license registration number and email address of the organization, distributor or of premises; and

(19) provide to the attorney general confidential information for purposes of determining compliance with or enforcing K.S.A. 50-6a01 et seq., and amendments thereto, the master settlement agreement referred to therein and all agreements regarding disputes under the master settlement agreement. The secretary and the attorney general may share the information specified under this subsection with any of the following:

(A) Federal, state or local agencies for the purposes of enforcement of corresponding laws of other states; and

(B) a court, arbitrator, data clearinghouse or similar entity for the purpose of assessing compliance with or making calculations required by the master settlement agreement or agreements regarding disputes under the master settlement agreement, and with counsel for the parties or expert witnesses in any such proceeding, if the information otherwise remains confidential.

(c) Any person receiving any information under the provisions of subsection (b) shall be subject to the confidentiality provisions of subsection (a) and to the penalty provisions of subsection (d).

(d) Any violation of this section shall be a class A, nonperson misdemeanor, and if the offender is an officer or employee of this state, such officer or employee shall be dismissed from office. Reports of violations of this paragraph shall be investigated by the attorney general. The district attorney or county attorney and the attorney general shall have authority to prosecute any violation of this section if the offender is a city or county clerk or treasurer or finance officer of a city or county.

Sec. 13. K.S.A. 2015 Supp. 75-5664 is hereby amended to read as follows: 75-5664. (a) There is hereby established an advisory committee on trauma. The advisory committee on trauma shall be advisory to the secretary of health and environment and shall be within the division of public health of the department of health and environment as a part thereof.

(b) On July 1, 2001, the advisory committee on trauma in existence immediately prior to July 1, 2001, is hereby abolished and a new advisory committee on trauma is created in accordance with this section. The terms of all members of the advisory committee on trauma in existence prior to July 1, 2001, are hereby terminated. On and

after July 1, 2001, the advisory committee on trauma shall be composed of 24 members representing both rural and urban areas of the state appointed as follows:

(1) Two members shall be persons licensed to practice medicine and surgery appointed by the governor. At least 30 days prior to the expiration of terms described in this section, for each member to be appointed under this section, the Kansas medical society shall submit to the governor a list of three names of persons of recognized ability and qualification. The governor shall consider such list of persons in making appointments to the board under this paragraph.

(2) One member shall be licensed to practice osteopathic medicine appointed by the governor. At least 30 days prior to the expiration of the term of the member appointed under this section, the Kansas association of osteopathic medicine shall submit to the governor a list of three persons of recognized ability and qualification. The governor shall consider such list of persons in making appointments to the board under this paragraph.

(3) Three members shall be representatives of hospitals appointed by the governor. At least 30 days before the expiration of terms described in this section, for each member to be appointed under this section, the Kansas hospital association shall submit to the governor a list of three names of persons of recognized ability and qualification. The governor shall consider such list of persons in making appointments to the board under this paragraph.

(4) Two members shall be licensed professional nurses specializing in trauma care or emergency nursing appointed by the governor. At least 30 days before the expiration of terms described in this section, for each member to be appointed under this section, the Kansas state nurses association shall submit to the governor a list of three names of persons of recognized ability and qualification. The governor shall consider such list of persons in making appointments to the board under this paragraph.

(5) Two members shall be attendants as defined in K.S.A. 65-6112, and amendments thereto, who are on the roster of an ambulance service permitted by the board of emergency medical services. At least 30 days prior to the expiration of one of these positions, the Kansas emergency medical services association shall submit to the governor a list of three persons of recognized ability and qualification. The governor shall consider such list of persons in making this appointment to the board. For the other member appointed under this section, at least 30 days prior to the expiration of the term of such member, the Kansas emergency medical technician association shall submit a list of three persons of recognized ability and qualification. The governor shall consider such list of persons in making appointments to the board under this paragraph.

(6) Two members shall be administrators of ambulance services, one rural and one urban, appointed by the governor. At least 30 days prior to the expiration of the terms of such members, the Kansas emergency medical services association and Kansas emergency medical technician association in consultation shall submit to the governor a list of four persons of recognized ability and qualification. The governor shall consider such list of persons in making this appointment to the board under this paragraph.

(7) Six members shall be representatives of regional trauma councils, one per council, appointed by the governor. At least 30 days prior to the expiration of one of these positions, the relevant regional trauma council shall submit to the governor a list of three persons of recognized ability and qualification. The governor shall consider such list of persons in making these appointments to the board.

(8) The secretary of health and environment or the secretary's designee of an appropriately qualified person shall be an ex officio representative of the department of health and environment.

(9) The chairperson of the board of emergency medical services or the chairperson's designee shall be an ex officio member.

(10) Four legislators selected as follows shall be members: The chairperson and ranking minority member or their designees of the committee on health and human services of the house of representatives, and the chairperson and ranking minority member or their designees from the committee on public health and welfare of the senate shall be members.

(c) All members shall be residents of the state of Kansas. Particular attention shall be given so that rural and urban interests and geography are balanced in representation. Organizations that submit lists of names to be considered for appointment by the governor under this section shall insure that names of people who reside in both rural and urban areas of the state are among those submitted. At least one person from each congressional district shall be among the members. Of the members appointed under ~~paragraphs (1) through (7) of~~ subsection (b)~~;~~(1) through (b)(7): Six shall be appointed to initial terms of two years; six shall be appointed to initial terms of three years; and six shall be appointed to initial terms of four years. Thereafter members shall serve terms of four years and until a successor is appointed and qualified. In the case of a vacancy in the membership of the advisory committee, the vacancy shall be filled for the unexpired term in like manner as that provided in subsection (b).

(d) The advisory committee shall meet quarterly and at the call of the chairperson or at the request of a majority of the members. At the first meeting of the advisory committee after July 1 each year, the members shall elect a chairperson and vice-chairperson who shall serve for terms of one year. The vice-chairperson shall exercise all of the powers of the chairperson in the absence of the chairperson. ~~The chairperson and vice-chairperson serving on the effective date of this act shall be among the members appointed to the advisory committee under subsection (b) and shall continue to serve as chairperson and vice-chairperson of the advisory committee until the first meeting of the advisory committee after July 1, 2002.~~

(e) The advisory committee shall be advisory to the secretary of health and environment on all matters relating to the implementation and administration of this act.

(f) (1) Any meeting of the advisory committee or any part of a meeting of the advisory committee during which a review of incidents of trauma injury or trauma care takes place shall be conducted in closed session. The advisory committee and officers thereof when acting in their official capacity in considering incidents of trauma injury or trauma care shall constitute a peer review committee and peer review officers for all purposes of K.S.A. 65-4915, and amendments thereto.

(2) The advisory committee or an officer thereof may advise, report to and discuss activities, information and findings of the committee which relate to incidents of trauma injury or trauma care with the secretary of health and environment as provided in subsections (a) and (e) without waiver of the privilege provided by this subsection ~~(f)~~ and K.S.A. 65-4915, and amendments thereto, and the records and findings of such committee or officer which are privileged under this subsection ~~(f)~~ and K.S.A. 65-4915, and amendments thereto, shall remain privileged as provided by this subsection ~~(f)~~ and K.S.A. 65-4915, and amendments thereto, prior to July 1, ~~2016~~ 2021.

(3) The provisions of this subsection ~~(f)~~ shall expire on July 1, ~~2016~~ 2021, unless the legislature reviews and reenacts this provision ~~pursuant to K.S.A. 45-229, and amendments thereto~~ prior to July 1, 2021.

(g) Members of the advisory committee attending meetings of the advisory committee or attending a subcommittee of the advisory committee or other authorized meeting of the advisory committee shall not be paid compensation but shall be paid amounts provided in ~~subsection (e) of~~ K.S.A. 75-3223(e), and amendments thereto.

Sec. 14. K.S.A. 2015 Supp. 75-5665 is hereby amended to read as follows: 75-5665. (a) The secretary of health and environment, after consultation with and consideration of recommendations from the advisory committee, shall:

(1) Develop rules and regulations necessary to carry out the provisions of this act, including fixing, charging and collecting fees from trauma facilities to recover all or part of the expenses incurred in the designation of trauma facilities pursuant to subsection (f) ~~of this section~~;

(2) develop a statewide trauma system plan including the establishment of regional trauma councils, using the 2001 Kansas EMS-Trauma Systems Plan study as a guide and not more restrictive than state law. The secretary shall ensure that each council consist of at least six members. Members of the councils shall consist of persons chosen for their expertise in and commitment to emergency medical and trauma services. Such members shall be chosen from the region and include prehospital personnel, physicians, nurses and hospital personnel involved with the emergency medical and trauma services and a representative of a county health department. The plan should:

(A) Maximize local and regional control over decisions relating to trauma care;

(B) minimize bureaucracy;

(C) adequately protect the confidentiality of proprietary and personal health information;

(D) promote cost effectiveness;

(E) encourage participation by groups affected by the system;

(F) emphasize medical direction and involvement at all levels of the system;

(G) rely on accurate data as the basis for system planning and development; and

(H) facilitate education of health care providers in trauma care;

(3) plan, develop and administer a trauma registry to collect and analyze data on incidence, severity and causes of trauma and other pertinent information which may be used to support the secretary's decision-making and identify needs for improved trauma care;

(4) provide all technical assistance to the regional councils as necessary to implement the provisions of this act;

(5) collect data elements for the trauma registry that are consistent with the recommendations of the American college of surgeons committee on trauma and centers for disease control;

(6) designate trauma facilities by level of trauma care capabilities after considering the American college of surgeons committee on trauma standards and other states' standards except that trauma level designations shall not be based on criteria that place practice limitations on registered nurse anesthetists which are not required by state law;

(7) develop a phased-in implementation schedule for each component of the trauma system, including the trauma registry, which considers the additional burden placed on the emergency medical and trauma providers;

(8) develop standard reports to be utilized by the regional trauma councils and those who report data to the registry in performing their functions;

(9) assess the fiscal impact on all components of the trauma system, and thereafter recommend other funding sources for the trauma system and trauma registry;

(10) prepare and submit an annual budget in accordance with the provisions of this act. Such budget shall include costs for the provision of technical assistance to the regional trauma councils and the cost of developing and maintaining the trauma registry and analyzing and reporting on the data collected; and

(11) enter into contracts as deemed necessary to carry out the duties and functions of the secretary under this act.

(b) (1) Any meeting of a regional trauma council or any part of a meeting of such a council during which a review of incidents of trauma injury or trauma care takes place shall be conducted in closed session. A regional trauma council and the officers thereof when acting in their official capacity in considering incidents of trauma injury or trauma care shall constitute a peer review committee and peer review officers for all purposes of K.S.A. 65-4915, and amendments thereto.

(2) A regional trauma council or an officer thereof may advise, report to and discuss activities, information and findings of the council which relate to incidents of trauma injury or trauma care with the secretary of health and environment and make reports as provided in this section without waiver of the privilege provided by this subsection ~~(b)~~ and K.S.A. 65-4915, and amendments thereto, and the records and findings of such council or officer which are privileged under this subsection ~~(b)~~ and K.S.A. 65-4915, and amendments thereto, shall remain privileged as provided by this subsection ~~(b)~~ and K.S.A. 65-4915, and amendments thereto.

(3) The provisions of this subsection ~~(b)~~ shall expire on July 1, ~~2016~~ 2021, unless the legislature reviews and reenacts this provision ~~pursuant to K.S.A. 45-229, and amendments thereto,~~ prior to July 1, ~~2016~~ 2021.

Sec. 15. K.S.A. 2015 Supp. 9-513c, 12-5374, 16-335, 17-1312e, 25-2309, 40-2,118, 40-2,118a, 40-4913, 45-217, 45-229, 75-5133, 75-5664 and 75-5665 are hereby repealed."

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking lines 2 through 5; in line 6, by striking all before the period and inserting "public records; relating to audio and video recordings using a body camera or a vehicle camera; legislative review of exceptions to disclosure of public records; open records act definitions of criminal investigation records, public agency and public record; disclosure of charitable gaming licensee information; amending K.S.A. 2015 Supp. 9-513c, 12-5374, 16-335, 17-1312e, 25-2309, 40-2,118, 40-2,118a, 40-4913, 45-217, 45-229, 75-5133, 75-5664 and 75-5665 and repealing the existing sections";

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

John E. Barker
Charles Macheers
John Carmichael
Conferees on part of House

JEFF KING
GREG SMITH
DAVID HALEY
Conferees on part of Senate

On motion of Rep. Barker, the conference committee report on **Sub SB 22** was adopted.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ewy, Hill, Kiegerl, Rahjes, Ruiz, Seiwert, Victors.

(See further action, HJ p. 2513.)

CHANGE OF CONFEREES

Speaker pro tem Mast announced the appointment of Reps. Kleeb, Suellentrop and Sawyer as members of the conference committee on **H Sub for SB 280** to replace Reps. Barker, Macheers and Carmichael.

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

LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for HB 2008**, **HB 2446**, **Sub HB 2473**, **HB 2522**, **HB 2610**, **HB 2622**, **H Sub for SB 128**, **SB 319**.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **Senate Substitute for HB 2088**, and has appointed Senators Donovan, Tyson and Holland as second conferees on the part of the Senate.

The Senate adopts the Conference Committee report on **SB 318**.
The Senate adopts the Conference Committee report on **SB 373**.
The Senate adopts the Conference Committee report on **SB 387**.
The Senate adopts the Conference Committee report on **SB 390**.

The Senate adopts the Conference Committee report on **Senate Substitute for HB 2008**.
The Senate adopts the Conference Committee report on **HB 2446**.
The Senate adopts the Conference Committee report on **Subsitute for HB 2473**.
The Senate adopts the Conference Committee report on **HB 2522**.
The Senate adopts the Conference Committee report on **HB 2610**.
The Senate adopts the Conference Committee report on **HB 2622**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **House Substitute for SB 128** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

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

John E. Barker
Charles Macheers
John Carmichael
Conferees on part of House

Jeff King
Greg Smith
David Haley
Conferees on part of Senate

On motion of Rep. Barker the conference committee report on **H Sub for SB 128** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Barker, Macheers and Carmichael as second conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 319** submits the following report:

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

On page 1, following line 5, by inserting:

"New Section 1. (a) This section shall be known and may be cited as the public speech protection act.

(b) The purpose of the public speech protection act is to encourage and safeguard the constitutional rights of a person to petition, and speak freely and associate freely, in connection with a public issue or issue of public interest to the maximum extent permitted by law while, at the same time, protecting the rights of a person to file meritorious lawsuits for demonstrable injury.

(c) As used in the public speech protection act:

(1) "Claim" means any lawsuit, cause of action, claim, cross-claim, counterclaim or other judicial pleading or filing requesting relief.

(2) "Communication" means the making or submitting of a statement or document in any form or medium, including oral, visual, written or electronic.

(3) "Exercise of the right of association" means a communication between individuals who join together to collectively express, promote, pursue or defend common interests.

(4) "Exercise of the right of free speech" means a communication made in connection with a public issue or issue of public interest.

(5) "Exercise of the right to petition" means any of the following:

(A) A communication in or pertaining to:

(i) A judicial proceeding;

(ii) an official proceeding, other than a judicial proceeding, to administer the law;

(iii) an executive or other proceeding before a department of the state, federal government, or other political subdivision of the state;

(iv) a legislative proceeding, including a proceeding of a legislative committee;

(v) a proceeding before an entity that requires by rule that public notice be given before proceedings of such entity;

(vi) a proceeding in or before a managing board of an educational institution supported directly or indirectly from public revenue;

(vii) a proceeding of the governing body of any political subdivision of this state;

(viii) a report of or debate and statements made in a proceeding described by subsection (c)(5)(A)(iii), (iv), (v), (vi) or (vii); or

(ix) a public meeting dealing with a public purpose, including statements and discussions at the meeting or other public issues or issues of public interest occurring at the meeting;

(B) a communication in connection with an issue under consideration or review by a legislative, executive, judicial or other governmental or official proceeding;

(C) a communication that is reasonably likely to encourage consideration or review of an issue by a legislative, executive, judicial or other governmental or official proceeding;

(D) a communication reasonably likely to enlist public participation in an effort to effect consideration of an issue by a legislative, executive, judicial or other governmental or official proceeding; and

(E) any other communication or conduct that falls within the protection of the right to petition the government under the constitution of the United States or the constitution of the state of Kansas.

(6) "Governmental proceeding" means a proceeding, other than a judicial

proceeding, by an officer, official or body or political subdivision of this state, including a board or commission, or by an officer, official or body of the federal government.

(7) "Public issue or issue of public interest" includes an issue related to:

(A) Health or safety;

(B) environmental, economic or community well-being;

(C) the government;

(D) a public official or public figure; or

(E) a good, product or service in the marketplace.

(8) "Moving party" means any person on whose behalf the motion to strike is filed seeking to strike a claim.

(9) "Official proceeding" means any type of administrative, executive, legislative or judicial proceeding that may be conducted before a public servant.

(10) "Public servant" means a person elected, selected, appointed, employed or otherwise designated as one of the following, even if the person has not yet qualified for office or assumed the person's duties:

(A) An officer, employee or agent of government;

(B) a juror;

(C) an arbitrator, mediator or other person who is authorized by law or private written agreement to hear or determine a cause or controversy;

(D) an attorney or notary public when participating in the performance of a governmental function; or

(E) a person who is performing a governmental function under a claim of right but is not legally qualified to do so.

(d) A party may bring a motion to strike the claim if a claim is based on, relates to or is in response to a party's exercise of the right of free speech, right to petition or right of association. A party bringing the motion to strike has the initial burden of making a prima facie case showing the claim against which the motion is based concerns a party's exercise of the right of free speech, right to petition or right of association. If the moving party meets the burden, the burden shifts to the responding party to establish a likelihood of prevailing on the claim by presenting substantial competent evidence to support a prima facie case. If the responding party meets the burden, the court shall deny the motion. In making its determination, the court shall consider pleadings and supporting and opposing affidavits stating the facts upon which the liability or defense is based. If the court determines the responding party established a likelihood of prevailing on the claim: (1) The fact that the court made that determination and the substance of the determination may not be admitted into evidence later in the case; and (2) the determination does not affect the burden or standard of proof in the proceeding. The motion to strike made under this subsection may be filed within 60 days of the service of the most recent complaint or, in the court's discretion, at any later time upon terms it deems proper. A hearing shall be held on the motion not more than 30 days after the service of the motion.

(e) (1) On a motion by a party or on the court's own motion and on a showing of good cause, the court may allow specified and limited discovery relevant to the motion.

(2) Except as provided by subsection (e)(1), all discovery, motions or other pending hearings shall be stayed upon the filing of the motion to strike. The stay of discovery shall remain in effect until the entry of the order ruling on the motion except that the court, on motion and for good cause shown, may order that specified discovery, motions

or other pending hearings be conducted.

(f) The movant in a motion to strike has the right to: (1) Petition for a writ of mandamus if the trial court fails to rule on the motion in an expedited fashion; or (2) file an interlocutory appeal from a trial court order denying the motion to strike, if notice of appeal is filed within 14 days after entry of such order. However, under subsections (f)(1) and (2), further proceedings in the trial court shall be stayed pending determination of the appeal.

(g) The court shall award the defending party, upon a determination that the moving party has prevailed on its motion to strike, without regard to any limits under state law: (1) Costs of litigation and reasonable attorney fees; and (2) such additional relief, including sanctions upon the responding party and its attorneys and law firms, as the court determines necessary to deter repetition of the conduct by others similarly situated. If the court finds that the motion to strike is frivolous or solely intended to cause delay, the court shall award to the responding party reasonable attorney fees and costs related to the motion.

(h) This section does not apply to:

(1) An enforcement action that is brought in the name of this state or a political subdivision of this state by the attorney general or a district or county attorney;

(2) a claim brought against a person primarily engaged in the business of selling or leasing goods or services, if the statement or conduct arises out of the sale or lease of goods, services or an insurance product, insurance services or a commercial transaction in which the intended audience is an actual or potential buyer or customer, except as provided in subsection (i); or

(3) a claim brought under the Kansas insurance code or arising out of an insurance contract.

(i) Subsection (h)(2) shall not apply to any action against any person or entity based upon the creation, dissemination, exhibition, advertisement or other similar promotion of any dramatic, literary, musical, political or artistic work, including, but not limited to, a motion picture or television program, or an article published in a newspaper or magazine of general circulation.

(j) In any case filed by a government contractor that is found by a court to be in violation of this section, the court shall provide for its ruling to be sent to the head of the relevant governmental entity doing business with the contractor.

(k) The provisions of the public speech protection act shall be applied and construed liberally to effectuate its general purposes. If any provision of the public speech protection act or its application is held invalid, the invalidity does not affect other provisions or applications that can be given effect without the invalid provision or application.

Sec. 2. K.S.A. 60-1507 is hereby amended to read as follows: 60-1507. (a) *Motion attacking sentence.* A prisoner in custody under sentence of a court of general jurisdiction claiming the right to be released upon the ground that the sentence was imposed in violation of the constitution or laws of the United States, or the constitution or laws of the state of Kansas, or that the court was without jurisdiction to impose such sentence, or that the sentence was in excess of the maximum authorized by law, or is otherwise subject to collateral attack, may, pursuant to the time limitations imposed by subsection (f), move the court which imposed the sentence to vacate, set aside or correct the sentence.

(b) *Hearing and judgment.* Unless the motion and the files and records of the case conclusively show that the prisoner is entitled to no relief, the court shall cause notice thereof to be served upon the county attorney, grant a prompt hearing thereon, determine the issues and make findings of fact and conclusions of law with respect thereto. The court may entertain and determine such motion without requiring the production of the prisoner at the hearing. If the court finds that the judgment was rendered without jurisdiction, or that the sentence imposed was not authorized by law or is otherwise open to collateral attack, or that there has been such a denial or infringement of the constitutional rights of the prisoner as to render the judgment vulnerable to collateral attack, the court shall vacate and set the judgment aside and shall discharge the prisoner or resentence said prisoner or grant a new trial or correct the sentence as may appear appropriate.

(c) *Successive motions.* The sentencing court shall not be required to entertain a second or successive motion for similar relief on behalf of the same prisoner.

(d) *Appeal.* An appeal may be taken to the appellate court as provided by law from the order entered on the motion as from a final judgment on application for a writ of habeas corpus.

(e) *Exclusiveness of remedy.* An application for a writ of habeas corpus in behalf of a prisoner who is authorized to apply for relief by motion pursuant to this section, shall not be entertained if it appears that the applicant has failed to apply for relief, by motion, to the court which sentenced said applicant, or that such court has denied said applicant relief, unless it also appears that the remedy by motion is inadequate or ineffective to test the legality of said applicant's detention.

(f) *Time limitations.* (1) Any action under this section must be brought within one year of:

~~(i)~~ (A) The final order of the last appellate court in this state to exercise jurisdiction on a direct appeal or the termination of such appellate jurisdiction; or

~~(ii)~~ (B) the denial of a petition for writ of certiorari to the United States supreme court or issuance of such court's final order following granting such petition.

(2) The time limitation herein may be extended by the court only to prevent a manifest injustice.

(A) For purposes of finding manifest injustice under this section, the court's inquiry shall be limited to determining why the prisoner failed to file the motion within the one-year time limitation or whether the prisoner makes a colorable claim of actual innocence. As used herein, the term actual innocence requires the prisoner to show it is more likely than not that no reasonable juror would have convicted the prisoner in light of new evidence.

(B) If the court makes a manifest-injustice finding, it must state the factual and legal basis for such finding in writing with service to the parties.

(3) If the court, upon its own inspection of the motions, files and records of the case, determines the time limitations under this section have been exceeded and that the dismissal of the motion would not equate with manifest injustice, the district court must dismiss the motion as untimely filed.

Sec. 3. K.S.A. 60-31a02 is hereby amended to read as follows: 60-31a02. As used in the protection from stalking act:

(a) "Stalking" means an intentional harassment of another person that places the other person in reasonable fear for that person's safety.

(b) "Harassment" means a knowing and intentional course of conduct directed at a specific person that seriously alarms, annoys, torments or terrorizes the person, and that serves no legitimate purpose. "Harassment" shall include any course of conduct carried out through the use of an unmanned aerial system over or near any dwelling, occupied vehicle or other place where one may reasonably expect to be safe from uninvited intrusion or surveillance.

(c) "Course of conduct" means conduct consisting of two or more separate acts over a period of time, however short, evidencing a continuity of purpose which would cause a reasonable person to suffer substantial emotional distress. Constitutionally protected activity is not included within the meaning of "course of conduct."

(d) "Unmanned aerial system" means a powered, aerial vehicle that:

(1) Does not carry a human operator;

(2) uses aerodynamic forces to provide vehicle lift;

(3) may fly autonomously or be piloted remotely;

(4) may be expendable or recoverable; and

(5) may carry a lethal or nonlethal payload.";

And by renumbering sections accordingly;

Also on page 1, in line 13, after "K.S.A." by inserting "60-1507, 60-31a02 and"; also in line 13, by striking "is" and inserting "are"; in line 15, by striking "Kansas register" and inserting "statute book";

On page 1, in the title, in line 1, by striking "for limited actions"; also in line 1, after the semicolon by inserting "enacting the public speech protection act;"; also in line 1, after "to" by inserting "habeas corpus; the protection from stalking act;"; in line 2, after "K.S.A." by inserting "60-1507, 60-31a02 and"; in line 3, by striking "section" and inserting "sections";

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

JOHN E. BARKER
CHARLES MACHEERS
JOHN CARMICHAEL
Conferees on part of House

JEFF KING
GREG SMITH
DAVID HALEY
Conferees on part of Senate

On motion of Rep. Macheers, the conference committee report on **SB 319** was adopted.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser,

Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ewy, Grosserode, Kiegerl, Rahjes, Ruiz, Victors.

INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, Rep. Vickrey moved pursuant to House Rule 2303, that the House reconsider its previous action of adopting the Conference Committee Report on **Sub SB 22**. The motion prevailed and the bill was returned to that order of business Consideration of Conference Committee Reports.

(See further action, HJ p. 2506.)

CONFERENCE COMMITTEE REPORT

On motion of Rep. Barker, the conference committee report on **Sub SB 22** was adopted.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ewy, Grosserode, Kiegerl, Rahjes, Ruiz, Victors.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2610** submits the following report:

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

On page 2, following line 9, by inserting:

"Sec. 5. K.S.A. 8-1559 is hereby amended to read as follows: 8-1559. (a) The secretary of transportation may determine and declare:

(1) Based on an engineering and traffic investigation that an existing speed limit is greater or less than what is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of the state highway system, or upon any city street which is a state highway connecting link; or

(2) based on information or circumstances known to the secretary, without an engineering or traffic investigation, that a speed less than the maximum otherwise allowed is warranted. If the secretary determines to designate a speed limit under authority of this paragraph the secretary shall prepare a statement and notice of alteration of maximum speed limit. The statement shall be in writing, shall specify the designated maximum speed limit, the route or routes affected, or any segment thereof, the factors upon which the decision is based and the date on which the speed limit shall be effective. The notice shall specify the route or routes affected, or segments thereof, the designated maximum speed limit and the effective date. The notice required under this paragraph shall be sent to the Kansas highway patrol and the sheriff of any county in which the affected route or routes are located prior to the effective date of the new maximum speed limit.

(b) Any maximum speed limit declared under subsection (a) may be effective at all times or at designated times; and differing speed limits may be established for different times of day, different types of vehicles, varying weather conditions, or other factors bearing on safe speeds. In addition to any other requirement imposed on the secretary of transportation, no alteration in the speed limits under subsection (a) shall be effective until posted upon appropriate fixed or variable signs.

(c) The secretary of transportation may establish the speed limit within a road construction zone, as defined in K.S.A. 8-1458a, and amendments thereto, upon any highway under the jurisdiction of the secretary, and the speed limit shall be effective when appropriate signs giving notice thereof are erected.

(d) The secretary of transportation shall not establish any maximum speed limit in excess of the maximum speed limits established by K.S.A. 8-1558, and amendments thereto, except that the secretary may establish a speed limit which exceeds the limit established under K.S.A. 8-1558(a)(4), and amendments thereto, by five miles per hour on any such highway located outside of an urban district. Prior to increasing any speed limit authorized pursuant to this subsection, the secretary shall consider the effects of K.S.A. 8-1560c and 8-1560d before establishing a higher speed limit.

(e) The secretary of transportation shall not alter any speed limit established under ~~paragraph (4) of subsection (a) of~~ K.S.A. 8-1560(a)(4), and amendments thereto, without first obtaining approval from the local authority.

Sec. 6. K.S.A. 8-1559 is hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "designating" and inserting "concerning highways; relating to commemorative designations," ; in line 3, by striking the semicolon and inserting a comma; in line 5, by striking the semicolon and inserting a

comma; in line 7, by striking the semicolon and inserting a comma; in line 8, before the period by inserting "; maximum speed limits, powers of the secretary of transportation; amending K.S.A. 8-1559 and repealing the existing section"

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

Mike Petersen
Kay Wolf
Pat Pettey
Conferees on part of Senate

Richard J. Proehl
Ronald W. Ryckman, Sr.
Adam J. Lusker, Sr.
Conferees on part of House

On motion of Rep. Proehl, the conference committee report on **HB 2610** was adopted.

On roll call, the vote was: Yeas 115; Nays 2; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: DeGraaf, Peck.

Present but not voting: None.

Absent or not voting: Ewy, Grosserode, Kiegerl, Rahjes, Ruiz, Suellentrop, Victors, Ward.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2522** 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 2, following line 15, by inserting:

"(3) On and after January 1, 2017, an applicant for a class M license who passes a driving examination administered by the division on a three-wheeled motorcycle which is not an autocycle shall have a restriction placed on such applicant's license limiting the applicant to the operation of a registered three-wheeled motorcycle. An applicant for a

class M license who passes a driving examination administered by the division on a two-wheeled motorcycle may operate any registered two-wheeled or three-wheeled motorcycle.";

On page 10, following line 6, by inserting:

"Sec. 4. K.S.A. 2015 Supp. 8-235 is hereby amended to read as follows: 8-235. (a) No person, except those expressly exempted, shall drive any motor vehicle upon a highway in this state unless such person has a valid driver's license. No person shall receive a driver's license unless and until such person surrenders or with the approval of the division, lists to the division all valid licenses in such person's possession issued to such person by any other jurisdiction. All surrendered licenses or the information listed on foreign licenses shall be returned by the division to the issuing department, together with information that the licensee is now licensed in a new jurisdiction. No person shall be permitted to have more than one valid license at any time.

(b) Any person licensed under the motor vehicle drivers' license act may exercise the privilege granted upon all streets and highways in this state and shall not be required to obtain any other license to exercise such privilege by any local authority. Nothing herein shall prevent cities from requiring licenses of persons who drive taxicabs or municipally franchised transit systems for hire upon city streets, to protect the public from drivers whose character or habits make them unfit to transport the public. If a license is denied, the applicant may appeal such decision to the district court of the county in which such city is located by filing within 14 days after such denial, a notice of appeal with the clerk of the district court and by filing a copy of such notice with the city clerk of the involved city. The city clerk shall certify a copy of such decision of the city governing body to the clerk of the district court and the matter shall be docketed as any other cause and the applicant shall be granted a trial of such person's character and habits. The matter shall be heard by the court de novo in accordance with the code of civil procedure. The cost of such appeal shall be assessed in such manner as the court may direct.

(c) Any person operating in this state a motor vehicle, except a motorcycle, which is registered in this state other than under a temporary ~~thirty-day~~ permit, pursuant to K.S.A. 8-2409, and amendments thereto, shall be the holder of a driver's license which is classified for the operation of such motor vehicle, and any person operating in this state a motorcycle which is registered in this state shall be the holder of a class M driver's license, except that any person operating in this state a motorcycle which is registered under a temporary ~~thirty-day~~ permit, pursuant to K.S.A. 8-2409, and amendments thereto, shall be the holder of a driver's license for any class of motor vehicles.

(d) No person shall drive any motorized bicycle upon a highway of this state unless such person: (1) Has a valid driver's license which entitles the licensee to drive a motor vehicle in any class or classes; (2) is at least 15 years of age and has passed the written and visual examinations required for obtaining a class C driver's license, in which case the division shall issue to such person a class C license which clearly indicates such license is valid only for the operation of motorized bicycles; (3) has had their driving privileges suspended, for a violation other than a violation of K.S.A. 8-2,144, and amendments thereto, or a second or subsequent violation of K.S.A. 8-1567 or 8-1567a or K.S.A. 2015 Supp. 8-1025, and amendments thereto, and such person; (A) Has completed the mandatory period of suspension as provided in K.S.A. 8-1014, and

amendments thereto~~,~~; and (B) has made application and submitted a $40 nonrefundable application fee to the division for the issuance of a class C license for the operation of motorized bicycles, in accordance with paragraph (2), in which case the division shall issue to such person a class C license which clearly indicates such license is valid only for the operation of motorized bicycles; or (4) has had their driving privileges revoked under K.S.A. 8-286, and amendments thereto, has not had a test refusal or test failure or alcohol or drug-related conviction, as those terms are defined in K.S.A. 8-1013, and amendments thereto, in the last five years, has not been convicted of a violation of ~~subsection (b) of~~ K.S.A. 8-1568(b), and amendments thereto, in the last five years and has made application to the division for issuance of a class C license for the operation of motorized bicycles, in accordance with paragraph (2), in which case the division shall issue such person a class C license which clearly indicates such license is valid only for the operation of motorized bicycles. As used in this subsection, "motorized bicycle" shall have the meaning ascribed to it in K.S.A. 8-126, and amendments thereto.

(e) All moneys received under subsection (d) from the nonrefundable application fee shall be applied by the division of vehicles for the additional administrative costs to implement restricted driving privileges. The division shall remit all restricted driving privilege application fees to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the division of vehicles operating fund.

~~(e)~~ (f) Violation of this section shall constitute a class B misdemeanor.";

Also on page 10, in line 7, after "Supp." by inserting "8-235,";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking the first semicolon and inserting a comma; also in line 2, by striking the second semicolon and inserting a comma; also in line 2, before "amending" by inserting "requirements; restricted motorized bicycle driver's licenses, application fees; examinations, three-wheeled motorcycles;"; in line 3, after "Supp." by inserting "8-235,";

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

Mike Petersen
Kay Wolf
Pat Pettey
Conferees on part of Senate

Richard J. Proehl
Ronald W. Ryckman, Sr.
Adam J. Lusker, Sr.
Conferees on part of House

On motion of Rep. Proehl, the conference committee report on **HB 2522** was adopted.

On roll call, the vote was: Yeas 117; Nays 0; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter,

W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ewy, Grosserode, Kiegerl, Rahjes, Ruiz, Suellentrop, Victors, Ward.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2473** submits the following report:

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

On page 3, in line 3, before "K.S.A" by inserting "On and after January 1, 2017,"; following line 29, by inserting:

"Sec. 3. K.S.A. 2015 Supp. 8-1103 is hereby amended to read as follows: 8-1103. (a) Whenever any person providing wrecker or towing service, as defined by law, while lawfully in possession of a vehicle, at the direction of a law enforcement officer or the owner or as provided by a city ordinance or county resolution, renders any service to the owner thereof by the recovery, transportation, protection, storage or safekeeping thereof, a first and prior lien on the vehicle is hereby created in favor of such person rendering such service and the lien shall amount to the full amount and value of the service rendered. The lien may be foreclosed in the manner provided in this act. If the name of the owner of the vehicle is known to the person in possession of such vehicle, then within 15 days, notice shall be given to the owner that the vehicle is being held subject to satisfaction of the lien. Any vehicle remaining in the possession of a person providing wrecker or towing service for a period of 30 days after such wrecker or towing service was provided may be sold to pay the reasonable or agreed charges for such recovery, transportation, protection, storage or safekeeping of such vehicle and personal property therein, the costs of such sale, the costs of notice to the owner of the vehicle and publication after giving the notices required by this act, unless a court order has been issued to hold such vehicle for the purpose of a criminal investigation or for use as evidence at a trial. If a court orders any vehicle to be held for the purpose of a criminal investigation or for use as evidence at a trial, then such order shall be in writing, and the court shall assess as costs the reasonable or agreed charges for the protection, storage or safekeeping accrued while the vehicle was held pursuant to such written order. Any personal property within the vehicle need not be released to the

owner thereof until the reasonable or agreed charges for such recovery, transportation or safekeeping have been paid, or satisfactory arrangements for payment have been made, except as provided under subsection (c) or for personal medical supplies which shall be released to the owner thereof upon request. The person in possession of such vehicle and personal property shall be responsible only for the reasonable care of such property. Any personal property within the vehicle not returned to the owner shall be sold at the auction authorized by this act.

(b) At the time of providing wrecker or towing service, any person providing such wrecker or towing service shall give written notice to the driver, if available, of the vehicle being towed that a fee will be charged for storage of such vehicle. Failure to give such written notice shall invalidate any lien established for such storage fee.

(c) A city ordinance or county resolution authorizing the towing of vehicles from private property shall specify in such ordinance or resolution: (1) The maximum rate such wrecker or towing service may charge for such wrecker or towing service and storage fees; (2) that an owner of a vehicle towed shall have access to personal property in such vehicle for 48 hours after such vehicle has been towed and such personal property shall be released to the owner; and (3) that the wrecker or towing service shall report the location of such vehicle to local law enforcement within two hours of such tow.

Sec. 4. K.S.A. 8-1107 and K.S.A. 2015 Supp. 8-1103 are hereby repealed.";

Also on page 3, in line 30, before "K.S.A" by inserting "On and after January 1, 2017,"; in line 32, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "abandoned and disabled vehicles, requirements, notices, ordinances;"; in line 4, after "1,156" by inserting "and 8-1103"; in line 4, by striking "section" and inserting "sections; also repealing K.S.A. 8-1107";

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

Mike Petersen
Kay Wolf
Pat Pettey
Conferees on part of Senate

Richard J. Proehl
Ronald W. Ryckman, Sr.
Adam J. Lusker, Sr.
Conferees on part of House

On motion of Rep. Proehl, the conference committee report on **Sub HB 2473** was adopted.

On roll call, the vote was: Yeas 117; Nays 0; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Hawkins, Hedke, Helgerson, Hemsley, Henderson,

Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ewy, Grosserode, Kiegerl, Rahjes, Ruiz, Suellentrop, Victors, Ward.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2446** 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, before "K.S.A" by inserting "On January 1, 2017,";

On page 3, following line 23, by inserting:

"(j) Commencing with the 2026 legislative interim period, and at least every 10 years thereafter, subject to authorization by the legislative coordinating council, a legislative interim study committee shall study the issue of whether the minimum limits of liability in subsection (e) should be adjusted.

Sec. 2. K.S.A. 40-3901 is hereby amended to read as follows: 40-3901. (a) The governing body of any city is hereby authorized to establish, by ordinance, a procedure for the payment of not to exceed 15% of the proceeds of any insurance policy based upon a covered claim payment made for damage or loss to a building or other structure~~, caused by or arising out of any fire, explosion or windstorm~~. The ordinance shall apply only to a covered claim payment which is in excess of 75% of the face value of the policy covering a building or other insured structure.

(b) The insurer first shall pay all amounts due the holder of a first real estate mortgage against the building or other structure pursuant to the terms of the policy and endorsements thereto and then shall withhold from the covered claim payment a sum not to exceed the amount authorized pursuant to subsection (a) and shall pay such moneys to the city to deposit into an interest-bearing account, unless the city has issued a certificate pursuant to K.S.A. 40-3906, and amendments thereto.

(c) The city shall release the insured's proceeds and any interest which has accrued on such proceeds received under subsection (b) within ~~30~~ 45 days after receipt of such moneys, unless the city has instituted legal proceedings under the provisions of K.S.A. 12-1752, and amendments thereto. If the city has proceeded under the provisions of K.S.A. 12-1752, and amendments thereto, all moneys in excess of that necessary to comply with the provisions of K.S.A. 12-1750 et seq., and amendments thereto, for the removal of the building or structure, less salvage value, shall be paid to the insured.

Sec. 3. K.S.A. 40-3902 is hereby amended to read as follows: 40-3902. The

governing body of any city is hereby authorized to create, by ordinance, a lien in favor of any such city in the proceeds of any insurance policy based upon a covered claim payment made for damage or loss to a building or other structure~~, caused by or arising out of any fire, explosion or windstorms~~. The lien arises upon any unpaid tax, special ad valorem levy, special assessment or other charge imposed upon real property by or on behalf of the city which is an encumbrance on real property, whether or not evidenced by written instrument, or such tax, levy, assessment, expense or other charge that has remained undischarged for at least one year prior to the filing of a proof of loss.

Sec. 4. K.S.A. 40-3903 is hereby amended to read as follows: 40-3903. (a) The governing body of any county is hereby authorized to establish, by resolution, a procedure for the payment of not to exceed 15% of the proceeds of any insurance policy based upon a covered claim payment made for damage or loss to a building or other structure~~, caused by or arising out of any fire, explosion or windstorm~~. The resolution shall not apply to cities which have adopted an ordinance under the provisions of K.S.A. 40-3901, and amendments thereto. The resolution shall apply only to a covered claim payment which is in excess of 75% of the face value of the policy covering a building or other insured structure.

(b) The insurer first shall pay all amounts due the holder of a first real estate mortgage against the building or other structure pursuant to the terms of the policy and endorsements thereto and then shall withhold from the covered claim payment of the sum not to exceed the amount authorized pursuant to subsection (a) and shall pay such moneys to the county to deposit into an interest-bearing account, unless the city has issued a certificate pursuant to K.S.A. 40-3906, and amendments thereto.

(c) The county shall release the insured's proceeds and any interest which has accrued on such proceeds received under subsection (b) within ~~30~~ 45 days after receipt of such moneys, unless the county has instituted legal proceedings, using the procedure under K.S.A. 12-1752, and amendments thereto, insofar as the same can be made applicable. If the county has instituted legal proceedings, all moneys in excess of that necessary for the removal of the building or structure, less salvage value, shall be paid to the insured.

Sec. 5. K.S.A. 40-3904 is hereby amended to read as follows: 40-3904. The governing body of any county is hereby authorized to create, by resolution, a lien in favor of any such county in the proceeds of any insurance policy based upon a covered claim payment made for damage or loss to a building or other structure~~, caused by or arising out of any fire, explosion or windstorms~~. The lien arises upon any unpaid tax, special ad valorem levy, special assessment or other charge imposed upon real property by or on behalf of the county which is an encumbrance on real property, whether or not evidenced by written instrument, or such tax, levy, assessment, expense or other charge that has remained undischarged for at least one year prior to the filing of a proof of loss. This resolution shall not apply to cities which have adopted an ordinance under the provisions of K.S.A. 40-3902, and amendments thereto.

Sec. 6. K.S.A. 40-3905 is hereby amended to read as follows: 40-3905. Every city or county which adopts an ordinance or resolution under the provisions of K.S.A. 40-3901 through 40-3904, and amendments thereto, shall notify the commissioner of insurance. At least once each quarter of each calendar year, the commissioner shall prepare and distribute a list of all cities and counties adopting an ordinance or resolution under the provisions of this act during the preceding quarter to all insurance companies

which issue policies insuring buildings and other structures against loss ~~by fire, explosion or windstorms~~. Insurance companies shall have 60 days after the commissioner notifies them of the adoption of such ordinance or resolution to establish procedures within such cities or counties to carry out the provisions of this act.

Sec. 7. K.S.A. 40-3907 is hereby amended to read as follows: 40-3907. This act shall apply to ~~fire or explosion~~ all covered claims arising ~~on~~ from damage to all buildings or structures.

Sec. 8. K.S.A. 40-3901, 40-3902, 40-3903, 40-3904, 40-3905 and 40-3907 are hereby repealed.";

Also on page 3, in line 24, before "K.S.A" by inserting "On January 1, 2017,"; in line 26, by striking all before "its";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the second semicolon, by inserting "payment of certain insurance proceeds; cities and counties;"; in line 3, after "40-3107" by inserting ", 40-3901, 40-3902, 40-3903, 40-3904, 40-3905 and 40-3907"; also in line 3, by striking "section" and inserting "sections";

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

JEFF LONGBINE
ELAINE BOWERS
TOM HAWK
Conferees on part of Senate

SCOTT SCHWAB
JIM KELLY
RODERICK HOUSTON
Conferees on part of House

On motion of Rep. Schwab, the conference committee report on **HB 2446** was adopted.

On roll call, the vote was: Yeas 115; Nays 2; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Waymaster, Weber, C., Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: McPherson, Whitmer.

Present but not voting: None.

Absent or not voting: Ewy, Grosserode, Kiegerl, Rahjes, Ruiz, Suellentrop, Victors,

Ward.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on **HB 2622** submits the following report:

The Senate recedes from all of its amendments to the bill, and your committee on conference further agrees to amend the bill, as introduced, as follows:

On page 1, following line 9, by inserting:

"New Section 1. (a) The state board of regents shall publish degree prospectus information for each undergraduate degree program offered by each postsecondary educational institution that summarizes information and statistics on such degree program. Upon request, each postsecondary educational institution shall provide any necessary information to the state board of regents.

(b) The degree prospectus for each degree program shall include the following:

(1) A description of the degree program, provided nothing in the description shall contradict, mitigate or otherwise explain any of the statistical information described in subsections (b)(2) through (b)(8);

(2) the typical number of years recent graduates have taken to obtain the degree from such postsecondary educational institution;

(3) the expected number of credit hours required to obtain the degree from such postsecondary educational institution;

(4) the expected aggregate cost and cost per year incurred by an individual to obtain the degree from such postsecondary educational institution, including tuition, room and board, books and student fees;

(5) the aggregate degree investment incurred by an individual to obtain the degree from such postsecondary educational institution determined by subtracting the typical amount of grants and scholarships awarded for such degree from the aggregate cost;

(6) the median wage information of recent graduates from such degree program as reported by the state department of labor and any other state where data-sharing agreements governing the reporting of such information may be obtained upon entry into the workforce, and median wages after five years;

(7) the percentage of graduates who are employed in this state or any other state where data-sharing agreements governing the publication of such information may be obtained, within one year from entry into the workforce; and

(8) the number of years required to fully recoup the degree investment and typical loan debt incurred by an individual to obtain the degree from such postsecondary educational institution, at an annual interest rate set by the state board of regents which shall be the maximum federally guaranteed student interest rate showing the number of years necessary to fully recoup the degree investment, the monthly payment amount and percentage of earnings required to repay estimated loan commitments which correspond to the following number of years of repayment: 10, 15, 20, 25 and 30 years. The monthly payment amount shall be determined by dividing the median wage upon entry into the workforce by the corresponding number of years of repayment.

(c) The state board of regents shall:

(1) Make degree prospectus information readily available through a link on the state board of regents' official website; and

(2) update each degree prospectus at least once per year.

(d) Each postsecondary educational institution shall:

(1) Make degree prospectus information readily available through a link on such institution's official website homepage and on any web page dedicated to the promotion of a degree program, which shall be titled by the state board of regents and promoted statewide in a uniform manner at the direction of the state board of regents;

(2) promote degree prospectus information to each student who inquires about the degree program; and

(3) promote degree prospectus information whenever a hard copy of any written materials concerning the degree program are provided.

(e) The state board of regents shall adopt rules and regulations necessary to implement the provisions of this section.

(f) As used in this section:

(1) "Postsecondary educational institution" means:

(A) For school year 2016-2017, any state educational institution and any municipal university; and

(B) for school year 2017-2018 and each school year thereafter, any state educational institution, municipal university, community college, technical college and institute of technology, and includes any entity resulting from the consolidation or affiliation of any two or more of such postsecondary educational institutions.

(2) "State educational institution," "municipal university," "community college," "technical college" and "institute of technology" mean the same as such terms are defined in K.S.A. 74-3201b, and amendments thereto.

New Sec. 2. (a) On or before January 1, 2017, the state board of regents shall adopt a policy requiring state educational institutions to award the appropriate number of credit hours to any student enrolled in such institution who has successfully passed an exam administered through the college level examination program (CLEP) and received a credit-granting recommended score as outlined by the American council on education. Such policy shall include the following:

(1) The number of credit hours to be awarded shall be at least equivalent to the minimum number of credit hours granted for the equivalent course offered by the institution;

(2) an institution shall not limit the number of credit hours that may be awarded to a student beyond the limitations placed on such institution by such institution's regional accrediting agency;

(3) credit hours awarded for exams in the subject of the student's major course of study shall apply towards the student's degree program major course of study, and all other credit hours shall apply towards general degree requirements;

(4) credit hours for exams shall be listed on the student's transcript as pass/fail;

(5) all exams listed on a student's transcript shall be included on such transcript if the student transfers to a different postsecondary educational institution, and if the subsequent institution is a state educational institution, then the credit hours for such exams shall be applied in accordance with this section; and

(6) any other provisions related to the awarding of credit hours based on CLEP exam results deemed necessary by the board.

(b) Commencing July 1, 2017, each state educational institution shall award credit hours to enrolled students who have successfully passed a CLEP exam in accordance

with the policy adopted by the board pursuant to subsection (a).

(c) As used in this section, the terms "state board of regents" and "state educational institution" shall have the same meaning as those terms are defined in K.S.A. 74-3201b, and amendments thereto.

Sec. 3. K.S.A. 2015 Supp. 72-4490 is hereby amended to read as follows: 72-4490. (a) (1) Any eligible postsecondary educational institution may certify to the board of regents:

(A) The number of individuals who received a general educational development (GED) credential from such institution while enrolled in an eligible career technical education program;

(B) the number of individuals who received a career technical education credential from such institution; and

(C) the number of individuals who were enrolled in an eligible career technical education program at such institution and who are pursuing a general educational development (GED) credential.

(2) Certifications submitted pursuant to this subsection shall be submitted in such form and manner as prescribed by the board of regents, and shall include such other information as required by the board of regents.

(b) Each fiscal year, upon receipt of a certification submitted under subsection (a), the board of regents shall authorize payment to such eligible postsecondary educational institution from the postsecondary education performance-based incentives fund. The amount of any such payment shall be calculated based on the following:

(1) For each individual who has received a general educational development (GED) credential, $500;

(2) for each individual who has received a career technical education credential, $1,000; and

(3) for each individual enrolled in an eligible career technical education program who is pursuing a general educational development (GED) credential, $170.

(c) That portion of any payment from the postsecondary education performance-based incentives fund that is made based on subsection (b)(2) shall be expended for scholarships for individuals enrolled in an eligible career technical education program and operating costs of eligible career technical education programs. Each eligible postsecondary educational institution shall prepare and submit a report to the board of regents which shall include the number of individuals who received scholarships, the aggregate amount of moneys expended for such scholarships and the number of those individuals who received a scholarship that also received a career technical education credential.

(d) (1) Of that portion of any payment from the postsecondary education performance-based incentives fund that is made based on subsection (b)(3), an amount equal to $150 for each individual shall be expended by the eligible postsecondary educational institution for the general educational development (GED) test.

(2) If any individual enrolled in an eligible career technical education program for which an eligible postsecondary educational institution has received a payment under this section fails to take the general educational development (GED) test, then such institution shall notify the board of regents in writing that no such test was administered to the individual. For each such notification received, the board of regents shall deduct an amount equal to $150 from such institution's subsequent incentive payment.

(e) All payments authorized by the board of regents pursuant to this section shall be subject to the limits of appropriations made for such purposes. If there are insufficient appropriations for the board of regents to authorize payments in accordance with the amounts set forth in subsection (b), the board of regents shall prorate such amounts in accordance with appropriations made therefor.

(f) There is hereby created the postsecondary education performance-based incentives fund. Expenditures from the postsecondary education performance-based incentives fund shall be for the sole purpose of paying payments to eligible postsecondary educational institutions as authorized by the board of regents. All expenditures from the postsecondary education performance-based incentives fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the board of regents, or the president's designee.

(g) As used in this section:

(1) "Board of regents" means the state board of regents provided for in the constitution of this state and established by K.S.A. 74-3202a, and amendments thereto.

(2) "Career technical education credential" means any industry-recognized technical certification or credential, other than a general educational development (GED) credential, or any technical certification or credential authorized by a state agency.

(3) "Eligible career technical education program" means a program operated by one or more eligible postsecondary educational institutions that is identified by the board of regents as a program that allows an enrollee to obtain a general educational development (GED) credential while pursuing a career technical education credential.

(4) "Eligible postsecondary educational institution" means any community college, technical college or the institute of technology at Washburn university~~, except such term shall not include Johnson county community college~~.

(5) "State agency" means any state office, department, board, commission, institution, bureau or any other state authority.";

On page 6, in line 29, after "Supp." by inserting "72-4490,";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the semicolon by inserting "relating to degree program transparency; relating to credit hours; relating to postsecondary career technical education performance-based funding;"; in line 3, by striking all after the semicolon; by striking all in line 4; in line 5, by striking all before "amending"; also in line 5, after "Supp." by inserting "72-4490,";

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

STEVE E. ABRAMS
TOM ARPKE
ANTHONY HENSLEY
Conferees on part of Senate

RONALD L. HIGHLAND
JERRY LUNN
VALDENIA C. WINN
Conferees on part of House

On motion of Rep. Highland, the conference committee report on **HB 2622** was adopted.

On roll call, the vote was: Yeas 109; Nays 8; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Campbell, Carlin, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, R. Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn.

Nays: Burroughs, Carmichael, Doll, Highberger, Kuether, Phillips, Tietze, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Ewy, Grosserode, Kiegerl, Rahjes, Ruiz, Suellentrop, Victors, Ward.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2008** 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. 2008, as follows:

On page 5, in line 17, by striking all after "4."; by striking all in lines 18 through 26; in line 27, by striking all before the period and inserting "The attorney general or any district attorney may enforce the provisions of the student online personal protection act by bringing an action in a court of competent jurisdiction, and may seek injunctive relief to enjoin any operator in possession of student information from disclosing any student information in violation of the provisions of the student online personal protection act";

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

Steve E. Abrams
Tom Arpke
Anthony Hensley
Conferees on part of Senate

Ronald L. Highland
Jerry Lunn
Valdenia C. Winn
Conferees on part of House

On motion of Rep. Highland, the conference committee report on **S Sub for HB 2008** was adopted.

On roll call, the vote was: Yeas 115; Nays 2; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Kelley, Scapa.

Present but not voting: None.

Absent or not voting: Ewy, Grosserode, Kiegerl, Rahjes, Ruiz, Suellentrop, Victors, Ward.

EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **S Sub for HB 2008**. Protecting the lucrative and sought after data of our students and children is a necessity, and I absolutely support it, however this bill fails. A more solid attempt should've been produced prior to voting, including use of specific national security standards, detailed auditing frequency and resulting reports, detailed deletion instruction and timelines, and the complete prohibition of marketing, including profit-producing product-cross-marketing, to students. This bill needs intense amending in the upcoming session to actually protect student data privacy. – KASHA KELLEY, JOSEPH SCAPA

CHANGE OF CONFEREES

Speaker pro tem Mast announced the appointment of Rep. Hutton as a member of the conference committee on **H Sub for SB 63** to replace Rep. Suellentrop.

Also, the appointment of Rep. Frownfelter as a member of the conference committee on **HB 2617** to replace Rep. Carmichael.

On motion of Rep. Vickrey, the House adjourned until 9:00 a.m., Friday, April 29, 2016.

Journal of the House

FIFTY-FIRST DAY

Hall of the House of Representatives,
Topeka, KS, Friday, April 29, 2016, 9:00 a.m.

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

The roll was called with 121 members present.

Reps. Edmonds, Hill, Ruiz and Victors were excused on excused absence by the Speaker.

Excused later: Reps. Alcala, Ewy, Goico, Kelley, Kiegerl, Peck, Schwab and Williams.

Present later: Reps. Alcala, Edmonds and Hill.

Prayer by Chaplain Brubaker:

Gracious and Loving Lord,
thank You for Your faithfulness
to this body of leadership.
With all the diversity of thought and philosophy,
You have brought an element of unity.
In times of stressful decision making,
You have given patience, humility and peace.
With Your help and power,
when they felt weak, You gave them power;
when they were discouraged, You gave them hope;
when they were overwhelmed, You reminded them
that You are the God of the universe and in control of all things.
Thank You Lord for these many blessings.
I pray this prayer of gratitude
in the Name of One who gave His all for us,
Your Son, Jesus Christ.

The Pledge of Allegiance was led by Rep. Bollier.

INTRODUCTION OF GUESTS

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

Today we are here to honor the MidAmerica Nazarene Pioneers as the 2016 NAIA Division I Women's Basketball Champions, defeating the Baker University Wildcats, 49-35 on March 22. The Pioneers are the first team from Kansas to win the NAIA

Division I Women's National Championship since former member Fort Hays State won in 1991. The team received many honors including: 2016 NAIA Division I Women's Basketball Most Outstanding Player, Kyleesha Weston; 2016 NAIA Division I Women's Basketball Championship Hustle Award, Jasmine Webb; 2016 NAIA Division I Women's Basketball Coach of the Year, Jon Lewis; and 2016 NAIA Division I Women's Basketball All-Championship Team 1st Team, Megan Balcom.

I want to recognize the team members in attendance today: Kyleesha Weston, Jasmine Webb, Megan Balcom, Ellie Dietz, Leah Courtney, Whitney Moia, Tristin Wicks, Lyndsee Johnson, Kalie Uher, Ashli Lykins, and Bailey Rinehart. I want to congratulate those not in attendance: Jamiyla DuBoise, Natalie Felipe and assistant coaches Olive Palu, Navia Palu, and Martina Mihailovic. I also want to recognize head coach Jon Lewis, Dr. David Spittal, President of MidAmerica Nazarene, Director of Athletics Kevin Steele and his wife Kristin, Assistant Athletics Director Brittney Kellar, Director of Sports Information Chad Jenkins, and Brendon Powers, Sports Medicine.

On behalf of the Olathe delegation, I would ask that you recognize the 2016 NAIA Division I Women's Basketball Champions, the MidAmerica Nazarene Pioneers.

PERSONAL PRIVILEGE

Rep. D. Jones addressed remarks to the members of the House and informed them of his intention not to seek re-election.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 326** submits the following report:

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

On page 1, in line 13, by striking "licenses" and inserting "licensees";

On page 2, in line 1, by striking "licenses" and inserting "licensees";

On page 3, following line 12, by inserting:

"Sec. 2. K.S.A. 2015 Supp. 41-311 is hereby amended to read as follows: 41-311. (a) No license of any kind shall be issued pursuant to the liquor control act to a person:

(1) Who is not a citizen of the United States;

(2) who has been convicted of a felony under the laws of this state, any other state or the United States;

(3) who has had a license revoked for cause under the provisions of the liquor control act, the beer and cereal malt beverage keg registration act or who has had any license issued under the cereal malt beverage laws of any state revoked for cause except that a license may be issued to a person whose license was revoked for the conviction of a misdemeanor at any time after the lapse of 10 years following the date of the revocation;

(4) who has been convicted of being the keeper or is keeping any property, whether real or personal, where sexual relations are being sold or offered for sale by a person who is 18 years of age or older or has forfeited bond to appear in court to answer charges of being a keeper of any property, whether real or personal, where sexual

relations are being sold or offered for sale by a person who is 18 years of age or older;

(5) who has been convicted of being a proprietor of a gambling house, pandering or any other crime opposed to decency and morality or has forfeited bond to appear in court to answer charges for any of those crimes;

(6) who is not at least 21 years of age;

(7) who, other than as a member of the governing body of a city or county, appoints or supervises any law enforcement officer, who is a law enforcement official or who is an employee of the director;

(8) who intends to carry on the business authorized by the license as agent of another;

(9) who at the time of application for renewal of any license issued under this act would not be eligible for the license upon a first application, except as provided by subsection (a)(12);

(10) who is the holder of a valid and existing license issued under article 27 of chapter 41 of the Kansas Statutes Annotated, and amendments thereto, unless the person agrees to and does surrender the license to the officer issuing the same upon the issuance to the person of a license under this act, except that a retailer licensed pursuant to K.S.A. 41-2702, and amendments thereto, shall be eligible to receive a retailer's license under the Kansas liquor control act;

(11) who does not own the premises for which a license is sought, or does not, at the time of application, have a written lease thereon;

(12) whose spouse would be ineligible to receive a license under this act for any reason other than citizenship, residence requirements or age, except that this subsection (a)(12) shall not apply in determining eligibility for a renewal license;

(13) whose spouse has been convicted of a felony or other crime which would disqualify a person from licensure under this section and such felony or other crime was committed during the time that the spouse held a license under this act;

(14) who does not provide any data or information required by K.S.A. 2015 Supp. 41-311b, and amendments thereto; or

(15) who, after a hearing before the director, has been found to have held an undisclosed beneficial interest in any license issued pursuant to the liquor control act which was obtained by means of fraud or any false statement made on the application for such license.

(b) No retailer's license shall be issued to:

(1) A person who is not a resident of this state;

(2) a person who has not been a resident of this state for at least four years immediately preceding the date of application;

(3) a person who has a beneficial interest in a manufacturer, distributor, farm winery or microbrewery licensed under this act, except that the spouse of an applicant for a retailer's license may own and hold a farm winery license, microbrewery license, or both, if the spouse does not hold a retailer's license issued under this act;

(4) a person who has a beneficial interest in any other retail establishment licensed under this act, except that the spouse of a licensee may own and hold a retailer's license for another retail establishment;

(5) a copartnership, unless all of the copartners are qualified to obtain a license;

(6) a corporation; or

(7) a trust, if any grantor, beneficiary or trustee would be ineligible to receive a

license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license.

(c) No manufacturer's license shall be issued to:

(1) A corporation, if any officer or director thereof, or any stockholder owning in the aggregate more than 25% of the stock of the corporation would be ineligible to receive a manufacturer's license for any reason other than citizenship and residence requirements;

(2) a copartnership, unless all of the copartners shall have been residents of this state for at least five years immediately preceding the date of application and unless all the members of the copartnership would be eligible to receive a manufacturer's license under this act;

(3) a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license;

(4) an individual who is not a resident of this state;

(5) an individual who has not been a resident of this state for at least five years immediately preceding the date of application; or

(6) a person who has a beneficial interest in a distributor, retailer, farm winery or microbrewery licensed under this act, except as provided in K.S.A. 41-305, and amendments thereto.

(d) No distributor's license shall be issued to:

(1) A corporation, if any officer, director or stockholder of the corporation would be ineligible to receive a distributor's license for any reason. It shall be unlawful for any stockholder of a corporation licensed as a distributor to transfer any stock in the corporation to any person who would be ineligible to receive a distributor's license for any reason, and any such transfer shall be null and void, except that: (A) If any stockholder owning stock in the corporation dies and an heir or devisee to whom stock of the corporation descends by descent and distribution or by will is ineligible to receive a distributor's license, the legal representatives of the deceased stockholder's estate and the ineligible heir or devisee shall have 14 months from the date of the death of the stockholder within which to sell the stock to a person eligible to receive a distributor's license, any such sale by a legal representative to be made in accordance with the provisions of the probate code; or (B) if the stock in any such corporation is the subject of any trust and any trustee or beneficiary of the trust who is 21 years of age or older is ineligible to receive a distributor's license, the trustee, within 14 months after the effective date of the trust, shall sell the stock to a person eligible to receive a distributor's license and hold and disburse the proceeds in accordance with the terms of the trust. If any legal representatives, heirs, devisees or trustees fail, refuse or neglect to sell any stock as required by this subsection, the stock shall revert to and become the property of the corporation, and the corporation shall pay to the legal representatives, heirs, devisees or trustees the book value of the stock. During the period of 14 months prescribed by this subsection, the corporation shall not be denied a distributor's license or have its distributor's license revoked if the corporation meets all of the other requirements necessary to have a distributor's license;

(2) a copartnership, unless all of the copartners are eligible to receive a distributor's license;

(3) a trust, if any grantor, beneficiary or trustee would be ineligible to receive a

license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license; or

(4) a person who has a beneficial interest in a manufacturer, retailer, farm winery or microbrewery licensed under this act.

(e) No nonbeverage user's license shall be issued to a corporation, if any officer, manager or director of the corporation or any stockholder owning in the aggregate more than 25% of the stock of the corporation would be ineligible to receive a nonbeverage user's license for any reason other than citizenship and residence requirements.

(f) No microbrewery license, microdistillery license or farm winery license shall be issued to a:

(1) Person who is not a resident of this state;

~~(2) person who has not been a resident of this state for at least one year immediately preceding the date of application;~~

~~(3)~~ (2) person who has a beneficial interest in a manufacturer or distributor licensed under this act, except as provided in K.S.A. 41-305, and amendments thereto;

~~(4)~~ (3) person, copartnership or association which has a beneficial interest in any retailer licensed under this act or under K.S.A. 41-2702, and amendments thereto, except that the spouse of an applicant for a microbrewery or farm winery license may own and hold a retailer's license if the spouse does not hold a microbrewery or farm winery license issued under this act;

~~(5)~~ (4) copartnership, unless all of the copartners are qualified to obtain a license;

~~(6)~~ (5) corporation, unless stockholders owning in the aggregate 50% or more of the stock of the corporation would be eligible to receive such license and all other stockholders would be eligible to receive such license except for reason of citizenship or residency; or

~~(7)~~ (6) a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license.

(g) The provisions of subsections (b)(1), (b)(2), (c)(3), (c)(4), (d)(3), (f)(1)~~, (f)(2)~~ and K.S.A. 2015 Supp. 41-311b, and amendments thereto, shall not apply in determining eligibility for the 10th, or a subsequent, consecutive renewal of a license if the applicant has appointed a citizen of the United States who is a resident of Kansas as the applicant's agent and filed with the director a duly authenticated copy of a duly executed power of attorney, authorizing the agent to accept service of process from the director and the courts of this state and to exercise full authority, control and responsibility for the conduct of all business and transactions within the state relative to alcoholic liquor and the business licensed. The agent must be satisfactory to and approved by the director, except that the director shall not approve as an agent any person who:

(1) Has been convicted of a felony under the laws of this state, any other state or the United States;

(2) has had a license issued under the alcoholic liquor or cereal malt beverage laws of this or any other state revoked for cause, except that a person may be appointed as an agent if the person's license was revoked for the conviction of a misdemeanor and 10 years have lapsed since the date of the revocation;

(3) has been convicted of being the keeper or is keeping any property, whether real or personal, where sexual relations are being sold or offered for sale by a person who is

18 years of age or older or has forfeited bond to appear in court to answer charges of being a keeper of any property, whether real or personal, where sexual relations are being sold or offered for sale by a person who is 18 years of age or older;

(4) has been convicted of being a proprietor of a gambling house, pandering or any other crime opposed to decency and morality or has forfeited bond to appear in court to answer charges for any of those crimes; or

(5) is less than 21 years of age.

Sec. 3. From and after January 1, 2017, K.S.A. 2015 Supp. 41-102 is hereby amended to read as follows: 41-102. As used in this act, unless the context clearly requires otherwise:

(a) "Alcohol" means the product of distillation of any fermented liquid, whether rectified or diluted, whatever its origin, and includes synthetic ethyl alcohol but does not include denatured alcohol or wood alcohol.

(b) "Alcoholic liquor" means alcohol, spirits, wine, beer and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer and capable of being consumed as a beverage by a human being, but shall not include any cereal malt beverage.

(c) "Beer" means a beverage, containing more than 3.2% alcohol by weight, obtained by alcoholic fermentation of an infusion or concoction of barley, or other grain, malt and hops in water and includes beer, ale, stout, lager beer, porter and similar beverages having such alcoholic content.

(d) "Caterer" has the meaning provided by K.S.A. 41-2601, and amendments thereto.

(e) "Cereal malt beverage" has the meaning provided by K.S.A. 41-2701, and amendments thereto.

(f) "Club" has the meaning provided by K.S.A. 41-2601, and amendments thereto.

(g) "Director" means the director of alcoholic beverage control of the department of revenue.

(h) "Distributor" means the person importing or causing to be imported into the state, or purchasing or causing to be purchased within the state, alcoholic liquor for sale or resale to retailers licensed under this act or cereal malt beverage for sale or resale to retailers licensed under K.S.A. 41-2702, and amendments thereto.

(i) "Domestic beer" means beer which contains not more than 10% alcohol by weight and which is manufactured in this state.

(j) "Domestic fortified wine" means wine which contains more than 14%, but not more than 20% alcohol by volume and which is manufactured in this state.

(k) "Domestic table wine" means wine which contains not more than 14% alcohol by volume and which is manufactured without rectification or fortification in this state.

(l) "Drinking establishment" has the meaning provided by K.S.A. 41-2601, and amendments thereto.

(m) "Farm winery" means a winery licensed by the director to manufacture, store and sell domestic table wine and domestic fortified wine.

(n) "Hard cider" means any alcoholic beverage that:

(1) Contains less than 8.5% alcohol by volume;

(2) has a carbonation level that does not exceed 6.4 grams per liter; and

(3) is obtained by the normal alcoholic fermentation of the juice of sound, ripe apples or pears, including such beverages containing sugar added for the purpose of correcting natural deficiencies.

~~(n)~~ (o) "Manufacture" means to distill, rectify, ferment, brew, make, mix, concoct, process, blend, bottle or fill an original package with any alcoholic liquor, beer or cereal malt beverage.

~~(o)~~ (p) (1) "Manufacturer" means every brewer, fermenter, distiller, rectifier, wine maker, blender, processor, bottler or person who fills or refills an original package and others engaged in brewing, fermenting, distilling, rectifying or bottling alcoholic liquor, beer or cereal malt beverage.

(2) "Manufacturer" does not include a microbrewery, microdistillery or a farm winery.

~~(p)~~ (q) "Microbrewery" means a brewery licensed by the director to manufacture, store and sell domestic beer and hard cider.

~~(q)~~ (r) "Microdistillery" means a facility which produces spirits from any source or substance that is licensed by the director to manufacture, store and sell spirits.

~~(r)~~ (s) "Minor" means any person under 21 years of age.

~~(s)~~ (t) "Nonbeverage user" means any manufacturer of any of the products set forth and described in K.S.A. 41-501, and amendments thereto, when the products contain alcohol or wine, and all laboratories using alcohol for nonbeverage purposes.

~~(t)~~ (u) "Original package" means any bottle, flask, jug, can, cask, barrel, keg, hogshead or other receptacle or container whatsoever, used, corked or capped, sealed and labeled by the manufacturer of alcoholic liquor, to contain and to convey any alcoholic liquor. Original container does not include a sleeve.

~~(u)~~ (v) "Person" means any natural person, corporation, partnership, trust or association.

~~(v)~~ (w) "Powdered alcohol" means alcohol that is prepared in a powdered or crystal form for either direct use or for reconstitution in a nonalcoholic liquid.

~~(w)~~ (x) "Primary American source of supply" means the manufacturer, the owner of alcoholic liquor at the time it becomes a marketable product or the manufacturer's or owner's exclusive agent who, if the alcoholic liquor cannot be secured directly from such manufacturer or owner by American wholesalers, is the source closest to such manufacturer or owner in the channel of commerce from which the product can be secured by American wholesalers.

~~(x)~~ (y) (1) "Retailer" means a person who sells at retail, or offers for sale at retail, alcoholic liquors.

(2) "Retailer" does not include a microbrewery, microdistillery or a farm winery.

~~(y)~~ (z) "Sale" means any transfer, exchange or barter in any manner or by any means whatsoever for a consideration and includes all sales made by any person, whether principal, proprietor, agent, servant or employee.

~~(z)~~ (aa) "Salesperson" means any natural person who:

(1) Procures or seeks to procure an order, bargain, contract or agreement for the sale of alcoholic liquor or cereal malt beverage; or

(2) is engaged in promoting the sale of alcoholic liquor or cereal malt beverage, or in promoting the business of any person, firm or corporation engaged in the manufacturing and selling of alcoholic liquor or cereal malt beverage, whether the seller resides within the state of Kansas and sells to licensed buyers within the state of Kansas, or whether the seller resides without the state of Kansas and sells to licensed buyers within the state of Kansas.

~~(aa)~~ (bb) "Secretary" means the secretary of revenue.

~~(bb)~~ (cc) (1) "Sell at retail" and "sale at retail" refer to and mean sales for use or consumption and not for resale in any form and sales to clubs, licensed drinking establishments, licensed caterers or holders of temporary permits.

(2) "Sell at retail" and "sale at retail" do not refer to or mean sales by a distributor, a microbrewery, a farm winery, a licensed club, a licensed drinking establishment, a licensed caterer or a holder of a temporary permit.

~~(cc)~~ (dd) "To sell" includes to solicit or receive an order for, to keep or expose for sale and to keep with intent to sell.

~~(dd)~~ (ee) "Sleeve" means a package of two or more 50-milliliter (3.2-fluid-ounce) containers of spirits.

~~(ee)~~ (ff) "Spirits" means any beverage which contains alcohol obtained by distillation, mixed with water or other substance in solution, and includes brandy, rum, whiskey, gin or other spirituous liquors, and such liquors when rectified, blended or otherwise mixed with alcohol or other substances.

~~(ff)~~ (gg) "Supplier" means a manufacturer of alcoholic liquor or cereal malt beverage or an agent of such manufacturer, other than a salesperson.

~~(gg)~~ (hh) "Temporary permit" has the meaning provided by K.S.A. 41-2601, and amendments thereto.

~~(hh)~~ (ii) "Wine" means any alcoholic beverage obtained by the normal alcoholic fermentation of the juice of sound, ripe grapes, fruits, berries or other agricultural products, including such beverages containing added alcohol or spirits or containing sugar added for the purpose of correcting natural deficiencies. The term "wine" shall include hard cider and any other product that is commonly known as a subset of wine.

Sec. 4. From and after January 1, 2017, K.S.A. 2015 Supp. 41-308b, as amended by section 1 of this act, is hereby amended to read as follows: 41-308b. (a) A microbrewery license shall allow:

(1) The manufacture of not less than 100 nor more than 60,000 barrels of domestic beer during the calendar year and the storage thereof, if, however, the licensee holds a 10% or greater ownership interest in one or more entities that also hold a microbrewery license, then the aggregate number of barrels of domestic beer manufactured by all such ~~licenses~~ licensees with such common ownership shall not exceed the 60,000 barrel limit;

(2) the manufacture in the aggregate of not more than 100,000 gallons of hard cider during the calendar year and the storage thereof;

(3) the sale to beer distributors of beer and the sale to wine distributors of hard cider, manufactured by the licensee;

~~(3)~~ (4) the sale, on the licensed premises in the original unopened container to consumers for consumption off the licensed premises, of beer and hard cider manufactured by the licensee;

~~(4)~~ (5) the serving free of charge on the licensed premises and at special events, monitored and regulated by the division of alcoholic beverage control, of samples of beer and hard cider manufactured by the licensee, if the premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments;

~~(5)~~ (6) if the premises is also licensed as a club or drinking establishment, the sale and transfer of domestic beer to such club or drinking establishment and the sale of domestic beer and other alcoholic liquor for consumption on the licensed premises as

authorized by the club and drinking establishment act;

~~(6)~~ (7) if the premises is also licensed as a caterer, the sale of domestic beer and other alcoholic liquor for consumption on unlicensed premises as authorized by the club and drinking establishment act; and

~~(7)~~ (8) if the licensee holds a 10% or greater ownership interest in one or more entities that also hold a microbrewery license, the domestic beer may be manufactured and transferred for sale or storage among such microbrewery ~~licenses~~ licensees with such common ownership.

(b) Not less than 30% of the products utilized in the manufacture of hard cider by a microbrewery shall be grown in Kansas except when a lesser proportion is authorized by the director based upon the director's findings and judgment. The production requirement of this subsection shall be determined based on the annual production of domestic hard cider.

(c) Upon application and payment of the fee prescribed by K.S.A. 41-310, and amendments thereto, by a microbrewery licensee, the director may issue not to exceed one microbrewery packaging and warehousing facility license to the microbrewery licensee. A microbrewery packaging and warehousing facility license shall allow:

(1) The transfer, from the licensed premises of the microbrewery to the licensed premises of the microbrewery packaging and warehousing facility, of beer and hard cider manufactured by the licensee, for the purpose of packaging or storage, or both; ~~and~~

(2) the transfer, from the licensed premises of the microbrewery packaging and warehousing facility to the licensed premises of any microbrewery of such licensee, of beer manufactured by the licensee; ~~or~~

(3) the removal from the licensed premises of the microbrewery packaging and warehousing facility of beer manufactured by the licensee for the purpose of delivery to a licensed beer wholesaler; and

(4) the removal from the licensed premises of the microbrewery packaging and warehousing facility of hard cider manufactured by the licensee for the purpose of delivery to a licensed wine distributor.

~~(c)~~ (d) A microbrewery may sell domestic beer in the original unopened container to consumers for consumption off the licensed premises at any time between 6 a.m. and 12 midnight on any day except Sunday and between 11 a.m. and 7 p.m. on Sunday. If authorized by subsection (a), a microbrewery may serve samples of domestic beer and serve and sell domestic beer and other alcoholic liquor for consumption on the licensed premises at any time when a club or drinking establishment is authorized to serve and sell alcoholic liquor.

~~(d)~~ (e) The director may issue to the Kansas state fair or any bona fide group of brewers a permit to import into this state small quantities of beer. Such beer shall be used only for bona fide educational and scientific tasting programs and shall not be resold. Such beer shall not be subject to the tax imposed by K.S.A. 41-501, and amendments thereto. The permit shall identify specifically the brand and type of beer to be imported, the quantity to be imported, the tasting programs for which the beer is to be used and the times and locations of such programs. The secretary shall adopt rules and regulations governing the importation of beer pursuant to this subsection and the conduct of tasting programs for which such beer is imported.

~~(e)~~ (f) A microbrewery license or microbrewery packaging and warehousing

facility license shall apply only to the premises described in the application and in the license issued and only one location shall be described in the license.

~~(f)~~ (g) No microbrewery shall:

(1) Employ any person under the age of 18 years in connection with the manufacture, sale or serving of any alcoholic liquor;

(2) permit any employee of the licensee who is under the age of 21 years to work on the licensed premises at any time when not under the on-premises supervision of either the licensee or an employee of the licensee who is 21 years of age or over;

(3) employ any person under 21 years of age in connection with mixing or dispensing alcoholic liquor; or

(4) employ any person in connection with the manufacture or sale of alcoholic liquor if the person has been convicted of a felony.

~~(g)~~ (h) Whenever a microbrewery licensee is convicted of a violation of the Kansas liquor control act, the director may revoke the licensee's license and all fees paid for the license in accordance with the Kansas administrative procedure act.";

Also on page 3, in line 13, by striking "is" and inserting "and 41-311 are"; following line 13, by inserting:

"Sec. 6. From and after January 1, 2017, K.S.A. 2015 Supp. 41-102 and K.S.A. 2015 Supp. 41-308b, as amended by section 1 of this act, are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after the first semicolon; in line 2, after "Supp." by inserting "41-102,"; also in line 2, after "41-308b" by inserting ", 41-308b, as amended by section 1 of this act, and 41-311"; in line 3, by striking "section" and inserting "sections";

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

JAN PAULS
JAMES ERIC TODD
ANNIE TIETZE
Conferees on part of House

RALPH OSTMEYER
JAKE LATURNER
OLETHA FAUST-GOUDEAU
Conferees on part of Senate

On motion of Rep. Todd, the conference committee report on **SB 326** was adopted.

On roll call, the vote was: Yeas 111; Nays 10; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Read, Rhoades, Rooker,

Rubin, Ryckman, Sawyer, Scapa, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Frownfelter, Kahrs, Kelley, Macheers, Mason, Mast, Peck, R. Powell, Ryckman Sr., Schroeder.

Present but not voting: None.

Absent or not voting: Edmonds, Hill, Ruiz, Victors.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for HB 2088**, **HB 2558**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2088** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

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

Les Donovan
Caryn Tyson
Conferees on part of Senate

Marvin Kleeb
Gene Suellentrop
Tom Sawyer
Conferees on part of House

On motion of Rep. Kleeb the conference committee report on **S Sub for HB 2088** to agree to disagree, was adopted.

Speaker Merrick thereupon appointed Reps. Kleeb, Suellentrop and Sawyer as second conferees on the part of the House.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Esau, the House concurred in Senate amendments to **HB 2558**, AN ACT concerning elections; amending K.S.A. 2015 Supp. 25-21a01 and 80-2508 and repealing the existing sections.

On roll call, the vote was: Yeas 112; Nays 10; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henry, Hibbard, Highberger, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Huebert,

Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusker, Macheers, Mason, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson.

Nays: Alcala, Curtis, Frownfelter, Henderson, Kuether, Lusk, Mast, Tietze, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Hill, Ruiz, Victors.

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

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

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **House Substitute for SB 128**, and has appointed Senators King, Smith and Haley as second conferees on the part of the Senate.

The Senate announced the appointment of Senator Ostmeyer to replace Senator Pyle as a conferee on **HB 2164**.

The Senate announced the appointment of Senator LaTurner to replace Senator Fitzgerald as a conferee on **HB 2164**.

The Senate announced the appointment of Senator Masterson to replace Senator Abrams as a conferee on **Senate Substitute for HB 2441**.

The Senate announced the appointment of Senator Denning to replace Senator Arpke as a conferee on **Senate Substitute for HB 2441**.

The Senate announced the appointment of Senator Kelly to replace Senator Hensley as a conferee on **Senate Substitute for HB 2441**.

The Senate adopts the Conference Committee report on **Substitute for SB 22**.

The Senate adopts the Conference Committee report on **SB 319**.

The Senate adopts the Conference Committee report on **HB 2436**.

The Senate adopts the Conference Committee report on **HB 2462**.

The Senate adopts the Conference Committee report on **HB 2501**.

The Senate adopts the Conference Committee report on **HB 2545**.

The Senate adopts the Conference Committee report on **HB 2615**.

Announcing passage of **HB 2285**, as amended by **Senate Substitute for HB 2285**.

Announcing passage of **HB 2662**, as amended.

Announcing passage of **HB 2739**, as amended.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for HB 2018, Sub HB 2062, HB 2436, HB 2545, HB 2501, HB 2462, HB 2662, HB 2739, S Sub for HB 2285.**

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Barker, the House concurred in Senate amendments to **Sub HB 2062**, AN ACT concerning the uniform commercial code; relating to the exclusion of consumer transactions governed by federal law; secured transactions; amending K.S.A. 84-4a-108 and K.S.A. 2015 Supp. 84-9-408, 84-9-803, 84-9-805 and 84-9-807 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 117; Nays 0; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Alcala, Bollier, E. Davis, Goico, Hill, Ruiz, Victors, K. Williams.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Gonzalez, the House concurred in Senate amendments to **S Sub for HB 2018**, AN ACT concerning controlled substances; relating to the uniform controlled substances act; substances included in schedules I, III and IV; prescription of amphetamines; amending K.S.A. 65-4127e and K.S.A. 2015 Supp. 65-2837a, 65-4105, 65-4109 and 65-4111 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter,

Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Alcala, Goico, Hill, Ruiz, Victors, K. Williams.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Ryckman, the House concurred in Senate amendments to **S Sub for HB 2285**, AN ACT reconciling amendments to certain statutes; amending K.S.A. 2015 Supp. 44-706 and repealing the existing section; also repealing K.S.A. 2015 Supp. 17-7673b, 17-7674b, 17-7677b, 38-2310a, 44-706c, 59-29a24a and 65-2895a.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Alcala, Goico, Hill, Ruiz, Victors, K. Williams.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2436** submits the following report:

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

On page 1, by striking all in lines 6 through 36;

By striking all on pages 2 through 4;

On page 5, by striking lines 1 and 2 and inserting:

"Section 1. K.S.A. 32-1139 is hereby amended to read as follows: 32-1139. (a) On and after January 1, 2001:

(1) No person born on or after January 1, 1989, shall operate on public waters of this state any motorboat or sailboat unless the person possesses a certificate of completion of an approved boater safety education course of instruction lawfully issued to such person as provided by this act.

(2) No owner or person in possession of any motorboat or sailboat shall permit another person, who is subject to the requirements in subsection (a)(1), to operate such motorboat or sailboat unless such other person either: (A) Has been lawfully issued a certificate of completion of an approved boater safety education course of instruction as provided by this act; or (B) is legally exempt from the requirements of subsection (a)(1).

(3) The requirement in subsection (a)(1), shall not apply to a person 21 years of age or older.

(4) The requirement in subsection (a)(1) shall not apply to a person operating a sailboat that does not have a motor and has an overall length of 16 feet, seven inches or less, while such person is enrolled in an instructor-led class.

(b) The requirement in subsection (a)(1) shall not apply to a person operating a motorboat or sailboat accompanied by and under the direct and audible supervision of a person over 17 years of age who either: (1) Possesses a certificate of completion of an approved boater safety education course; or (2) is legally exempt from the requirements of subsection (a)(1).

(c) No person who is charged with a violation of subsection (a)(1) shall be convicted of the violation if such person produces in court or in the office of the arresting officer a certificate of completion of an approved boater safety education course of instruction lawfully issued to such person and valid at the time of such person's arrest.

Sec. 2. K.S.A. 32-1139 is hereby repealed.";

Also on page 5, in line 4, by striking all before "its"; also in line 4, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 1, by striking "motor vehicles" and inserting "boating"; also in line 1, by striking all after "to"; in line 2, by striking all before the semicolon and inserting "safety education courses, exemptions therefrom"; also in line 2, by striking "2015 Supp. 8-240" and inserting 32-1139";

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

Mike Petersen
Kay Wolf
Pat Pettey
Conferees on part of Senate

Richard J. Proehl
Ronald W. Ryckman, Sr.
Adam J. Lusker, Sr.
Conferees on part of House

On motion of Rep. Proehl, the conference committee report on **HB 2436** was adopted.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Alcala, Goico, Hill, Ruiz, Victors, K. Williams.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2545** 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 3, in line 8, after the period by inserting "The provisions of this subparagraph shall only be used to redact and shall not be used to seal affidavits or sworn testimony.";

On page 6, in line 28, after the period by inserting "The provisions of this subparagraph shall only be used to redact and shall not be used to seal affidavits or sworn testimony.";

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

GREG SMITH
FORREST J. KNOX
PAT PETTEY
Conferees on part of Senate

RAMON C. GONZALEZ
BLAINE FINCH
DENNIS "BOOG" HIGHBERGER
Conferees on part of House

On motion of Rep. Gonzalez, the conference committee report on **HB 2545** was adopted.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Alcala, Goico, Hill, Ruiz, Victors, K. Williams.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2501** submits the following report:

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

On page 1, following line 7, by inserting:

"New Section 1. (a) Unlawful transmission of a visual depiction of a child is knowingly transmitting a visual depiction of a child 12 or more years of age but less than 18 years of age in a state of nudity when the offender is less than 19 years of age.

(b) Aggravated unlawful transmission of a visual depiction of a child is:

(1) Knowingly transmitting a visual depiction of a child 12 or more years of age but less than 18 years of age in a state of nudity:

(A) With the intent to harass, embarrass, intimidate, defame or otherwise inflict emotional, psychological or physical harm;

(B) for pecuniary or tangible gain; or

(C) with the intent to exhibit or transmit such visual depiction to more than one person; and

(2) when the offender is less than 19 years of age.

(c) (1) Unlawful transmission of a visual depiction of a child is a:

(A) Class A person misdemeanor, except as provided in subsection (c)(1)(B); and

(B) severity level 10, person felony upon a second or subsequent conviction.

(2) Aggravated unlawful transmission of a visual depiction of a child is a:

(A) Severity level 9, person felony, except as provided in subsection (c)(2)(B); and

(B) severity level 7, person felony upon a second or subsequent conviction.

(d) It shall be a rebuttable presumption that an offender had the intent to harass, embarrass, intimidate, defame or otherwise inflict emotional, psychological or physical harm if the offender transmitted a visual depiction of a person other than such child in a state of nudity to more than one person.

(e) The provisions of this section shall not apply to transmission of a visual depiction of a child in a state of nudity by the child who is the subject of such visual depiction.

(f) The provisions of this section shall not apply to a visual depiction of a child engaged in sexually explicit conduct or a visual depiction that constitutes obscenity as defined in K.S.A. 2015 Supp. 21-6401(f)(1), and amendments thereto.

(g) As used in this section and section 2, and amendments thereto:

(1) "Sexually explicit conduct" means actual or simulated: Sexual intercourse or sodomy, including genital-genital, oral-genital, anal-genital or oral-anal contact, whether between persons of the same or opposite sex; masturbation and sado-masochistic abuse for the purpose of sexual stimulation;

(2) "state of nudity" means any state of undress in which the human genitals, pubic region, buttock or female breast, at a point below the top of the areola, is less than completely and opaquely covered;

(3) "transmission" means any form of communication, including, but not limited to, physical transmission of paper and electronic transmission that creates a record that may be retained and reviewed by a recipient thereof, and that may be directly reproduced in paper form by such a recipient through an automated process. Transmission also includes a request to receive a transmission of a visual depiction; and

(4) "visual depiction" means any photograph, film, video picture, digital or computer-generated image or picture made or produced by electronic, mechanical or other means.

New Sec. 2. (a) Unlawful possession of a visual depiction of a child is knowingly possessing a visual depiction of a child 12 years of age or older but less than 16 years of age in a state of nudity, if committed by a person less than 19 years of age, and the possessor of such visual depiction received such visual depiction directly and exclusively from the child who is the subject of such visual depiction.

(b) Unlawful possession of a visual depiction of a child is a class B person misdemeanor.

(c) It shall be an affirmative defense to any prosecution under this section that the recipient of a visual depiction of a child in a state of nudity:

(1) Received such visual depiction without requesting, coercing or otherwise attempting to obtain such visual depiction;

(2) did not transmit, exhibit or disseminate such visual depiction; and

(3) made a good faith effort to erase, delete or otherwise destroy such visual depiction.

(d) The provisions of this section shall not apply to possession of a visual depiction of a child in a state of nudity if the person possessing such visual depiction is the child who is the subject of such visual depiction.

(e) The provisions of this section shall not apply to a visual depiction of a child engaged in sexually explicit conduct or a visual depiction that constitutes obscenity as defined in K.S.A. 2015 Supp. 21-6401(f)(1), and amendments thereto.

(f) It shall not be unlawful for a person who is less than 19 years of age to possess a visual depiction of a child in a state of nudity who is 16 years of age or older.";

Also, on page 1, following line 20, by inserting:

"Sec. 4. K.S.A. 2015 Supp. 21-5510 is hereby amended to read as follows: 21-5510. (a) Except as provided in sections 1 and 2, and amendments thereto, sexual exploitation of a child is:

(1) Employing, using, persuading, inducing, enticing or coercing a child under 18 years of age, or a person whom the offender believes to be a child under 18 years of age, to engage in sexually explicit conduct with the intent to promote any performance;

(2) possessing any visual depiction of a child under 18 years of age shown or heard engaging in sexually explicit conduct with intent to arouse or satisfy the sexual desires or appeal to the prurient interest of the offender or any other person;

(3) being a parent, guardian or other person having custody or control of a child under 18 years of age and knowingly permitting such child to engage in, or assist another to engage in, sexually explicit conduct for any purpose described in subsection (a)(1) or (2); or

(4) promoting any performance that includes sexually explicit conduct by a child under 18 years of age, or a person whom the offender believes to be a child under 18 years of age, knowing the character and content of the performance.

(b) (1) Sexual exploitation of a child as defined in:

(A) Subsection (a)(2) or (a)(3) is a severity level 5, person felony; and

(B) subsection (a)(1) or (a)(4) is a severity level 5, person felony, except as provided in subsection (b)(2).

(2) Sexual exploitation of a child as defined in subsection (a)(1) or (a)(4) or attempt, conspiracy or criminal solicitation to commit sexual exploitation of a child as defined in subsection (a)(1) or (a)(4) is an off-grid person felony, when the offender is 18 years of age or older and the child is under 14 years of age.

(c) If the offender is 18 years of age or older and the child is under 14 years of age, the provisions of:

(1) ~~Subsection (c) of~~ K.S.A. 2015 Supp. 21-5301(c), and amendments thereto, shall not apply to a violation of attempting to commit the crime of sexual exploitation of a child as defined in subsection (a)(1) or (a)(4);

(2) ~~subsection (c) of~~ K.S.A. 2015 Supp. 21-5302(c), and amendments thereto, shall not apply to a violation of conspiracy to commit the crime of sexual exploitation of a child as defined in subsection (a)(1) or (a)(4); and

(3) ~~subsection (d) of~~ K.S.A. 2015 Supp. 21-5303(d), and amendments thereto, shall not apply to a violation of criminal solicitation to commit the crime of sexual exploitation of a child as defined in subsection (a)(1) or (a)(4).

(d) As used in this section:

(1) "Sexually explicit conduct" means actual or simulated: Exhibition in the nude; sexual intercourse or sodomy, including genital-genital, oral-genital, anal-genital or oral-anal contact, whether between persons of the same or opposite sex; masturbation; sado-masochistic abuse with the intent of sexual stimulation; or lewd exhibition of the genitals, female breasts or pubic area of any person;

(2) "promoting" means procuring, transmitting, distributing, circulating, presenting, producing, directing, manufacturing, issuing, publishing, displaying, exhibiting or advertising:

(A) For pecuniary profit; or

(B) with intent to arouse or gratify the sexual desire or appeal to the prurient interest of the offender or any other person;

(3) "performance" means any film, photograph, negative, slide, book, magazine or other printed or visual medium, any audio tape recording or any photocopy, video tape, video laser disk, computer hardware, software, floppy disk or any other computer related equipment or computer generated image that contains or incorporates in any manner any film, photograph, negative, photocopy, video tape or video laser disk or any play or other live presentation;

(4) "nude" means any state of undress in which the human genitals, pubic region, buttock or female breast, at a point below the top of the areola, is less than completely and opaquely covered; and

(5) "visual depiction" means any photograph, film, video picture, digital or computer-generated image or picture, whether made or produced by electronic, mechanical or other means.

(e) The provisions of this section shall not apply to possession of a visual depiction of a child in a state of nudity if the person possessing such visual depiction is the child who is the subject of such visual depiction.";

On page 3, following line 38, by inserting:

"Sec. 7. K.S.A. 2015 Supp. 22-4902 is hereby amended to read as follows: 22-4902. As used in the Kansas offender registration act, unless the context otherwise requires:

(a) "Offender" means:

(1) A sex offender;

(2) a violent offender;

(3) a drug offender;

(4) any person who has been required to register under out of state law or is otherwise required to be registered; and

(5) any person required by court order to register for an offense not otherwise required as provided in the Kansas offender registration act.

(b) "Sex offender" includes any person who:

(1) On or after April 14, 1994, is convicted of any sexually violent crime;

(2) on or after July 1, 2002, is adjudicated as a juvenile offender for an act which if committed by an adult would constitute the commission of a sexually violent crime, unless the court, on the record, finds that the act involved non-forcible sexual conduct, the victim was at least 14 years of age and the offender was not more than four years older than the victim;

(3) has been determined to be a sexually violent predator;

(4) on or after July 1, 1997, is convicted of any of the following crimes when one of the parties involved is less than 18 years of age:

(A) Adultery, as defined in K.S.A. 21-3507, prior to its repeal, or K.S.A. 2015 Supp. 21-5511, and amendments thereto;

(B) criminal sodomy, as defined in ~~subsection (a)(1) of~~ K.S.A. 21-3505(a)(1), prior to its repeal, or ~~subsection (a)(1) or (a)(2) of~~ K.S.A. 2015 Supp. 21-5504(a)(1) or (a)(2), and amendments thereto;

(C) promoting prostitution, as defined in K.S.A. 21-3513, prior to its repeal, or K.S.A. 2015 Supp. 21-6420, prior to its amendment by section 17 of chapter 120 of the

2013 Session Laws of Kansas on July 1, 2013;

(D) patronizing a prostitute, as defined in K.S.A. 21-3515, prior to its repeal, or K.S.A. 2015 Supp. 21-6421, prior to its amendment by section 18 of chapter 120 of the 2013 Session Laws of Kansas on July 1, 2013; or

(E) lewd and lascivious behavior, as defined in K.S.A. 21-3508, prior to its repeal, or K.S.A. 2015 Supp. 21-5513, and amendments thereto;

(5) is convicted of sexual battery, as defined in K.S.A. 21-3517, prior to its repeal, or subsection (a) of K.S.A. 2015 Supp. 21-5505, and amendments thereto;

(6) is convicted of an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2015 Supp. 21-5301, 21-5302, 21-5303, and amendments thereto, of an offense defined in this subsection; or

(7) has been convicted of an offense that is comparable to any crime defined in this subsection, or any out of state conviction for an offense that under the laws of this state would be an offense defined in this subsection.

(c) "Sexually violent crime" means:

(1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2015 Supp. 21-5503, and amendments thereto;

(2) indecent liberties with a child, as defined in K.S.A. 21-3503, prior to its repeal, or ~~subsection (a) of~~ K.S.A. 2015 Supp. 21-5506(a), and amendments thereto;

(3) aggravated indecent liberties with a child, as defined in K.S.A. 21-3504, prior to its repeal, or ~~subsection (b) of~~ K.S.A. 2015 Supp. 21-5506(b), and amendments thereto;

(4) criminal sodomy, as defined in ~~subsection (a)(2) or (a)(3) of~~ K.S.A. 21-3505(a)(2) or (a)(3), prior to its repeal, or ~~subsection (a)(3) or (a)(4) of~~ K.S.A. 2015 Supp. 21-5504(a)(3) or (a)(4), and amendments thereto;

(5) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior to its repeal, or ~~subsection (b) of~~ K.S.A. 2015 Supp. 21-5504(b), and amendments thereto;

(6) indecent solicitation of a child, as defined in K.S.A. 21-3510, prior to its repeal, or ~~subsection (a) of~~ K.S.A. 2015 Supp. 21-5508(a), and amendments thereto;

(7) aggravated indecent solicitation of a child, as defined in K.S.A. 21-3511, prior to its repeal, or ~~subsection (b) of~~ K.S.A. 2015 Supp. 21-5508(b), and amendments thereto;

(8) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2015 Supp. 21-5510, and amendments thereto;

(9) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to its repeal, or ~~subsection (b) of~~ K.S.A. 2015 Supp. 21-5505(b), and amendments thereto;

(10) aggravated incest, as defined in K.S.A. 21-3603, prior to its repeal, or ~~subsection (b) of~~ K.S.A. 2015 Supp. 21-5604(b), and amendments thereto;

(11) electronic solicitation, as defined in K.S.A. 21-3523, prior to its repeal, and K.S.A. 2015 Supp. 21-5509, and amendments thereto;

(12) unlawful sexual relations, as defined in K.S.A. 21-3520, prior to its repeal, or K.S.A. 2015 Supp. 21-5512, and amendments thereto;

(13) aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or ~~subsection (b) of~~ K.S.A. 2015 Supp. 21-5426(b), and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the defendant or another;

(14) commercial sexual exploitation of a child, as defined in K.S.A. 2015 Supp. 21-

6422, and amendments thereto;

(15) any conviction or adjudication for an offense that is comparable to a sexually violent crime as defined in this subsection, or any out of state conviction or adjudication for an offense that under the laws of this state would be a sexually violent crime as defined in this subsection;

(16) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2015 Supp. 21-5301, 21-5302, 21-5303, and amendments thereto, of a sexually violent crime, as defined in this subsection; or

(17) any act which has been determined beyond a reasonable doubt to have been sexually motivated, unless the court, on the record, finds that the act involved non-forcible sexual conduct, the victim was at least 14 years of age and the offender was not more than four years older than the victim. As used in this paragraph, "sexually motivated" means that one of the purposes for which the defendant committed the crime was for the purpose of the defendant's sexual gratification.

(d) "Sexually violent predator" means any person who, on or after July 1, 2001, is found to be a sexually violent predator pursuant to K.S.A. 59-29a01 et seq., and amendments thereto.

(e) "Violent offender" includes any person who:

(1) On or after July 1, 1997, is convicted of any of the following crimes:

(A) Capital murder, as defined in K.S.A. 21-3439, prior to its repeal, or K.S.A. 2015 Supp. 21-5401, and amendments thereto;

(B) murder in the first degree, as defined in K.S.A. 21-3401, prior to its repeal, or K.S.A. 2015 Supp. 21-5402, and amendments thereto;

(C) murder in the second degree, as defined in K.S.A. 21-3402, prior to its repeal, or K.S.A. 2015 Supp. 21-5403, and amendments thereto;

(D) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to its repeal, or K.S.A. 2015 Supp. 21-5404, and amendments thereto;

(E) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to its repeal, or ~~subsections (a)(1), (a)(2) or (a)(4) of~~ K.S.A. 2015 Supp. 21-5405(a)(1), (a)(2) or (a)(4), and amendments thereto. The provisions of this paragraph shall not apply to violations of ~~subsection (a)(3) of~~ K.S.A. 2015 Supp. 21-5405(a)(3), and amendments thereto, which occurred on or after July 1, 2011, through July 1, 2013;

(F) kidnapping, as defined in K.S.A. 21-3420, prior to its repeal, or ~~subsection (a) of~~ K.S.A. 2015 Supp. 21-5408(a), and amendments thereto;

(G) aggravated kidnapping, as defined in K.S.A. 21-3421, prior to its repeal, or ~~subsection (b) of~~ K.S.A. 2015 Supp. 21-5408(b), and amendments thereto;

(H) criminal restraint, as defined in K.S.A. 21-3424, prior to its repeal, or K.S.A. 2015 Supp. 21-5411, and amendments thereto, except by a parent, and only when the victim is less than 18 years of age; or

(I) aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or ~~subsection (b) of~~ K.S.A. 2015 Supp. 21-5426(b), and amendments thereto, if not committed in whole or in part for the purpose of the sexual gratification of the defendant or another;

(2) on or after July 1, 2006, is convicted of any person felony and the court makes a finding on the record that a deadly weapon was used in the commission of such person felony;

(3) has been convicted of an offense that is comparable to any crime defined in this subsection, any out of state conviction for an offense that under the laws of this state would be an offense defined in this subsection; or

(4) is convicted of an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2015 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an offense defined in this subsection.

(f) "Drug offender" includes any person who, on or after July 1, 2007:

(1) Is convicted of any of the following crimes:

(A) Unlawful manufacture or attempting such of any controlled substance or controlled substance analog, as defined in K.S.A. 65-4159, prior to its repeal, K.S.A. 2010 Supp. 21-36a03, prior to its transfer, or K.S.A. 2015 Supp. 21-5703, and amendments thereto;

(B) possession of ephedrine, pseudoephedrine, red phosphorus, lithium metal, sodium metal, iodine, anhydrous ammonia, pressurized ammonia or phenylpropanolamine, or their salts, isomers or salts of isomers with intent to use the product to manufacture a controlled substance, as defined in ~~subsection (a) of~~ K.S.A. 65-7006(a), prior to its repeal, ~~subsection (a) of~~ K.S.A. 2010 Supp. 21-36a09(a), prior to its transfer, or ~~subsection (a) of~~ K.S.A. 2015 Supp. 21-5709(a), and amendments thereto;

(C) K.S.A. 65-4161, prior to its repeal, ~~subsection (a)(1) of~~ K.S.A. 2010 Supp. 21-36a05(a)(1), prior to its transfer, or ~~subsection (a)(1) of~~ K.S.A. 2015 Supp. 21-5705(a)(1), and amendments thereto. The provisions of this paragraph shall not apply to violations of ~~subsections (a)(2) through (a)(6) or (b) of~~ K.S.A. 2010 Supp. 21-36a05(a)(2) through (a)(6) or (b) which occurred on or after July 1, 2009, through April 15, 2010;

(2) has been convicted of an offense that is comparable to any crime defined in this subsection, any out of state conviction for an offense that under the laws of this state would be an offense defined in this subsection; or

(3) is or has been convicted of an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2015 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an offense defined in this subsection.

(g) Convictions or adjudications which result from or are connected with the same act, or result from crimes committed at the same time, shall be counted for the purpose of this section as one conviction or adjudication. Any conviction or adjudication set aside pursuant to law is not a conviction or adjudication for purposes of this section. A conviction or adjudication from any out of state court shall constitute a conviction or adjudication for purposes of this section.

(h) "School" means any public or private educational institution, including, but not limited to, postsecondary school, college, university, community college, secondary school, high school, junior high school, middle school, elementary school, trade school, vocational school or professional school providing training or education to an offender for three or more consecutive days or parts of days, or for 10 or more nonconsecutive days in a period of 30 consecutive days.

(i) "Employment" means any full-time, part-time, transient, day-labor employment or volunteer work, with or without compensation, for three or more consecutive days or

parts of days, or for 10 or more nonconsecutive days in a period of 30 consecutive days.

(j) "Reside" means to stay, sleep or maintain with regularity or temporarily one's person and property in a particular place other than a location where the offender is incarcerated. It shall be presumed that an offender resides at any and all locations where the offender stays, sleeps or maintains the offender's person for three or more consecutive days or parts of days, or for ten or more nonconsecutive days in a period of 30 consecutive days.

(k) "Residence" means a particular and definable place where an individual resides. Nothing in the Kansas offender registration act shall be construed to state that an offender may only have one residence for the purpose of such act.

(l) "Transient" means having no fixed or identifiable residence.

(m) "Law enforcement agency having initial jurisdiction" means the registering law enforcement agency of the county or location of jurisdiction where the offender expects to most often reside upon the offender's discharge, parole or release.

(n) "Registering law enforcement agency" means the sheriff's office or tribal police department responsible for registering an offender.

(o) "Registering entity" means any person, agency or other governmental unit, correctional facility or registering law enforcement agency responsible for obtaining the required information from, and explaining the required registration procedures to, any person required to register pursuant to the Kansas offender registration act. "Registering entity" shall include, but not be limited to, sheriff's offices, tribal police departments and correctional facilities.

(p) "Treatment facility" means any public or private facility or institution providing inpatient mental health, drug or alcohol treatment or counseling, but does not include a hospital, as defined in K.S.A. 65-425, and amendments thereto.

(q) "Correctional facility" means any public or private correctional facility, juvenile detention facility, prison or jail.

(r) "Out of state" means: the District of Columbia; any federal, military or tribal jurisdiction, including those within this state; any foreign jurisdiction; or any state or territory within the United States, other than this state.

(s) "Duration of registration" means the length of time during which an offender is required to register for a specified offense or violation.

(t) (1) Notwithstanding any other provision of this section, "offender" shall not include any person who is:

(A) Convicted of unlawful transmission of a visual depiction of a child, as defined in section 1(a), and amendments thereto, aggravated unlawful transmission of a visual depiction of a child, as defined in section 1(b), and amendments thereto, or unlawful possession of a visual depiction of a child, as defined in section 2, and amendments thereto; or

(B) adjudicated as a juvenile offender for an act which if committed by an adult would constitute the commission of a crime defined in subsection (t)(1)(A).

(2) Notwithstanding any other provision of law, a court shall not order any person to register under the Kansas offender registration act for the offenses described in subsection (t)(1).";

Also on page 3, in line 39, after the comma by inserting "21-5510,"; also in line 39, by striking "and" and inserting a comma; also in line 39, following "22-2619" by inserting "and 22-4902";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the semicolon by inserting "creating the crimes of unlawful transmission of a visual depiction of a child and unlawful possession of a visual depiction of a child;"; in line 3, after the semicolon by inserting "prohibiting offender registration for certain crimes;"; in line 4, after the comma by inserting "21-5510,"; also in line 4, by striking the first "and" and inserting a comma; also in line 4, after "22-2619" by inserting "and 22-4902";

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

Greg Smith
Forrest J. Knox
Pat Pettey
Conferees on part of Senate

Ramon C. Gonzalez
Blaine Finch
Dennis "Boog" Highberger
Conferees on part of House

On motion of Rep. Gonzalez, the conference committee report on **HB 2501** was adopted.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Alcala, Goico, Hill, Ruiz, Victors, K. Williams.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2462** submits the following report:

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

On page 1, following line 5, by inserting:

"Section 1. K.S.A. 2015 Supp. 21-5706 is hereby amended to read as follows: 21-5706. (a) It shall be unlawful for any person to possess any opiates, opium or narcotic drugs, or any stimulant designated in ~~subsection (d)(1), (d)(3) or (f)(1) of~~ K.S.A. 65-4107(d)(1), (d)(3) or (f)(1), and amendments thereto, or a controlled substance analog thereof.

(b) It shall be unlawful for any person to possess any of the following controlled substances or controlled substance analogs thereof:

(1) Any depressant designated in ~~subsection (c) of~~ K.S.A. 65-4105(e), ~~subsection (e) of~~ K.S.A. 65-4107(e), ~~subsection (b) or (c) of~~ K.S.A. 65-4109(b) or (c) or ~~subsection (b) of~~ K.S.A. 65-4111(b), and amendments thereto;

(2) any stimulant designated in ~~subsection (f) of~~ K.S.A. 65-4105(f), ~~subsection (d)(2), (d)(4), (d)(5) or (f)(2) of~~ K.S.A. 65-4107(d)(2), (d)(4), (d)(5) or (f)(2) or ~~subsection (e) of~~ K.S.A. 65-4109(e), and amendments thereto;

(3) any hallucinogenic drug designated in ~~subsection (d) of~~ K.S.A. 65-4105(d), ~~subsection (g) of~~ K.S.A. 65-4107(g) or ~~subsection (g) of~~ K.S.A. 65-4109(g), and amendments thereto;

(4) any substance designated in ~~subsection (g) of~~ K.S.A. 65-4105(g) and ~~subsection (c), (d), (e), (f) or (g) of~~ K.S.A. 65-4111(c), (d), (e), (f) or (g), and amendments thereto;

(5) any anabolic steroids as defined in ~~subsection (f) of~~ K.S.A. 65-4109(f), and amendments thereto;

(6) any substance designated in K.S.A. 65-4113, and amendments thereto; or

(7) any substance designated in ~~subsection (h) of~~ K.S.A. 65-4105(h), and amendments thereto.

(c) (1) Violation of subsection (a) is a drug severity level 5 felony~~; and~~.

(2) Except as provided in subsection (c)(3):

(A) Violation of subsection (b) is a class A nonperson misdemeanor, except as provided in subsection (c)(2)(B); and

(B) violation of subsection (b)(1) through (b)(5) or (b)(7) is a drug severity level 5 felony if that person has a prior conviction under such subsection, under K.S.A. 65-4162, prior to its repeal, under a substantially similar offense from another jurisdiction, or under any city ordinance or county resolution for a substantially similar offense if the substance involved was 3, 4-methylenedioxymethamphetamine (MDMA), marijuana as designated in ~~subsection (d) of~~ K.S.A. 65-4105(d), and amendments thereto, or any substance designated in ~~subsection (h) of~~ K.S.A. 65-4105(h), and amendments thereto, or an analog thereof.

(3) If the substance involved is marijuana, as designated in K.S.A. 65-4105(d), and amendments thereto, violation of subsection (b) is a:

(A) Class B nonperson misdemeanor, except as provided in (c)(3)(B) and (c)(3)(C);

(B) class A nonperson misdemeanor if that person has a prior conviction under such subsection, under K.S.A. 65-4162, prior to its repeal, under a substantially similar offense from another jurisdiction, or under any city ordinance or county resolution for a substantially similar offense; and

(C) drug severity level 5 felony if that person has two or more prior convictions under such subsection, under K.S.A. 65-4162, prior to its repeal, under a substantially similar offense from another jurisdiction, or under any city ordinance or county resolution for a substantially similar offense.

(d) It shall not be a defense to charges arising under this section that the defendant was acting in an agency relationship on behalf of any other party in a transaction involving a controlled substance or controlled substance analog.";

Also on page 1, in line 25, by striking "$1,250" and inserting "$1,500"; in line 29, by striking "$1,250" and inserting "$1,500"; in line 31, by striking "$1,250" and inserting "$1,500";

On page 2, in line 3, by striking "$1,250" and inserting "$1,500"; following line 18, by inserting:

"Sec. 3. K.S.A. 2015 Supp. 21-5807 is hereby amended to read as follows: 21-5807. (a) Burglary is, without authority, entering into or remaining within any:

(1) Dwelling, with intent to commit a felony, theft or sexually motivated crime therein;

(2) building, manufactured home, mobile home, tent or other structure which is not a dwelling, with intent to commit a felony, theft or sexually motivated crime therein; or

(3) vehicle, aircraft, watercraft, railroad car or other means of conveyance of persons or property, with intent to commit a felony, theft or sexually motivated crime therein.

(b) Aggravated burglary is, without authority, entering into or remaining within any:

(1) Dwelling in which there is a human being, with intent to commit a felony, theft or sexually motivated crime therein;

(2) building, manufactured home, mobile home, tent or other structure which is not a dwelling in which there is a human being, with intent to commit a felony, theft or sexually motivated crime therein; or

(3) ~~any~~ vehicle, aircraft, watercraft, railroad car or other means of conveyance of persons or property in which there is a human being with intent to commit a felony, theft or sexually motivated crime therein.

(c) (1) Burglary as defined in:

~~(A) Subsection (a)(1) is a severity level 7, person felony, except as provided in subsection (c)(2);~~

~~(B) subsection (a)(2) is a severity level 7, nonperson felony, except as provided in subsection (c)(2);~~

~~(C) subsection (a)(3) is a severity level 9, nonperson felony, except as provided in subsection (c)(2); and~~

~~(2) subsection (a)(1), (a)(2) or (a)(3) with the intent to commit the theft of a firearm is a severity level 5, nonperson felony.~~

(A) (i) Subsection (a)(1) or (a)(2) is a severity level 7, nonperson felony, except as provided in subsection (c)(1)(B); and

(ii) subsection (a)(3) is a severity level 9, nonperson felony, except as provided in subsection (c)(1)(B); and

(B) (i) subsection (a)(1), with intent to commit the theft of a firearm, is a severity level 5, person felony; and

(ii) subsection (a)(2) or (a)(3), with intent to commit the theft of a firearm, is a severity level 5, nonperson felony.

~~(3)~~ (2) Aggravated burglary as defined in:

(A) Subsection (b)(1) is a severity level 4, person felony; and

(B) subsection (b)(2) or (b)(3) is a severity level 5, person felony.

(d) As used in this section, "sexually motivated" means that one of the purposes for which the defendant committed the crime was for the purpose of the defendant's sexual gratification.

(e) This section shall not apply to any person entering into or remaining in a retail or commercial premises at any time that it is open to the public after having received a personal communication from the owner or manager of such premises not to enter such premises pursuant to K.S.A. 2015 Supp. 21-5808, and amendments thereto, except when such person is entering into or remaining in such premises with the intent to commit a person felony or sexually motivated crime therein.

Sec. 4. K.S.A. 2015 Supp. 21-6804 is hereby amended to read as follows: 21-6804. (a) The provisions of this section shall be applicable to the sentencing guidelines grid for nondrug crimes. The following sentencing guidelines grid shall be applicable to nondrug felony crimes:

SENTENCING RANGE - NONDRUG OFFENSES

Category →	A	B	C	D	E	F	G	H	I
Severity Level ↓	3 + Person Felonies	2 Person Felonies	1 Person & 1 Nonperson Felonies	1 Person Felony	3 + Nonperson Felonies	2 Nonperson Felonies	1 Nonperson Felony	2 + Misdemeanors	1 Misdemeanor No Record
I	653 620 592	618 586 554	285 272 258	267 253 240	246 234 221	226 214 203	203 195 184	186 176 166	165 155 147
II	493 467 442	460 438 416	216 205 194	200 190 181	184 174 165	168 160 152	154 146 138	138 131 123	123 117 109
III	247 233 221	228 216 206	107 102 96	100 94 89	92 88 82	83 79 74	77 72 68	71 66 61	61 59 55
IV	172 162 154	162 154 144	75 71 68	69 66 62	64 60 57	59 56 52	52 50 47	48 45 42	43 41 38
V	136 130 122	128 120 114	60 57 53	55 52 50	51 49 46	47 44 41	43 41 38	38 36 34	34 32 31
VI	46 43 40	41 39 37	38 36 34	36 34 32	32 30 28	29 27 25	26 24 22	21 20 19	19 18 17
VII	34 32 30	31 29 27	29 27 25	26 24 22	23 21 19	19 18 17	17 16 15	14 13 12	13 12 11
VIII	23 21 19	20 19 18	19 18 17	17 16 15	15 14 13	13 12 11	11 10 9	11 10 9	9 8 7
IX	17 16 15	15 14 13	13 12 11	13 12 11	11 10 9	10 9 8	9 8 7	8 7 6	7 6 5
X	13 12 11	12 11 10	11 10 9	10 9 8	9 8 7	8 7 6	7 6 5	7 6 5	7 6 5

LEGEND
Presumptive Probation
Border Box
Presumptive Imprisonment

(b) Sentences expressed in the sentencing guidelines grid for nondrug crimes represent months of imprisonment.

(c) The sentencing guidelines grid is a two-dimensional crime severity and criminal history classification tool. The grid's vertical axis is the crime severity scale which classifies current crimes of conviction. The grid's horizontal axis is the criminal history scale which classifies criminal histories.

(d) The sentencing guidelines grid for nondrug crimes as provided in this section defines presumptive punishments for felony convictions, subject to the sentencing court's discretion to enter a departure sentence. The appropriate punishment for a felony conviction should depend on the severity of the crime of conviction when compared to all other crimes and the offender's criminal history.

(e) (1) The sentencing court has discretion to sentence at any place within the sentencing range. In the usual case it is recommended that the sentencing judge select the center of the range and reserve the upper and lower limits for aggravating and mitigating factors insufficient to warrant a departure.

(2) In presumptive imprisonment cases, the sentencing court shall pronounce the complete sentence which shall include the:

(A) Prison sentence;

(B) maximum potential reduction to such sentence as a result of good time; and

(C) period of postrelease supervision at the sentencing hearing. Failure to pronounce the period of postrelease supervision shall not negate the existence of such period of postrelease supervision.

(3) In presumptive nonprison cases, the sentencing court shall pronounce the:

(A) Prison sentence; and

(B) duration of the nonprison sanction at the sentencing hearing.

(f) Each grid block states the presumptive sentencing range for an offender whose crime of conviction and criminal history place such offender in that grid block. If an offense is classified in a grid block below the dispositional line, the presumptive disposition shall be nonimprisonment. If an offense is classified in a grid block above the dispositional line, the presumptive disposition shall be imprisonment. If an offense is classified in grid blocks 5-H, 5-I or 6-G, the court may impose an optional nonprison sentence as provided in subsection (q).

(g) The sentence for a violation of K.S.A. 21-3415, prior to its repeal, aggravated battery against a law enforcement officer committed prior to July 1, 2006, or a violation of K.S.A. 2015 Supp. 21-5412(d), and amendments thereto, aggravated assault against a law enforcement officer, which places the defendant's sentence in grid block 6-H or 6-I shall be presumed imprisonment. The court may impose an optional nonprison sentence as provided in subsection (q).

(h) When a firearm is used to commit any person felony, the offender's sentence shall be presumed imprisonment. The court may impose an optional nonprison sentence as provided in subsection (q).

(i) (1) The sentence for the violation of the felony provision of K.S.A. 2015 Supp. 8-1025, K.S.A. 8-2,144, K.S.A. 8-1567, K.S.A. 2015 Supp. 21-5414(b)(3), K.S.A. 2015 Supp. 21-5823(b)(3) and (b)(4), K.S.A. 2015 Supp. 21-6412 and K.S.A. 2015 Supp. 21-6416, and amendments thereto, shall be as provided by the specific mandatory sentencing requirements of that section and shall not be subject to the provisions of this section or K.S.A. 2015 Supp. 21-6807, and amendments thereto.

(2) If because of the offender's criminal history classification the offender is subject to presumptive imprisonment or if the judge departs from a presumptive probation sentence and the offender is subject to imprisonment, the provisions of this section and K.S.A. 2015 Supp. 21-6807, and amendments thereto, shall apply and the offender shall not be subject to the mandatory sentence as provided in K.S.A. 2015 Supp. 21-5823, and amendments thereto.

(3) Notwithstanding the provisions of any other section, the term of imprisonment imposed for the violation of the felony provision of K.S.A. 2015 Supp. 8-1025, K.S.A. 8-2,144, K.S.A. 8-1567, K.S.A. 2015 Supp. 21-5414(b)(3), K.S.A. 2015 Supp. 21-5823(b)(3) and (b)(4), K.S.A. 2015 Supp. 21-6412 and K.S.A. 2015 Supp. 21-6416, and amendments thereto, shall not be served in a state facility in the custody of the secretary of corrections, except that the term of imprisonment for felony violations of K.S.A. 2015 Supp. 8-1025 or K.S.A. 8-2,144 or K.S.A. 8-1567, and amendments thereto, may be served in a state correctional facility designated by the secretary of corrections if the secretary determines that substance abuse treatment resources and facility capacity is available. The secretary's determination regarding the availability of treatment resources and facility capacity shall not be subject to review. Prior to imposing any sentence pursuant to this subsection, the court may consider assigning the defendant to a house arrest program pursuant to K.S.A. 2015 Supp. 21-6609, and amendments thereto.

(j) (1) The sentence for any persistent sex offender whose current convicted crime carries a presumptive term of imprisonment shall be double the maximum duration of the presumptive imprisonment term. The sentence for any persistent sex offender whose current conviction carries a presumptive nonprison term shall be presumed imprisonment and shall be double the maximum duration of the presumptive imprisonment term.

(2) Except as otherwise provided in this subsection, as used in this subsection, "persistent sex offender" means a person who:

(A) (i) Has been convicted in this state of a sexually violent crime, as defined in K.S.A. 22-3717, and amendments thereto; and

(ii) at the time of the conviction under subsection (j)(2)(A)(i) has at least one conviction for a sexually violent crime, as defined in K.S.A. 22-3717, and amendments thereto, in this state or comparable felony under the laws of another state, the federal government or a foreign government; or

(B) (i) has been convicted of rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2015 Supp. 21-5503, and amendments thereto; and

(ii) at the time of the conviction under subsection (j)(2)(B)(i) has at least one conviction for rape in this state or comparable felony under the laws of another state, the federal government or a foreign government.

(3) Except as provided in subsection (j)(2)(B), the provisions of this subsection shall not apply to any person whose current convicted crime is a severity level 1 or 2 felony.

(k) (1) If it is shown at sentencing that the offender committed any felony violation for the benefit of, at the direction of, or in association with any criminal street gang, with the specific intent to promote, further or assist in any criminal conduct by gang members, the offender's sentence shall be presumed imprisonment. The court may impose an optional nonprison sentence as provided in subsection (q).

(2) As used in this subsection, "criminal street gang" means any organization,

association or group of three or more persons, whether formal or informal, having as one of its primary activities:

(A) The commission of one or more person felonies; or

(B) the commission of felony violations of article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, or any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009; and

(C) its members have a common name or common identifying sign or symbol; and

(D) its members, individually or collectively, engage in or have engaged in the commission, attempted commission, conspiracy to commit or solicitation of two or more person felonies or felony violations of article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009, or any substantially similar offense from another jurisdiction.

(l) Except as provided in subsection (o), the sentence for a violation of K.S.A. 2015 Supp. 21-5807(a)(1), and amendments thereto, or any attempt or conspiracy, as defined in K.S.A. 2015 Supp. 21-5301 and 21-5302, and amendments thereto, to commit such offense, when such person being sentenced has a prior conviction for a violation of K.S.A. 21-3715(a) or (b), prior to its repeal, 21-3716, prior to its repeal, K.S.A. 2015 Supp. 21-5807(a)(1) or (a)(2), or K.S.A. 2015 Supp. 21-5807(b), and amendments thereto, or any attempt or conspiracy to commit such offense, shall be presumptive imprisonment.

(m) The sentence for a violation of K.S.A. 22-4903 or K.S.A. 2015 Supp. 21-5913(a)(2), and amendments thereto, shall be presumptive imprisonment. If an offense under such sections is classified in grid blocks 5-E, 5-F, 5-G, 5-H or 5-I, the court may impose an optional nonprison sentence as provided in subsection (q).

(n) The sentence for a violation of criminal deprivation of property, as defined in K.S.A. 2015 Supp. 21-5803, and amendments thereto, when such property is a motor vehicle, and when such person being sentenced has any combination of two or more prior convictions of K.S.A. 21-3705(b), prior to its repeal, or of criminal deprivation of property, as defined in K.S.A. 2015 Supp. 21-5803, and amendments thereto, when such property is a motor vehicle, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(o) The sentence for a felony violation of theft of property as defined in K.S.A. 2015 Supp. 21-5801, and amendments thereto, or burglary as defined in K.S.A. 2015 Supp. 21-5807(a), and amendments thereto, when such person being sentenced has no prior convictions for a violation of K.S.A. 21-3701 or 21-3715, prior to their repeal, or theft of property as defined in K.S.A. 2015 Supp. 21-5801, and amendments thereto, or burglary as defined in K.S.A. 2015 Supp. 21-5807(a), and amendments thereto; or the sentence for a felony violation of theft of property as defined in K.S.A. 2015 Supp. 21-5801, and amendments thereto, when such person being sentenced has one or two prior felony convictions for a violation of K.S.A. 21-3701, 21-3715 or 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2015 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2015 Supp. 21-5807, and amendments thereto; or the sentence for a felony violation of burglary as defined in K.S.A. 2015 Supp. 21-5807(a), and amendments thereto, when such person being

sentenced has one prior felony conviction for a violation of K.S.A. 21-3701, 21-3715 or 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2015 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2015 Supp. 21-5807, and amendments thereto, shall be the sentence as provided by this section, except that the court may order an optional nonprison sentence for a defendant to participate in a drug treatment program, including, but not limited to, an approved after-care plan, if the court makes the following findings on the record:

(1) Substance abuse was an underlying factor in the commission of the crime;

(2) substance abuse treatment in the community is likely to be more effective than a prison term in reducing the risk of offender recidivism; and

(3) participation in an intensive substance abuse treatment program will serve community safety interests.

A defendant sentenced to an optional nonprison sentence under this subsection shall be supervised by community correctional services. The provisions of K.S.A. 2015 Supp. 21-6824(f)(1), and amendments thereto, shall apply to a defendant sentenced under this subsection. The sentence under this subsection shall not be considered a departure and shall not be subject to appeal.

(p) The sentence for a felony violation of theft of property as defined in K.S.A. 2015 Supp. 21-5801, and amendments thereto, when such person being sentenced has any combination of three or more prior felony convictions for violations of K.S.A. 21-3701, 21-3715 or 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2015 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2015 Supp. 21-5807, and amendments thereto; or the sentence for a violation of burglary as defined in K.S.A. 2015 Supp. 21-5807(a), and amendments thereto, when such person being sentenced has any combination of two or more prior convictions for violations of K.S.A. 21-3701, 21-3715 and 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2015 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2015 Supp. 21-5807, and amendments thereto, shall be presumed imprisonment and the defendant shall be sentenced to prison as provided by this section, except that the court may recommend that an offender be placed in the custody of the secretary of corrections, in a facility designated by the secretary to participate in an intensive substance abuse treatment program, upon making the following findings on the record:

(1) Substance abuse was an underlying factor in the commission of the crime;

(2) substance abuse treatment with a possibility of an early release from imprisonment is likely to be more effective than a prison term in reducing the risk of offender recidivism; and

(3) participation in an intensive substance abuse treatment program with the possibility of an early release from imprisonment will serve community safety interests by promoting offender reformation.

The intensive substance abuse treatment program shall be determined by the secretary of corrections, but shall be for a period of at least four months. Upon the successful completion of such intensive treatment program, the offender shall be returned to the court and the court may modify the sentence by directing that a less severe penalty be imposed in lieu of that originally adjudged within statutory limits. If the offender's term of imprisonment expires, the offender shall be placed under the applicable period of postrelease supervision. The sentence under this subsection shall

not be considered a departure and shall not be subject to appeal.

(q) As used in this section, an "optional nonprison sentence" is a sentence which the court may impose, in lieu of the presumptive sentence, upon making the following findings on the record:

(1) An appropriate treatment program exists which is likely to be more effective than the presumptive prison term in reducing the risk of offender recidivism; and

(2) the recommended treatment program is available and the offender can be admitted to such program within a reasonable period of time; or

(3) the nonprison sanction will serve community safety interests by promoting offender reformation.

Any decision made by the court regarding the imposition of an optional nonprison sentence shall not be considered a departure and shall not be subject to appeal.

(r) The sentence for a violation of K.S.A. 2015 Supp. 21-5413(c)(2), and amendments thereto, shall be presumptive imprisonment and shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.

(s) The sentence for a violation of K.S.A. 2015 Supp. 21-5512, and amendments thereto, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(t) (1) If the trier of fact makes a finding that an offender wore or used ballistic resistant material in the commission of, or attempt to commit, or flight from any felony, in addition to the sentence imposed pursuant to the Kansas sentencing guidelines act, the offender shall be sentenced to an additional 30 months' imprisonment.

(2) The sentence imposed pursuant to subsection (t)(1) shall be presumptive imprisonment and shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.

(3) As used in this subsection, "ballistic resistant material" means: (A) Any commercially produced material designed with the purpose of providing ballistic and trauma protection, including, but not limited to, bulletproof vests and kevlar vests; and (B) any homemade or fabricated substance or item designed with the purpose of providing ballistic and trauma protection.

(u) The sentence for a violation of K.S.A. 2015 Supp. 21-6107, and amendments thereto, or any attempt or conspiracy, as defined in K.S.A. 2015 Supp. 21-5301 and 21-5302, and amendments thereto, to commit such offense, when such person being sentenced has a prior conviction for a violation of K.S.A. 21-4018, prior to its repeal, or K.S.A. 2015 Supp. 21-6107, and amendments thereto, or any attempt or conspiracy to commit such offense, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(v) The sentence for a third or subsequent violation of K.S.A. 8-1568, and amendments thereto, shall be presumptive imprisonment and shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.

(w) The sentence for aggravated criminal damage to property as defined in K.S.A. 2015 Supp. 21-5813(b), and amendments thereto, when such person being sentenced has a prior conviction for any nonperson felony shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(x) The sentence for a violation of K.S.A. 2015 Supp. 21-5807(a)(1), and amendments thereto, shall be presumptive imprisonment if the offense under such paragraph is classified in grid blocks 7-C, 7-D or 7-E. Such sentence shall not be considered a departure and shall not be subject to appeal.";

Also on page 2, in line 19, after "Supp." by inserting "21-5706,"; also in line 19, by striking "is" and inserting ", 21-5807 and 21-6804 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "to" by inserting "possession of controlled substances;"; also in line 2, after the semicolon by inserting "burglary;"; also in line 2, after "Supp." by inserting "21-5706,"; also in line 2, after "21-5801" by inserting ", 21-5807 and 21-6804"; in line 3, by striking "section" and inserting "sections";

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

Greg Smith
Forrest J. Knox
Pat Pettey
Conferees on part of Senate

Ramon C. Gonzalez
Blaine Finch
Dennis "Boog" Highberger
Conferees on part of House

On motion of Rep. Gonzalez, the conference committee report on **HB 2462** was adopted.

On roll call, the vote was: Yeas 96; Nays 23; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Curtis, E. Davis, Dierks, Doll, Dove, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Grosserode, Hawkins, Helgerson, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Barton, Corbet, DeGraaf, Edmonds, Esau, Garber, Hedke, Hemsley, K. Jones, Kahrs, Kelley, Kiegerl, Macheers, Mason, Peck, R. Powell, Read, Rhoades, Scapa, Schroeder, Thimesch, Weber, C., Whitmer.

Present but not voting: None.

Absent or not voting: Alcala, Goico, Hill, Ruiz, Victors, K. Williams.

EXPLANATION OF VOTE

MR. SPEAKER: The legislative process sometimes leads to the bundling of multiple bills together such that a legislator must vote for a single report containing more than one bill. Such is the case with **HB 2462**. I am opposed to weakening penalties on drug offenders but feel strongly that increasing penalties on those who would violate the sanctity of another's home, their right to privacy and their peace of mind through the act of burglary should be punished severely. Therefore, I vote yes on this report to increase public safety, increase penalties against burglars and protect my fellow citizens. – BLAINE FINCH

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Ryckman, the House nonconcurred in Senate amendments to **HB 2662** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Ryckman, Schwartz and Henry as conferees on the part of the House.

On motion of Rep. Ryckman, the House nonconcurred in Senate amendments to **HB 2739** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Ryckman, Schwartz and Henry as conferees on the part of the House.

CHANGE OF CONFEREES

Speaker Merrick announced the appointment of Reps. Ryckman, Schwartz and Henry as members of the conference committee on **S Sub for HB 2441** to replace Reps. Highland, Lunn and Winn.

Also, the appointment of Reps. Schwartz, Boldra and Wilson as members of the conference committee on **SB 388** to replace Reps. Highland, Lunn and Winn.

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

LATE AFTERNOON SESSION

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

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **HB 2460**, and has appointed Senators Smith, Knox and Pettey as second conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **H Sub for SB 63, HB 2164, HB 2460**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2615** 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 10, following line 38, by inserting:

"(j) "Community mental health center" means any community mental health center organized pursuant to K.S.A. 19-4001 through 19-4015, and amendments thereto, or a mental health clinic organized pursuant to K.S.A. 65-211 through 65-215, and amendments thereto, and licensed in accordance with K.S.A. 75-3307b, and amendments thereto.";

On page 11, following line 29, by inserting:

"Sec. 5. K.S.A. 75-6115 is hereby amended to read as follows: 75-6115. (a) The Kansas tort claims act shall not be applicable to claims arising from the rendering of or failure to render professional services by a health care provider other than:

(1) A charitable health care provider;

(2) a hospital owned by a municipality and the employees thereof;

(3) a local health department and the employees thereof;

(4) an indigent health care clinic and the employees thereof; ~~or~~

(5) a district coroner or deputy district coroner appointed pursuant to K.S.A. 22a-226, and amendments thereto; or

(6) a community mental health center and the employees thereof.

(b) Claims for damages against a health care provider that is a governmental entity or an employee of a governmental entity other than those health care providers enumerated in subsection (a), arising out of the rendering of or failure to render professional services by such health care provider, may be recovered in the same manner as claims for damages against any other health care provider.

(c) As used in this section:

(1) "Indigent health care clinic" shall have the meaning ascribed to such term under K.S.A. 75-6102, and amendments thereto.

(2) "Charitable health care provider" shall have the meaning ascribed to such term under K.S.A. 75-6102, and amendments thereto.

(3) "Health care provider" shall have the meaning ascribed to such term under K.S.A. 40-3401, and amendments thereto.

(4) "Hospital" means a medical care facility as defined in K.S.A. 65-425, and amendments thereto, and includes within its meaning any clinic, school of nursing, long-term care facility, child-care facility and emergency medical or ambulance service operated in connection with the operation of the medical care facility.

(5) "Local health department" shall have the meaning ascribed to such term under K.S.A. 65-241, and amendments thereto.

New Sec. 6. Sections 6 through 29, and amendments thereto, shall be known and may be cited as the acupuncture practice act.

New Sec. 7. As used in the acupuncture practice act:

(a) "ACAOM" means the national accrediting agency recognized by the U.S. department of education that provides accreditation for educational programs for

acupuncture and oriental medicine. For purposes of the acupuncture practice act, the term ACAOM shall also include any entity deemed by the board to be the equivalent of ACAOM.

(b) "Act" means the acupuncture practice act.

(c) "Acupuncture" means the use of needles inserted into the human body by piercing of the skin and related modalities for the assessment, evaluation, prevention, treatment or correction of any abnormal physiology or pain by means of controlling and regulating the flow and balance of energy in the body and stimulating the body to restore itself to its proper functioning and state of health.

(d) "Board" means the state board of healing arts.

(e) "Council" means the acupuncture advisory council established by section 18, and amendments thereto.

(f) "Licensed acupuncturist" means any person licensed to practice acupuncture under the acupuncture practice act.

(g) "NCCAOM" means the national certification commission for acupuncture and oriental medicine. NCCAOM is a national organization that validates entry-level competency in the practice of acupuncture and oriental medicine through the administration of professional certification examinations. For purposes of the acupuncture practice act, the term NCCAOM shall also include any entity deemed by the board to be the equivalent of the NCCAOM.

(h) "Physician" means a person licensed to practice medicine and surgery or osteopathy in Kansas.

(i) "Practice of acupuncture" includes, but is not limited to:

(1) Techniques sometimes called "dry needling," "trigger point therapy," "intramuscular therapy," "auricular detox treatment" and similar terms;

(2) mechanical, thermal, pressure, suction, friction, electrical, magnetic, light, sound, vibration, manual and electromagnetic treatment;

(3) the use, application or recommendation of therapeutic exercises, breathing techniques, meditation and dietary and nutritional counselings; and

(4) the use and recommendation of herbal products and nutritional supplements, according to the acupuncturist's level of training and certification by the NCCAOM or its equivalent.

(j) "Practice of acupuncture" does not include:

(1) Prescribing, dispensing or administering of any controlled substances as defined in K.S.A. 65-4101 et seq., and amendments thereto, or any prescription-only drugs;

(2) the practice of medicine and surgery, including obstetrics and the use of lasers or ionizing radiation;

(3) the practice of osteopathic medicine and surgery or osteopathic manipulative treatment;

(4) the practice of chiropractic;

(5) the practice of dentistry; or

(6) the practice of podiatry.

New Sec. 8. (a) On and after July 1, 2017, except as otherwise provided in this act, no person shall practice acupuncture unless such person possesses a current and valid acupuncture license issued under this act.

(b) (1) No person shall depict oneself orally or in writing, expressly or by

implication, as a holder of a license who does not hold a current license under this act.

(2) Only persons licensed under this act shall be entitled to use the title "licensed acupuncturist" or the designated letters "L.Ac."

(3) Nothing in this section shall be construed to prohibit an acupuncturist licensed under this act from listing or using in conjunction with their name any letters, words, abbreviations or other insignia to denote any educational degrees, certifications or credentials which such licensed acupuncturist has earned.

(4) Violation of this section shall constitute a class B misdemeanor.

New Sec. 9. Needles used in the practice of acupuncture shall only be prepackaged, single-use and sterile. These needles shall only be used on an individual patient in a single treatment session.

New Sec. 10. (a) The following shall be exempt from the requirements for an acupuncture license pursuant to this act:

(1) Any person licensed in this state to practice medicine and surgery, osteopathy, dentistry or podiatry, a licensed chiropractor or a licensed naturopathic doctor, if the person confines the person's acts or practice to the scope of practice authorized by their health professional licensing laws and does not represent to the public that the person is licensed under this act;

(2) any herbalist or herbal retailer who does not hold oneself out to be a licensed acupuncturist;

(3) any health care provider in the United States armed forces, federal facilities and other military service when acting in the line of duty in this state;

(4) any student, trainee or visiting teacher of acupuncture, oriental medicine or herbology who is designated as a student, trainee or visiting teacher while participating in a course of study or training under the supervision of a licensed acupuncturist licensed under this act in a program that the council has approved. This includes continuing education programs and any acupuncture or herbology programs that are a recognized route by the NCCAOM, or its equivalent, to certification;

(5) any person rendering assistance in the case of an emergency or disaster relief;

(6) any person practicing self-care or any family member providing gratuitous care, so long as such person or family member does not represent or hold oneself out to the public to be an acupuncturist;

(7) any person who massages, so long as such person does not practice acupuncture or hold oneself out to be a licensed acupuncturist;

(8) any person whose professional services are performed pursuant to delegation by and under the supervision of a practitioner licensed under this act;

(9) any team acupuncturist or herbology practitioner, who is traveling with and treating those associated with an out-of-state or national team that is temporarily in the state for training or competition purposes; and

(10) any person licensed as a physical therapist when performing dry needling, trigger point therapy or services specifically authorized in accordance with the provisions of the physical therapy practice act.

(b) This section shall take effect on and after July 1, 2017.

New Sec. 11. An applicant for licensure as an acupuncturist shall file an application, on forms provided by the board, showing to the satisfaction of the board that the applicant:

(a) Is at least 21 years of age;

(b) has successfully completed secondary schooling or its equivalent;

(c) has satisfactorily completed a course of study involving acupuncture from an accredited school of acupuncture which the board shall determine to have educational standards substantially equivalent to the minimum educational standards for acupuncture colleges as established by the ACAOM or NCCAOM;

(d) has satisfactorily passed a license examination approved by the board;

(e) has the reasonable ability to communicate in English; and

(f) has paid all fees required for licensure pursuant to section 16, and amendments thereto.

New Sec. 12. (a) The board, without examination, may issue a license to a person who has been in the active practice of acupuncture in some other state, territory, the District of Columbia or other country upon certification by the proper licensing authority of that state, territory, District of Columbia or other country certifying that the applicant is duly licensed, that the applicant's license has never been limited, suspended or revoked, that the licensee has never been censured or received other disciplinary actions and that, so far as the records of such authority are concerned, the applicant is entitled to such licensing authority's endorsement. The applicant shall also present proof satisfactory to the board:

(1) That the state, territory, District of Columbia or country in which the applicant last practiced has and maintains standards at least equal to those maintained in Kansas;

(2) that the applicant's original license was based upon an examination at least equal in quality to the examination required in this state and that the passing grade required to obtain such original license was comparable to that required in this state;

(3) the date of the applicant's original license and all endorsed licenses and the date and place from which any license was attained;

(4) the applicant has been actively engaged in practice under such license or licenses since issued. The board may adopt rules and regulations establishing qualitative and quantitative practice activities which qualify as active practice;

(5) that the applicant has a reasonable ability to communicate in English; and

(6) that the applicant has paid all the application fees as prescribed by section 16, and amendments thereto.

(b) An applicant for a license by endorsement shall not be licensed unless, as determined by the board, the applicant's individual qualifications are substantially equivalent to the Kansas requirements for licensure under the acupuncture practice act.

New Sec. 13. The board shall waive the education and examination requirements for an applicant who submits an application on or before January 1, 2018, and who, on or before July 1, 2017:

(a) Is 21 years of age or older;

(b) has successfully completed secondary schooling or its equivalent;

(c) (1) (A) has completed a minimum of 1,350 hours of study, excluding online study in the field of acupuncture; and

(B) has been engaged in the practice of acupuncture with a minimum of 1,500 patient visits during a period of at least three of the five years immediately preceding July 1, 2017, as evidenced by two affidavits from office partners, clinic supervisors or other individuals approved by the board, who have personal knowledge of the years of practice and number of patients visiting the applicant for acupuncture. The board may adopt rules and regulations for further verification of the applicant's practice of

acupuncture; or

(2) has satisfactorily passed a license examination approved by the board;

(d) has a reasonable ability to communicate in English; and

(e) has paid all fees required for licensure as prescribed by section 16, and amendments thereto.

New Sec. 14. (a) The license shall be canceled on March 31 of each year unless renewed in the manner prescribed by the board. In each case in which a license is renewed for a period of time of less than 12 months, the board may prorate the amount of the fee established under section 16, and amendments thereto. The request for renewal shall be on a form provided by the board and shall be accompanied by the prescribed fee, which shall be paid not later than the renewal date of the license.

(b) There is hereby created a designation of an active license. The board is authorized to issue an active license to any licensee who makes written application for such license on a form provided by the board and remits the fee established pursuant to section 16, and amendments thereto. The board shall require every active licensee to submit evidence of satisfactory completion of a program of continuing education required by the board. The requirements for continuing education for licensed acupuncturists shall be established by rules and regulations adopted by the board.

(c) The board, prior to renewal of a license, shall require an active licensee to submit to the board evidence satisfactory to the board that the licensee is maintaining a policy of professional liability insurance. The board shall fix by rules and regulations the minimum level of coverage for such professional liability insurance.

(d) At least 30 days before the renewal date of a licensee's license, the board shall notify the licensee of the renewal date by mail addressed to the licensee's last known mailing address. If the licensee fails to submit the renewal application and pay the renewal fee by the renewal date of the license, the licensee shall be given notice that the licensee has failed to submit the renewal application and pay the renewal fee by the renewal date of the license, that the license will be deemed canceled if not renewed within 30 days following the renewal date, that upon receipt of the renewal application and renewal fee and an additional late fee established by rules and regulations not to exceed $500 within the 30-day period, the license will not be canceled and that, if both fees are not received within the 30-day period, the license shall be deemed canceled by operation of law and without further proceedings.

(e) Any license canceled for failure to renew may be reinstated within two years of cancellation upon recommendation of the board and upon payment of the renewal fees then due and upon proof of compliance with the continuing education requirements established by the board by rules and regulations. Any person who has not been in the active practice of acupuncture for which reinstatement is sought or who has not been engaged in a formal educational program during the two years preceding the application for reinstatement may be required to complete such additional testing, training or education as the board may deem necessary to establish the licensee's present ability to practice with reasonable skill and safety.

(f) There is hereby created a designation of an exempt license. The board is authorized to issue an exempt license to any licensee who makes written application for such license on a form provided by the board and remits the fee established pursuant to section 16, and amendments thereto. The board may issue an exempt license to a person who is not regularly engaged in the practice of acupuncture in Kansas and who does not

hold oneself out to the public as being professionally engaged in such practice. An exempt license shall entitle the holder to all privileges attendant to the practice of acupuncture for which such license is issued. Each exempt license may be renewed subject to the provisions of this section. Each exempt licensee shall be subject to all provisions of the acupuncture practice act, except as otherwise provided in this subsection. The holder of an exempt license may be required to submit evidence of satisfactory completion of a program of continuing education required by this section. The requirements for continuing education for exempt licensees shall be established by rules and regulations adopted by the board. Each exempt licensee may apply for an active license to regularly engage in the practice of acupuncture upon filing a written application with the board. The request shall be on a form provided by the board and shall be accompanied by the license fee established pursuant to section 16, and amendments thereto. For the licensee whose license has been exempt for less than two years, the board shall adopt rules and regulations establishing appropriate continuing education requirements for exempt licensees to become licensed to regularly practice acupuncture within Kansas. Any licensee whose license has been exempt for more than two years and who has not been in the active practice of acupuncture since the license has been exempt may be required to complete such additional testing, training or education as the board may deem necessary to establish the licensee's present ability to practice with reasonable skill and safety. Nothing in this subsection shall be construed to prohibit a person holding an exempt license from serving as a paid employee of: (1) A local health department as defined by K.S.A. 65-241, and amendments thereto; or (2) an indigent health care clinic as defined by K.S.A. 75-6102, and amendments thereto.

(g) There is hereby created the designation of inactive license. The board is authorized to issue an inactive license to any licensee who makes written application for such license on a form provided by the board and remits the fee established pursuant to section 16, and amendments thereto. The board may issue an inactive license only to a person who is not regularly engaged in the practice of acupuncture in Kansas and who does not hold oneself out to the public as being professionally engaged in such practice. An inactive license shall not entitle the holder to practice acupuncture in this state. Each inactive license may be renewed subject to the provisions of this section. Each inactive licensee shall be subject to all provisions of the acupuncture practice act, except as otherwise provided in this subsection. The holder of an inactive license shall not be required to submit evidence of satisfactory completion of a program of continuing education required by subsection (b). Each inactive licensee may apply for an active license upon filing a written application with the board. The request shall be on a form provided by the board and shall be accompanied by the license fee established pursuant to section 16, and amendments thereto. For those licensees whose licenses have been inactive for less than two years, the board shall adopt rules and regulations establishing appropriate continuing education requirements for inactive licensees to become licensed to regularly practice acupuncture within Kansas. Any licensee whose license has been inactive for more than two years and who has not been in the active practice of acupuncture or engaged in a formal education program since the license has been inactive may be required to complete such additional testing, training or education as the board may deem necessary to establish the licensee's present ability to practice with reasonable skill and safety.

(h) This section shall take effect on and after July 1, 2017.

New Sec. 15. A person whose license has been revoked may apply for reinstatement after the expiration of three years from the effective date of the revocation. Application for reinstatement shall be on a form provided by the board and shall be accompanied by the fee established by the board in accordance with section 16, and amendments thereto. The burden of proof by clear and convincing evidence shall be on the applicant to show sufficient rehabilitation to justify reinstatement. If the board determines that a license should not be reinstated, the person shall not be eligible to reapply for reinstatement for three years from the effective date of the denial. All proceedings conducted on an application for reinstatement shall be in accordance with the Kansas administrative procedure act and shall be reviewable in accordance with the Kansas judicial review act. The board, on its own motion, may stay the effectiveness of an order of revocation of license.

New Sec. 16. The board shall charge and collect in advance nonrefundable fees for acupuncturists as established by the board by rules and regulations, not to exceed:

Initial application for licensure.....$700
Annual renewal for active license - paper.....$300
Annual renewal for active license - online.....$250
Annual renewal for inactive license - paper.....$200
Annual renewal for inactive license - online.....$150
Annual renewal for exempt license - paper.....$200
Annual renewal for exempt license - online.....$150
Late renewal fee.....$100
Conversion from inactive to active license.....$300
Conversion from exempt to active license.....$300
Application for reinstatement of revoked license.....$1,000
Certified copy of license.....$25
Written verification of license.....$25

New Sec. 17. The board shall remit all moneys received by or for the board from fees, charges or penalties to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. Ten percent of such amount shall be credited to the state general fund and the balance shall be credited to the healing arts fee fund. All expenditures from the healing arts fee fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the board or by a person or persons designated by the president.

New Sec. 18. (a) There is hereby established the acupuncture advisory council to assist the state board of healing arts in carrying out the provisions of this act. The council shall consist of five members, all citizens and residents of the state of Kansas, appointed as follows:

(1) The board shall appoint one member who is a physician licensed to practice medicine and surgery or osteopathy. The member appointed by the board shall serve at the pleasure of the board. The governor shall appoint three acupuncturists who have at least three years' experience in acupuncture preceding appointment and are actively engaged, in this state, in the practice of acupuncture or the teaching of acupuncture. At least two of the governor's appointments shall be made from a list of four nominees submitted by the Kansas association of oriental medicine. The governor shall appoint

one member from the public sector who is not engaged, directly or indirectly, in the provision of health services. Insofar as possible, persons appointed by the governor to the council shall be from different geographic areas.

(2) The members appointed by the governor shall be appointed for terms of four years and until a successor is appointed. If a vacancy occurs on the council, the appointing authority of the position which has become vacant shall appoint a person of like qualifications to fill the vacant position for the unexpired term.

(b) The council shall meet at least once each year at a time of its choosing at the board's main office and at such other times as may be necessary on the chairperson's call or on the request of a majority of the council's members.

(c) A majority of the council constitutes a quorum. No action may be taken by the council except by affirmative vote of the majority of the members present and voting.

(d) Members of the council attending meetings of the council, or a subcommittee of the council, shall be paid amounts provided in K.S.A. 75-3223(e), and amendments thereto, from the healing arts fee fund.

New Sec. 19. The acupuncture advisory council shall advise the board regarding:

(a) Examination, licensing and other fees;

(b) rules and regulations to be adopted to carry out the provisions of this act;

(c) the number of yearly continuing education hours required to maintain active licensure;

(d) changes and new requirements taking place in the areas of acupuncture; and

(e) such other duties and responsibilities as the board may assign.

New Sec. 20. The board shall promulgate all necessary rules and regulations which may be necessary to administer the provisions of this act and to supplement the provisions herein.

New Sec. 21. (a) A licensee's license may be revoked, suspended, limited or placed on probation, or the licensee may be publicly censured, or an application for a license or for reinstatement of a license may be denied upon a finding of the existence of any of the following grounds:

(1) The licensee has committed an act of unprofessional conduct as defined by rules and regulations adopted by the board;

(2) the licensee has committed fraud or misrepresentation in applying for or securing an original, renewal or reinstated license;

(3) the licensee has committed an act of professional incompetency as defined by rules and regulations adopted by the board;

(4) the licensee has been convicted of a felony;

(5) the licensee has violated any provision of the acupuncture practice act;

(6) the licensee has violated any lawful order or rule and regulation of the board;

(7) the licensee has been found to be mentally ill, disabled, not guilty by reason of insanity, not guilty because the licensee suffers from a mental disease or defect or incompetent to stand trial by a court of competent jurisdiction;

(8) the licensee has failed to report to the board any adverse action taken against the licensee by another state or licensing jurisdiction, a peer review body, a health care facility, a professional association or society, a governmental agency, a law enforcement agency or a court for acts or conduct similar to acts or conduct which would constitute grounds for disciplinary action under this section;

(9) the licensee has surrendered a license or authorization to practice as an

acupuncturist in another state or jurisdiction, has agreed to a limitation or restriction of privileges at any medical care facility or has surrendered the licensee's membership on any professional staff or in any professional association or society while under investigation for acts or conduct similar to acts or conduct which would constitute grounds for disciplinary action under this section;

(10) the licensee has failed to report to the board the surrender of the licensee's license or authorization to practice as an acupuncturist in another state or jurisdiction or the surrender of the licensee's membership on any professional staff or in any professional association or society while under investigation for acts or conduct similar to acts or conduct which would constitute grounds for disciplinary action under this section;

(11) the licensee has an adverse judgment, award or settlement rendered against the licensee resulting from a medical liability claim related to acts or conduct similar to acts or conduct which would constitute grounds for disciplinary action under this section;

(12) the licensee has failed to report to the board any adverse judgment, settlement or award against the licensee resulting from a medical malpractice liability claim related to acts or conduct similar to acts or conduct which would constitute grounds for disciplinary action under this section; or

(13) the licensee's ability to practice with reasonable skill and safety to patients is impaired by reason of physical or mental illness, or use of alcohol, drugs or controlled substances. When reasonable suspicion of impairment exists, the board may take action in accordance with K.S.A. 65-2842, and amendments thereto. All information, reports, findings and other records relating to impairment shall be confidential and not subject to discovery by or release to any person or entity outside of a board proceeding. This provision regarding confidentiality shall expire on July 1, 2022, unless the legislature reviews and reenacts such provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2022.

(b) The denial, refusal to renew, suspension, limitation, probation or revocation of a license or other sanction may be ordered by the board upon a finding of a violation of the acupuncture practice act. All administrative proceedings conducted pursuant to this act shall be in accordance with the Kansas administrative procedure act and shall be reviewable in accordance with the Kansas judicial review act.

(c) This section shall take effect on and after July 1, 2017.

New Sec. 22. (a) The board shall have jurisdiction of proceedings to take disciplinary action against any licensee practicing under the acupuncture practice act. Any such action shall be taken in accordance with the Kansas administrative procedure act.

(b) Either before or after formal charges have been filed, the board and the licensee may enter into a stipulation which shall be binding upon the board and the licensee entering into such stipulation, and the board may enter its findings of fact and enforcement order based upon such stipulation without the necessity of filing any formal charges or holding hearings in the case. An enforcement order based upon a stipulation may order any disciplinary action against the licensee entering into such stipulation.

(c) The board may temporarily suspend or temporarily limit the license of any licensee in accordance with the emergency adjudicative proceedings provisions under

the Kansas administrative procedure act if the board determines that there is cause to believe that grounds exist for disciplinary action against the licensee and that the licensee's continuation of practice would constitute an imminent danger to public health and safety.

(d) Judicial review and civil enforcement of any agency action under this act shall be in accordance with the Kansas judicial review act.

New Sec. 23. The board or a committee of the board may implement non-disciplinary resolutions concerning a licensed acupuncturist consistent with the provisions of K.S.A. 65-2838a, and amendments thereto.

New Sec. 24. The state board of healing arts, in addition to any other penalty prescribed under the acupuncture practice act, may assess a civil fine, after proper notice and an opportunity to be heard, against a licensee for a violation of the acupuncture practice act in an amount not to exceed $2,000 for a first violation, $5,000 for a second violation and $10,000 for a third violation and any subsequent violation. All fines assessed and collected under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4218, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund. Fines collected under this section shall be considered administrative fines pursuant to 11 U.S.C. § 523.

New Sec. 25. (a) Any complaint or report, record or other information relating to a complaint which is received, obtained or maintained by the board shall be confidential and shall not be disclosed by the board or its employees in a manner which identifies or enables identification of the person who is the subject or source of the information, except the information may be disclosed:

(1) In any proceeding conducted by the board under the law or in an appeal of an order of the board entered in a proceeding, or to any party to a proceeding or appeal or the party's attorney;

(2) to the person who is the subject of the information or to any person or entity when requested by the person who is the subject of the information, but the board may require disclosure in such a manner that will prevent identification of any other person who is the subject or source of the information; or

(3) to a state or federal licensing, regulatory or enforcement agency with jurisdiction over the subject of the information or to an agency with jurisdiction over acts or conduct similar to acts or conduct which would constitute grounds for action under this act.

(b) Any confidential complaint or report, record or other information disclosed by the board as authorized by this section shall not be re-disclosed by the receiving agency except as otherwise authorized by law.

(c) This section regarding confidentiality shall expire on July 1, 2022, unless the legislature reviews and reenacts such provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2022.

New Sec. 26. (a) No person reporting to the state board of healing arts in good faith any information such person may have relating to alleged incidents of malpractice, or the qualifications, fitness or character of, or disciplinary action taken against a person licensed, registered or certified by the board shall be subject to a civil action for damages as a result of reporting such information.

(b) Any state, regional or local association composed of persons licensed to

practice acupuncture and the individual members of any committee thereof, which in good faith investigates or communicates information pertaining to the alleged incidents of malpractice, or the qualifications, fitness or character of, or disciplinary action taken against any licensee, registrant or certificate holder to the state board of healing arts or to any committee or agent thereof, shall be immune from liability in any civil action that is based upon such investigation or transmittal of information if the investigation and communication was made in good faith and did not represent as true any matter not reasonably believed to be true.

New Sec. 27. (a) The confidential relations and communications between a licensed acupuncturist and the acupuncturist's patient are placed on the same basis as those established between a physician and a physician's patient in K.S.A. 60-427, and amendments thereto.

(b) This section shall take effect on and after July 1, 2017.

New Sec. 28. (a) When it appears that any person is violating any provision of this act, the board may bring an action in the name of the state in a court of competent jurisdiction for an injunction against such violation without regard as to whether proceedings have been or may be instituted before the board or whether criminal proceedings have been or may be instituted.

(b) This section shall take effect on and after July 1, 2017.

New Sec. 29. If any provision of the acupuncture practice act or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the acupuncture practice act which can be given effect without the invalid provision or application, and to this end the provisions of the acupuncture practice act are declared to be severable.

Sec. 30. K.S.A. 2015 Supp. 65-2872 is hereby amended to read as follows: 65-2872. The practice of the healing arts shall not be construed to include the following persons:

(a) Persons rendering gratuitous services in the case of an emergency.

(b) Persons gratuitously administering ordinary household remedies.

(c) The members of any church practicing their religious tenets provided they shall not be exempt from complying with all public health regulations of the state.

(d) Students while in actual classroom attendance in an accredited healing arts school who after completing one year's study treat diseases under the supervision of a licensed instructor.

(e) Students upon the completion of at least three years study in an accredited healing arts school and who, as a part of their academic requirements for a degree, serve a preceptorship not to exceed 180 days under the supervision of a licensed practitioner.

(f) Persons who massage for the purpose of relaxation, muscle conditioning, or figure improvement, provided no drugs are used and such persons do not hold themselves out to be physicians or healers.

(g) Persons whose professional services are performed under the supervision or by order of or referral from a practitioner who is licensed under this act.

(h) Persons in the general fields of psychology, education and social work, dealing with the social, psychological and moral well-being of individuals or groups, or both, provided they do not use drugs and do not hold themselves out to be the physicians, surgeons, osteopathic physicians or chiropractors.

(i) Practitioners of the healing arts in the United States army, navy, air force,

public health service, and coast guard or other military service when acting in the line of duty in this state.

(j) Practitioners of the healing arts licensed in another state when and while incidentally called into this state in consultation with practitioners licensed in this state.

(k) Dentists practicing their professions, when licensed and practicing in accordance with the provisions of article 14 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, and any interpretation thereof by the supreme court of this state.

(l) Optometrists practicing their professions, when licensed and practicing under and in accordance with the provisions of article 15 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, and any interpretation thereof by the supreme court of this state.

(m) Nurses practicing their profession when licensed and practicing under and in accordance with the provisions of article 11 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, and any interpretation thereof by the supreme court of this state.

(n) Podiatrists practicing their profession, when licensed and practicing under and in accordance with the provisions of article 20 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, and any interpretation thereof by the supreme court of this state.

(o) Every act or practice falling in the field of the healing arts, not specifically excepted herein, shall constitute the practice thereof.

(p) Pharmacists practicing their profession, when licensed and practicing under and in accordance with the provisions of article 16 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, and any interpretation thereof by the supreme court of this state.

(q) A dentist licensed in accordance with the provisions of article 14 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, who administers general and local anesthetics to facilitate medical procedures conducted by a person licensed to practice medicine and surgery if such dentist is certified by the board of healing arts under K.S.A. 65-2899, and amendments thereto, to administer such general and local anesthetics.

(r) Practitioners of the healing arts duly licensed under the laws of another state who do not open an office or maintain or appoint a place to regularly meet patients or to receive calls within this state, but who order services which are performed in this state in accordance with rules and regulations of the board. The board shall adopt rules and regulations identifying circumstances in which professional services may be performed in this state based upon an order by a practitioner of the healing arts licensed under the laws of another state.

(s) Acupuncturists, when licensed and practicing in accordance with sections 6 through 29, and amendments thereto, rules and regulations adopted thereto, and interpretations thereof by the supreme court of this state.

(t) Persons licensed by the state board of cosmetology practicing their professions, when licensed and practicing under and in accordance with the provisions of article 19 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, and any interpretation thereof by the supreme court of this state.

New Sec. 31. (a) The board shall adopt rules and regulations establishing

minimum education and training requirements for the practice of dry needling by a licensed physical therapist.

(b) This section shall be part of and supplemental to the physical therapy practice act.

Sec. 32. K.S.A. 2015 Supp. 65-2901 is hereby amended to read as follows: 65-2901. As used in ~~article 29 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto~~ the physical therapy practice act:

(a) "Physical therapy" means examining, evaluating and testing individuals with mechanical, anatomical, physiological and developmental impairments, functional limitations and disabilities or other health and movement-related conditions in order to determine a diagnosis solely for physical therapy, prognosis, plan of therapeutic intervention and to assess the ongoing effects of physical therapy intervention. Physical therapy also includes alleviating impairments, functional limitations and disabilities by designing, implementing and modifying therapeutic interventions that may include, but are not limited to, therapeutic exercise; functional training in community or work integration or reintegration; manual therapy; dry needling; therapeutic massage; prescription, application and, as appropriate, fabrication of assistive, adaptive, orthotic, prosthetic, protective and supportive devices and equipment; airway clearance techniques; integumentary protection and repair techniques; debridement and wound care; physical agents or modalities; mechanical and electrotherapeutic modalities; patient-related instruction; reducing the risk of injury, impairments, functional limitations and disability, including the promotion and maintenance of fitness, health and quality of life in all age populations and engaging in administration, consultation, education and research. Physical therapy also includes the care and services provided by a physical therapist or a physical therapist assistant under the direction and supervision of a physical therapist who is licensed pursuant to ~~article 29 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto~~ the physical therapy practice act. Physical therapy does not include the use of roentgen rays and radium for diagnostic and therapeutic purposes, the use of electricity for surgical purposes, including cauterization, the practice of any branch of the healing arts and the making of a medical diagnosis.

(b) "Physical therapist" means a person who is licensed to practice physical therapy pursuant to ~~article 29 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto~~ the physical therapy practice act. Any person who successfully meets the requirements of K.S.A. 65-2906, and amendments thereto, shall be known and designated as a physical therapist and may designate or describe oneself, as appropriate, as a physical therapist, physiotherapist, licensed physical therapist, doctor of physical therapy, abbreviations thereof, or words similar thereto or use of the designated letters P.T., Ph. T., M.P.T., D.P.T. or L.P.T. Nothing in this section shall be construed to prohibit physical therapists licensed under K.S.A. 2015 Supp. 65-2906 and 65-2909, and amendments thereto, from listing or using in conjunction with their name any letters, words, abbreviations or other insignia to designate any educational degrees, certifications or credentials recognized by the board which such licensee has earned. Each licensee when using the letters or term "Dr." or "Doctor" in conjunction with such licensee's professional practice, whether in any written or oral communication, shall identify oneself as a "physical therapist" or "doctor of physical therapy."

(c) "Physical therapist assistant" means a person who is certified pursuant to

~~article 29 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto,~~ the physical therapy practice act and who works under the direction of a physical therapist, and who assists the physical therapist in selected components of physical therapy intervention. Any person who successfully meets the requirements of K.S.A. 65-2906, and amendments thereto, shall be known and designated as a physical therapist assistant, and may designate or describe oneself as a physical therapist assistant, certified physical therapist assistant, abbreviations thereof, or words similar thereto or use of the designated letters P.T.A., C.P.T.A. or P.T. Asst. Nothing in this section shall be construed to prohibit physical therapist assistants certified under K.S.A. 2015 Supp. 65-2906 and 65-2909, and amendments thereto, from listing or using in conjunction with their name any letters, words, abbreviations or other insignia to designate any educational degrees, certifications or credentials which such physical therapist assistant has earned.

(d) "Board" means the state board of healing arts.

(e) "Council" means the physical therapy advisory council.

(f) "Dry needling" means a skilled intervention using a thin filiform needle to penetrate into or through the skin and stimulate underlying myofascial trigger points or muscular or connective tissues for the management of neuromuscular pain or movement impairments.

(g) "Physician" means a person licensed to practice medicine and surgery.

~~(g)~~ (h) "Recognized by the board" means an action taken by the board at an open meeting to recognize letters, words, abbreviations or other insignia to designate any educational degrees, certifications or credentials, consistent with the provisions of this act, which a physical therapist may appropriately use to designate or describe oneself and which shall be published in the official minutes of the board.

Sec. 33. K.S.A. 2015 Supp. 65-2913 is hereby amended to read as follows: 65-2913. (a) It shall be unlawful for any person who is not licensed under ~~article 29 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto,~~ the physical therapy practice act as a physical therapist or whose license has been suspended or revoked in any manner to represent oneself as a physical therapist or to use in connection with such person's name the words physical therapist, physiotherapist, licensed physical therapist or doctor of physical therapy or use the abbreviations P.T., Ph. T., M.P.T., D.P.T. or L.P.T., or any other letters, words, abbreviations or insignia, indicating or implying that such person is a physical therapist. A violation of this subsection shall constitute a class B nonperson misdemeanor. Nothing in this section shall be construed to prohibit physical therapists licensed under K.S.A. 2015 Supp. 65-2906 and 65-2909, and amendments thereto, from listing or using in conjunction with their name any letters, words, abbreviations or other insignia to designate any educational degrees, certifications or credentials recognized by the board which such licensee has earned. Each licensee when using the letters or term "Dr." or "Doctor" in conjunction with such licensee's professional practice, whether in any written or oral communication, shall identify oneself as a "physical therapist" or "doctor of physical therapy."

(b) Any person who, in any manner, represents oneself as a physical therapist assistant, or who uses in connection with such person's name the words or letters physical therapist assistant, certified physical therapist assistant, P.T.A., C.P.T.A. or P.T. Asst., or any other letters, words, abbreviations or insignia, indicating or implying that

such person is a physical therapist assistant, without a valid existing certificate as a physical therapist assistant issued to such person pursuant to ~~article 29 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto,~~ the physical therapy practice act shall be guilty of a class B nonperson misdemeanor. Nothing in this section shall be construed to prohibit physical therapist assistants certified under K.S.A. 2015 Supp. 65-2906 and 65-2909, and amendments thereto, from listing or using in conjunction with their name any letters, words, abbreviations or other insignia to designate any educational degrees, certifications or credentials which such physical therapist assistant has earned.

(c) Nothing in this act is intended to limit, preclude or otherwise interfere with the practices of other health care providers formally trained and practicing their profession. The provisions of ~~article 29 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto,~~ the physical therapy practice act shall not apply to the following individuals so long as they do not hold themselves out in a manner prohibited under subsection (a) or (b) ~~of this section~~:

(1) Persons rendering assistance in the case of an emergency;

(2) members of any church practicing their religious tenets;

(3) persons whose services are performed pursuant to the delegation of and under the supervision of a physical therapist who is licensed under this act;

(4) health care providers in the United States armed forces, public health services, federal facilities and coast guard or other military service when acting in the line of duty in this state;

(5) licensees under the healing arts act, and practicing their professions, when licensed and practicing in accordance with the provisions of law or persons performing services pursuant to the delegation of a licensee under ~~subsection (g) of~~ K.S.A. 65-2872(g), and amendments thereto;

(6) dentists practicing their professions, when licensed and practicing in accordance with the provisions of law;

(7) nurses practicing their professions, when licensed and practicing in accordance with the provisions of law or persons performing services pursuant to the delegation of a licensed nurse under ~~subsection (m) of~~ K.S.A. 65-1124(m), and amendments thereto;

(8) health care providers who have been formally trained and are practicing in accordance with their training or have received specific training in one or more functions included in this act pursuant to established educational protocols or both;

(9) students while in actual attendance in an accredited health care educational program and under the supervision of a qualified instructor;

(10) self-care by a patient or gratuitous care by a friend or family member;

(11) optometrists practicing their profession when licensed and practicing in accordance with the provisions of article 15 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto;

(12) podiatrists practicing their profession when licensed and practicing in accordance with the provisions of article 20 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto;

(13) occupational therapists practicing their profession when licensed and practicing in accordance with the occupational therapy practice act and occupational therapy assistants practicing their profession when licensed and practicing in accordance with the occupational therapy practice act;

(14) respiratory therapists practicing their profession when licensed and practicing in accordance with the respiratory therapy practice act;

(15) physician assistants practicing their profession when licensed and practicing in accordance with the physician assistant licensure act;

(16) persons practicing corrective therapy in accordance with their training in corrective therapy;

(17) athletic trainers practicing their profession when licensed and practicing in accordance with the athletic trainers licensure act;

(18) persons who massage for the purpose of relaxation, muscle conditioning or figure improvement, so long as no drugs are used and such persons do not hold themselves out to be physicians or healers;

(19) barbers practicing their profession when licensed and practicing in accordance with the provisions of article 18 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto;

(20) cosmetologists practicing their profession when licensed and practicing in accordance with the provisions of article 19 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto;

(21) attendants practicing their profession when certified and practicing in accordance with the provisions of article 61 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto; ~~and~~

(22) naturopathic doctors practicing their profession when licensed and practicing in accordance with the naturopathic doctor licensure act; and

(23) acupuncturists practicing their profession when licensed and practicing in accordance with the acupuncture practice act.

(d) Any patient monitoring, assessment or other procedures designed to evaluate the effectiveness of prescribed physical therapy must be performed by or pursuant to the delegation of a licensed physical therapist or other health care provider.

(e) Nothing in this act shall be construed to permit the practice of medicine and surgery. No statute granting authority to licensees of the state board of healing arts shall be construed to confer authority upon physical therapists to engage in any activity not conferred by ~~article 29 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto~~ the physical therapy practice act.

New Sec. 34. (a) As part of an original application for or reinstatement of any license, registration, permit or certificate or in connection with any investigation of any holder of a license, registration, permit or certificate, the behavioral sciences regulatory board may require a person to be fingerprinted and submit to a state and national criminal history record check. The fingerprints shall be used to identify the person and to determine whether the person has a record of criminal history in this state or another jurisdiction. The behavioral sciences regulatory board is authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The behavioral sciences regulatory board may use the information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the person and in the official determination of the qualifications and fitness of the person to be issued or to maintain a license, registration, permit or certificate.

(b) Local and state law enforcement officers and agencies shall assist the behavioral sciences regulatory board in the taking and processing of fingerprints of

applicants for and holders of any license, registration, permit or certificate and shall release all records of adult convictions and nonconvictions and adult convictions or adjudications of another state or country to the behavioral sciences regulatory board.

(c) The behavioral sciences regulatory board may fix and collect a fee as may be required by the board in an amount equal to the cost of fingerprinting and the criminal history record check. Any moneys collected under this subsection shall be deposited in the state treasury and credited to the behavioral sciences regulatory board fee fund. The behavioral sciences regulatory board shall remit all moneys received by or for it from fees, charges or penalties to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the behavioral sciences regulatory board fee fund.

Sec. 35. K.S.A. 65-5806 is hereby amended to read as follows: 65-5806. (a) An applicant who meets the requirements for licensure pursuant to this act, has paid the license fee provided for by K.S.A. 65-5808, and amendments thereto, and has otherwise complied with the provisions of this act shall be licensed by the board.

(b) Licenses issued pursuant to this act shall expire 24 months from the date of issuance unless revoked prior to that time. A license may be renewed upon application and payment of the fee provided for by K.S.A. 65-5808, and amendments thereto. The application for renewal shall be accompanied by evidence satisfactory to the board that the applicant has completed during the previous 24 months the continuing education required by rules and regulations of the board. As part of such continuing education, a licensee shall complete not less than six continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics.

(c) A person whose license has been suspended or revoked may make written application to the board requesting reinstatement of the license upon termination of the period of suspension or revocation in a manner prescribed by the board, which application shall be accompanied by the fee provided for by K.S.A. 65-5808, and amendments thereto.

(d) Within 30 days after any change of permanent address, a licensee shall notify the board of such change.

Sec. 36. K.S.A. 2015 Supp. 65-5807 is hereby amended to read as follows: 65-5807. (a) The board may issue a license to an individual who is currently registered, certified or licensed to practice professional counseling in another jurisdiction if the board determines that:

(1) The standards for registration, certification or licensure to practice professional counseling in the other jurisdiction are substantially equivalent to the requirements of this state; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) ~~Continuous~~ Registration, certification or licensure to practice professional counseling ~~during the five years~~ for at least 60 of the last 66 months immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board;

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) a ~~masters~~ master's degree in counseling from a regionally accredited university or college.

(b) Applicants for licensure as a clinical professional counselor shall additionally demonstrate competence to diagnose and treat mental disorders through meeting the requirements of either ~~paragraph (1) or (2) of~~ subsection (a)(1) or (a)(2) and at least two of the following areas acceptable to the board:

(1) Either graduate coursework as established by rules and regulations of the board or passing a national clinical examination approved by the board;

(2) three years of clinical practice with demonstrated experience in diagnosing or treating mental disorders; or

(3) attestation from a professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery stating that the applicant is competent to diagnose and treat mental disorders.

(c) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 65-5808, and amendments thereto, if required by the board.

Sec. 37. K.S.A. 65-5808 is hereby amended to read as follows: 65-5808. (a) The board ~~shall~~ may fix ~~by rules and regulations~~ the following fees, and any such fees shall be established by rules and regulations adopted by the board:

(1) For application for licensure as a professional counselor, not more than $100;

(2) for an original license as a professional counselor, not more than $175;

(3) for ~~examination~~ a temporary license as a professional counselor, not more than $175;

(4) for renewal ~~of a license~~ for licensure as a professional counselor, not more than $150;

(5) ~~for reinstatement of a license, not more than $175;~~

~~(6) for replacement of a license, not more than $20;~~

~~(7)~~ for application for licensure as a clinical professional counselor, not more than $175;

(6) for licensure as a clinical professional counselor, not more than $175;

~~(8)~~ (7) for renewal for licensure as a clinical professional counselor, not more than $175;

~~(9)~~ (8) for late renewal penalty, an amount equal to the fee for renewal of a license; ~~and~~

~~(10) for exchange of a license in lieu of registration pursuant to subsection (b) of K.S.A. 65-5811 and amendments thereto, not to exceed $150~~

(9) for reinstatement of a license, not more than $175;

(10) for replacement of a license, not more than $20; and

(11) for a wallet card license, not more than $5.

(b) Fees paid to the board are not refundable.

Sec. 38. K.S.A. 2015 Supp. 65-5809 is hereby amended to read as follows: 65-5809. (a) The board may refuse to issue, ~~suspend, limit, refuse to renew, condition or revoke any license granted under the professional counselors licensure act for any of the following reasons:~~

~~(a) Use of drugs or alcohol, or both, to an extent that impairs the individual's ability to engage in the practice of professional counseling;~~

~~(b) the individual has been convicted of a felony and, after investigation, the board~~

~~finds that the individual has not been sufficiently rehabilitated to merit the public trust;~~

~~(c) use of fraud, deception, misrepresentation or bribery in securing any license issued pursuant to the provisions of the professional counselors licensure act or in obtaining permission to take any examination given or required pursuant to the provisions of the professional counselors licensure act;~~

~~(d) obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;~~

~~(e) incompetence, misconduct, fraud, misrepresentation or dishonesty in the performance of the functions or duties of a professional counselor or clinical professional counselor;~~

~~(f) violation of, or assisting or enabling any individual to violate, any provision of the professional counselors licensure act or any rule and regulation adopted under such act;~~

~~(g) impersonation of any individual holding a license or allowing any individual to use a license or diploma from any school of a person licensed under the professional counselors licensure act or a diploma from any school of an applicant for licensure under the professional counselors licensure act;~~

~~(h) revocation or suspension of a license or other authorization to practice counseling granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized by the professional counselors licensure act;~~

~~(i) the individual is mentally ill or physically disabled to an extent that impairs the individual's ability to engage in the practice of professional counseling;~~

~~(j) assisting or enabling any person to hold oneself out to the public or offer to hold oneself out to the public as a licensed professional counselor or a licensed clinical professional counselor who is not licensed under the provisions of the professional counselors licensure act;~~

~~(k) the issuance of the license was based upon a material mistake of fact;~~

~~(l) violation of any professional trust or confidence;~~

~~(m) use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;~~

~~(n) unprofessional conduct as defined by rules and regulations adopted by the board; or~~

~~(o) the licensee~~ renew or reinstate a license, may condition, limit, revoke or suspend a license, may publicly or privately censure a licensee or may impose a fine not to exceed $1,000 per violation upon a finding that a licensee or an applicant for licensure:

(1) Is incompetent to practice professional counseling, which means:

(A) One or more instances involving failure to adhere to the applicable standard of care to a degree that constitutes gross negligence, as determined by the board;

(B) repeated instances involving failure to adhere to the applicable standard of care to a degree that constitutes ordinary negligence, as determined by the board; or

(C) a pattern of practice or other behavior that demonstrates a manifest incapacity or incompetence to practice professional counseling;

(2) has been convicted of a felony offense and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(3) has been convicted of a misdemeanor against persons and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(4) is currently listed on a child abuse registry or an adult protective services registry as the result of a substantiated finding of abuse or neglect by any state agency, agency of another state or the United States, territory of the United States or another country and the applicant or licensee has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(5) has violated a provision of the professional counselors licensure act or one or more rules and regulations of the board;

(6) has obtained or attempted to obtain a license or license renewal by bribery or fraudulent representation;

(7) has knowingly made a false statement on a form required by the board for a license or license renewal;

(8) has failed to obtain continuing education credits as required by rules and regulations adopted by the board;

(9) has been found to have engaged in unprofessional conduct as defined by applicable rules and regulations adopted by the board; or

(10) has had a registration, license or certificate as a professional counselor revoked, suspended or limited, or has had other disciplinary action taken, or an application for a registration, license or certificate denied, by the proper regulatory authority of another state, territory, District of Columbia, or other country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

(b) For issuance of a new license or reinstatement of a revoked or suspended license for a licensee or applicant for licensure with a felony conviction, the board may only issue or reinstate such license by a $^{2}/_{3}$ majority vote.

(c) Administrative proceedings and disciplinary actions regarding licensure under the professional counselors licensure act shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under the professional counselors licensure act shall be in accordance with the Kansas judicial review act.

New Sec. 39. On and after July 1, 2017, all licensees providing postgraduate clinical supervision for those working toward clinical licensure must be board-approved clinical supervisors.

(a) Applications for a board-approved clinical supervisor shall be made to the board on a form and in the manner prescribed by the board. Each application shall be accompanied by the fee fixed under K.S.A. 65-5808, and amendments thereto.

(b) Each applicant for board-approved clinical supervisor shall furnish evidence satisfactory to the board that the applicant:

(1) (A) Is currently licensed as a clinical professional counselor and has practiced as a clinical professional counselor for two years beyond the supervisor's licensure date; or

(B) is a person who is licensed at the graduate level to practice in one of the behavioral sciences, and whose authorized scope of practice permits the independent practice of counseling, therapy, or psychotherapy and has practiced at least two years of clinical practice beyond the date of licensure at this level;

(2) does not have any disciplinary action that would prohibit providing clinical supervision; and

(3) (A) has completed the minimum number of semester hours of coursework related to the enhancement of supervision skills approved by the board; or

(B) has completed the minimum number of continuing education hours related to the enhancement of supervision skills approved by the board.

(c) Each board-approved clinical supervisor shall complete, as part of the continuing education required under K.S.A. 65-5806, and amendments thereto, at least three hours of continuing education related to the enhancement of supervisory skills, and at least one such hour must focus on ethics in supervision.

Sec. 40. K.S.A. 2015 Supp. 65-6309 is hereby amended to read as follows: 65-6309. (a) Except as provided in subsections (b) and (c), an applicant shall be exempted from the requirement for any examination provided for herein if:

(1) The applicant proves to the board that the applicant is licensed or registered under the laws of a state or territory of the United States that imposes substantially the same requirements as this act as determined by the board; and

(2) pursuant to the laws of any such state or territory, the applicant has taken and passed an examination similar to that for which exemption is sought, as determined by the board.

(b) The board may issue a license to an individual who is currently licensed to practice social work at the clinical level in another jurisdiction if the board determines that:

(1) The standards for licensure to practice social work at the clinical level in the other jurisdiction are substantially equivalent to the requirements of this state for licensure at the clinical level; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) ~~Continuous~~ Licensure to practice social work at the clinical level ~~during the five years~~ for at least 60 of the last 66 months immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board;

(B) the absence of disciplinary actions of a serious nature brought by a licensing board or agency; and

(C) a ~~masters~~ master's or doctoral degree in social work from a regionally accredited university or college and from an accredited graduate social work program recognized and approved by the board pursuant to rules and regulations adopted by the board.

(c) Applicants for licensure as a clinical specialist social worker shall additionally demonstrate competence to diagnose and treat mental disorders through meeting the following requirements:

(1) Passing a national clinical examination approved by the board or, in the absence of the national examination, continuous licensure to practice as a clinical social worker during the 10 years immediately preceding the application; and

(2) three years of clinical practice with demonstrated experience in diagnosing or treating mental disorders.

(d) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 65-6314, and amendments thereto, if required by

the board.

(e) Upon application, the board shall issue temporary licenses to persons who have submitted documentation and met all qualifications for licensure under provisions of this act, except passage of the required examination, and who have paid the required fee.

(f) ~~Such persons shall take the license examination within six months subsequent to the date of issuance of the temporary license unless there are extenuating circumstances approved by the board.~~

~~(g)~~ Absent extenuating circumstances approved by the board, a temporary license issued by the board shall expire upon the date the board issues or denies a license to practice social work or six months after the date of issuance of the temporary license. No temporary license will be renewed or issued again on any subsequent applications for the same license level. The preceding provisions in no way limit the number of times an applicant may take the examination.

~~(h)~~ (g) No person may work under a temporary license except under the supervision of a licensed social worker.

~~(i)~~ (h) Nothing in this section shall affect any temporary license to practice issued under this section prior to the effective date of this act and in effect on the effective date of this act. Such temporary license shall be subject to the provisions of this section in effect at the time of its issuance and shall continue to be effective until the date of expiration of the license as provided under this section at the time of issuance of such temporary license.

~~(j)~~ (i) Any individual employed by a hospital and working in the area of hospital social services to patients of such hospital on July 1, 1974, is exempt from the provisions of this act.

~~(k) If an applicant is denied licensure, the board shall provide the applicant with a written explanation of the denial within 10 days after the decision of the board, excluding Saturdays, Sundays and legal holidays.~~

Sec. 41. K.S.A. 2015 Supp. 65-6311 is hereby amended to read as follows: 65-6311. (a) The board may ~~suspend, limit, revoke, condition or refuse to issue or renew a license of any social worker upon proof that the social worker:~~

~~(1) Has been convicted of a felony and, after investigation, the board finds that the licensee has not been sufficiently rehabilitated to merit the public trust;~~

~~(2) has been found guilty of fraud or deceit in connection with services rendered as a social worker or in establishing needed qualifications under this act;~~

~~(3) has knowingly aided or abetted a person, not a licensed social worker, in representing such person as a licensed social worker in this state;~~

~~(4) has been found guilty of unprofessional conduct as defined by rules established by the board;~~

~~(5) has been found to have engaged in diagnosis as authorized under K.S.A. 65-6319, and amendments thereto, even though not authorized to engage in such diagnosis under K.S.A. 65-6319, and amendments thereto;~~

~~(6) has been found guilty of negligence or wrongful actions in the performance of duties; or~~

~~(7)~~ refuse to issue, renew or reinstate a license, may condition, limit, revoke or suspend a license, may publicly or privately censure a licensee or may impose a fine not to exceed $1,000 per violation upon a finding that a licensee or an applicant for license:

(1) Is incompetent to practice social work, which means:

(A) One or more instances involving failure to adhere to the applicable standard of care to a degree that constitutes gross negligence, as determined by the board;

(B) repeated instances involving failure to adhere to the applicable standard of care to a degree that constitutes ordinary negligence, as determined by the board; or

(C) a pattern of practice or other behavior that demonstrates a manifest incapacity or incompetence to practice social work;

(2) has been convicted of a felony offense and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(3) has been convicted of a misdemeanor against persons and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(4) is currently listed on a child abuse registry or an adult protective services registry as the result of a substantiated finding of abuse or neglect by any state agency, agency of another state or the United States, territory of the United States or another country and the applicant or licensee has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(5) has violated a provision of the social workers licensure act or one or more rules and regulations of the board;

(6) has obtained or attempted to obtain a license or license renewal by bribery or fraudulent representation;

(7) has knowingly made a false statement on a form required by the board for a license or license renewal;

(8) has failed to obtain continuing education credits as required by rules and regulations adopted by the board;

(9) has been found to have engaged in unprofessional conduct as defined by applicable rules and regulations adopted by the board; or

(10) has had a license, registration or certificate to practice social work revoked, suspended or limited, or has had other disciplinary action taken, or an application for a license, registration or certificate denied, by the proper ~~licensing~~ regulatory authority of another state, territory, District of Columbia, or other country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

(b) ~~Proceedings to consider the suspension, revocation or refusal to renew a license shall be conducted in accordance with the provisions of the Kansas administrative procedure act~~ For issuance of a new license or reinstatement of a revoked or suspended license for a licensee or applicant for licensure with a felony conviction, the board may only issue or reinstate such license by a $^{2}/_{3}$ majority vote.

(c) Administrative proceedings and disciplinary actions regarding licensure under the social workers licensure act shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under the social workers licensure act shall be in accordance with the Kansas judicial review act.

Sec. 42. K.S.A. 2015 Supp. 65-6313 is hereby amended to read as follows: 65-6313. (a) All licenses issued shall be effective upon the date issued and shall expire at the end of 24 months from the date of issuance.

(b) (1) Except as otherwise provided in K.S.A. 65-6311, and amendments thereto, a license may be renewed by the payment of the renewal fee set forth in K.S.A. 65-

6314, and amendments thereto, and the execution and submission of a signed statement, on a form to be provided by the board, attesting that the applicant's license has been neither revoked nor currently suspended and that applicant has met the requirements for continuing education established by the board including not less than three continuing education hours of professional ethics.

(2) An applicant for renewal of a license as a master social worker or a specialist clinical social worker, as part of such continuing education, shall complete not less than six continuing education hours relating to diagnosis and treatment of mental disorders.

(3) ~~On and after January 1, 2011,~~ An applicant for first time licensure renewal as a baccalaureate social worker, master social worker or specialist clinical social worker, as part of such continuing education, shall complete not less than six hours of social worker safety awareness training. If the applicant for first time licensure renewal has already taken such training, as part of a previous level of social work licensure renewal, then the applicant is not required to complete an additional six hours of social worker safety training.

(c) The application for renewal shall be made on or before the date of the expiration of the license or on or before the date of the termination of the period of suspension.

(d) If the application for renewal, including payment of the required renewal fee, is not made on or before the date of the expiration of the license, the license is void, and no license shall be reinstated except upon payment of the required renewal fee established under K.S.A. 65-6314, and amendments thereto, plus a penalty equal to the renewal fee, and proof satisfactory to the board of the completion of 40 hours of continuing education within two years prior to application for reinstatement. Upon receipt of such payment and proof, the board shall reinstate the license. A license shall be reinstated under this subsection, upon receipt of such payment and proof, at any time after the expiration of such license.

(e) In case of a lost or destroyed license, and upon satisfactory proof of the loss or destruction thereof, the board may issue a duplicate license and shall charge a fee as set forth in K.S.A. 65-6314, and amendments thereto, for such duplicate license.

(f) Within 30 days after any change of permanent address, a licensee shall notify the board of such change.

Sec. 43. K.S.A. 65-6314 is hereby amended to read as follows: 65-6314. (a) The following fees ~~shall~~ may be established by the board ~~by rules and regulations~~ in accordance with the following limitations, and any such fees shall be established by rules and regulations adopted by the board:

(1) Renewal or reinstatement fee for a license as a social work associate shall be not more than $150.

(2) Application, new license, reinstatement or renewal fee for a license as a baccalaureate social worker shall be not more than $150.

(3) Application, new license, reinstatement or renewal fee for a license as master social worker shall be not more than $150.

(4) Application, new license, reinstatement or renewal fee for a license in a social work specialty shall be not more than $150.

(5) ~~Examination fee for a license as a baccalaureate social worker, for a license as a master social worker or for a license in a social work specialty shall be not more than $200. If an applicant fails an examination, such applicant may be admitted to~~

~~subsequent examinations upon payment of an additional fee prescribed by the board of not more than $200.~~

~~(6)~~ Replacement fee for reissuance of a license certificate due to loss or name change shall be not more than $20.

(6) Replacement fee for reissuance of a wallet card shall be not more than $5.

(7) Temporary license fee for a baccalaureate social worker, master social worker or a social work specialty shall be not more than $50.

(8) Application fee for approval as board-approved continuing education sponsors shall be as follows:

(A) Initial application fee for one year provisionally approved providers shall be not more than $125;

(B) three-year renewal fees for approved providers shall be not more than $350; and

(C) application fees for single program providers shall be not more than $50 for each separately offered continuing education activity for which prior approval is sought.

(b) Fees paid to the board are not refundable.

New Sec. 44. K.S.A. 65-6301 through 65-6320, and this section, and amendments thereto, shall be known and may be cited as the social workers licensure act.

Sec. 45. K.S.A. 2015 Supp. 65-6405 is hereby amended to read as follows: 65-6405. (a) A person who is waiting to take the examination required by the board may apply to the board for a temporary license to practice as a licensed marriage and family therapist by:

(1) Paying an application fee ~~of no more than $150~~, as established by the board under K.S.A. 65-6411, and amendments thereto; and

(2) meeting the application requirements as stated in ~~subsections (a)(1), (2) and (4) of~~ K.S.A. 65-6404(a)(1), (a)(2) and (a)(4), and amendments thereto.

(b) (1) A temporary license may be issued by the board after the application has been reviewed and approved by the board and the applicant has paid the appropriate fee set by the board for issuance of new licenses.

(2) Absent extenuating circumstances approved by the board, a temporary license issued by the board shall expire upon the date the board issues or denies the person a license to practice marriage and family therapy or 12 months after the date of issuance of the temporary license.

(3) ~~A temporary licensee shall take the license examination within six months subsequent to the date of issuance of the temporary license unless there are extenuating circumstances approved by the board or if the temporary licensee does not take the license examination within six months subsequent to the date of issuance of the temporary license and no extenuating circumstances have been approved by the board, the temporary license will expire after the first six months.~~

~~(4)~~ No temporary license will be renewed or issued again on any subsequent application for the same license level. The preceding provision in no way limits the number of times an applicant may take the examination.

(c) A person practicing marriage and family therapy with a temporary license may not use the title "licensed marriage and family therapist" or the initials "LMFT" independently. The word "licensed" may be used only when followed by the words "by temporary license" such as licensed marriage and family therapist by temporary license, or marriage and family therapist, temporarily licensed.

(d) No person may practice marriage and family therapy under a temporary license except under the supervision of a person licensed by the behavioral sciences regulatory board at the independent level.

(e) Nothing in this section shall affect any temporary license to practice issued under this section prior to the effective date of this act and in effect on the effective date of this act. Such temporary license shall be subject to the provisions of this section in effect at the time of its issuance and shall continue to be effective until the date of expiration of the license as provided under this section at the time of issuance of such temporary license.

Sec. 46. K.S.A. 2015 Supp. 65-6406 is hereby amended to read as follows: 65-6406. (a) The board may issue a license to an individual who is currently registered, certified or licensed to practice marriage and family therapy in another jurisdiction if the board determines that:

(1) The standards for registration, certification or licensure to practice marriage and family therapy in the other jurisdiction are substantially the equivalent of the requirements of the marriage and family therapists licensure act and rules and regulations of the board;

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) ~~Continuous~~ Registration, certification or licensure to practice marriage and family therapy ~~during the five years~~ for at least 60 of the last 66 months immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board;

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) completion of a ~~masters~~ master's degree in marriage and family therapy from a regionally accredited university.

(b) Applicants for licensure as a clinical marriage and family therapist shall additionally demonstrate competence to diagnose and treat mental disorders through meeting the requirements of either ~~paragraph (1) or (2) of~~ subsection (a)(1) or (a)(2) and at least two of the following areas acceptable to the board:

(1) Either graduate coursework as established by rules and regulations of the board or passing a national clinical examination approved by the board;

(2) three years of clinical practice with demonstrated experience in diagnosing or treating mental disorders; or

(3) attestation from a professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery stating that the applicant is competent to diagnose and treat mental disorders.

(c) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 65-6411, and amendments thereto, if required by the board.

Sec. 47. K.S.A. 65-6407 is hereby amended to read as follows: 65-6407. (a) An applicant who meets the requirements for licensure pursuant to this act, has paid the license fee provided for by K.S.A. 65-6411, and amendments thereto, and has otherwise complied with the provisions of this act shall be licensed by the board.

(b) Licenses issued pursuant to this act shall expire 24 months from the date of issuance unless revoked prior to that time. A license may be renewed upon application

and payment of the fee provided for by K.S.A. 65-6411, and amendments thereto. The application for renewal shall be accompanied by evidence satisfactory to the board that the applicant has completed during the previous 24 months the continuing education required by rules and regulations of the board. As part of such continuing education, the applicant shall complete not less than six continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics.

(c) A person whose license has been suspended or revoked may make written application to the board requesting reinstatement of the license upon termination of the period of suspension or revocation in a manner prescribed by the board, which application shall be accompanied by the fee provided for by K.S.A. 65-6411, and amendments thereto.

(d) Within 30 days after any change of permanent address, a licensee shall notify the board of such change.

Sec. 48. K.S.A. 65-6408 is hereby amended to read as follows: 65-6408. The board may refuse to ~~grant licensure to, or may suspend, revoke, condition, limit, qualify or restrict the licensure of any individual who the board, after a hearing, determines~~ issue, renew or reinstate a license, may condition, limit, revoke or suspend a license, may publicly or privately censure a licensee or may impose a fine not to exceed $1,000 per violation upon a finding that a licensee or an applicant for license:

(1) Is incompetent to practice marriage and family therapy, ~~or is found to engage in the practice of marriage and family therapy in a manner harmful or dangerous to a client or to the public~~ which means:

(A) One or more instances involving failure to adhere to the applicable standard of care to a degree that constitutes gross negligence, as determined by the board;

(B) repeated instances involving failure to adhere to the applicable standard of care to a degree that constitutes ordinary negligence, as determined by the board; or

(C) a pattern of practice or other behavior that demonstrates a manifest incapacity or incompetence to practice marriage and family therapy;

(2) ~~is~~ has been convicted ~~by a court of competent jurisdiction~~ of a ~~crime that the board determines is of a nature to render the convicted person unfit to practice marriage and family therapy~~ felony offense and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(3) has been convicted of a misdemeanor against persons and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(4) is currently listed on a child abuse registry or an adult protective services registry as the result of a substantiated finding of abuse or neglect by any state agency, agency of another state or the United States, territory of the United States or another country and the applicant or licensee has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

~~(3)~~ (5) has violated a provision of the marriage and family therapists licensure act or one or more of the rules and regulations of the board;

~~(4)~~ (6) has obtained or attempted to obtain a license or license renewal by bribery or fraudulent representation;

~~(5)~~ (7) has knowingly made a false statement on a form required by the board for license or license renewal;

~~(6)~~ (8) has failed to obtain continuing education credits required by rules and regulations of the board;

~~(7)~~ (9) has been found ~~guilty of~~ to have engaged in unprofessional conduct as defined by applicable rules and regulations ~~established~~ adopted by the board; or

~~(8)~~ (10) has had a registration, license or certificate as a marriage and family therapist revoked, suspended or limited, or has had other disciplinary action taken, or an application for registration, license or certificate denied, by the proper regulatory authority of another state, territory, District of Columbia or another country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

(b) For issuance of a new license or reinstatement of a revoked or suspended license for a licensee or applicant for licensure with a felony conviction, the board may only issue or reinstate such license by a $^{2}/_{3}$ majority vote.

(c) Administrative proceedings and disciplinary actions regarding licensure under the marriage and family therapists licensure act shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under the marriage and family therapists licensure act shall be in accordance with the Kansas judicial review act.

Sec. 49. K.S.A. 65-6411 is hereby amended to read as follows: 65-6411. (a) The board ~~shall~~ may fix ~~by rules and regulations and shall collect~~ the following fees, and any such fees shall be established by rules and regulations adopted by the board:

(1) For application for licensure as a marriage and family therapist, not to exceed $150;

(2) for original licensure as a marriage and family therapist, not to exceed $175;

(3) ~~for examination, not to exceed $275;~~

~~(4)~~ for renewal ~~of a license~~ for licensure as a marriage and family therapist, not to exceed $175;

~~(5)~~ (4) for application for licensure as a clinical marriage and family therapist, not to exceed $175;

(5) for original licensure as a clinical marriage and family therapist, not to exceed $175;

(6) for renewal for licensure as a clinical marriage and family therapist, not to exceed $175;

(7) for reinstatement of a license, not to exceed $175;

(8) for replacement of a license, not to exceed $20; ~~and~~

(9) for ~~late charges, not to exceed $5 for each 30 days of delay beyond the date the renewal application was to be made~~ renewal penalty, an amount equal to the renewal of license; and

(10) for a wallet card license, not to exceed $5.

(b) Fees paid to the board are not refundable.

New Sec. 50. On and after July 1, 2017, all licensees providing postgraduate clinical supervision for those working toward clinical licensure must be board-approved clinical supervisors.

(a) Applications for board-approved clinical supervisor shall be made to the board on a form and in the manner prescribed by the board. Each application shall be accompanied by the fee fixed under K.S.A. 65-6411, and amendments thereto.

(b) Each applicant for board-approved clinical supervisor shall furnish evidence

satisfactory to the board that the applicant:

(1) (A) Is currently licensed as a clinical marriage and family therapist and has practiced as a clinical marriage and family therapist for two years beyond the supervisor's licensure date; or

(B) be a person who is licensed at the graduate level to practice in one of the behavioral sciences, and whose authorized scope of practice permits the diagnosis and treatment of mental disorders and shall have at least two years of professional experience in the independent practice of clinical marriage and family therapy beyond the date of licensure at this level;

(2) does not have any disciplinary action that would prohibit providing clinical supervision; and

(3) (A) has completed the minimum number of semester hours of coursework related to the enhancement of supervision skills approved by the board; or

(B) has completed the minimum number of continuing education hours related to the enhancement of supervision skills approved by the board.

(c) Each board-approved clinical supervisor shall complete, as part of the continuing education required under K.S.A. 65-6407, and amendments thereto, at least three hours of continuing education related to the enhancement of supervisory skills, and at least one such hour must focus on ethics in supervision.

Sec. 51. K.S.A. 2015 Supp. 65-6607 is hereby amended to read as follows: 65-6607. K.S.A. 2015 Supp. 65-6607 through 65-6620, and amendments thereto, shall be known and may be cited as the ~~addictions~~ addiction counselor licensure act.

Sec. 52. K.S.A. 2015 Supp. 65-6608 is hereby amended to read as follows: 65-6608. As used in the ~~addictions~~ addiction counselor licensure act:

(a) "Board" means the behavioral sciences regulatory board created under K.S.A. 74-7501, and amendments thereto.

(b) "Addiction counseling" means the utilization of special skills to assist persons with addictions, and to assist such persons' families and friends to achieve resolution of addiction through the exploration of the disease and its ramifications, the examination of attitudes and feelings, the consideration of alternative solutions and decision making, as these relate specifically to addiction. Evaluation and assessment, treatment including treatment plan development, crisis intervention, referral, record keeping and clinical consultation specifically related to addiction are within the scope of addiction counseling. Additionally, at the clinical level of licensure, addiction counseling includes independent practice and the diagnosis and treatment of substance use disorders.

(c) "Licensed addiction counselor" means a person who engages in the practice of addiction counseling limited to substance use disorders and who is licensed under this act. Such person shall engage in the practice of addiction counseling in a state-licensed or certified alcohol and other drug treatment program or in completing a Kansas domestic violence offender assessment for participants in a certified batterer intervention program pursuant to K.S.A. 2015 Supp. 75-7d01 through 75-7d13, and amendments thereto, unless otherwise exempt ~~for~~ from licensure under ~~subsection (m) of~~ K.S.A. 59-29b46(n), and amendments thereto.

(d) "Licensed master's addiction counselor" means a person who engages in the practice of addiction counseling limited to substance use disorders and who is licensed under this act. Such person may diagnose substance use disorders only under the direction of a licensed clinical addiction counselor, a licensed psychologist, a person

licensed to practice medicine and surgery or a person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of substance abuse disorders or mental disorders.

(e) "Licensed clinical addiction counselor" means a person who engages in the independent practice of addiction counseling and diagnosis and treatment of substance use disorders specified in the edition of the American psychiatric association's diagnostic and statistical manual of mental disorders (DSM) designated by the board by rules and regulations and is licensed under this act.

Sec. 53. K.S.A. 2015 Supp. 65-6609 is hereby amended to read as follows: 65-6609. (a) ~~On and after September 1, 2011,~~ No person shall engage in the practice of addiction counseling or represent that such person is a licensed addiction counselor or is an addiction counselor ~~or~~, a substance abuse counselor or an alcohol and drug counselor without having first obtained a license as an addiction counselor under the ~~addictions~~ addiction counselor licensure act.

(b) On and after September 1, 2016, no person shall engage in the practice of addiction counseling or represent that such person is a licensed master's addiction counselor, master's addiction counselor, master's substance abuse counselor or master's alcohol and drug counselor without having first obtained a license as a master's addiction counselor under the addiction counselor licensure act.

(c) ~~On and after September 1, 2011,~~ No person shall engage in the practice of addiction counseling as a clinical addiction counselor or represent that such person is a licensed clinical addiction counselor ~~or is~~, a clinical addiction counselor ~~or~~, a clinical substance abuse counselor or a clinical alcohol and drug counselor without having first obtained a license as a clinical addiction counselor under the addiction counselor licensure act.

~~(c)~~ (d) Violation of this section is a class B misdemeanor.

Sec. 54. K.S.A. 2015 Supp. 65-6610 is hereby amended to read as follows: 65-6610. (a) An applicant for licensure as an addiction counselor shall furnish evidence that the applicant:

(1) Has attained the age of 21; ~~and~~

(2) (A) has completed at least a baccalaureate degree from an addiction counseling program that is part of a college or university approved by the board; or

(B) has completed at least a baccalaureate degree from a college or university approved by the board ~~in a related field that includes~~. As part of, or in addition to, the baccalaureate degree coursework, such applicant shall also complete a minimum number of semester hours of coursework on substance use disorders as approved by the board; or

(C) ~~has completed at least a baccalaureate degree from a college or university approved by the board in a related field with additional coursework in addiction counseling from a college or university approved by the board, and such degree program and the additional coursework includes a minimum number of semester hours of coursework on substance use disorders as approved by the board; or~~

~~(D)~~ is currently licensed in Kansas as a licensed baccalaureate social worker and has completed a minimum number of semester hours of coursework on substance use disorders as approved by the board; ~~or~~ and

~~(E) is currently licensed in Kansas as a licensed master social worker, licensed professional counselor, licensed marriage and family therapist or licensed masters level~~

~~psychologist; and~~

(3) has passed an examination approved by the board; ~~and~~

(4) has satisfied the board that the applicant is a person who merits the public trust; and

(5) ~~each applicant~~ has paid the application fee established by the board under K.S.A. 2015 Supp. 65-6618, and amendments thereto.

(b) Applications for licensure as a master's addiction counselor shall be made to the board on a form and in the manner prescribed by the board. Each applicant shall furnish evidence satisfactory to the board that the applicant:

(1) (A) Has attained the age of 21;

(B) (i) has completed at least a master's degree from an addiction counseling program that is part of a college or university approved by the board;

(ii) has completed at least a master's degree from a college or university approved by the board. As part of or in addition to the master's degree coursework, such applicant shall also complete a minimum number of semester hours of coursework supporting the diagnosis and treatment of substance use disorders as approved by the board; or

(iii) is currently licensed in Kansas as a licensed master social worker, licensed professional counselor, licensed marriage and family therapist or licensed master's level psychologist; and

(C) has passed an examination approved by the board;

(D) has satisfied the board that the applicant is a person who merits the public trust; and

(E) has paid the application fee fixed under K.S.A. 2015 Supp. 65-6618, and amendments thereto; or

(2) (A) has met the following requirements on or before July 1, 2016:

(i) Holds an active license by the board as an addiction counselor; and

(ii) has completed at least a master's degree in a related field from a college or university approved by the board; and

(B) has completed six hours of continuing education in the diagnosis and treatment of substance use disorders during the three years immediately preceding the application date.

(c) Applications for licensure as a clinical addiction counselor shall be made to the board on a form and in the manner prescribed by the board. Each applicant shall furnish evidence satisfactory to the board that the applicant:

(1) Has attained the age of 21; and

(2) (A) (i) has completed at least a master's degree from an addiction counseling program that is part of a college or university approved by the board; and

(ii) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 4,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 150 hours of clinical supervision, including not less than 50 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association; or has completed not less than ~~two years~~ one year of postgraduate supervised professional experience in accordance with a clinical supervision plan

approved by the board of not less than 2,000 hours of supervised professional experience including at least 750 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 75 hours of clinical supervision, including not less than 25 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association, and such person has a doctoral degree in addiction counseling or a related field as approved by the board; or

(B) (i) has completed at least a master's degree from a college or university approved by the board ~~in a related field that includes~~. As part of or in addition to the master's degree coursework, such applicant shall also complete a minimum number of semester hours of coursework supporting the diagnosis and treatment of substance use disorders as approved by the board; and

(ii) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 4,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 150 hours of clinical supervision, including not less than 50 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association; or has completed not less than ~~two years~~ one year of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 2,000 hours of supervised professional experience including at least 750 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 75 hours of clinical supervision, including not less than 25 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association, and such person has a doctoral degree in addiction counseling or a related field as approved by the board; or

(C) (i) ~~has completed a master's degree from a college or university approved by the board in a related field with additional coursework in addiction counseling from a college or university approved by the board and such degree program and additional coursework includes a minimum number of semester hours of coursework supporting the diagnosis and treatment of substance use disorders as approved by the board; and~~

~~(ii) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 4,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 150 hours of clinical supervision, including not less than 50 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association; or has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 2,000 hours of supervised professional experience including at~~

~~least 750 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 75 hours of clinical supervision, including not less than 25 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association, and such person has a doctoral degree in addiction counseling or a related field as approved by the board; or~~

~~(D) (i)~~ has completed a master's degree ~~in a related field~~ from a college or university approved by the board and is licensed by the board as a licensed master's addiction counselor; and

(ii) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 4,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 150 hours of clinical supervision, including not less than 50 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association; or has completed not less than ~~two years~~ one year of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 2,000 hours of supervised professional experience including at least 750 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 75 hours of clinical supervision, including not less than 25 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association, and such person has a doctoral degree in addiction counseling or a related field as approved by the board; or

(E) is currently licensed in Kansas as a licensed psychologist, licensed specialist clinical social worker, licensed clinical professional counselor, licensed clinical psychotherapist or licensed clinical marriage and family therapist and provides to the board an attestation from a professional licensed to diagnose and treat mental disorders, or substance use disorders, or both, in independent practice or licensed to practice medicine and surgery stating that the applicant is competent to diagnose and treat substance use disorders; and

(3) has passed an examination approved by the board; and

(4) has satisfied the board that the applicant is a person who merits the public trust; and

(5) has paid the application fee fixed under K.S.A. 2015 Supp. 65-6618, and amendments thereto.

~~(c)~~ (d) Prior to July 1, 2017, a person who was registered by the behavioral sciences regulatory board as an alcohol and other drug counselor or credentialed by the Kansas department for aging and disability services as an alcohol and drug credentialed counselor or credentialed by the Kansas association of addiction professionals as an alcohol and other drug abuse counselor in Kansas at any time prior to the effective date of this act, who was registered in Kansas as an alcohol and other drug counselor, an alcohol and drug credentialed counselor or a credentialed alcohol and other drug abuse

counselor within three years prior to the effective date of this act and whose last registration or credential in Kansas prior to the effective date of this act was not suspended or revoked, upon application to the board, payment of fees and completion of applicable continuing education requirements, shall be licensed as a licensed addiction counselor by providing demonstration acceptable to the board of competence to perform the duties of an addiction counselor.

~~(d)~~ (e) Prior to July 1, 2017, any person who was registered by the behavioral sciences regulatory board as an alcohol and other drug counselor or credentialed by the department of social and rehabilitation services as an alcohol and drug credentialed counselor or credentialed by the Kansas association of addiction professionals as an alcohol and other drug abuse counselor in Kansas at any time prior to the effective date of this act, and who is also licensed to practice independently as a mental health practitioner or person licensed to practice medicine and surgery, and who was registered or credentialed in Kansas as an alcohol and other drug counselor within three years prior to the effective date of this act and whose last registration or credential in Kansas prior to the effective date of this act was not suspended or revoked, upon application to the board, payment of fees and completion of applicable continuing education requirements, shall be licensed as a licensed clinical addiction counselor and may engage in the independent practice of addiction counseling and is authorized to diagnose and treat substance use disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations.

~~(e)~~ (f) Prior to July 1, 2017, any person who was credentialed by the department of social and rehabilitation services as an alcohol and drug counselor and has been actively engaged in the practice, supervision or administration of addiction counseling in Kansas for not less than four years and holds a master's degree in a related field from a college or university approved by the board and whose last registration or credential in Kansas prior to the effective date of this act was not suspended or revoked, upon application to the board, payment of fees and completion of applicable continuing education requirements, shall be licensed as a clinical addiction counselor and may engage in the independent practice of addiction counseling and is authorized to diagnose and treat substance use disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations.

~~(f) A licensed addiction counselor shall engage in the practice of addiction counseling only in a state licensed or certified alcohol and other drug treatment program, unless otherwise exempt from licensure under subsection (m) of K.S.A. 59-29b46, and amendments thereto.~~

Sec. 55. K.S.A. 2015 Supp. 65-6611 is hereby amended to read as follows: 65-6611. (a) A person who is waiting to take the examination for licensure as an addiction counselor may apply to the board for a temporary license to practice as a licensed addiction counselor by: (1) Paying an application fee for a temporary license fixed under K.S.A. 2015 Supp. 65-6618, and amendments thereto~~,~~; and (2) meeting the application requirements as stated in ~~subsections (a)(1), (2) and (4) of~~ K.S.A. 2015 Supp. 65-6610(a)(1), (a)(2) and (a)(4), and amendments thereto.

(b) A person who is waiting to take the examination for licensure as a master's addiction counselor may apply to the board for a temporary license to practice as a

licensed master's addiction counselor by: (1) Paying an application fee for a temporary license fixed under K.S.A. 2015 Supp. 65-6618, and amendments thereto; and (2) meeting the application requirements as stated in K.S.A 2015 Supp. 65-6610(b)(1), (b)(2) and (b)(4), and amendments thereto.

(c) (1) A temporary license may be issued by the board after the application has been reviewed and approved by the board and the applicant has paid the appropriate fee set by the board for issuance of new licenses.

(2) Absent extenuating circumstances approved by the board, a temporary license issued by the board shall expire upon the date the board issues or denies the person a license to practice addiction counseling or 12 months after the date of issuance of the temporary license.

(3) No temporary license will be renewed or issued again on any subsequent application for the same license level. The preceding provision in no way limits the number of times an applicant may take the examination.

~~(c)~~ (d) A person practicing addiction counseling with a temporary license may not use the title "licensed addiction counselor" or "licensed master's addiction counselor" or use the initials "LAC" or "LMAC" independently. The word "licensed" may be used only when followed by the words "by temporary license" such as licensed addiction counselor by temporary license, or addiction counselor, temporarily licensed.

~~(d)~~ (e) No person may practice addiction counseling under a temporary license except in a licensed or certified alcohol and other drug abuse program, under the direction of a person licensed by the behavioral sciences regulatory board at the clinical level or a person licensed to practice medicine and surgery.

~~(e)~~ (f) Nothing in this section shall affect any temporary license to practice issued under this section prior to the effective date of this act and in effect on the effective date of this act. Such temporary license shall be subject to the provisions of this section in effect at the time of its issuance and shall continue to be effective until the date of expiration of the license as provided under this section at the time of issuance of such license.

Sec. 56. K.S.A. 2015 Supp. 65-6612 is hereby amended to read as follows: 65-6612. (a) Upon written application and board approval, an individual who is licensed to engage in the independent clinical practice of addiction counseling at the clinical level in another jurisdiction and who is in good standing in that other jurisdiction may engage in the independent practice of clinical addiction counseling as provided by the ~~addictions~~ addiction counselor licensure act, in this state for not more than 15 days per year upon receipt of a temporary permit to practice issued by the board.

(b) Any clinical addiction counseling services rendered within any 24-hour period shall count as one entire day of clinical addiction counseling services.

(c) The temporary permit to practice shall be effective on the date of approval by the board and shall expire December 31 of that year. Upon written application and for good cause shown, the board may extend the temporary permit to practice no more than 15 additional days.

(d) The board shall charge a fee for a temporary permit to practice and a fee for an extension of a temporary permit to practice as fixed under K.S.A. 2015 Supp. 65-6618, and amendments thereto.

(e) A person who holds a temporary permit to practice clinical addiction counseling in this state shall be deemed to have submitted to the jurisdiction of the

board and shall be bound by the statutes and regulations that govern the practice of clinical addiction counseling in this state.

(f) In accordance with the Kansas administrative procedure act, the board may issue a cease and desist order or assess a fine of up to $1,000 per day, or both, against a person licensed in another jurisdiction who engages in the independent practice of clinical addiction counseling in this state without complying with the provisions of this section.

Sec. 57. K.S.A. 2015 Supp. 65-6613 is hereby amended to read as follows: 65-6613. (a) The board may issue a license to an individual who is currently registered, certified or licensed to practice addiction counseling in another jurisdiction if the board determines that:

(1) The standards for registration, certification or licensure to practice addiction counseling in the other jurisdiction are substantially the equivalent of the requirements of the ~~addictions~~ addiction counselor licensure act and rules and regulations of the board; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) ~~Continuous~~ Registration, certification or licensure to practice as an addiction ~~counseling during the five years~~ counselor for at least 60 of the last 66 months immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board; ~~and~~

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) completion of at least a baccalaureate ~~or master's~~ degree ~~in addiction counseling~~ from a college or university approved by the board ~~or completion of a baccalaureate or master's degree in a related field that includes all required addiction coursework~~.

(b) The board may issue a license to an individual who is currently registered, certified or licensed to practice addiction counseling at the master's level in another jurisdiction if the board determines that:

(1) (A) The standards for registration, certification or licensure to practice addiction counseling at the master's level in the other jurisdiction are substantially the equivalent of the requirements of the addiction counselor licensure act and rules and regulations of the board; and

(B) completion of at least a master's degree from a college or university approved by the board; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) Registration, certification or licensure to practice addiction counseling at the master's level for at least 60 of the last 66 months immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board;

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) completion of at least a master's degree from a college or university approved by the board.

(c) The board may issue a license to an individual who is currently registered,

certified or licensed to practice ~~clinical~~ addiction counseling at the clinical level in another jurisdiction if the board determines that:

(1) (A) The standards for registration, certification or licensure to practice ~~clinical~~ addiction counseling at the clinical level in the other jurisdiction are substantially the equivalent of the requirements of the ~~addictions~~ addiction counselor licensure act and rules and regulations of the board; ~~or~~ and

(B) the applicant demonstrates completion of at least a master's degree from a college or university approved by the board; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) ~~Continuous~~ Registration, certification or licensure to practice ~~clinical~~ addiction counseling ~~during the five years~~ at the clinical level for at least 60 of the last 66 months immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board; ~~and~~

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; ~~and~~

(C) ~~(i)~~ completion of at least a master's degree ~~in clinical addiction counseling~~ from a college or university approved by the board; ~~or~~

~~(ii) completion of at least a master's degree from a college or university approved by the board in a related field that includes a minimum number of semester hours of coursework supporting the diagnosis and treatment of substance use disorders as approved by the board; or~~

~~(iii) completion of at least a master's degree from a college or university approved by the board in a related field with additional coursework in addiction counseling from a college or university approved by the board and such degree program and additional coursework includes a minimum number of semester hours of coursework supporting the diagnosis and treatment of substance use disorders as approved by the board;~~ and

(D) at least two of the following areas acceptable to the board:

(i) Either coursework as established by rules and regulations of the board or passing a national clinical examination approved by the board; ~~or~~

(ii) three years of clinical practice with demonstrated experience supporting diagnosing or treating substance use disorders; or

(iii) attestation from a professional licensed to diagnose and treat mental disorders, or substance use disorders, or both, in independent practice or licensed to practice medicine and surgery stating that the applicant is competent to diagnose and treat substance use disorders.

~~(c)~~ (d) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 2015 Supp. 65-6618, and amendments thereto, if required by the board.

Sec. 58. K.S.A. 2015 Supp. 65-6614 is hereby amended to read as follows: 65-6614. (a) An applicant who meets the requirements for licensure pursuant to this act, has paid the license fee provided for by K.S.A. 2015 Supp. 65-6618, and amendments thereto, and has otherwise complied with the provisions of this act shall be licensed by the board.

(b) Licenses issued pursuant to this act shall expire 24 months from the date of issuance unless revoked prior to that time. A license may be renewed upon application and payment of the fee provided for by K.S.A. 2015 Supp. 65-6618, and amendments

thereto. The application for renewal shall be accompanied by evidence satisfactory to the board that the applicant has completed during the previous 24 months the continuing education required by rules and regulations of the board, including not less than three hours in ethics. In addition, as part of such continuing education, the master's addiction counselor applicant and the clinical addiction counselor applicant shall complete not less than six continuing education hours relating to diagnosis and treatment of substance use disorders. ~~Both the clinical addiction counselor applicant and the addiction counselor applicant shall complete not less than three continuing education hours of professional ethics.~~

(c) A person whose license has been suspended or revoked may make written application to the board requesting reinstatement of the license upon termination of the period of suspension or revocation in a manner prescribed by the board, which application shall be accompanied by the fee provided for by K.S.A. 2015 Supp. 65-6618, and amendments thereto.

(d) Within 30 days after any change of permanent address, a licensee shall notify the board of such change.

Sec. 59. K.S.A. 2015 Supp. 65-6615 is hereby amended to read as follows: 65-6615. (a) The board may refuse to ~~grant licensure to, or may suspend, revoke, condition, limit, qualify or restrict the licensure issued under this act of any individual who the board, after the opportunity for a hearing, determines:~~

~~(a)~~ issue, renew or reinstate a license, may condition, limit, revoke or suspend a license, may publicly or privately censure a licensee or may impose a fine not to exceed $1,000 per violation upon a finding that a licensee or an applicant for license:

(1) Is incompetent to practice addiction counseling, ~~or is found to engage in the practice of addiction counseling in a manner harmful or dangerous to a client or to the public~~ which means:

(A) One or more instances involving failure to adhere to the applicable standard of care to a degree that constitutes gross negligence, as determined by the board;

(B) repeated instances involving failure to adhere to the applicable standard of care to a degree that constitutes ordinary negligence, as determined by the board; or

(C) a pattern of practice or other behavior that demonstrates a manifest incapacity or incompetence to practice addiction counseling;

~~(b)~~ (2) ~~is~~ has been convicted ~~by a court of competent jurisdiction~~ of a felony~~, misdemeanor crimes against persons or substantiation of abuse against a child, adult or resident of a care facility, even if not practice related~~ offense and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(3) has been convicted of a misdemeanor against persons and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(4) is currently listed on a child abuse registry or an adult protective services registry as the result of a substantiated finding of abuse or neglect by any state agency, agency of another state or the United States, territory of the United States or another country and the applicant or licensee has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

~~(c)~~ (5) has violated a provision of the ~~addictions~~ addiction counselor licensure act or one or more of the rules and regulations of the board;

~~(d)~~ (6) has obtained or attempted to obtain a license or license renewal by bribery or fraudulent representation;

~~(e)~~ (7) has knowingly made a false statement on a form required by the board for license or license renewal;

~~(f)~~ (8) has failed to obtain continuing education credits required by rules and regulations of the board;

~~(g)~~ (9) has been found ~~guilty of~~ to have engaged in unprofessional conduct as defined by applicable rules and regulations ~~established~~ adopted by the board; or

~~(h)~~ (10) has had a registration, license or certificate as an addiction counselor revoked, suspended or limited, or has had other disciplinary action taken, or an application for registration, license or certificate denied, by the proper regulatory authority of another state, territory, District of Columbia or another country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

(b) For issuance of a new license or reinstatement of a revoked or suspended license for a licensee or applicant for licensure with a felony conviction, the board may only issue or reinstate such license by a $^{2}/_{3}$ majority vote.

(c) Administrative proceedings and disciplinary actions regarding licensure under the addiction counselor licensure act shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under the addiction counselor licensure act shall be in accordance with the Kansas judicial review act.

Sec. 60. K.S.A. 2015 Supp. 65-6616 is hereby amended to read as follows: 65-6616. Nothing in the ~~addictions~~ addiction counselor licensure act shall be construed:

(a) To prevent addiction counseling practice by students or interns or individuals preparing for the practice of addiction counseling to practice under qualified supervision of a professional, recognized and approved by the board, in an educational institution or agency so long as they are designated by titles such as "student," "trainee," "intern" or other titles clearly indicating training status;

(b) to authorize the practice of psychology, medicine and surgery, professional counseling, marriage and family therapy, master's level psychology or social work or other professions licensed by the behavioral sciences regulatory board;

(c) to apply to the activities and services of a rabbi, priest, minister, clergy person or organized ministry of any religious denomination or sect, including a Christian-Science practitioner, unless such person or individual who is a part of the organized ministry is a licensed addiction counselor;

(d) to apply to the activities and services of qualified members of other professional groups including, but not limited to, attorneys, physicians, psychologists, master's level psychologists, marriage and family therapists, professional counselors, or other professions licensed by the behavioral sciences regulatory board, registered nurses or social workers performing services consistent with the laws of this state, their training and the code of ethics of their profession, so long as they do not represent themselves as being an addiction counselor; or

(e) to prevent qualified persons from doing work within the standards and ethics of their respective professions and callings provided they do not hold themselves out to the public by any title or description of services as being an addiction counselor.

Sec. 61. K.S.A. 2015 Supp. 65-6617 is hereby amended to read as follows: 65-

6617. (a) A person licensed under the ~~addictions~~ addiction counselor licensure act and employees and professional associates of the person shall not be required to disclose any information that the person, employee or associate may have acquired in rendering addiction counseling services, unless:

(1) Disclosure is required by other state laws;

(2) failure to disclose the information presents a clear and present danger to the health or safety of an individual;

(3) the person, employee or associate is a party defendant to a civil, criminal or disciplinary action arising from the therapy, in which case a waiver of the privilege accorded by this section is limited to that action;

(4) the client is a defendant in a criminal proceeding and the use of the privilege would violate the defendant's right to a compulsory process or the right to present testimony and witnesses in that person's behalf; or

(5) a client agrees to a waiver of the privilege accorded by this section, and in circumstances where more than one person in a family is receiving therapy, each such family member agrees to the waiver. Absent a waiver from each family member, an addiction counselor shall not disclose information received from a family member.

(b) Nothing in this section or in this act shall be construed to prohibit any person licensed under the ~~addictions~~ addiction counselor licensure act from testifying in court hearings concerning matters of adult abuse, adoption, child abuse, child neglect or other matters pertaining to the welfare of children or from seeking collaboration or consultation with professional colleagues or administrative superiors, or both, on behalf of a client. There is no privilege under this section for information which is required to be reported to a public official.

Sec. 62. K.S.A. 2015 Supp. 65-6618 is hereby amended to read as follows: 65-6618. (a) The board ~~shall~~ may fix ~~by rules and regulations and shall collect~~ the following fees, and any such fees shall be established by rules and regulations adopted by the board:

(1) For application for licensure as an addiction counselor, not to exceed $150;

(2) for original licensure as an addiction counselor, not to exceed $150;

(3) for renewal ~~of a license~~ for licensure as an addiction counselor, not to exceed $150;

(4) for a temporary license ~~as an addiction counselor~~, not to exceed $100;

(5) for application for licensure as a master's addiction counselor, not to exceed $150;

(6) for original licensure as a master's addiction counselor, not to exceed $150;

(7) for renewal for licensure as a master's addiction counselor, not to exceed $150;

(8) for application for licensure as a clinical addiction counselor, not to exceed $150;

~~(6)~~ (9) for original licensure as a clinical addiction counselor, not to exceed $150;

~~(7)~~ (10) for renewal for licensure as a clinical addiction counselor, not to exceed $150;

~~(8)~~ (11) for a temporary permit to practice clinical addiction counseling, not to exceed $200;

~~(9)~~ (12) for extension of a temporary permit to practice clinical addiction counseling, not to exceed $200;

~~(10)~~ (13) for reinstatement of a license, not to exceed $150;

~~(11)~~ (14) for replacement of a license, not to exceed $20; ~~and~~

~~(12)~~ (15) for late renewal penalty, an amount equal to the fee for renewal; and

(16) for a wallet license, not more than $5.

(b) The board shall require that fees paid for any examination under the ~~addictions~~ addiction counselor licensure act be paid directly to the examination services by the person taking the examination.

(c) Fees paid to the board are not refundable.

Sec. 63. K.S.A. 2015 Supp. 65-6620 is hereby amended to read as follows: 65-6620. A licensee under the ~~addictions~~ addiction counselor licensure act, at the beginning of a client-therapist relationship, shall inform the client of the level of such licensee's training and the title or titles and license or licenses of such licensee. As a part of such obligation, such licensee shall disclose whether such licensee has a baccalaureate, master's degree or a doctoral degree. If such licensee has a doctoral degree, such licensee shall disclose whether or not such doctoral degree is a doctor of medicine degree or some other doctoral degree. If such licensee does not have a medical doctor's degree, such licensee shall disclose that the licensee is not authorized to practice medicine and surgery and is not authorized to prescribe drugs. As a part of such disclosure, such licensee shall advise the client that certain mental disorders can have medical or biological origins, and that the client should consult with a physician. Documentation of such disclosures to a client shall be made in the client's record.

Sec. 64. K.S.A. 2015 Supp. 74-5310 is hereby amended to read as follows: 74-5310. (a) The board shall issue a license as a psychologist to any person who pays an application fee prescribed by the board, if required by the board, not in excess of $225 and, if required by the board, an original license fee not in excess of $150, which shall not be refunded, who either satisfies the board as to such person's training and experience after a thorough review of such person's credentials and who passes a satisfactory examination in psychology. Any person paying the fee must also submit evidence verified by oath and satisfactory to the board that such person:

(1) Is at least 21 years of age;

(2) is of good moral character;

(3) has received the doctor's degree based on a program of studies in content primarily psychological from an educational institution having a graduate program with standards consistent with those of the state universities of Kansas, or the substantial equivalent of such program in both subject matter and extent of training; and

(4) has had at least two years of supervised experience, a significant portion of which shall have been spent in rendering psychological services satisfying the board's approved standards for the psychological service concerned.

(b) The board shall adopt rules and regulations establishing the criteria which an educational institution shall satisfy in meeting the requirements established under ~~item (3) of~~ subsection (a)(3). The board may send a questionnaire developed by the board to any educational institution for which the board does not have sufficient information to determine whether the educational institution meets the requirements of ~~item (3) of~~ subsection (a)(3) and rules and regulations adopted under this section. The questionnaire providing the necessary information shall be completed and returned to the board in order for the educational institution to be considered for approval. The board may contract with investigative agencies, commissions or consultants to assist the board in obtaining information about educational institutions. In entering such contracts

the authority to approve educational institutions shall remain solely with the board.

Sec. 65. K.S.A. 74-5311 is hereby amended to read as follows: 74-5311. ~~Examinations for applicants under this act shall be held by the board from time to time but not less than once each year.~~ The board shall adopt rules and regulations governing the subject, scope~~,~~ and form of ~~the~~ examinations for applicants under this act or shall contract with a national testing service to provide an examination approved by the board. ~~The board shall prescribe an initial examination fee not to exceed $350. If an applicant fails the first examination, such applicant may be admitted to any subsequent examination upon payment of an additional fee prescribed by the board not to exceed $350. The examination fees prescribed by the board under this section shall be fixed by rules and regulations of the board.~~

Sec. 66. K.S.A. 2015 Supp. 74-5315 is hereby amended to read as follows: 74-5315. (a) The board may grant a license to any person who, at the time of application, is registered, certified or licensed as a psychologist at the doctoral level in another jurisdiction if the board determines that:

(1) The requirements of such jurisdiction for such certification or licensure are substantially the equivalent of the requirements of this state; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) ~~Continuous~~ Registration, certification or licensure as a psychologist at the doctoral level ~~during the five years~~ for at least 60 of the last 66 months immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board;

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) a doctoral degree in psychology from a regionally accredited university or college.

(b) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 74-5310, and amendments thereto, if required by the board.

Sec. 67. K.S.A. 2015 Supp. 74-5316 is hereby amended to read as follows: 74-5316. (a) Upon application, the board may issue temporary licenses to persons who have met all qualifications for licensure under provisions of the licensure of psychologists act of the state of Kansas, except passage of the required examination, pursuant to K.S.A. 74-5310, and amendments thereto, who must wait for completion of the next examination, who have paid the required application, examination and temporary license fees and who have submitted documentation as required by the board, under the following:

(1) ~~The temporary license shall expire upon receipt and recording of the temporary licensee's second examination score by the board if such temporary licensee fails the examination after two attempts or upon the date the board issues or denies the temporary licensee a license to practice psychology if such temporary licensee passes the examination;~~

~~(2)~~ Such temporary licensee shall take the next license examination subsequent to the date of issuance of the temporary license unless there are extenuating circumstances approved by the board;

~~(3)~~ (2) the board shall adopt rules and regulations prescribing continuing

education requirements for temporary licensees, including, but not limited to, a requirement that temporary licensees shall complete a minimum of 25 contact hours of continuing education during the two-year period of temporary licensure, which shall include a minimum of three hours in psychology ethics;

~~(4)~~ (3) no person may work under a temporary license except under the supervision of a licensed psychologist as prescribed in rules and regulations adopted by the board; and

~~(5)~~ (4) the fee for such temporary license ~~shall~~ may be fixed ~~by rules and regulations adopted~~ by the board and shall not exceed $200, and any such fee shall be established by rules and regulations adopted by the board.

(b) Upon application, the board may issue temporary licenses not to exceed two years to persons who have completed all requirements for a doctoral degree approved by the board but have not received such degree conferral or who have met all qualifications for licensure under provisions of such act, except completion of the postdoctoral supervised work experience pursuant to ~~subsection (a)(4) of~~ K.S.A. 74-5310(a)(4), and amendments thereto, who have paid the required application and temporary license fees and who have submitted documentation as required by the board, under the following:

(1) The temporary license shall expire at the end of the two-year period after issuance or if such temporary licensee is denied a license to practice psychology;

(2) the temporary license may be renewed for one additional two-year period after expiration;

(3) temporary licensees shall take the license examination pursuant to ~~subsection (a)(4) of~~ K.S.A. 74-5310(a)(4), and amendments thereto, subsequent to the date of issuance and prior to expiration of the temporary license unless there are extenuating circumstances approved by the board;

(4) temporary licensees shall be working toward the completion of the postdoctoral supervised work experience prescribed in ~~subsection (a)(4) of~~ K.S.A. 74-5310(a)(4), and amendments thereto;

(5) the board shall adopt rules and regulations prescribing continuing education requirements for temporary licensees, including, but not limited to, a requirement that temporary licensees shall complete a minimum of 25 contact hours of continuing education during the two-year period of temporary licensure, which shall include a minimum of three hours in psychology ethics;

(6) no temporary licensee may work under a temporary license except under the supervision of a licensed psychologist as prescribed in rules and regulations adopted by the board; and

(7) the fee for a renewal of the temporary license ~~shall~~ may be fixed ~~by rules and regulations adopted~~ by the board and shall not exceed $200 per issuance, and any such fee shall be established by rules and regulations adopted by the board.

(c) A person practicing psychology with a temporary license may not use the title "licensed psychologist" or the initials "LP" independently. The word "licensed" may be used only when preceded by the word "temporary" such as temporary licensed psychologist, or the initials "TLP."

(d) This section shall be part of and supplemental to the provisions of article 53 of chapter 74 of the Kansas Statutes Annotated, and amendments thereto.

(e) As used in this section, "temporary licensee" means any person practicing

psychology with a temporary license pursuant to subsection (b) or (c)~~ of this section~~.

Sec. 68. K.S.A. 74-5318 is hereby amended to read as follows: 74-5318. ~~On or before the first day of April of alternate years, the board shall mail to every psychologist licensed in Kansas an application blank for renewal, which shall contain space for insertion of information as required for the application blank under K.S.A. 74-5317 and amendments thereto, addressing the same to the post office address given at the last previous renewal. In addition, The~~ (a) An application for renewal shall be accompanied by evidence satisfactory to the board that the applicant has completed, during the previous 24 months, the continuing education required by rules and regulations of the board. As part of such continuing education, a licensed psychologist shall complete not less than six continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics.

(b) A licensee shall submit the application to the board with a renewal fee fixed by rules and regulations of the board not to exceed $200. Upon receipt of such application and fee, the board shall issue a renewal license for the period commencing on the date on which the license is issued and expiring on June 30 of the next even-numbered year. Initial licenses shall be for the current biennium of registration.

(c) Applications for renewal of a license shall be made biennially on or before July 1 and, if not so made, an additional fee equal to the renewal fee shall be added to the regular renewal fee.

(d) Any psychologist who has failed to renew a license and continues to represent oneself as a psychologist after July 1 shall be in violation of the licensure of psychologists act of the state of Kansas. The board may suspend or revoke such psychologist's license under the provisions of K.S.A. 74-5324, and amendments thereto.

(e) Within 30 days after any change of permanent address, a licensee shall notify the board of such change.

Sec. 69. K.S.A. 2015 Supp. 74-5324 is hereby amended to read as follows: 74-5324. (a) The board may~~ suspend, limit, revoke, condition or refuse to issue or renew a license of any psychologist upon proof that the psychologist: (a) Has been convicted of a felony involving moral turpitude; or (b) has been guilty of fraud or deceit in connection with services rendered as a psychologist or in establishing qualifications under this act; or (c) has aided or abetted a person, not a licensed psychologist, in representing such person as a psychologist in this state; or (d) has been guilty of unprofessional conduct as defined by rules and regulations established by the board; or (e) has been guilty of negligence or wrongful actions in the performance of duties; or (f) has knowingly submitted a misleading, deceptive, untrue or fraudulent misrepresentation on a claim form, bill or statement or (g)~~ refuse to issue, renew or reinstate a license, may condition, limit, revoke or suspend a license, may publicly or privately censure a licensee or may impose a fine not to exceed $1,000 per violation upon a finding that a licensee or an applicant for a license:

(1) Is incompetent to practice psychology, which means:

(A) One or more instances involving failure to adhere to the applicable standard of care to a degree that constitutes gross negligence, as determined by the board;

(B) repeated instances involving failure to adhere to the applicable standard of care to a degree that constitutes ordinary negligence, as determined by the board; or

(C) a pattern of practice or other behavior that demonstrates a manifest incapacity or incompetence to practice psychology;

(2) has been convicted of a felony offense and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(3) has been convicted of a misdemeanor against persons and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(4) is currently listed on a child abuse registry or an adult protective services registry as the result of a substantiated finding of abuse or neglect by any state agency, agency of another state or the United States, territory of the United States or another country and the applicant or licensee has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(5) has violated a provision of the licensure of psychologists act of the state of Kansas or one or more rules and regulations of the board;

(6) has obtained or attempted to obtain a license or license renewal by bribery or fraudulent representation;

(7) has knowingly made a false statement on a form required by the board for a license or license renewal;

(8) has failed to obtain continuing education credits as required by rules and regulations of the board;

(9) has been found to have engaged in unprofessional conduct as defined by applicable rules and regulations adopted by the board; or

(10) has had a registration, license or certificate as a psychologist revoked, suspended or limited, or has had other disciplinary action taken, or an application for registration, license or certificate denied, by the proper regulatory authority of another state, territory, District of Columbia or another country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

(b) For issuance of a new license or reinstatement of a revoked or suspended license for a licensee or applicant for licensure with a felony conviction, the board may only issue or reinstate such license by a $^{2}/_{3}$ majority vote.

(c) Administrative proceedings and disciplinary actions regarding licensure under the licensure of psychologists act of the state of Kansas shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under the licensure of psychologists of the state of Kansas act shall be in accordance with the Kansas judicial review act.

Sec. 70. K.S.A. 74-5361 is hereby amended to read as follows: 74-5361. As used in this act:

(a) "Practice of psychology" shall have the meaning ascribed thereto in K.S.A. 74-5302 and amendments thereto.

(b) "Board" means the behavioral sciences regulatory board created by K.S.A. 74-7501 and amendments thereto.

(c) "Licensed ~~masters~~ master's level psychologist" means a person licensed by the board under the provisions of this act.

(d) "Licensed clinical psychotherapist" means a person licensed by the board under this act who engages in the independent practice of ~~masters~~ master's level psychology including the diagnosis and treatment of mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations.

(e) "~~Masters~~Master's level psychology" means the practice of psychology pursuant

to the restrictions set out in K.S.A. 74-5362, and amendments thereto, and includes the diagnosis and treatment of mental disorders as authorized under K.S.A. 74-5361 et seq., and amendments thereto.

Sec. 71. K.S.A. 74-5362 is hereby amended to read as follows: 74-5362. (a) Any person who is licensed under the provisions of this act as a licensed ~~masters~~ master's level psychologist shall have the right to practice psychology ~~only insofar as such practice is part of the duties of such person's paid position and is performed solely on behalf of the employer,~~ so long as such practice is under the direction of a licensed clinical psychotherapist, a licensed psychologist, a person licensed to practice medicine and surgery or a person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of mental disorders. When a client has symptoms of a mental disorder, a ~~licensed masters level psychologist~~ licensee under the licensure of master's level psychologists act shall consult with the client's primary care physician or psychiatrist to determine if there may be a medical condition or medication that may be causing or contributing to the client's symptoms of a mental disorder. A client may request in writing that such consultation be waived and such request shall be made a part of the client's record. A licensed ~~masters~~ master's level psychologist may continue to evaluate and treat the client until such time that the medical consultation is obtained or waived.

(b) A licensed ~~masters~~ master's level psychologist may use the title licensed ~~masters~~ master's level psychologist and the abbreviation LMLP but may not use the title licensed psychologist or psychologist. A licensed clinical psychotherapist may use the title licensed clinical psychotherapist and the abbreviation LCP but may not use the title licensed psychologist or psychologist.

Sec. 72. K.S.A. 74-5363 is hereby amended to read as follows: 74-5363. (a) Any person who desires to be licensed under this act shall apply to the board in writing, on forms prepared and furnished by the board. Each application shall contain appropriate documentation of the particular qualifications required by the board and shall be accompanied by the required fee.

(b) The board shall license as a licensed ~~masters~~ master's level psychologist any applicant for licensure who pays the fee prescribed by the board under K.S.A. 74-5365, and amendments thereto, which shall not be refunded, who has satisfied the board as to such applicant's training and who complies with the provisions of this subsection ~~(b)~~. An applicant for licensure also shall submit evidence ~~verified under oath and~~ satisfactory to the board that such applicant:

(1) Is at least 21 years of age;

(2) has satisfied the board that the applicant is a person who merits public trust;

(3) has received at least 60 graduate hours including a master's degree in psychology based on a program of studies in psychology from an educational institution having a graduate program in psychology consistent with state universities of Kansas; or until July 1, 2003, has received at least a master's degree in psychology and during such master's or post-master's coursework completed a minimum of 12 semester hours or its equivalent in psychological foundation courses such as, but not limited to, philosophy of psychology, psychology of perception, learning theory, history of psychology, motivation, and statistics and 24 semester hours or its equivalent in professional core courses such as, but not limited to, two courses in psychological testing, psychopathology, two courses in psychotherapy, personality theories,

developmental psychology, research methods, social psychology; or has passed comprehensive examinations or equivalent final examinations in a doctoral program in psychology and during such graduate program completed a minimum of 12 semester hours or its equivalent in psychological foundation courses such as, but not limited to, philosophy of psychology, psychology of perception, learning theory, history of psychology, motivation, and statistics and 24 semester hours or its equivalent in professional core courses such as, but not limited to, two courses in psychological testing, psychopathology, two courses in psychotherapy, personality theories, developmental psychology, research methods, social psychology;

(4) has completed 750 clock hours of academically supervised practicum in the master's degree program or 1,500 clock hours of postgraduate supervised work experience;

(5) has passed an examination approved by the board with a minimum score set by the board by rules and regulations~~ at 10 percentage points below the score set by the board for licensed psychologists~~.

(c) (1) Applications for licensure as a clinical psychotherapist shall be made to the board on a form and in the manner prescribed by the board. Each applicant shall furnish evidence satisfactory to the board that the applicant:

(A) Is licensed by the board as a licensed~~ masters~~ master's level psychologist or meets all requirements for licensure as a~~ masters~~ master's level psychologist;

(B) has completed 15 credit hours as part of or in addition to the requirements under subsection (b) supporting diagnosis or treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, through identifiable study of~~ the following content areas~~: Psychopathology, diagnostic assessment, interdisciplinary referral and collaboration, treatment approaches and professional ethics;

(C) has completed a graduate level supervised clinical practicum of supervised professional experience including psychotherapy and assessment with individuals, couples, families or groups, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, with not less than 350 hours of direct client contact or additional postgraduate supervised experience as determined by the board;

(D) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 4,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting psychotherapy and assessments with individuals, couples, families or groups and not less than 150 hours of clinical supervision, including not less than 50 hours of person-to-person individual supervision, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual;

(E) for persons earning a degree under subsection (b) prior to July 1, 2003, in lieu of the education requirements under~~ parts~~ subparagraphs (B) and (C)~~ of this subsection~~, has completed the education requirements for licensure as a licensed~~ masters~~ master's level psychologist in effect on the day immediately preceding the effective date of this act;

(F) for persons who apply for and are eligible for a temporary~~ permit~~ license to practice as a licensed~~ masters~~ master's level psychologist on the day immediately

preceding the effective date of this act, in lieu of the education and training requirements under ~~parts~~ subparagraphs (B), (C) and (D) ~~of this subsection~~, has completed the education and training requirements for licensure as a ~~masters~~ master's level psychologist in effect on the day immediately preceding the effective date of this act;

(G) has passed an examination approved by the board with the same minimum passing score as that set by the board for licensed psychologists; and

(H) has paid the application fee, if required by the board.

(2) A person who was licensed or registered as a ~~masters~~ master's level psychologist in Kansas at any time prior to the effective date of this act, who has been actively engaged in the practice of ~~masters~~ master's level psychology as a registered or licensed ~~masters~~ master's level psychologist within five years prior to the effective date of this act and whose last license or registration in Kansas prior to the effective date of this act was not suspended or revoked, upon application to the board, payment of fees and completion of applicable continuing education requirements, shall be licensed as a licensed clinical psychotherapist by providing demonstration of competence to diagnose and treat mental disorders through at least two of the following areas acceptable to the board:

(A) Either: (i) Graduate coursework; or (ii) passing a national, clinical examination;

(B) either: (i) Three years of clinical practice in a community mental health center, its contracted affiliate or a state mental hospital; or (ii) three years of clinical practice in other settings with demonstrated experience in diagnosing or treating mental disorders; or

(C) attestation from one professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery that the applicant is competent to diagnose and treat mental disorders.

(3) A licensed clinical psychotherapist may engage in the independent practice of ~~masters~~ master's level psychology and is authorized to diagnose and treat mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations. When a client has symptoms of a mental disorder, a licensed clinical psychotherapist shall consult with the client's primary care physician or psychiatrist to determine if there may be a medical condition or medication that may be causing or contributing to the client's symptoms of a mental disorder. A client may request in writing that such consultation be waived and such request shall be made a part of the client's record. A licensed clinical psychotherapist may continue to evaluate and treat the client until such time that the medical consultation is obtained or waived.

(d) The board shall adopt rules and regulations establishing the criteria which an educational institution shall satisfy in meeting the requirements established under ~~item (3) of~~ subsection (b)(3). The board may send a questionnaire developed by the board to any educational institution for which the board does not have sufficient information to determine whether the educational institution meets the requirements of ~~item (3) of~~ subsection (b)(3) and rules and regulations adopted under this section. The questionnaire providing the necessary information shall be completed and returned to the board in order for the educational institution to be considered for approval. The board may contract with investigative agencies, commissions or consultants to assist the

board in obtaining information about educational institutions. In entering such contracts the authority to approve educational institutions shall remain solely with the board.

Sec. 73. K.S.A. 74-5365 is hereby amended to read as follows: 74-5365. (a) The ~~application, issuance of a new license and renewal fee for licensure under this act shall~~ following fees may be fixed by the board ~~by rules and regulations in an amount not to exceed $200.~~ for licensure under the licensure of master's level psychologists act: For application, issuance of a new license and renewal of a license, an amount not to exceed $200; for replacement of a license, an amount not to exceed $20; and for a wallet card license, an amount not to exceed $5. Any such fees required by the board shall be established by rules and regulations adopted by the board.

(b) Fees paid to the board are not refundable.

(c) The application for renewal shall be accompanied by evidence satisfactory to the board that the applicant has completed, during the previous 24 months, the continuing education required by rules and regulations of the board. As part of such continuing education, a licensed ~~masters~~ master's level psychologist and a licensed clinical psychotherapist shall complete not less than six continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics.

(d) Within 30 days after any change of permanent address, a licensee shall notify the board of such change.

Sec. 74. K.S.A. 2015 Supp. 74-5367 is hereby amended to read as follows: 74-5367. (a) The board may issue a temporary license to practice as a licensed ~~masters~~ master's level psychologist to any person who pays a fee prescribed by the board under this section, which shall not be refunded, and who meets all the requirements for licensure under K.S.A. 74-5361 et seq., and amendments thereto, as a licensed ~~masters~~ master's level psychologist except the requirement of postgraduate supervised work experience or passing the licensing examination, or both.

(b) ~~(1)~~ Absent extenuating circumstances approved by the board, a temporary license issued by the board shall expire upon the date the board issues or denies a license to practice ~~masters~~ master's level psychology or 24 months after the date of issuance of the temporary license. No temporary license issued by the board will be renewed or issued again on any subsequent applications for the same license level. The preceding provision in no way limits the number of times an applicant may take the examination.

~~(2) A temporary licensee shall take the examination within the first 12 months subsequent to the issuance of the temporary license unless there are extenuating circumstances approved by the board or if the temporary licensee does not take the examination within the first 12 months subsequent to the issuance of the temporary license and no extenuating circumstances have been approved by the board, the temporary license will expire after the first 12 months.~~

(c) The board ~~shall~~ may fix ~~by rules and regulations~~ a fee for the application of the temporary license. The application fee shall not exceed $100. Any such fee shall be established by rules and regulations adopted by the board.

(d) A person practicing ~~masters~~ master's level psychology with a temporary license may not use the title "licensed ~~masters~~ master's level psychologist" or the initials "LMLP" independently. The word "licensed" may be used only when followed by the words "by temporary license" such as licensed ~~masters~~ master's level psychologist by

temporary license, or ~~masters~~ master's level psychologist licensed by temporary license.

(e) No person may work under a temporary license except under the supervision of a person licensed to practice psychology or ~~masters~~ master's level psychology in Kansas.

(f) The application for a temporary license may be denied or a temporary license which has been issued may be suspended or revoked on the same grounds as provided for suspension or revocation of a license under K.S.A. 74-5369, and amendments thereto.

(g) Nothing in this section shall affect any temporary license to practice issued under this section prior to the effective date of this act and in effect on the effective date of this act. Such temporary license shall be subject to the provisions of this section in effect at the time of its issuance and shall continue to be effective until the date of expiration of the license as provided under this section at the time of issuance of such temporary license.

Sec. 75. K.S.A. 2015 Supp. 74-5369 is hereby amended to read as follows: 74-5369. ~~An application for licensure under K.S.A. 74-5361 to 74-5371, inclusive, and amendments thereto, may be denied or a license granted under this act may be suspended, limited, revoked, have a condition placed on it or not renewed by the board upon proof that the applicant or licensee:~~

~~(a) Has been convicted of a felony involving moral turpitude;~~

~~(b) has been found guilty of fraud or deceit in connection with the rendering of professional services or in establishing such person's qualifications under this act;~~

~~(c) has aided or abetted a person not licensed as a psychologist, licensed under this act or an uncertified assistant, to hold oneself out as a psychologist in this state;~~

~~(d) has been guilty of unprofessional conduct as defined by rules and regulations of the board;~~

~~(e) has been guilty of neglect or wrongful duties in the performance of duties; or~~

~~(f)~~ (a) The board may refuse to issue, renew or reinstate a license, may condition, limit, revoke or suspend a license, may publicly or privately censure a licensee or may impose a fine not to exceed $1,000 per violation upon a finding that a licensee or an applicant for licensure:

(1) Is incompetent to practice psychology, which means:

(A) One or more instances involving failure to adhere to the applicable standard of care to a degree that constitutes gross negligence, as determined by the board;

(B) repeated instances involving failure to adhere to the applicable standard of care to a degree that constitutes ordinary negligence, as determined by the board; or

(C) a pattern of practice or other behavior that demonstrates a manifest incapacity or incompetence to practice master's level psychology;

(2) has been convicted of a felony offense and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(3) has been convicted of a misdemeanor against persons and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(4) is currently listed on a child abuse registry or an adult protective services registry as the result of a substantiated finding of abuse or neglect by any state agency, agency of another state or the United States, territory of the United States or another country and the applicant or licensee has not demonstrated to the board's satisfaction

that such person has been sufficiently rehabilitated to merit the public trust;

(5) has violated a provision of the licensure of master's level psychologists act or one or more rules and regulations of the board;

(6) has obtained or attempted to obtain a license or license renewal by bribery or fraudulent representation;

(7) has knowingly made a false statement on a form required by the board for a license or license renewal;

(8) has failed to obtain continuing education credits as required by rules and regulations adopted by the board;

(9) has been found to have engaged in unprofessional conduct as defined by applicable rules and regulations of the board; or

(10) has had a registration, license or certificate as a ~~masters~~ master's level psychologist revoked, suspended or limited, or has had other disciplinary action taken, or an application for a registration, license or certificate denied, by the proper regulatory authority of another state, territory, District of Columbia or another country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

(b) For issuance of a new license or reinstatement of a revoked or suspended license for a licensee or applicant for licensure with a felony conviction, the board may only issue or reinstate such license by a $^{2}/_{3}$ majority vote.

(c) Administrative proceedings ~~under K.S.A. 74-5361 to 74-5371, inclusive, and amendments thereto,~~ and disciplinary actions regarding licensure under the licensure of master's level psychologists act shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under ~~K.S.A. 74-5361 to 74-5371, inclusive, and amendments thereto,~~ the licensure of master's level psychologists act shall be in accordance with the Kansas judicial review act.

Sec. 76. K.S.A. 74-5370 is hereby amended to read as follows: 74-5370. The board may adopt rules and regulations to administer the provisions of ~~K.S.A. 74-5361 to 74-5371, inclusive, and amendments thereto~~ the licensure of master's level psychologists act.

Sec. 77. K.S.A. 2015 Supp. 74-5375 is hereby amended to read as follows: 74-5375. (a) The behavioral sciences regulatory board may issue a license to an individual who is currently registered, certified or licensed to practice psychology at the ~~masters~~ master's level in another jurisdiction if the board determines that:

(1) The standards for registration, certification or licensure to practice psychology at the ~~masters~~ master's level in the other jurisdiction are substantially equivalent to the requirements of this state; or

(2) the applicant demonstrates, on forms provided by the board, compliance with the following standards adopted by the board:

(A) ~~Continuous~~ Registration, certification or licensure to practice psychology at the ~~masters~~ master's level ~~during the five years~~ for at least 60 of the last 66 months immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board;

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) a ~~masters~~ master's degree in psychology from a regionally accredited

university or college.

(b) Applicants for licensure as a clinical psychotherapist shall additionally demonstrate competence to diagnose and treat mental disorders through meeting the requirements of either ~~paragraph (1) or (2) of~~ subsection (a)(1) or (a)(2) and at least two of the following areas acceptable to the board:

(1) Either graduate coursework as established by rules and regulations of the board or passing a national clinical examination approved by the board;

(2) three years of clinical practice with demonstrated experience in diagnosing or treating mental disorders; or

(3) attestation from a professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery stating that the applicant is competent to diagnose and treat mental disorders.

(c) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 74-5365, and amendments thereto, if required by the board.

Sec. 78. K.S.A. 2015 Supp. 74-5376 is hereby amended to read as follows: 74-5376. K.S.A. 74-5361 through ~~74-5375~~ 74-5374 and K.S.A. 2015 Supp. 74-5375, and amendments thereto, shall be known and may be cited as the licensure of ~~masters~~ master's level psychologists act.

Sec. 79. K.S.A. 2015 Supp. 74-7507 is hereby amended to read as follows: 74-7507. (a) The behavioral sciences regulatory board shall have the following powers, duties and functions:

(1) Recommend to the appropriate district or county attorneys prosecution for violations of this act, the licensure of psychologists act of the state of Kansas, the professional counselors licensure act, ~~K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto, K.S.A 74-5361 to 74-5374, inclusive, and K.S.A. 2015 Supp. 74-5375, and amendments thereto~~ the social workers licensure act, the licensure of master's level psychologists act, the applied behavior analysis licensure act, the marriage and family therapists licensure act or the ~~addictions~~ addiction counselor licensure act;

(2) compile and publish annually a list of the names and addresses of all persons who are licensed under this act, are licensed under the licensure of psychologists act of the state of Kansas, ~~are licensed under~~ the professional counselors licensure act, ~~are licensed under K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto, are licensed under K.S.A. 74-5361 to 74-5374, inclusive, and K.S.A. 2015 Supp. 74-5375, and amendments thereto~~ the social workers licensure act, the licensure of master's level psychologists act, the applied behavior analysis licensure act, ~~are licensed under~~ the marriage and family therapists licensure act or ~~are licensed under~~ the ~~addictions~~ addiction counselor licensure act;

(3) prescribe the form and contents of examinations required under this act, the licensure of psychologists act of the state of Kansas, the professional counselors licensure act, ~~K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto, K.S.A. 74-5361 to 74-5374, inclusive, and K.S.A. 2015 Supp. 74-5375, and amendments thereto~~ the social workers licensure act, the licensure of master's level psychologists act, the applied behavior analysis licensure act, the marriage and family therapists licensure act or the ~~addictions~~ addiction counselor licensure act;

(4) enter into contracts necessary to administer this act, the licensure of psychologists act of the state of Kansas, the professional counselors licensure act,

~~K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto, K.S.A. 74-5361 to 74-5374, inclusive, and K.S.A. 2015 Supp. 74-5375, and amendments thereto~~ the social workers licensure act, the licensure of master's level psychologists act, the applied behavior analysis licensure act, the marriage and family therapists licensure act or the ~~addictions~~ addiction counselor licensure act;

(5) adopt an official seal;

(6) adopt and enforce rules and regulations for professional conduct of persons licensed under the licensure of psychologists act of the state of Kansas, ~~licensed under~~ the professional counselors licensure act, ~~licensed under K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto, licensed under K.S.A. 74-5361 to 74-5374, inclusive, and K.S.A. 2015 Supp. 74-5375, and amendments thereto~~ the social workers licensure act, the licensure of master's level psychologists act, the applied behavior analysis licensure act, ~~licensed under~~ the marriage and family therapists licensure act or ~~licensed under~~ the ~~addictions~~ addiction counselor licensure act;

(7) adopt and enforce rules and regulations establishing requirements for the continuing education of persons licensed under the licensure of psychologists act of the state of Kansas, ~~licensed under~~ the professional counselors licensure act, ~~licensed under K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto, licensed under K.S.A. 74-5361 to 74-5374, inclusive, and K.S.A. 2015 Supp. 74-5375, and amendments thereto~~ the social workers licensure act, the licensure of master's level psychologists act, the applied behavior analysis licensure act, ~~licensed under~~ the marriage and family therapists licensure act or ~~licensed under~~ the ~~addictions~~ addiction counselor licensure act;

(8) adopt rules and regulations establishing classes of social work specialties which will be recognized for licensure under K.S.A. 65-6301 to 65-6318, inclusive, and amendments thereto;

(9) adopt rules and regulations establishing procedures for examination of candidates for licensure under the licensure of psychologists act of the state of Kansas, ~~for licensure under~~ the professional counselors licensure act, ~~for licensure under K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto, for licensure under K.S.A. 74-5361 to 74-5374, inclusive, and K.S.A. 2015 Supp. 74-5375, and amendments thereto~~ the social workers licensure act, the licensure of master's level psychologists act, the applied behavior analysis licensure act, ~~for licensure under~~ the marriage and family therapists licensure act, ~~for licensure under~~ the ~~addictions~~ addiction counselor licensure act and for issuance of such certificates and such licenses;

(10) adopt rules and regulations as may be necessary for the administration of this act, the licensure of psychologists act of the state of Kansas, the professional counselors licensure act, ~~K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto, K.S.A. 74-5361 to 74-5374, inclusive, and K.S.A. 2015 Supp. 74-5375, and amendments thereto~~ the social workers licensure act, the licensure of master's level psychologists act, the applied behavior analysis licensure act, the marriage and family therapists licensure act and the ~~addictions~~ addiction counselor licensure act and to carry out the purposes thereof;

(11) appoint an executive director and other employees as provided in K.S.A. 74-7501, and amendments thereto; and

(12) exercise such other powers and perform such other functions and duties as may be prescribed by law.

(b) ~~The behavioral sciences regulatory board, in addition to any other penalty, may assess an administrative penalty, after notice and an opportunity to be heard, against a licensee or registrant for a violation of any of the provisions of the licensure of psychologists act of the state of Kansas, the professional counselors licensure act, K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto, K.S.A. 74-5361 to 74-5374, inclusive, and K.S.A. 2015 Supp. 74-5375, and amendments thereto, the marriage and family therapists licensure act or the addictions counselor licensure act in an amount not to exceed $1,000. All fines assessed and collected under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.~~

~~(c)~~ If an order of the behavioral sciences regulatory board is adverse to a licensee or registrant of the board, the actual costs shall be charged to such person as in ordinary civil actions in the district court ~~in an amount not to exceed $200~~. The board shall pay any additional costs and, if the board is the unsuccessful party, the costs shall be paid by the board. Witness fees and costs may be taxed in accordance with statutes governing taxation of witness fees and costs in the district court.

Sec. 80. K.S.A. 2015 Supp. 74-7508 is hereby amended to read as follows: 74-7508. (a) In connection with any investigation, based upon a written complaint or other reasonably reliable written information, by the behavioral sciences regulatory board, the board or its duly authorized agents or employees shall at all reasonable times have access to, for the purpose of examination, and the right to copy any document, report, record or other physical evidence of any person being investigated, or any document, report, record or other evidence maintained by and in possession of any clinic or office of a practitioner of the behavioral sciences, or other public or private agency if such document, report, record or other physical evidence relates to practices which may be grounds for disciplinary action.

(b) In all matters pending before the behavioral sciences regulatory board, the board shall have the power to administer oaths and take testimony. For the purpose of all investigations and proceedings conducted by the behavioral sciences regulatory board:

(1) The board may issue subpoenas compelling the attendance and testimony of witnesses or the production for examination or copying of documents, reports, records or any other physical evidence if such documents, reports, records or other physical evidence relates to practices which may be grounds for disciplinary action. Within five days after the service of the subpoena on any person requiring the production of any documents, reports, records or other physical evidence in the person's possession or under the person's control, such person may petition the board to revoke, limit or modify the subpoena. The board shall revoke, limit or modify such subpoena if in its opinion the documents, reports, records or other physical evidence required does not relate to practices which may be grounds for disciplinary action, is not relevant to the allegation which is the subject matter of the proceeding or investigation, or does not describe with sufficient particularity the documents, reports, records or other physical evidence which is required to be produced. Any member of the board, or any agent designated by the board, may administer oaths or affirmations, examine witnesses and receive such documents, reports, records or other physical evidence.

(2) The district court, upon application by the board or by the person subpoenaed,

shall have jurisdiction to issue an order:

(A) Requiring such person to appear before the board or the board's duly authorized agent to produce documents, reports, records or other physical evidence relating to the matter under investigation; or

(B) revoking, limiting or modifying the subpoena if in the court's opinion the evidence demanded does not relate to practices which may be grounds for disciplinary action, is not relevant to the allegation which is the subject matter of the hearing or investigation or does not describe with sufficient particularity the documents, reports, records or other physical evidence which is required to be produced.

(3) (A) If the board determines that an individual has practiced without a valid license a profession regulated by the board for which the practitioners of the profession are required by law to be licensed in order to practice the profession, in addition to any other penalties imposed by law, the board, in accordance with the Kansas administrative procedure act, may issue a cease and desist order against such individual.

(B) Whenever in the judgment of the behavioral sciences regulatory board any person has engaged, or is about to engage, in any acts or practices which constitute, or will constitute, a violation of K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto, 74-5361 to 74-5374, inclusive, and K.S.A. 2015 Supp. 74-5375, and amendments thereto, the licensure of psychologists act, the marriage and family therapists licensure act or the alcohol and other drug abuse counselor registration act, or any valid rule or regulation of the board, the board may make application to any court of competent jurisdiction for an order enjoining such acts or practices, and upon a showing by the board that such person has engaged, or is about to engage in any such acts or practices, an injunction, restraining order, or such other order as may be appropriate shall be granted by such court without bond.

(c) Any complaint or report, record or other information relating to a complaint which is received, obtained or maintained by the behavioral sciences regulatory board shall be confidential and shall not be disclosed by the board or its employees in a manner which identifies or enables identification of the person who is the subject or source of the information except the information may be disclosed:

(1) In any proceeding conducted by the board under the law or in an appeal of an order of the board entered in a proceeding, or to any party to a proceeding or appeal or the party's attorney;

(2) to the person who is the subject of the information or to any person or entity when requested by the person who is the subject of the information, but the board may require disclosure in such a manner that will prevent identification of any other person who is the subject or source of the information; or

(3) to a state or federal licensing, regulatory or enforcement agency with jurisdiction over the subject of the information or to an agency with jurisdiction over acts or conduct similar to acts or conduct which would constitute grounds for action under this act. Any confidential complaint or report, record or other information disclosed by the board as authorized by this section shall not be redisclosed by the receiving agency except as otherwise authorized by law.

(d) Nothing in this section or any other provision of law making communications between a practitioner of one of the behavioral sciences and the practitioner's client or patient a privileged or confidential communication shall apply to investigations or proceedings conducted pursuant to this section. The behavioral sciences regulatory

board and its employees, agents and representatives shall keep in confidence the content and the names of any clients or patients whose records are reviewed during the course of investigations and proceedings pursuant to this section.

(e) In all matters pending before the behavioral sciences regulatory board, the board shall have the power to revoke the license or registration of any licensee or registrant who voluntarily surrenders such person's license or registration pending investigation of misconduct or while charges of misconduct against the licensee are pending or anticipated.

(f) In all matters pending before the behavioral sciences regulatory board, the board shall have the option to censure the licensee or registrant in lieu of other disciplinary action.

Sec. 81. K.S.A. 2015 Supp. 59-29b46 is hereby amended to read as follows: 59-29b46. When used in the care and treatment act for persons with an alcohol or substance abuse problem:

(a) "Discharge" means the final and complete release from treatment, by either the head of a treatment facility acting pursuant to K.S.A. 59-29b50, and amendments thereto, or by an order of a court issued pursuant to K.S.A. 59-29b73, and amendments thereto.

(b) "Head of a treatment facility" means the administrative director of a treatment facility or such person's designee.

(c) "Law enforcement officer"~~ shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 22-2202, and amendments thereto.

(d) "Licensed addiction counselor" means a person who engages in the practice of addiction counseling limited to substance use disorders and who is licensed by the behavioral sciences regulatory board. Such person shall engage in the practice of addiction counseling in a state-licensed or certified alcohol and other drug treatment program or while completing a Kansas domestic violence offender assessment for participants in a certified batterer intervention program pursuant to K.S.A. 2015 Supp. 75-7d01 through 75-7d13, and amendments thereto, unless otherwise exempt from licensure under subsection (n).

(e) "Licensed clinical addiction counselor" means a person who engages in the independent practice of addiction counseling and diagnosis and treatment of substance use disorders specified in the edition of the American psychiatric association's diagnostic and statistical manual of mental disorders (DSM) designated by the board by rules and regulations and is licensed by the behavioral sciences regulatory board.

(f) "Licensed master's addiction counselor" means a person who engages in the practice of addiction counseling limited to substance use disorders and who is licensed under this act. Such person may diagnose substance use disorders only under the direction of a licensed clinical addiction counselor, a licensed psychologist, a person licensed to practice medicine and surgery or a person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of substance abuse disorders or mental disorders.

(g) "Other facility for care or treatment" means any mental health clinic, medical care facility, nursing home, the detox units at either Osawatomie state hospital or Larned state hospital, any physician or any other institution or individual authorized or licensed by law to give care or treatment to any person.

~~(e)~~ (h) "Patient" means a person who is a voluntary patient, a proposed patient or

an involuntary patient.

(1) "Voluntary patient" means a person who is receiving treatment at a treatment facility pursuant to K.S.A. 59-29b49, and amendments thereto.

(2) "Proposed patient" means a person for whom a petition pursuant to K.S.A. 59-29b52 or 59-29b57, and amendments thereto, has been filed.

(3) "Involuntary patient" means a person who is receiving treatment under order of a court or a person admitted and detained by a treatment facility pursuant to an application filed pursuant to ~~subsection (b) or (c) of~~ K.S.A. 59-29b54(b) or (c), and amendments thereto.

~~(f)~~ (i) "Person with an alcohol or substance abuse problem" means a person who: (1) Lacks self-control as to the use of alcoholic beverages or any substance as defined in subsection ~~(k)~~ (m); or

(2) uses alcoholic beverages or any substance ~~as defined in subsection (k)~~ to the extent that the person's health may be substantially impaired or endangered without treatment.

~~(g)~~ (j) (1) "Person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment" means a person with an alcohol or substance abuse problem~~, as defined in subsection (f),~~ who also is incapacitated by alcohol or any substance and is likely to cause harm to self or others.

(2) "Incapacitated by alcohol or any substance" means that the person, as the result of the use of alcohol or any substance ~~as defined in subsection (k)~~, has impaired judgment resulting in the person:

(A) Being incapable of realizing and making a rational decision with respect to the need for treatment; or

(B) lacking sufficient understanding or capability to make or communicate responsible decisions concerning either the person's well-being or estate.

(3) "Likely to cause harm to self or others" means that the person, by reason of the person's use of alcohol or any substance: (A) Is likely, in the reasonably foreseeable future, to cause substantial physical injury or physical abuse to self or others or substantial damage to another's property, as evidenced by behavior threatening, attempting or causing such injury, abuse or damage; except that if the harm threatened, attempted or caused is only harm to the property of another, the harm must be of such a value and extent that the state's interest in protecting the property from such harm outweighs the person's interest in personal liberty; or

(B) is substantially unable, except for reason of indigency, to provide for any of the person's basic needs, such as food, clothing, shelter, health or safety, causing a substantial deterioration of the person's ability to function on the person's own.

~~(h)~~ (k) "Physician" means a person licensed to practice medicine and surgery as provided for in the Kansas healing arts act or a person who is employed by a state psychiatric hospital or by an agency of the United States and who is authorized by law to practice medicine and surgery within that hospital or agency.

~~(i)~~ (l) "Psychologist" means a licensed psychologist, as defined by K.S.A. 74-5302, and amendments thereto.

~~(j) "State certified alcohol and drug abuse counselor" means a person approved by the secretary for aging and disability services to perform assessments using the American Society of Addiction Medicine criteria and employed at a state funded and designated assessment center.~~

~~(k)~~ (m) "Substance" means: (1) The same as the term "controlled substance" as defined in K.S.A. 2015 Supp. 21-5701, and amendments thereto; or

(2) fluorocarbons, toluene or volatile hydrocarbon solvents.

~~(l)~~ (n) "Treatment" means the broad range of emergency, outpatient, intermediate and inpatient services and care, including diagnostic evaluation, medical, psychiatric, psychological and social service care, vocational rehabilitation and career counseling, which may be extended to persons with an alcohol or substance abuse problem.

~~(m)~~ (o) (1) "Treatment facility" means a treatment program, public or private treatment facility, or any facility of the United States government available to treat a person for an alcohol or other substance abuse problem, but such term shall not include a licensed medical care facility, a licensed adult care home, a facility licensed under K.S.A. 75-3307b, and amendments thereto, a community-based alcohol and drug safety action program certified under K.S.A. 8-1008, and amendments thereto, and performing only those functions for which the program is certified to perform under K.S.A. 8-1008, and amendments thereto, or a professional licensed by the behavioral sciences regulatory board to diagnose and treat mental disorders at the independent level or a physician, who may treat in the usual course of the behavioral sciences regulatory board licensee's or physician's professional practice individuals incapacitated by alcohol or other substances, but who are not primarily engaged in the usual course of the individual's professional practice in treating such individuals, or any state institution, even if detoxification services may have been obtained at such institution.

(2) "Private treatment facility" means a private agency providing facilities for the care and treatment or lodging of persons with either an alcohol or other substance abuse problem and meeting the standards prescribed in either K.S.A. 65-4013 or 65-4603, and amendments thereto, and licensed under either K.S.A. 65-4014 or 65-4607, and amendments thereto.

(3) "Public treatment facility" means a treatment facility owned and operated by any political subdivision of the state of Kansas and licensed under either K.S.A. 65-4014 or 65-4603, and amendments thereto, as an appropriate place for the care and treatment or lodging of persons with an alcohol or other substance abuse problem.

~~(n)~~ (p) The terms defined in K.S.A. 59-3051, and amendments thereto, shall have the meanings provided by that section.

Sec. 82. K.S.A. 59-29b54 is hereby amended to read as follows: 59-29b54. (a) A treatment facility may admit and detain any person for emergency observation and treatment upon an ex parte emergency custody order issued by a district court pursuant to K.S.A. 59-29b58, and amendments thereto.

(b) A treatment facility or the detox unit at Osawatomie state hospital or at Larned state hospital may admit and detain any person presented for emergency observation and treatment upon written application of a law enforcement officer having custody of that person pursuant to K.S.A. 59-29b53, and amendments thereto. The application shall state:

(1) The name and address of the person sought to be admitted, if known;

(2) the name and address of the person's spouse or nearest relative, if known;

(3) the officer's belief that the person is or may be a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment and is likely to cause harm to self or others if not immediately detained;

(4) the factual circumstances in support of that belief and the factual

circumstances under which the person was taken into custody including any known pending criminal charges; and

(5) the fact that the law enforcement officer will file the petition provided for in K.S.A. 59-29b57, and amendments thereto, by the close of business of the first day thereafter that the district court is open for the transaction of business, or that the officer has been informed by a parent, legal guardian or other person, whose name shall be stated in the application will file the petition provided for in K.S.A. 59-29b57, and amendments thereto, within that time.

(c) A treatment facility may admit and detain any person presented for emergency observation and treatment upon the written application of any individual. The application shall state:

(1) The name and address of the person sought to be admitted, if known;

(2) the name and address of the person's spouse or nearest relative, if known;

(3) the applicant's belief that the person may be a person with an alcohol or substance abuse problem subject to involuntary commitment and is likely to cause harm to self or others if not immediately detained;

(4) the factual circumstances in support of that belief;

(5) any pending criminal charges, if known;

(6) the fact that the applicant will file the petition provided for in K.S.A. 59-29b57, and amendments thereto, by the close of business of the first day thereafter that the district court is open for the transaction of business; and

(7) the application shall also be accompanied by a statement in writing of a physician, psychologist or ~~state certified alcohol and drug abuse~~ licensed addiction counselor finding that the person is likely to be a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment under this act.

(d) Any treatment facility or personnel thereof, who in good faith renders treatment in accordance with law to any person admitted pursuant to subsection (b) or (c), shall not be liable in a civil or criminal action based upon a claim that the treatment was rendered without legal consent.

Sec. 83. K.S.A. 59-29b61 is hereby amended to read as follows: 59-29b61. (a) The order for an evaluation required by ~~subsection (a)(5) of~~ K.S.A. 59-29b60(a)(5), and amendments thereto, shall be served in the manner provided for in ~~a subsections (c) and (d) of~~ K.S.A. 59-29b63(c) and (d), and amendments thereto. It shall order the proposed patient to submit to an evaluation to be conducted by a physician, psychologist or ~~state certified alcohol and drug abuse~~ licensed addiction counselor and to undergo such other medical examinations or evaluations as may be designated by the court in the order, except that any proposed patient who is not subject to a temporary custody order issued pursuant to K.S.A. 59-29b59, and amendments thereto, and who requests a hearing pursuant to K.S.A. 59-29b62, and amendments thereto, need not submit to such evaluations or examinations until that hearing has been held and the court finds that there is probable cause to believe that the proposed patient is a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment under this act. The evaluation may be conducted at a treatment facility, the home of the proposed patient or any other suitable place that the court determines is not likely to have a harmful effect on the welfare of the proposed patient.

(b) At the time designated by the court in the order, but in no event later than three days prior to the date of the trial provided for in K.S.A. 59-29b65, and amendments

thereto, the examiner shall submit to the court a report, in writing, of the evaluation which report also shall be made available to counsel for the parties at least three days prior to the trial. The report also shall be made available to the proposed patient and to whomever the patient directs, unless for good cause recited in the order, the court orders otherwise. Such report shall state that the examiner has made an examination of the proposed patient and shall state the opinion of the examiner on the issue of whether or not the proposed patient is a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment under this act and the examiner's opinion as to the least restrictive treatment alternative which will protect the proposed patient and others and allow for the improvement of the proposed patient if treatment is ordered.

Sec. 84. K.S.A. 2015 Supp. 59-3077 is hereby amended to read as follows: 59-3077. (a) At any time after the filing of the petition provided for in K.S.A. 59-3058, 59-3059, 59-3060 or 59-3061, and amendments thereto, any person may file in addition to that original petition, or as a part thereof, or at any time after the appointment of a temporary guardian as provided for in K.S.A. 59-3073, and amendments thereto, or a guardian as provided for in K.S.A. 59-3067, and amendments thereto, the temporary guardian or guardian may file, a verified petition requesting that the court grant authority to the temporary guardian or guardian to admit the proposed ward or ward to a treatment facility, as defined in subsection (h), and to consent to the care and treatment of the proposed ward or ward therein. The petition shall include:

(1) The petitioner's name and address, and if the petitioner is the proposed ward's or ward's court appointed temporary guardian or guardian, that fact;

(2) the proposed ward's or ward's name, age, date of birth, address of permanent residence, and present address or whereabouts, if different from the proposed ward's or ward's permanent residence;

(3) the name and address of the proposed ward's or ward's court appointed temporary guardian or guardian, if different from the petitioner;

(4) the factual basis upon which the petitioner alleges the need for the proposed ward or ward to be admitted to and treated at a treatment facility, or for the proposed ward or ward to continue to be treated at the treatment facility to which the proposed ward or ward has already been admitted, or for the guardian to have continuing authority to admit the ward for care and treatment at a treatment facility pursuant to ~~subsection (b)(3) of~~ K.S.A. 59-2949~~,~~(b)(3) or ~~subsection (b)(3) of~~ K.S.A. 59-29b49(b)(3), and amendments thereto;

(5) the names and addresses of witnesses by whom the truth of this petition may be proved; and

(6) a request that the court find that the proposed ward or ward is in need of being admitted to and treated at a treatment facility, and that the court grant to the temporary guardian or guardian the authority to admit the proposed ward or ward to a treatment facility and to consent to the care and treatment of the proposed ward or ward therein.

(b) The petition may be accompanied by a report of an examination and evaluation of the proposed ward or ward conducted by an appropriately qualified professional, which shows that the criteria set out in K.S.A. 39-1803, ~~subsection (e) of~~ K.S.A. 59-2946(e), ~~subsection (f) of~~ K.S.A. 59-29b46(i) or K.S.A. 76-12b03, and amendments thereto, are met.

(c) Upon the filing of such a petition, the court shall issue the following:

(1) An order fixing the date, time and place of a hearing on the petition. Such hearing, in the court's discretion, may be conducted in a courtroom, a treatment facility or at some other suitable place. The time fixed in the order shall in no event be earlier than seven days or later than 21 days after the date of the filing of the petition. The court may consolidate this hearing with the trial upon the original petition filed pursuant to K.S.A. 59-3058, 59-3059, 59-3060 or 59-3061, and amendments thereto, or with the trial provided for in the care and treatment act for mentally ill persons or the care and treatment act for persons with an alcohol or substance abuse problem, if the petition also incorporates the allegations required by, and is filed in compliance with, the provisions of either of those acts.

(2) An order requiring that the proposed ward or ward appear at the time and place of the hearing on the petition unless the court makes a finding prior to the hearing that the presence of the proposed ward or ward will be injurious to the person's health or welfare, or that the proposed ward's or ward's impairment is such that the person could not meaningfully participate in the proceedings, or that the proposed ward or ward has filed with the court a written waiver of such ward's right to appear in person. In any such case, the court shall enter in the record of the proceedings the facts upon which the court has found that the presence of the proposed ward or ward at the hearing should be excused. Notwithstanding the foregoing provisions of this subsection, if the proposed ward or ward files with the court at least one day prior to the date of the hearing a written notice stating the person's desire to be present at the hearing, the court shall order that the person must be present at the hearing.

(3) An order appointing an attorney to represent the proposed ward or ward. The court shall give preference, in the appointment of this attorney, to any attorney who has represented the proposed ward or ward in other matters, if the court has knowledge of that prior representation. The proposed ward, or the ward with the consent of the ward's conservator, if one has been appointed, shall have the right to engage an attorney of the proposed ward's or ward's choice and, in such case, the attorney appointed by the court shall be relieved of all duties by the court. Any appointment made by the court shall terminate upon a final determination of the petition and any appeal therefrom, unless the court continues the appointment by further order.

(4) An order fixing the date, time and a place that is in the best interest of the proposed ward or ward, at which the proposed ward or ward shall have the opportunity to consult with such ward's attorney. This consultation shall be scheduled to occur prior to the time at which the examination and evaluation ordered pursuant to subsection (d)(1), if ordered, is scheduled to occur.

(5) A notice similar to that provided for in K.S.A. 59-3066, and amendments thereto.

(d) Upon the filing of such a petition, the court may issue the following:

(1) An order for a psychological or other examination and evaluation of the proposed ward or ward, as may be specified by the court. The court may order the proposed ward or ward to submit to such an examination and evaluation to be conducted through a general hospital, psychiatric hospital, community mental health center, community developmental disability organization, or by a private physician, psychiatrist, psychologist or other person appointed by the court who is qualified to examine and evaluate the proposed ward or ward. The costs of this examination and evaluation shall be assessed as provided for in K.S.A. 59-3094, and amendments

thereto.

(2) If the petition is accompanied by a report of an examination and evaluation of the proposed ward or ward as provided for in subsection (b), an order granting temporary authority to the temporary guardian or guardian to admit the proposed ward or ward to a treatment facility and to consent to the care and treatment of the proposed ward or ward therein. Any such order shall expire immediately after the hearing upon the petition, or as the court may otherwise specify, or upon the discharge of the proposed ward or ward by the head of the treatment facility, if the proposed ward or ward is discharged prior to the time at which the order would otherwise expire.

(3) For good cause shown, an order of continuance of the hearing.

(4) For good cause shown, an order of advancement of the hearing.

(5) For good cause shown, an order changing the place of the hearing.

(e) The hearing on the petition shall be held at the time and place specified in the court's order issued pursuant to subsection (c), unless an order of advancement, continuance, or a change of place of the hearing has been issued pursuant to subsection (d). The petitioner and the proposed ward or ward shall each be afforded an opportunity to appear at the hearing, to testify and to present and cross-examine witnesses. If the hearing has been consolidated with a trial being held pursuant to either the care and treatment act for mentally ill persons or the care and treatment act for persons with an alcohol or substance abuse problem, persons not necessary for the conduct of the proceedings may be excluded as provided for in those acts. The hearing shall be conducted in as informal a manner as may be consistent with orderly procedure. The court shall have the authority to receive all relevant and material evidence which may be offered, including the testimony or written report, findings or recommendations of any professional or other person who has examined or evaluated the proposed ward or ward pursuant to any order issued by the court pursuant to subsection (d). Such evidence shall not be privileged for the purpose of this hearing.

(f) Upon completion of the hearing, if the court finds by clear and convincing evidence that the criteria set out in K.S.A. 39-1803, ~~subsection (e) of~~ K.S.A. 59-2946(e), ~~subsection (f) of~~ K.S.A. 59-29b46(i) or K.S.A. 76-12b03, and amendments thereto, are met, and after a careful consideration of reasonable alternatives to admission of the proposed ward or ward to a treatment facility, the court may enter an order granting such authority to the temporary guardian or guardian as is appropriate, including continuing authority to the guardian to readmit the ward to an appropriate treatment facility as may later become necessary. Any such grant of continuing authority shall expire two years after the date of final discharge of the ward from such a treatment facility if the ward has not had to be readmitted to a treatment facility during that two-year period of time. Thereafter, any such grant of continuing authority may be renewed only after the filing of another petition seeking authority in compliance with the provision of this section.

(g) Nothing herein shall be construed so as to prohibit the head of a treatment facility from admitting a proposed ward or ward to that facility as a voluntary patient if the head of the treatment facility is satisfied that the proposed ward or ward at that time has the capacity to understand such ward's illness and need for treatment, and to consent to such ward's admission and treatment. Upon any such admission, the head of the treatment facility shall give notice to the temporary guardian or guardian as soon as possible of the ward's admission, and shall provide to the temporary guardian or

guardian copies of any consents the proposed ward or ward has given. Thereafter, the temporary guardian or guardian shall timely either seek to obtain proper authority pursuant to this section to admit the proposed ward or ward to a treatment facility and to consent to further care and treatment, or shall otherwise assume responsibility for the care of the proposed ward or ward, consistent with the authority of the temporary guardian or guardian, and may arrange for the discharge from the facility of the proposed ward or ward, unless the head of the treatment facility shall file a petition requesting the involuntary commitment of the proposed ward or ward to that or some other facility.

(h) As used herein, "treatment facility" means the Kansas neurological institute, Larned state hospital, Osawatomie state hospital, Parsons state hospital and training center, the rainbow mental health facility, any intermediate care facility for people with intellectual disability, any psychiatric hospital licensed pursuant to K.S.A. 75-3307b, and amendments thereto, and any other facility for mentally ill persons or people with intellectual or developmental disabilities licensed pursuant to K.S.A. 75-3307b, and amendments thereto, if the proposed ward or ward is to be admitted as an inpatient or resident of that facility.

Sec. 85. K.S.A. 65-4016 is hereby amended to read as follows: 65-4016. The secretary shall adopt rules and regulations with respect to treatment facilities to be licensed and designed to further the accomplishment of the purposes of this law in promoting a safe and adequate treatment program for individuals in treatment facilities in the interest of public health, safety and welfare~~, including, but not limited to, minimum qualifications for employees of licensed or certified programs which are less than the qualifications required for a registered alcohol and other drug abuse counselor~~. Boards of trustees or directors of institutions licensed under this act shall have the right to select the professional staff members of such institutions and to select and employ interns, nurses and other personnel.

Sec. 86. K.S.A. 2015 Supp. 65-4024a is hereby amended to read as follows: 65-4024a. As used in this act:

(a) "Act" means the alcohol or other drug addiction treatment act.

(b) "Alcohol or other drug addiction" means a pattern of substance use, leading to significant impairment or distress, manifested by three or more of the following occurring at any time in the same 12-month period:

(1) Tolerance, defined as: (A) A need for markedly increased amounts of the substance to achieve intoxication or desired effect; or (B) a markedly diminished effect with continued use of the same amount of substance;

(2) withdrawal, as manifested by either of the following: (A) The characteristic withdrawal syndrome for the substance; or (B) the same or a closely related substance is taken to relieve or avoid withdrawal symptoms;

(3) the substance is often taken in larger amounts or over a longer period than was intended;

(4) there is a persistent desire or unsuccessful efforts to cut down or control substance use;

(5) a great deal of time is spent in activities necessary to obtain the substance, use the substance or recover from its effects;

(6) important social, occupational or recreational activities are given up or reduced because of substance use;

(7) the substance use is continued despite knowledge of having a persistent or recurrent physical or psychological problem that is likely to have been caused or exacerbated by the substance.

(c) "Care or treatment" means such necessary services as are in the best interests of the physical and mental health of the patient.

(d) "Committee" means the Kansas citizens committee on alcohol and other drug abuse.

(e) ~~"Counselor" means an individual whose education, experience and training has been evaluated and approved by the Kansas department for aging and disability services to provide the scope of practice afforded to an alcohol and drug credentialed counselor or counselor assistant working in a licensed, certified alcohol and drug treatment program.~~

~~(f)~~ "Department" means the Kansas department for aging and disability services.

~~(g)~~ (f) "Designated state funded assessment center" or "assessment center" means a treatment facility designated by the secretary.

~~(h)~~ (g) "Discharge" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

~~(i)~~ (h) "Government unit" means any county, municipality or other political subdivision of the state; or any department, division, board or other agency of any of the foregoing.

~~(j)~~ (i) "Head of the treatment facility" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

~~(k)~~ (j) "Incapacitated by alcohol" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

~~(l)~~ (k) "Intoxicated individual" means an individual who is under the influence of alcohol or drugs or both.

~~(m)~~ (l) "Law enforcement officer" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

(m) "Licensed addiction counselor" means a person who engages in the practice of addiction counseling limited to substance use disorders and who is licensed by the behavioral sciences regulatory board. Such person shall engage in the practice of addiction counseling in a state-licensed or certified alcohol and other drug treatment program or while completing a Kansas domestic violence offender assessment for participants in a certified batterer intervention program pursuant to K.S.A. 2015 Supp. 75-7d01 through 75-7d13, and amendments thereto, unless otherwise exempt from licensure under K.S.A. 59-29b46(n), and amendments thereto.

(n) "Licensed clinical addiction counselor" means a person who engages in the independent practice of addiction counseling and diagnosis and treatment of substance use disorders specified in the edition of the American psychiatric association's diagnostic and statistical manual of mental disorders (DSM) designated by the board by rules and regulations and is licensed by the behavioral sciences regulatory board.

(o) "Licensed master's addiction counselor" means a person who engages in the practice of addiction counseling limited to substance use disorders and who is licensed under this act. Such person may diagnose substance use disorders only under the direction of a licensed clinical addiction counselor, a licensed psychologist, a person licensed to practice medicine and surgery or a person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and

treatment of substance abuse disorders or mental disorders.

(p) "Patient" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

~~(o)~~ (q) "Private treatment facility" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

~~(p)~~ (r) "Public treatment facility" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

~~(q)~~ (s) "Treatment" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

~~(r)~~ (t) "Treatment facility" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

~~(s)~~ (u) "Secretary" means the secretary for aging and disability services.

New Sec. 87. This act shall be known and may be cited as the interstate medical licensure compact.

INTERSTATE MEDICAL LICENSURE COMPACT

SECTION 1

PURPOSE

In order to strengthen access to health care, and in recognition of the advances in the delivery of health care, the member states of the interstate medical licensure compact have allied in common purpose to develop a comprehensive process that complements the existing licensing and regulatory authority of state medical boards, provides a streamlined process that allows physicians to become licensed in multiple states, thereby enhancing the portability of a medical license and ensuring the safety of patients. The compact creates another pathway for licensure and does not otherwise change a state's existing medical practice act. The compact also adopts the prevailing standard for licensure and affirms that the practice of medicine occurs where the patient is located at the time of the physician-patient encounter, and therefore, requires the physician to be under the jurisdiction of the state medical board where the patient is located. State medical boards that participate in the compact retain the jurisdiction to impose an adverse action against a license to practice medicine in that state issued to a physician through the procedures in the compact.

SECTION 2

DEFINITIONS

In this compact:

(a) "Bylaws" means those bylaws established by the interstate commission pursuant to section 11 for its governance, or for directing and controlling its actions and conduct.

(b) "Commissioner" means the voting representative appointed by each member board pursuant to section 11.

(c) "Conviction" means a finding by a court that an individual is guilty of a criminal offense through adjudication, or entry of a plea of guilt or no contest to the charge by the offender. Evidence of an entry of a conviction of a criminal offense by the court shall be considered final for purposes of disciplinary action by a member board.

(d) "Expedited license" means a full and unrestricted medical license granted by a member state to an eligible physician through the process set forth in the compact.

(e) "Interstate commission" means the interstate commission created pursuant to section 11.

(f) "License" means authorization by a state for a physician to engage in the practice of medicine, which would be unlawful without the authorization.

(g) "Medical practice act" means laws and regulations governing the practice of allopathic and osteopathic medicine within a member state.

(h) "Member board" means a state agency in a member state that acts in the sovereign interests of the state by protecting the public through licensure, regulation and education of physicians as directed by the state government.

(i) "Member state" means a state that has enacted the compact.

(j) "Practice of medicine" means the clinical prevention, diagnosis or treatment of human disease, injury or condition requiring a physician to obtain and maintain a license in compliance with the medical practice act of a member state.

(k) "Physician" means any person who:

(1) Is a graduate of a medical school accredited by the liaison committee on medical education, the commission on osteopathic college accreditation or a medical school listed in the international medical education directory or its equivalent;

(2) passed each component of the United States medical licensing examination (USMLE) or the comprehensive osteopathic medical licensing examination (COMLEX-USA) within three attempts, or any of its predecessor examinations accepted by a state medical board as an equivalent examination for licensure purposes;

(3) successfully completed graduate medical education approved by the accreditation council for graduate medical education or the American osteopathic association;

(4) holds specialty certification or a time-unlimited specialty certificate recognized by the American board of medical specialties or the American osteopathic association's bureau of osteopathic specialists;

(5) possesses a full and unrestricted license to engage in the practice of medicine issued by a member board;

(6) has never been convicted, received adjudication, deferred adjudication, community supervision or deferred disposition for any offense by a court of appropriate jurisdiction;

(7) has never held a license authorizing the practice of medicine subjected to discipline by a licensing agency in any state, federal or foreign jurisdiction, excluding any action related to non-payment of fees related to a license;

(8) has never had a controlled substance license or permit suspended or revoked by a state or the United States drug enforcement administration; and

(9) is not under active investigation by a licensing agency or law enforcement authority in any state, federal or foreign jurisdiction.

(l) "Offense" means a felony, gross misdemeanor or crime of moral turpitude.

(m) "Rule" means a written statement by the interstate commission promulgated pursuant to section 12 of the compact that is of general applicability, implements, interprets or prescribes a policy or provision of the compact, or an organizational, procedural or practice requirement of the interstate commission, and has the force and effect of statutory law in a member state, and includes the amendment, repeal or suspension of an existing rule.

(n) "State" means any state, commonwealth, district or territory of the United States.

(o) "State of principal license" means a member state where a physician holds a

license to practice medicine and which has been designated as such by the physician for purposes of registration and participation in the compact.

SECTION 3

ELIGIBILITY

(a) A physician must meet the eligibility requirements as defined in section 2(k) to receive an expedited license under the terms and provisions of the compact.

(b) A physician who does not meet the requirements of section 2(k) may obtain a license to practice medicine in a member state if the individual complies with all laws and requirements, other than the compact, relating to the issuance of a license to practice medicine in that state.

SECTION 4

DESIGNATION OF STATE OF PRINCIPAL LICENSE

(a) A physician shall designate a member state as the state of principal license for purposes of registration for expedited licensure through the compact if the physician possesses a full and unrestricted license to practice medicine in that state, and the state is:

(1) The state of primary residence for the physician;

(2) the state where at least 25% of the practice of medicine occurs;

(3) the location of the physician's employer; or

(4) if no state qualifies under subsection (a)(1), subsection (a)(2) or subsection (a)(3), the state designated as state of residence for purpose of federal income tax.

(b) A physician may redesignate a member state as state of principal license at any time,as long as the state meets the requirements in subsection (a).

(c) The interstate commission is authorized to develop rules to facilitate redesignation of another member state as the state of principal license.

SECTION 5

APPLICATION AND ISSUANCE OF EXPEDITED LICENSURE

(a) A physician seeking licensure through the compact shall file an application for an expedited license with the member board of the state selected by the physician as the state of principal license.

(b) Upon receipt of an application for an expedited license, the member board within the state selected as the state of principal license shall evaluate whether the physician is eligible for expedited licensure and issue a letter of qualification, verifying or denying the physician's eligibility, to the interstate commission.

(1) Static qualifications, which include verification of medical education, graduate medical education, results of any medical or licensing examination and other qualifications as determined by the interstate commission through rule, shall not be subject to additional primary source verification where already primary source verified by the state of principal license.

(2) The member board within the state selected as the state of principal license shall, in the course of verifying eligibility, perform a criminal background check of an applicant, including the use of the results of fingerprint or other biometric data checks compliant with the requirements of the federal bureau of investigation, with the exception of federal employees who have suitability determination in accordance with 5 C.F.R. § 731.202.

(3) Appeal on the determination of eligibility shall be made to the member state where the application was filed and shall be subject to the law of that state.

(c) Upon verification in subsection (b), physicians eligible for an expedited license shall complete the registration process established by the interstate commission to receive a license in a member state selected pursuant to subsection (a), including the payment of any applicable fees.

(d) After receiving verification of eligibility under subsection (b) and any fees under subsection (c), a member board shall issue an expedited license to the physician. This license shall authorize the physician to practice medicine in the issuing state consistent with the medical practice act and all applicable laws and regulations of the issuing member board and member state.

(e) An expedited license shall be valid for a period consistent with the licensure period in the member state and in the same manner as required for other physicians holding a full and unrestricted license within the member state.

(f) An expedited license obtained though the compact shall be terminated if a physician fails to maintain a license in the state of principal licensure for a non-disciplinary reason, without redesignation of a new state of principal licensure.

(g) The interstate commission is authorized to develop rules regarding the application process, including payment of any applicable fees, and the issuance of an expedited license.

SECTION 6

FEES FOR EXPEDITED LICENSURE

(a) A member state issuing an expedited license authorizing the practice of medicine in that state may impose a fee for a license issued or renewed through the compact.

(b) The interstate commission is authorized to develop rules regarding fees for expedited licenses.

SECTION 7

RENEWAL AND CONTINUED PARTICIPATION

(a) A physician seeking to renew an expedited license granted in a member state shall complete a renewal process with the interstate commission if the physician:

(1) Maintains a full and unrestricted license in a state of principal license;

(2) has not been convicted, received adjudication, deferred adjudication, community supervision or deferred disposition for any offense by a court of appropriate jurisdiction;

(3) has not had a license authorizing the practice of medicine subject to discipline by a licensing agency in any state, federal or foreign jurisdiction, excluding any action related to non-payment of fees related to a license; and

(4) has not had a controlled substance license or permit suspended or revoked by a state or the United States drug enforcement administration.

(b) Physicians shall comply with all continuing professional development or continuing medical education requirements for renewal of a license issued by a member state.

(c) The interstate commission shall collect any renewal fees charged for the renewal of a license and distribute the fees to the applicable member board.

(d) Upon receipt of any renewal fees collected in subsection (c), a member board shall renew the physician's license.

(e) Physician information collected by the interstate commission during the renewal process will be distributed to all member boards.

(f) The interstate commission is authorized to develop rules to address renewal of

licenses obtained through the compact.

SECTION 8

COORDINATED INFORMATION SYSTEM

(a) The interstate commission shall establish a database of all physicians licensed, or who have applied for licensure, under section 5.

(b) Notwithstanding any other provision of law, member boards shall report to the interstate commission any public action or complaints against a licensed physician who has applied or received an expedited license through the compact.

(c) Member boards shall report disciplinary or investigatory information determined as necessary and proper by rule of the interstate commission.

(d) Member boards may report any non-public complaint, disciplinary or investigatory information not required by subsection (c) to the interstate commission.

(e) Member boards shall share complaint or disciplinary information about a physician upon request of another member board.

(f) All information provided to the interstate commission or distributed by member boards shall be confidential, filed under seal, and used only for investigatory or disciplinary matters.

(g) The interstate commission is authorized to develop rules for mandated or discretionary sharing of information by member boards.

SECTION 9

JOINT INVESTIGATIONS

(a) Licensure and disciplinary records of physicians are deemed investigative.

(b) In addition to the authority granted to a member board by its respective medical practice act or other applicable state law, a member board may participate with other member boards in joint investigations of physicians licensed by the member boards.

(c) A subpoena issued by a member state shall be enforceable in other member states.

(d) Member boards may share any investigative, litigation or compliance materials in furtherance of any joint or individual investigation initiated under the compact.

(e) Any member state may investigate actual or alleged violations of the statutes authorizing the practice of medicine in any other member state in which a physician holds a license to practice medicine.

SECTION 10

DISCIPLINARY ACTIONS

(a) Any disciplinary action taken by any member board against a physician licensed through the compact shall be deemed unprofessional conduct, which may be subject to discipline by other member boards, in addition to any violation of the medical practice act or regulations in that state.

(b) If a license granted to a physician by the member board in the state of principal license is revoked, surrendered or relinquished in lieu of discipline, or suspended, then all licenses issued to the physician by member boards shall automatically be placed, without further action necessary by any member board, on the same status. If the member board in the state of principal license subsequently reinstates the physician's license, a license issued to the physician by any other member board shall remain encumbered until that respective member board takes action to reinstate the license in a manner consistent with the medical practice act of that state.

(c) If disciplinary action is taken against a physician by a member board not in the state of principal license, any other member board may deem the action conclusive as to matter of law and fact decided, and:

(1) Impose the same or lesser sanctions against the physician so long as such sanctions are consistent with the medical practice act of that state; or

(2) pursue separate disciplinary action against the physician under its respective medical practice act, regardless of the action taken in other member states.

(d) If a license granted to a physician by a member board is revoked, surrendered or relinquished in lieu of discipline, or suspended, then any license issued to the physician by any other member board shall be suspended, automatically and immediately without further action necessary by the other member boards, for 90 days upon entry of the order by the disciplining board, to permit the member boards to investigate the basis for the action under the medical practice act of that state. A member board may terminate the automatic suspension of the license it issued prior to the completion of the 90-day suspension period in a manner consistent with the medical practice act of that state.

SECTION 11
INTERSTATE MEDICAL LICENSURE
COMPACT COMMISSION

(a) The member states hereby create the interstate medical licensure compact commission.

(b) The purpose of the interstate commission is the administration of the interstate medical licensure compact, which is a discretionary state function.

(c) The interstate commission shall be a body corporate and joint agency of the member states and shall have all the responsibilities, powers and duties set forth in the compact, and such additional powers as may be conferred upon it by a subsequent concurrent action of the respective legislatures of the member states in accordance with the terms of the compact.

(d) The interstate commission shall consist of two voting representatives appointed by each member state who shall serve as commissioners. In states where allopathic and osteopathic physicians are regulated by separate member boards, or if the licensing and disciplinary authority is split between multiple member boards within a member state, the member state shall appoint one representative from each member board. A commissioner shall be:

(1) An allopathic or osteopathic physician appointed to a member board;

(2) an executive director, executive secretary or similar executive of a member board; or

(3) a member of the public appointed to a member board.

(e) The interstate commission shall meet at least once each calendar year. A portion of this meeting shall be a business meeting to address such matters as may properly come before the commission, including the election of officers. The chairperson may call additional meetings and shall call for a meeting upon the request of a majority of the member states.

(f) The bylaws may provide for meetings of the interstate commission to be conducted by telecommunication or electronic communication.

(g) Each commissioner participating at a meeting of the interstate commission is entitled to one vote. A majority of commissioners shall constitute a quorum for the

transaction of business, unless a larger quorum is required by the bylaws of the interstate commission. A commissioner shall not delegate a vote to another commissioner. In the absence of its commissioner, a member state may delegate voting authority for a specified meeting to another person from that state who shall meet the requirements of subsection (d).

(h) The interstate commission shall provide public notice of all meetings and all meetings shall be open to the public. The interstate commission may close a meeting, in full or in portion, where it determines by a two-thirds vote of the commissioners present that an open meeting would be likely to:

(1) Relate solely to the internal personnel practices and procedures of the interstate commission;

(2) discuss matters specifically exempted from disclosure by federal statute;

(3) discuss trade secrets, commercial or financial information that is privileged or confidential;

(4) involve accusing a person of a crime, or formally censuring a person;

(5) discuss information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(6) discuss investigative records compiled for law enforcement purposes; or

(7) specifically relate to the participation in a civil action or other legal proceeding.

(i) The interstate commission shall keep minutes which shall fully describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, including record of any roll call votes.

(j) The interstate commission shall make its information and official records, to the extent not otherwise designated in the compact or by its rules, available to the public for inspection.

(k) The interstate commission shall establish an executive committee, which shall include officers, members, and others as determined by the bylaws. The executive committee shall have the power to act on behalf of the interstate commission, with the exception of rulemaking, during periods when the interstate commission is not in session. When acting on behalf of the interstate commission, the executive committee shall oversee the administration of the compact including enforcement and compliance with the provisions of the compact, its bylaws and rules, and other such duties as necessary.

(l) The interstate commission may establish other committees for governance and administration of the compact.

SECTION 12
POWERS AND DUTIES OF
THE INTERSTATE COMMISSION

The interstate commission shall have the duty and power to:

(a) Oversee and maintain the administration of the compact;

(b) promulgate rules which shall be binding to the extent and in the manner provided for in the compact;

(c) issue, upon the request of a member state or member board, advisory opinions concerning the meaning or interpretation of the compact, its bylaws, rules and actions;

(d) enforce compliance with compact provisions, the rules promulgated by the interstate commission and the bylaws, using all necessary and proper means, including,

but not limited to, the use of judicial process;

(e) establish and appoint committees including, but not limited to, an executive committee as required by section 11, which shall have the power to act on behalf of the interstate commission in carrying out its powers and duties;

(f) pay, or provide for the payment of the expenses related to the establishment, organization and ongoing activities of the interstate commission;

(g) establish and maintain one or more offices;

(h) borrow, accept, hire or contract for services of personnel;

(i) purchase and maintain insurance and bonds;

(j) employ an executive director who shall have such powers to employ, select or appoint employees, agents or consultants, and to determine their qualifications, define their duties and fix their compensation;

(k) establish personnel policies and programs relating to conflicts of interest, rates of compensation and qualifications of personnel;

(l) accept donations and grants of money, equipment, supplies, materials and services, and to receive, utilize and dispose of it in a manner consistent with the conflict of interest policies established by the interstate commission;

(m) lease, purchase, accept contributions or donations of, or otherwise to own, hold, improve or use, any property, real, personal or mixed;

(n) sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal, or mixed;

(o) establish a budget and make expenditures;

(p) adopt a seal and bylaws governing the management and operation of the interstate commission;

(q) report annually to the legislatures and governors of the member states concerning the activities of the interstate commission during the preceding year. Such reports shall also include reports of financial audits and any recommendations that may have been adopted by the interstate commission;

(r) coordinate education, training and public awareness regarding the compact, its implementation and its operation;

(s) maintain records in accordance with the bylaws;

(t) seek and obtain trademarks, copyrights and patents; and

(u) perform such functions as may be necessary or appropriate to achieve the purposes of the compact.

SECTION 13

FINANCE POWERS

(a) The interstate commission may levy on and collect an annual assessment from each member state to cover the cost of the operations and activities of the interstate commission and its staff. The total assessment must be sufficient to cover the annual budget approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated upon a formula to be determined by the interstate commission, which shall promulgate a rule binding upon all member states.

(b) The interstate commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same.

(c) The interstate commission shall not pledge the credit of any of the member states, except by, and with the authority of, the member state.

(d) The interstate commission shall be subject to a yearly financial audit conducted by a certified or licensed public accountant and the report of the audit shall be included in the annual report of the interstate commission.

SECTION 14
ORGANIZATION AND OPERATION OF
THE INTERSTATE COMMISSION

(a) The interstate commission shall, by a majority of commissioners present and voting, adopt bylaws to govern its conduct as may be necessary or appropriate to carry out the purposes of the compact within 12 months of the first interstate commission meeting.

(b) The interstate commission shall elect or appoint annually from among its commissioners a chairperson, a vice-chairperson and a treasurer, each of whom shall have such authority and duties as may be specified in the bylaws. The chairperson, or in the chairperson's absence or disability, the vice-chairperson, shall preside at all meetings of the interstate commission.

(c) Officers selected in subsection (b) shall serve without remuneration from the interstate commission.

(d) The officers and employees of the interstate commission shall be immune from suit and liability, either personally or in their official capacity, for a claim for damage to or loss of property or personal injury or other civil liability caused or arising out of, or relating to, an actual or alleged act, error or omission that occurred, or that such person had a reasonable basis for believing occurred, within the scope of interstate commission employment, duties or responsibilities; provided that such person shall not be protected from suit or liability for damage, loss, injury or liability caused by the intentional or willful and wanton misconduct of such person.

(1) The liability of the executive director and employees of the interstate commission or representatives of the interstate commission, acting within the scope of such person's employment or duties for acts, errors or omissions occurring within such person's state, may not exceed the limits of liability set forth under the constitution and laws of that state for state officials, employees and agents. The interstate commission is considered to be an instrumentality of the states for the purposes of any such action. Nothing in this subsection shall be construed to protect such person from suit or liability for damage, loss, injury or liability caused by the intentional or willful and wanton misconduct of such person.

(2) The interstate commission shall defend the executive director, its employees, and subject to the approval of the attorney general or other appropriate legal counsel of the member state represented by an interstate commission representative, shall defend such interstate commission representative in any civil action seeking to impose liability arising out of an actual or alleged act, error or omission that occurred within the scope of interstate commission employment, duties or responsibilities, or that the defendant had a reasonable basis for believing occurred within the scope of interstate commission employment, duties or responsibilities, provided that the actual or alleged act, error or omission did not result from intentional or willful and wanton misconduct on the part of such person.

(3) To the extent not covered by the state involved, member state or the interstate commission, the representatives or employees of the interstate commission shall be held harmless in the amount of a settlement or judgment, including attorney fees and costs,

obtained against such persons arising out of an actual or alleged act, error or omission that occurred within the scope of interstate commission employment, duties or responsibilities, or that such persons had a reasonable basis for believing occurred within the scope of interstate commission employment, duties or responsibilities, provided that the actual or alleged act, error or omission did not result from intentional or willful and wanton misconduct on the part of such persons.

SECTION 15
RULEMAKING FUNCTIONS OF
THE INTERSTATE COMMISSION

(a) The interstate commission shall promulgate reasonable rules in order to effectively and efficiently achieve the purposes of the compact. Notwithstanding the foregoing, in the event the interstate commission exercises its rulemaking authority in a manner that is beyond the scope of the purposes of the compact, or the powers granted hereunder, then such an action by the interstate commission shall be invalid and have no force or effect.

(b) Rules deemed appropriate for the operations of the interstate commission shall be made pursuant to a rulemaking process that substantially conforms to the "model state administrative procedure act" of 2010, and subsequent amendments thereto.

(c) Not later than 30 days after a rule is promulgated, any person may file a petition for judicial review of the rule in the United States district court for the District of Columbia or the federal district where the interstate commission has its principal offices, provided that the filing of such a petition shall not stay or otherwise prevent the rule from becoming effective unless the court finds that the petitioner has a substantial likelihood of success. The court shall give deference to the actions of the interstate commission consistent with applicable law and shall not find the rule to be unlawful if the rule represents a reasonable exercise of the authority granted to the interstate commission.

SECTION 16
OVERSIGHT OF INTERSTATE COMPACT

(a) The executive, legislative and judicial branches of state government in each member state shall enforce the compact and shall take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of the compact and the rules promulgated hereunder shall have standing as statutory law, but shall not override existing state authority to regulate the practice of medicine.

(b) All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of the compact, which may affect the powers, responsibilities or actions of the interstate commission.

(c) The interstate commission shall be entitled to receive all service of process in any such proceeding and shall have standing to intervene in the proceeding for all purposes. Failure to provide service of process to the interstate commission shall render a judgment or order void as to the interstate commission, the compact or promulgated rules.

SECTION 17
ENFORCEMENT OF INTERSTATE COMPACT

(a) The interstate commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of the compact.

(b) The interstate commission may, by majority vote of the commissioners, initiate legal action in the United States district court for the District of Columbia, or, at the discretion of the interstate commission, in the federal district where the interstate commission has its principal offices, to enforce compliance with the provisions of the compact, and its promulgated rules and bylaws, against a member state in default. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation including reasonable attorney fees.

(c) The remedies herein shall not be the exclusive remedies of the interstate commission. The interstate commission may avail itself of any other remedies available under state law or the regulation of a profession.

SECTION 18

DEFAULT PROCEDURES

(a) The grounds for default include, but are not limited to, failure of a member state to perform such obligations or responsibilities imposed upon it by the compact, or the rules and bylaws of the interstate commission promulgated under the compact.

(b) If the interstate commission determines that a member state has defaulted in the performance of its obligations or responsibilities under the compact, or the bylaws or promulgated rules, the interstate commission shall:

(1) provide written notice to the defaulting state and other member states, of the nature of the default, the means of curing the default, and any action taken by the interstate commission. The interstate commission shall specify the conditions by which the defaulting state must cure its default; and

(2) provide remedial training and specific technical assistance regarding the default.

(c) If the defaulting state fails to cure the default, the defaulting state shall be terminated from the compact upon an affirmative vote of a majority of the commissioners and all rights, privileges and benefits conferred by the compact shall terminate on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of the default.

(d) Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to terminate shall be given by the interstate commission to the governor, the majority and minority leaders of the defaulting state's legislature, and each of the member states.

(e) The interstate commission shall establish rules and procedures to address licenses and physicians that are materially impacted by the termination of a member state, or the withdrawal of a member state.

(f) The member state, which has been terminated is responsible for all dues, obligations, and liabilities incurred through the effective date of termination including obligations, the performance of which extends beyond the effective date of termination.

(g) The interstate commission shall not bear any costs relating to any state that has been found to be in default or which has been terminated from the compact, unless otherwise mutually agreed upon in writing between the interstate commission and the defaulting state.

(h) The defaulting state may appeal the action of the interstate commission by petitioning the United States district court for the District of Columbia or the federal district where the interstate commission has its principal offices. The prevailing party

shall be awarded all costs of such litigation including reasonable attorney fees.

SECTION 19

DISPUTE RESOLUTION

(a) The interstate commission shall attempt, upon the request of a member state, to resolve disputes which are subject to the compact and which may arise among member states or member boards.

(b) The interstate commission shall promulgate rules providing for both mediation and binding dispute resolution as appropriate.

SECTION 20

MEMBER STATES, EFFECTIVE DATE AND AMENDMENT

(a) Any state is eligible to become a member state of the compact.

(b) The compact shall become effective and binding upon legislative enactment of the compact into law by no less than seven states. Thereafter, it shall become effective and binding on a state upon enactment of the compact into law by that state.

(c) The governors of non-member states, or their designees, shall be invited to participate in the activities of the interstate commission on a non-voting basis prior to adoption of the compact by all states.

(d) The interstate commission may propose amendments to the compact for enactment by the member states. No amendment shall become effective and binding upon the interstate commission and the member states unless and until it is enacted into law by unanimous consent of the member states.

SECTION 21

WITHDRAWAL

(a) Once effective, the compact shall continue in force and remain binding upon each and every member state; provided that a member state may withdraw from the compact by specifically repealing the statute which enacted the compact into law.

(b) Withdrawal from the compact shall be by the enactment of a statute repealing the same, but shall not take effect until one year after the effective date of such statute and until written notice of the withdrawal has been given by the withdrawing state to the governor of each other member state.

(c) The withdrawing state shall immediately notify the chairperson of the interstate commission in writing upon the introduction of legislation repealing the compact in the withdrawing state.

(d) The interstate commission shall notify the other member states of the withdrawing state's intent to withdraw within 60 days of its receipt of notice provided under subsection (c).

(e) The withdrawing state is responsible for all dues, obligations and liabilities incurred through the effective date of withdrawal, including obligations, the performance of which extend beyond the effective date of withdrawal.

(f) Reinstatement following withdrawal of a member state shall occur upon the withdrawing state reenacting the compact or upon such later date as determined by the interstate commission.

(g) The interstate commission is authorized to develop rules to address the impact of the withdrawal of a member state on licenses granted in other member states to physicians who designated the withdrawing member state as the state of principal license.

SECTION 22
DISSOLUTION

(a) The compact shall dissolve effective upon the date of the withdrawal or default of the member state, which reduces the membership in the compact to one member state.

(b) Upon the dissolution of the compact, the compact becomes null and void and shall be of no further force or effect, and the business and affairs of the interstate commission shall be concluded and surplus funds shall be distributed in accordance with the bylaws.

SECTION 23
SEVERABILITY AND CONSTRUCTION

(a) The provisions of the compact shall be severable, and if any phrase, clause, sentence or provision is deemed unenforceable, the remaining provisions of the compact shall be enforceable.

(b) The provisions of the compact shall be liberally construed to effectuate its purposes.

(c) Nothing in the compact shall be construed to prohibit the applicability of other interstate compacts to which the states are members.

SECTION 24
BINDING EFFECT OF COMPACT
AND OTHER LAWS

(a) Nothing herein prevents the enforcement of any other law of a member state that is not inconsistent with the compact.

(b) All laws in a member state in conflict with the compact are superseded to the extent of the conflict.

(c) All lawful actions of the interstate commission, including all rules and bylaws promulgated by the commission, are binding upon the member states.

(d) All agreements between the interstate commission and the member states are binding in accordance with their terms.

(e) In the event any provision of the compact exceeds the constitutional limits imposed on the legislature of any member state, such provision shall be ineffective to the extent of the conflict with the constitutional provision in question in that member state.

New Sec. 88. The provisions of sections 88 through 97, and amendments thereto, shall be known and may be cited as the independent practice of midwifery act.

New Sec. 89. As used in the independent practice of midwifery act:

(a) "Board" means the state board of healing arts.

(b) "Certified nurse-midwife" means an individual who:

(1) Is educated in the two disciplines of nursing and midwifery;

(2) is currently certified by a certifying board approved by the state board of nursing; and

(3) is currently licensed under the Kansas nurse practice act.

(c) "Independent practice of midwifery" means the provision of clinical services by a certified nurse-midwife without the requirement of a collaborative practice agreement with a person licensed to practice medicine and surgery when such clinical services are limited to those associated with a normal, uncomplicated pregnancy and delivery, including:

(1) The prescription of drugs and diagnostic tests;

(2) the performance of episiotomy or repair of a minor vaginal laceration;

(3) the initial care of the normal newborn; and

(4) family planning services, including treatment or referral of male partners for sexually-transmitted infections.

(d) The provisions of this section shall become effective on January 1, 2017.

New Sec. 90. (a) In order to obtain authorization to engage in the independent practice of midwifery, a certified nurse-midwife must meet the following requirements:

(1) Be licensed to practice professional nursing under the Kansas nurse practice act;

(2) have successfully completed a course of study in nurse-midwifery in a school of nurse-midwifery approved by the board;

(3) have successfully completed a national certification approved by the board;

(4) have successfully completed a refresher course as defined by rules and regulations of the board, if the individual has not been in active midwifery practice for five years immediately preceding the application;

(5) be authorized to perform the duties of a certified nurse-midwife by the state board of nursing;

(6) be licensed as an advanced practice registered nurse by the state board of nursing; and

(7) have paid all fees for licensure prescribed in section 92, and amendments thereto.

(b) Upon application to the board by any certified nurse-midwife and upon satisfaction of the standards and requirements established under this act, the board shall grant an authorization to the applicant to engage in the independent practice of midwifery.

(c) A person whose licensure has been revoked may make written application to the board requesting reinstatement of the license in a manner prescribed by the board, which application shall be accompanied by the fee prescribed in section 92, and amendments thereto.

(d) The provisions of this section shall become effective on January 1, 2017.

New Sec. 91. (a) Licenses issued under this act shall expire on the date of expiration established by rules and regulations of the board, unless renewed in the manner prescribed by the board. The request for renewal shall be accompanied by the fee prescribed in section 92, and amendments thereto.

(b) At least 30 days before the expiration of a licensee's license, the board shall notify the licensee of the expiration, by mail, addressed to the licensee's last known mailing address. If the licensee fails to submit an application for renewal on a form provided by the board, or fails to pay the renewal fee by the date of expiration, the board shall give a second notice to the licensee that the license has expired and the license may be renewed only if the application for renewal, the renewal fee, and the late renewal fee are received by the board within the 30-day period following the date of expiration and that, if both fees are not received within the 30-day period, the license shall be deemed canceled by operation of law and without further proceedings.

(c) The board may require any licensee, as a condition of renewal, to submit with the application of renewal evidence of satisfactory completion of a program of continuing education as required by rules and regulations of the board.

(d) The provisions of this section shall become effective on January 1, 2017.

New Sec. 92. (a) The board shall charge and collect, in advance, fees for certified nurse-midwives, as established by the board, not to exceed:

Application for license.....$100
License renewal.....$100
Late license renewal.....$100
License reinstatement fee.....$100
Revoked license fee.....$100
Certified copy of license.....$50
Verified copy of license.....$25

(b) The board shall remit all moneys received by or for the board from fees, charges or penalties to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. Ten percent of each such amount shall be credited to the state general fund, and the balance shall be credited to the healing arts fee fund. All expenditures from the healing arts fee fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the board or persons designated by the president.

(c) The provisions of this section shall become effective on January 1, 2017.

New Sec. 93. (a) It shall be unlawful for a person to engage in the independent practice of midwifery without a collaborative practice agreement with a person licensed to practice medicine and surgery, unless such certified nurse-midwife holds a license from the state board of nursing and the board.

(b) The provisions of this section shall become effective on January 1, 2017.

New Sec. 94. (a) The board, in consultation with the state board of nursing, shall adopt rules and regulations pertaining to certified nurse-midwives engaging in the independent practice of midwifery and governing the ordering of tests, diagnostic services and prescribing of drugs and referral or transfer to physicians in the event of complications or emergencies. Such rules and regulations shall not be adopted until the state board of nursing and the board have consulted and concurred on the content of each rule and regulation. Such rules and regulations shall be adopted no later than January 1, 2017.

(b) A certified nurse midwife engaging in the independent practice of midwifery shall be subject to the provisions of the independent practice of midwifery act with respect to the ordering of tests, diagnostic services and prescribing of drugs, and shall not be subject to the provisions of K.S.A. 65-1130, and amendments thereto.

(c) The standards of care for certified nurse-midwives in the ordering of tests, diagnostic services and the prescribing of drugs shall be those standards which protect patients and shall be standards comparable to persons licensed to practice medicine and surgery providing the same services.

(d) The board is hereby authorized to solely adopt those rules and regulations necessary to administer the administrative provisions of this act.

New Sec. 95. (a) The board may deny, revoke, limit or suspend any license or authorization issued to a certified nurse-midwife to engage in the independent practice of midwifery that is issued by the board or applied for under this act, or may publicly censure a licensee or holder of a temporary permit or authorization, if the applicant or

licensee is found after a hearing:

(1) To be guilty of fraud or deceit while engaging in the independent practice of midwifery or in procuring or attempting to procure a license to engage in the independent practice of midwifery;

(2) to have been found guilty of a felony or to have been found guilty of a misdemeanor involving an illegal drug offense unless the applicant or licensee establishes sufficient rehabilitation to warrant the public trust, except that notwithstanding K.S.A. 74-120, and amendments thereto, no license or authorization to practice and engage in the independent practice of midwifery shall be granted to a person with a felony conviction for a crime against persons as specified in article 34 of chapter 21 of the Kansas Statutes Annotated, prior to its repeal, or article 54 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, or K.S.A. 2015 Supp. 21-6104, 21-6325, 21-6326 or 21-6418, and amendments thereto;

(3) to have committed an act of professional incompetence as defined in subsection (c);

(4) to be unable to practice the healing arts with reasonable skill and safety by reason of impairment due to physical or mental illness or condition or use of alcohol, drugs or controlled substances. All information, reports, findings and other records relating to impairment shall be confidential and not subject to discovery or release to any person or entity outside of a board proceeding. The provisions of this paragraph providing confidentiality of records shall expire on July 1, 2022, unless the legislature reviews and reenacts such provisions pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2022;

(5) to be a person who has been adjudged in need of a guardian or conservator, or both, under the act for obtaining a guardian or conservator, or both, and who has not been restored to capacity under that act;

(6) to be guilty of unprofessional conduct as defined by rules and regulations of the board;

(7) to have willfully or repeatedly violated the provisions of the Kansas nurse practice act or any rules and regulations adopted pursuant to that act;

(8) to have a license to practice nursing as a registered nurse or as a practical nurse denied, revoked, limited or suspended, or to have been publicly or privately censured, by a licensing authority of another state, agency of the United States government, territory of the United States or country, or to have other disciplinary action taken against the applicant or licensee by a licensing authority of another state, agency of the United States government, territory of the United States or country. A certified copy of the record or order of public or private censure, denial, suspension, limitation, revocation or other disciplinary action of the licensing authority of another state, agency of the United States government, territory of the United States or country shall constitute prima facie evidence of such a fact for purposes of this paragraph; or

(9) to have assisted suicide in violation of K.S.A. 21-3406, prior to its repeal, or K.S.A. 2015 Supp. 21-5407, and amendments thereto, as established by any of the following:

(A) A copy of the record of criminal conviction or plea of guilty to a felony in violation of K.S.A. 21-3406, prior to its repeal, or K.S.A. 2015 Supp. 21-5407, and amendments thereto;

(B) a copy of the record of a judgment of contempt of court for violating an

injunction issued under K.S.A. 60-4404, and amendments thereto; or

(C) a copy of the record of a judgment assessing damages under K.S.A. 60-4405, and amendments thereto.

(b) No person shall be excused from testifying in any proceedings before the board under this act or in any civil proceedings under this act before a court of competent jurisdiction on the ground that such testimony may incriminate the person testifying, but such testimony shall not be used against the person for the prosecution of any crime under the laws of this state, except the crime of perjury as defined in K.S.A. 2015 Supp. 21-5903, and amendments thereto.

(c) As used in this section, "professional incompetency" means:

(1) One or more instances involving failure to adhere to the applicable standard of care to a degree which constitutes gross negligence, as determined by the board;

(2) repeated instances involving failure to adhere to the applicable standard of care to a degree which constitutes ordinary negligence, as determined by the board; or

(3) a pattern of practice or other behavior which demonstrates a manifest incapacity or incompetence to engage in the independent practice of midwifery.

(d) The board, upon request, shall receive from the Kansas bureau of investigation such criminal history record information relating to arrests and criminal convictions, as necessary, for the purpose of determining initial and continuing qualifications of licensees and applicants for licensure by the board.

(e) The provisions of this section shall become effective on January 1, 2017.

New Sec. 96. (a) There is hereby established a nurse-midwives council to advise the board in carrying out the provisions of this act. The council shall consist of seven members, all residents of the state of Kansas appointed as follows: Two members shall be licensees of the board, appointed by the board, who are licensed to practice medicine and surgery and whose specialty and customary practice includes obstetrics; one member shall be the president of the board or a board member designated by the president; and four members shall be licensed certified nurse-midwives appointed by the board of nursing.

(b) If a vacancy occurs on the council, the appointing authority of the position which has become vacant shall appoint a person of like qualifications to fill the vacant position for the unexpired term, if any.

New Sec. 97. (a) Nothing in the independent practice of midwifery act should be construed to authorize a certified nurse-midwife engaging in the independent practice of midwifery under such act to perform, induce or prescribe drugs for an abortion.

(b) The provisions of this section shall become effective on January 1, 2017.

Sec. 98. On and after January 1, 2017, K.S.A. 2015 Supp. 65-1130 is hereby amended to read as follows: (a) No professional nurse shall announce or represent to the public that such person is an advanced practice registered nurse unless such professional nurse has complied with requirements established by the board and holds a valid license as an advanced practice registered nurse in accordance with the provisions of this section.

(b) The board shall establish standards and requirements for any professional nurse who desires to obtain licensure as an advanced practice registered nurse. Such standards and requirements shall include, but not be limited to, standards and requirements relating to the education of advanced practice registered nurses. The board may give such examinations and secure such assistance as it deems necessary to

determine the qualifications of applicants.

(c) The board shall adopt rules and regulations applicable to advanced practice registered nurses which:

(1) Establish roles and identify titles and abbreviations of advanced practice registered nurses which are consistent with nursing practice specialties recognized by the nursing profession.

(2) Establish education and qualifications necessary for licensure for each role of advanced practice registered nurse established by the board at a level adequate to assure the competent performance by advanced practice registered nurses of functions and procedures which advanced practice registered nurses are authorized to perform. Advanced practice registered nursing is based on knowledge and skills acquired in basic nursing education, licensure as a registered nurse and graduation from or completion of a master's or higher degree in one of the advanced practice registered nurse roles approved by the board of nursing.

(3) Define the role of advanced practice registered nurses and establish limitations and restrictions on such role. The board shall adopt a definition of the role under this ~~subsection (c)(3)~~ paragraph which is consistent with the education and qualifications required to obtain a license as an advanced practice registered nurse, which protects the public from persons performing functions and procedures as advanced practice registered nurses for which they lack adequate education and qualifications and which authorizes advanced practice registered nurses to perform acts generally recognized by the profession of nursing as capable of being performed, in a manner consistent with the public health and safety, by persons with postbasic education in nursing. In defining such role the board shall consider: (A) The education required for a licensure as an advanced practice registered nurse; (B) the type of nursing practice and preparation in specialized advanced practice skills involved in each role of advanced practice registered nurse established by the board; (C) the scope and limitations of advanced practice nursing prescribed by national advanced practice organizations; and (D) acts recognized by the nursing profession as appropriate to be performed by persons with postbasic education in nursing.

(d) An advanced practice registered nurse may prescribe drugs pursuant to a written protocol as authorized by a responsible physician. Each written protocol shall contain a precise and detailed medical plan of care for each classification of disease or injury for which the advanced practice registered nurse is authorized to prescribe and shall specify all drugs which may be prescribed by the advanced practice registered nurse. Any written prescription order shall include the name, address and telephone number of the responsible physician. The advanced practice registered nurse may not dispense drugs, but may request, receive and sign for professional samples and may distribute professional samples to patients pursuant to a written protocol as authorized by a responsible physician. In order to prescribe controlled substances, the advanced practice registered nurse shall (1) register with the federal drug enforcement administration; and (2) notify the board of the name and address of the responsible physician or physicians. In no case shall the scope of authority of the advanced practice registered nurse exceed the normal and customary practice of the responsible physician. An advanced practice registered nurse certified in the role of registered nurse anesthetist while functioning as a registered nurse anesthetist under K.S.A. 65-1151 ~~to~~ through 65-1164, ~~inclusive,~~ and amendments thereto, shall be subject to the provisions of K.S.A.

65-1151 ~~to~~ through 65-1164, ~~inclusive,~~ and amendments thereto, with respect to drugs and anesthetic agents and shall not be subject to the provisions of this subsection. For the purposes of this subsection, "responsible physician" means a person licensed to practice medicine and surgery in Kansas who has accepted responsibility for the protocol and the actions of the advanced practice registered nurse when prescribing drugs.

(e) As used in this section, "drug" means those articles and substances defined as drugs in K.S.A. 65-1626 and 65-4101, and amendments thereto.

(f) A person registered to practice as an advanced registered nurse practitioner in the state of Kansas immediately prior to the effective date of this act shall be deemed to be licensed to practice as an advanced practice registered nurse under this act and such person shall not be required to file an original application for licensure under this act. Any application for registration filed which has not been granted prior to the effective date of this act shall be processed as an application for licensure under this act.

(g) An advanced practice registered nurse certified in the role of certified nurse-midwife and engaging in the independent practice of midwifery under the independent practice of midwifery act with respect to prescribing drugs shall be subject to the provisions of the independent practice of midwifery act and shall not be subject to the provisions of this section.

Sec. 99. On and after January 1, 2017, K.S.A. 2015 Supp. 65-1626 is hereby amended to read as follows: 65-1626. For the purposes of this act:

(a) "Administer" means the direct application of a drug, whether by injection, inhalation, ingestion or any other means, to the body of a patient or research subject by:

(1) A practitioner or pursuant to the lawful direction of a practitioner;

(2) the patient or research subject at the direction and in the presence of the practitioner; or

(3) a pharmacist as authorized in K.S.A. 65-1635a, and amendments thereto.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor or dispenser but shall not include a common carrier, public warehouseman or employee of the carrier or warehouseman when acting in the usual and lawful course of the carrier's or warehouseman's business.

(c) "Application service provider" means an entity that sells electronic prescription or pharmacy prescription applications as a hosted service where the entity controls access to the application and maintains the software and records on its server.

(d) "Authorized distributor of record" means a wholesale distributor with whom a manufacturer has established an ongoing relationship to distribute the manufacturer's prescription drug. An ongoing relationship is deemed to exist between such wholesale distributor and a manufacturer when the wholesale distributor, including any affiliated group of the wholesale distributor, as defined in section 1504 of the internal revenue code, complies with any one of the following: (1) The wholesale distributor has a written agreement currently in effect with the manufacturer evidencing such ongoing relationship; and (2) the wholesale distributor is listed on the manufacturer's current list of authorized distributors of record, which is updated by the manufacturer on no less than a monthly basis.

(e) "Board" means the state board of pharmacy created by K.S.A. 74-1603, and amendments thereto.

(f) "Brand exchange" means the dispensing of a different drug product of the same

dosage form and strength and of the same generic name as the brand name drug product prescribed.

(g) "Brand name" means the registered trademark name given to a drug product by its manufacturer, labeler or distributor.

(h) "Chain pharmacy warehouse" means a permanent physical location for drugs or devices, or both, that acts as a central warehouse and performs intracompany sales or transfers of prescription drugs or devices to chain pharmacies that have the same ownership or control. Chain pharmacy warehouses must be registered as wholesale distributors.

(i) "Co-licensee" means a pharmaceutical manufacturer that has entered into an agreement with another pharmaceutical manufacturer to engage in a business activity or occupation related to the manufacture or distribution of a prescription drug and the national drug code on the drug product label shall be used to determine the identity of the drug manufacturer.

(j) "DEA" means the U.S. department of justice, drug enforcement administration.

(k) "Deliver" or "delivery" means the actual, constructive or attempted transfer from one person to another of any drug whether or not an agency relationship exists.

(l) "Direct supervision" means the process by which the responsible pharmacist shall observe and direct the activities of a pharmacy student or pharmacy technician to a sufficient degree to assure that all such activities are performed accurately, safely and without risk or harm to patients, and complete the final check before dispensing.

(m) "Dispense" means to deliver prescription medication to the ultimate user or research subject by or pursuant to the lawful order of a practitioner or pursuant to the prescription of a mid-level practitioner.

(n) "Dispenser" means a practitioner or pharmacist who dispenses prescription medication, or a physician assistant who has authority to dispense prescription-only drugs in accordance with K.S.A. 65-28a08(b), and amendments thereto.

(o) "Distribute" means to deliver, other than by administering or dispensing, any drug.

(p) "Distributor" means a person who distributes a drug.

(q) "Drop shipment" means the sale, by a manufacturer, that manufacturer's co-licensee, that manufacturer's third party logistics provider, or that manufacturer's exclusive distributor, of the manufacturer's prescription drug, to a wholesale distributor whereby the wholesale distributor takes title but not possession of such prescription drug and the wholesale distributor invoices the pharmacy, the chain pharmacy warehouse, or other designated person authorized by law to dispense or administer such prescription drug, and the pharmacy, the chain pharmacy warehouse, or other designated person authorized by law to dispense or administer such prescription drug receives delivery of the prescription drug directly from the manufacturer, that manufacturer's co-licensee, that manufacturer's third party logistics provider, or that manufacturer's exclusive distributor, of such prescription drug. Drop shipment shall be part of the "normal distribution channel."

(r) "Drug" means: (1) Articles recognized in the official United States pharmacopoeia, or other such official compendiums of the United States, or official national formulary, or any supplement of any of them; (2) articles intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in ~~man~~ human or other animals; (3) articles, other than food, intended to affect the structure or any

function of the body of ~~man~~ human or other animals; and (4) articles intended for use as a component of any articles specified in paragraph (1), (2) or (3) ~~of this subsection~~; but does not include devices or their components, parts or accessories, except that the term "drug" shall not include amygdalin (laetrile) or any livestock remedy, if such livestock remedy had been registered in accordance with the provisions of article 5 of chapter 47 of the Kansas Statutes Annotated, prior to its repeal.

(s) "Durable medical equipment" means technologically sophisticated medical devices that may be used in a residence, including the following: (1) Oxygen and oxygen delivery system; (2) ventilators; (3) respiratory disease management devices; (4) continuous positive airway pressure (CPAP) devices; (5) electronic and computerized wheelchairs and seating systems; (6) apnea monitors; (7) transcutaneous electrical nerve stimulator (TENS) units; (8) low air loss cutaneous pressure management devices; (9) sequential compression devices; (10) feeding pumps; (11) home phototherapy devices; (12) infusion delivery devices; (13) distribution of medical gases to end users for human consumption; (14) hospital beds; (15) nebulizers; or (16) other similar equipment determined by the board in rules and regulations adopted by the board.

(t) "Electronic prescription" means an electronically prepared prescription that is authorized and transmitted from the prescriber to the pharmacy by means of electronic transmission.

(u) "Electronic prescription application" means software that is used to create electronic prescriptions and that is intended to be installed on the prescriber's computers and servers where access and records are controlled by the prescriber.

(v) "Electronic signature" means a confidential personalized digital key, code, number or other method for secure electronic data transmissions which identifies a particular person as the source of the message, authenticates the signatory of the message and indicates the person's approval of the information contained in the transmission.

(w) "Electronic transmission" means the transmission of an electronic prescription, formatted as an electronic data file, from a prescriber's electronic prescription application to a pharmacy's computer, where the data file is imported into the pharmacy prescription application.

(x) "Electronically prepared prescription" means a prescription that is generated using an electronic prescription application.

(y) "Exclusive distributor" means any entity that: (1) Contracts with a manufacturer to provide or coordinate warehousing, wholesale distribution or other services on behalf of a manufacturer and who takes title to that manufacturer's prescription drug, but who does not have general responsibility to direct the sale or disposition of the manufacturer's prescription drug; (2) is registered as a wholesale distributor under the pharmacy act of the state of Kansas; and (3) to be considered part of the normal distribution channel, must be an authorized distributor of record.

(z) "Facsimile transmission" or "fax transmission" means the transmission of a digital image of a prescription from the prescriber or the prescriber's agent to the pharmacy. "Facsimile transmission" includes, but is not limited to, transmission of a written prescription between the prescriber's fax machine and the pharmacy's fax machine; transmission of an electronically prepared prescription from the prescriber's electronic prescription application to the pharmacy's fax machine, computer or printer;

or transmission of an electronically prepared prescription from the prescriber's fax machine to the pharmacy's fax machine, computer or printer.

(aa) "Generic name" means the established chemical name or official name of a drug or drug product.

(bb) (1) "Institutional drug room" means any location where prescription-only drugs are stored and from which prescription-only drugs are administered or dispensed and which is maintained or operated for the purpose of providing the drug needs of:

(A) Inmates of a jail or correctional institution or facility;

(B) residents of a juvenile detention facility, as defined by the revised Kansas code for care of children and the revised Kansas juvenile justice code;

(C) students of a public or private university or college, a community college or any other institution of higher learning which is located in Kansas;

(D) employees of a business or other employer; or

(E) persons receiving inpatient hospice services.

(2) "Institutional drug room" does not include:

(A) Any registered pharmacy;

(B) any office of a practitioner; or

(C) a location where no prescription-only drugs are dispensed and no prescription-only drugs other than individual prescriptions are stored or administered.

(cc) "Intermediary" means any technology system that receives and transmits an electronic prescription between the prescriber and the pharmacy.

(dd) "Intracompany transaction" means any transaction or transfer between any division, subsidiary, parent or affiliated or related company under common ownership or control of a corporate entity, or any transaction or transfer between co-licensees of a co-licensed product.

(ee) "Medical care facility" shall have the meaning provided in K.S.A. 65-425, and amendments thereto, except that the term shall also include facilities licensed under the provisions of K.S.A. 75-3307b, and amendments thereto, except community mental health centers and facilities for people with intellectual disability.

(ff) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a drug either directly or indirectly by extraction from substances of natural origin, independently by means of chemical synthesis or by a combination of extraction and chemical synthesis and includes any packaging or repackaging of the drug or labeling or relabeling of its container, except that this term shall not include the preparation or compounding of a drug by an individual for the individual's own use or the preparation, compounding, packaging or labeling of a drug by:

(1) A practitioner or a practitioner's authorized agent incident to such practitioner's administering or dispensing of a drug in the course of the practitioner's professional practice;

(2) a practitioner, by a practitioner's authorized agent or under a practitioner's supervision for the purpose of, or as an incident to, research, teaching or chemical analysis and not for sale; or

(3) a pharmacist or the pharmacist's authorized agent acting under the direct supervision of the pharmacist for the purpose of, or incident to, the dispensing of a drug by the pharmacist.

(gg) "Manufacturer" means a person licensed or approved by the FDA to engage

in the manufacture of drugs and devices.

(hh) "Mid-level practitioner" means a certified nurse-midwife engaging in the independent practice of midwifery under the independent practice of midwifery act, an advanced practice registered nurse issued a license pursuant to K.S.A. 65-1131, and amendments thereto, who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-1130, and amendments thereto, or a physician assistant licensed pursuant to the physician assistant licensure act who has authority to prescribe drugs ~~prior to January 11, 2016, pursuant to a written protocol with a responsible physician under K.S.A. 65-28a08, and amendments thereto, and on and after January 11, 2016,~~ pursuant to a written agreement with a supervising physician under K.S.A. 65-28a08, and amendments thereto.

(ii) "Normal distribution channel" means a chain of custody for a prescription-only drug that goes from a manufacturer of the prescription-only drug, from that manufacturer to that manufacturer's co-licensed partner, from that manufacturer to that manufacturer's third-party logistics provider or from that manufacturer to that manufacturer's exclusive distributor, directly or by drop shipment, to:

(1) A pharmacy to a patient or to other designated persons authorized by law to dispense or administer such drug to a patient;

(2) a wholesale distributor to a pharmacy to a patient or other designated persons authorized by law to dispense or administer such drug to a patient;

(3) a wholesale distributor to a chain pharmacy warehouse to that chain pharmacy warehouse's intracompany pharmacy to a patient or other designated persons authorized by law to dispense or administer such drug to a patient; or

(4) a chain pharmacy warehouse to the chain pharmacy warehouse's intracompany pharmacy to a patient or other designated persons authorized by law to dispense or administer such drug to a patient.

(jj) "Person" means individual, corporation, government, governmental subdivision or agency, partnership, association or any other legal entity.

(kk) "Pharmacist" means any natural person licensed under this act to practice pharmacy.

(ll) "Pharmacist-in-charge" means the pharmacist who is responsible to the board for a registered establishment's compliance with the laws and regulations of this state pertaining to the practice of pharmacy, manufacturing of drugs and the distribution of drugs. The pharmacist-in-charge shall supervise such establishment on a full-time or a part-time basis and perform such other duties relating to supervision of a registered establishment as may be prescribed by the board by rules and regulations. Nothing in this definition shall relieve other pharmacists or persons from their responsibility to comply with state and federal laws and regulations.

(mm) "Pharmacist intern" means: (1) A student currently enrolled in an accredited pharmacy program; (2) a graduate of an accredited pharmacy program serving an internship; or (3) a graduate of a pharmacy program located outside of the United States which is not accredited and who has successfully passed equivalency examinations approved by the board.

(nn) "Pharmacy," "drugstore" or "apothecary" means premises, laboratory, area or other place: (1) Where drugs are offered for sale where the profession of pharmacy is practiced and where prescriptions are compounded and dispensed; or (2) which has displayed upon it or within it the words "pharmacist," "pharmaceutical chemist,"

"pharmacy," "apothecary," "drugstore," "druggist," "drugs," "drug sundries" or any of these words or combinations of these words or words of similar import either in English or any sign containing any of these words; or (3) where the characteristic symbols of pharmacy or the characteristic prescription sign "Rx" may be exhibited. As used in this subsection, premises refers only to the portion of any building or structure leased, used or controlled by the licensee in the conduct of the business registered by the board at the address for which the registration was issued.

(oo) "Pharmacy prescription application" means software that is used to process prescription information, is installed on a pharmacy's computers or servers, and is controlled by the pharmacy.

(pp) "Pharmacy technician" means an individual who, under the direct supervision and control of a pharmacist, may perform packaging, manipulative, repetitive or other nondiscretionary tasks related to the processing of a prescription or medication order and who assists the pharmacist in the performance of pharmacy related duties, but who does not perform duties restricted to a pharmacist.

(qq) "Practitioner" means a person licensed to practice medicine and surgery, dentist, podiatrist, veterinarian, optometrist or scientific investigator or other person authorized by law to use a prescription-only drug in teaching or chemical analysis or to conduct research with respect to a prescription-only drug.

(rr) "Preceptor" means a licensed pharmacist who possesses at least two years' experience as a pharmacist and who supervises students obtaining the pharmaceutical experience required by law as a condition to taking the examination for licensure as a pharmacist.

(ss) "Prescriber" means a practitioner or a mid-level practitioner.

(tt) "Prescription" or "prescription order" means: (1) An order to be filled by a pharmacist for prescription medication issued and signed by a prescriber in the authorized course of such prescriber's professional practice; or (2) an order transmitted to a pharmacist through word of mouth, note, telephone or other means of communication directed by such prescriber, regardless of whether the communication is oral, electronic, facsimile or in printed form.

(uu) "Prescription medication" means any drug, including label and container according to context, which is dispensed pursuant to a prescription order.

(vv) "Prescription-only drug" means any drug whether intended for use by ~~man~~ human or animal, required by federal or state law, including 21 U.S.C. § 353, to be dispensed only pursuant to a written or oral prescription or order of a practitioner or is restricted to use by practitioners only.

(ww) "Probation" means the practice or operation under a temporary license, registration or permit or a conditional license, registration or permit of a business or profession for which a license, registration or permit is granted by the board under the provisions of the pharmacy act of the state of Kansas requiring certain actions to be accomplished or certain actions not to occur before a regular license, registration or permit is issued.

(xx) "Professional incompetency" means:

(1) One or more instances involving failure to adhere to the applicable standard of pharmaceutical care to a degree which constitutes gross negligence, as determined by the board;

(2) repeated instances involving failure to adhere to the applicable standard of

pharmaceutical care to a degree which constitutes ordinary negligence, as determined by the board; or

(3) a pattern of pharmacy practice or other behavior which demonstrates a manifest incapacity or incompetence to practice pharmacy.

(yy) "Readily retrievable" means that records kept by automatic data processing applications or other electronic or mechanized record-keeping systems can be separated out from all other records within a reasonable time not to exceed 48 hours of a request from the board or other authorized agent or that hard-copy records are kept on which certain items are asterisked, redlined or in some other manner visually identifiable apart from other items appearing on the records.

(zz) "Retail dealer" means a person selling at retail nonprescription drugs which are prepackaged, fully prepared by the manufacturer or distributor for use by the consumer and labeled in accordance with the requirements of the state and federal food, drug and cosmetic acts. Such nonprescription drugs shall not include: (1) A controlled substance; (2) a prescription-only drug; or (3) a drug intended for human use by hypodermic injection.

(aaa) "Secretary" means the executive secretary of the board.

(bbb) "Third party logistics provider" means an entity that: (1) Provides or coordinates warehousing, distribution or other services on behalf of a manufacturer, but does not take title to the prescription drug or have general responsibility to direct the prescription drug's sale or disposition; (2) is registered as a wholesale distributor under the pharmacy act of the state of Kansas; and (3) to be considered part of the normal distribution channel, must also be an authorized distributor of record.

(ccc) "Unprofessional conduct" means:

(1) Fraud in securing a registration or permit;

(2) intentional adulteration or mislabeling of any drug, medicine, chemical or poison;

(3) causing any drug, medicine, chemical or poison to be adulterated or mislabeled, knowing the same to be adulterated or mislabeled;

(4) intentionally falsifying or altering records or prescriptions;

(5) unlawful possession of drugs and unlawful diversion of drugs to others;

(6) willful betrayal of confidential information under K.S.A. 65-1654, and amendments thereto;

(7) conduct likely to deceive, defraud or harm the public;

(8) making a false or misleading statement regarding the licensee's professional practice or the efficacy or value of a drug;

(9) commission of any act of sexual abuse, misconduct or exploitation related to the licensee's professional practice; or

(10) performing unnecessary tests, examinations or services which have no legitimate pharmaceutical purpose.

(ddd) "Vaccination protocol" means a written protocol, agreed to by a pharmacist and a person licensed to practice medicine and surgery by the state board of healing arts, which establishes procedures and recordkeeping and reporting requirements for administering a vaccine by the pharmacist for a period of time specified therein, not to exceed two years.

(eee) "Valid prescription order" means a prescription that is issued for a legitimate medical purpose by an individual prescriber licensed by law to administer and prescribe

drugs and acting in the usual course of such prescriber's professional practice. A prescription issued solely on the basis of an internet-based questionnaire or consultation without an appropriate prescriber-patient relationship is not a valid prescription order.

(fff) "Veterinary medical teaching hospital pharmacy" means any location where prescription-only drugs are stored as part of an accredited college of veterinary medicine and from which prescription-only drugs are distributed for use in treatment of or administration to a nonhuman.

(ggg) "Wholesale distributor" means any person engaged in wholesale distribution of prescription drugs or devices in or into the state, including, but not limited to, manufacturers, repackagers, own-label distributors, private-label distributors, jobbers, brokers, warehouses, including manufacturers' and distributors' warehouses, co-licensees, exclusive distributors, third party logistics providers, chain pharmacy warehouses that conduct wholesale distributions, and wholesale drug warehouses, independent wholesale drug traders and retail pharmacies that conduct wholesale distributions. Wholesale distributor shall not include persons engaged in the sale of durable medical equipment to consumers or patients.

(hhh) "Wholesale distribution" means the distribution of prescription drugs or devices by wholesale distributors to persons other than consumers or patients, and includes the transfer of prescription drugs by a pharmacy to another pharmacy if the total number of units of transferred drugs during a twelve-month period does not exceed 5% of the total number of all units dispensed by the pharmacy during the immediately preceding twelve-month period. Wholesale distribution does not include:

(1) The sale, purchase or trade of a prescription drug or device, an offer to sell, purchase or trade a prescription drug or device or the dispensing of a prescription drug or device pursuant to a prescription;

(2) the sale, purchase or trade of a prescription drug or device or an offer to sell, purchase or trade a prescription drug or device for emergency medical reasons;

(3) intracompany transactions, as defined in this section, unless in violation of own use provisions;

(4) the sale, purchase or trade of a prescription drug or device or an offer to sell, purchase or trade a prescription drug or device among hospitals, chain pharmacy warehouses, pharmacies or other health care entities that are under common control;

(5) the sale, purchase or trade of a prescription drug or device or the offer to sell, purchase or trade a prescription drug or device by a charitable organization described in 503(c)(3) of the internal revenue code of 1954 to a nonprofit affiliate of the organization to the extent otherwise permitted by law;

(6) the purchase or other acquisition by a hospital or other similar health care entity that is a member of a group purchasing organization of a prescription drug or device for its own use from the group purchasing organization or from other hospitals or similar health care entities that are members of these organizations;

(7) the transfer of prescription drugs or devices between pharmacies pursuant to a centralized prescription processing agreement;

(8) the sale, purchase or trade of blood and blood components intended for transfusion;

(9) the return of recalled, expired, damaged or otherwise non-salable prescription drugs, when conducted by a hospital, health care entity, pharmacy, chain pharmacy warehouse or charitable institution in accordance with the board's rules and regulations;

(10) the sale, transfer, merger or consolidation of all or part of the business of a retail pharmacy or pharmacies from or with another retail pharmacy or pharmacies, whether accomplished as a purchase and sale of stock or business assets, in accordance with the board's rules and regulations;

(11) the distribution of drug samples by manufacturers' and authorized distributors' representatives;

(12) the sale of minimal quantities of drugs by retail pharmacies to licensed practitioners for office use; or

(13) the sale or transfer from a retail pharmacy or chain pharmacy warehouse of expired, damaged, returned or recalled prescription drugs to the original manufacturer, originating wholesale distributor or to a third party returns processor in accordance with the board's rules and regulations.

Sec. 100. On and after January 1, 2017, K.S.A. 2015 Supp. 65-4101 is hereby amended to read as follows: 65-4101. As used in this act: (a) "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion or any other means, to the body of a patient or research subject by:

(1) A practitioner or pursuant to the lawful direction of a practitioner; or

(2) the patient or research subject at the direction and in the presence of the practitioner.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor or dispenser. It does not include a common carrier, public warehouseman or employee of the carrier or warehouseman.

(c) "Application service provider" means an entity that sells electronic prescription or pharmacy prescription applications as a hosted service where the entity controls access to the application and maintains the software and records on its server.

(d) "Board" means the state board of pharmacy.

(e) "Bureau" means the bureau of narcotics and dangerous drugs, United States department of justice, or its successor agency.

(f) "Controlled substance" means any drug, substance or immediate precursor included in any of the schedules designated in K.S.A. 65-4105, 65-4107, 65-4109, 65-4111 and 65-4113, and amendments thereto.

(g) (1) "Controlled substance analog" means a substance that is intended for human consumption, and:

(A) The chemical structure of which is substantially similar to the chemical structure of a controlled substance listed in or added to the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto;

(B) which has a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto; or

(C) with respect to a particular individual, which such individual represents or intends to have a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto.

(2) "Controlled substance analog" does not include:

(A) A controlled substance;

(B) a substance for which there is an approved new drug application; or

(C) a substance with respect to which an exemption is in effect for investigational use by a particular person under section 505 of the federal food, drug and cosmetic act, 21 U.S.C. § 355, to the extent conduct with respect to the substance is permitted by the exemption.

(h) "Counterfeit substance" means a controlled substance which, or the container or labeling of which, without authorization bears the trademark, trade name or other identifying mark, imprint, number or device or any likeness thereof of a manufacturer, distributor or dispenser other than the person who in fact manufactured, distributed or dispensed the substance.

(i) "Cultivate" means the planting or promotion of growth of five or more plants which contain or can produce controlled substances.

(j) "DEA" means the U.S. department of justice, drug enforcement administration.

(k) "Deliver" or "delivery" means the actual, constructive or attempted transfer from one person to another of a controlled substance, whether or not there is an agency relationship.

(l) "Dispense" means to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the packaging, labeling or compounding necessary to prepare the substance for that delivery, or pursuant to the prescription of a mid-level practitioner.

(m) "Dispenser" means a practitioner or pharmacist who dispenses, or a physician assistant who has authority to dispense prescription-only drugs in accordance with K.S.A. 65-28a08(b), and amendments thereto.

(n) "Distribute" means to deliver other than by administering or dispensing a controlled substance.

(o) "Distributor" means a person who distributes.

(p) "Drug" means: (1) Substances recognized as drugs in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary or any supplement to any of them; (2) substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in ~~man~~ human or animals; (3) substances (other than food) intended to affect the structure or any function of the body of ~~man~~ human or animals; and (4) substances intended for use as a component of any article specified in paragraph (1), (2) or (3) ~~of this subsection~~. It does not include devices or their components, parts or accessories.

(q) "Immediate precursor" means a substance which the board has found to be and by rule and regulation designates as being the principal compound commonly used or produced primarily for use and which is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance, the control of which is necessary to prevent, curtail or limit manufacture.

(r) "Electronic prescription" means an electronically prepared prescription that is authorized and transmitted from the prescriber to the pharmacy by means of electronic transmission.

(s) "Electronic prescription application" means software that is used to create electronic prescriptions and that is intended to be installed on the prescriber's computers and servers where access and records are controlled by the prescriber.

(t) "Electronic signature" means a confidential personalized digital key, code, number or other method for secure electronic data transmissions which identifies a

particular person as the source of the message, authenticates the signatory of the message and indicates the person's approval of the information contained in the transmission.

(u) "Electronic transmission" means the transmission of an electronic prescription, formatted as an electronic data file, from a prescriber's electronic prescription application to a pharmacy's computer, where the data file is imported into the pharmacy prescription application.

(v) "Electronically prepared prescription" means a prescription that is generated using an electronic prescription application.

(w) "Facsimile transmission" or "fax transmission" means the transmission of a digital image of a prescription from the prescriber or the prescriber's agent to the pharmacy. "Facsimile transmission" includes, but is not limited to, transmission of a written prescription between the prescriber's fax machine and the pharmacy's fax machine; transmission of an electronically prepared prescription from the prescriber's electronic prescription application to the pharmacy's fax machine, computer or printer; or transmission of an electronically prepared prescription from the prescriber's fax machine to the pharmacy's fax machine, computer or printer.

(x) "Intermediary" means any technology system that receives and transmits an electronic prescription between the prescriber and the pharmacy.

(y) "Isomer" means all enantiomers and diastereomers.

(z) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance either directly or indirectly or by extraction from substances of natural origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a controlled substance by an individual for the individual's own lawful use or the preparation, compounding, packaging or labeling of a controlled substance:

(1) By a practitioner or the practitioner's agent pursuant to a lawful order of a practitioner as an incident to the practitioner's administering or dispensing of a controlled substance in the course of the practitioner's professional practice; or

(2) by a practitioner or by the practitioner's authorized agent under such practitioner's supervision for the purpose of or as an incident to research, teaching or chemical analysis or by a pharmacist or medical care facility as an incident to dispensing of a controlled substance.

(aa) "Marijuana" means all parts of all varieties of the plant Cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil, or cake or the sterilized seed of the plant which is incapable of germination.

(bb) "Medical care facility" shall have the meaning ascribed to that term in K.S.A. 65-425, and amendments thereto.

(cc) "Mid-level practitioner" means a certified nurse-midwife engaging in the independent practice of midwifery under the independent practice of midwifery act, an

advanced practice registered nurse issued a license pursuant to K.S.A. 65-1131, and amendments thereto, who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-1130, and amendments thereto, or a physician assistant licensed under the physician assistant licensure act who has authority to prescribe drugs~~ prior to January 11, 2016, pursuant to a written protocol with a responsible physician under K.S.A. 65-28a08, and amendments thereto, and on and after January 11, 2016,~~ pursuant to a written agreement with a supervising physician under K.S.A. 65-28a08, and amendments thereto.

(dd) "Narcotic drug" means any of the following whether produced directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis:

(1) Opium and opiate and any salt, compound, derivative or preparation of opium or opiate;

(2) any salt, compound, isomer, derivative or preparation thereof which is chemically equivalent or identical with any of the substances referred to in paragraph (1) but not including the isoquinoline alkaloids of opium;

(3) opium poppy and poppy straw;

(4) coca leaves and any salt, compound, derivative or preparation of coca leaves, and any salt, compound, isomer, derivative or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves which do not contain cocaine or ecgonine.

(ee) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. It does not include, unless specifically designated as controlled under K.S.A. 65-4102, and amendments thereto, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). It does include its racemic and levorotatory forms.

(ff) "Opium poppy" means the plant of the species Papaver somniferum l. except its seeds.

(gg) "Person" means an individual, corporation, government, or governmental subdivision or agency, business trust, estate, trust, partnership or association or any other legal entity.

(hh) "Pharmacist" means any natural person licensed under K.S.A. 65-1625 et seq., and amendments thereto, to practice pharmacy.

(ii) "Pharmacist intern" means: (1) A student currently enrolled in an accredited pharmacy program; (2) a graduate of an accredited pharmacy program serving such person's internship; or (3) a graduate of a pharmacy program located outside of the United States which is not accredited and who had successfully passed equivalency examinations approved by the board.

(jj) "Pharmacy prescription application" means software that is used to process prescription information, is installed on a pharmacy's computers and servers, and is controlled by the pharmacy.

(kk) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(ll) "Practitioner" means a person licensed to practice medicine and surgery, dentist, podiatrist, veterinarian, optometrist, or scientific investigator or other person authorized by law to use a controlled substance in teaching or chemical analysis or to

conduct research with respect to a controlled substance.

(mm) "Prescriber" means a practitioner or a mid-level practitioner.

(nn) "Production" includes the manufacture, planting, cultivation, growing or harvesting of a controlled substance.

(oo) "Readily retrievable" means that records kept by automatic data processing applications or other electronic or mechanized recordkeeping systems can be separated out from all other records within a reasonable time not to exceed 48 hours of a request from the board or other authorized agent or that hard-copy records are kept on which certain items are asterisked, redlined or in some other manner visually identifiable apart from other items appearing on the records.

(pp) "Ultimate user" means a person who lawfully possesses a controlled substance for such person's own use or for the use of a member of such person's household or for administering to an animal owned by such person or by a member of such person's household.";

Also on page 11, in line 30, after the first "K.S.A." by inserting "59-29b54, 59-29b61, 65-4016, 65-5806, 65-5808, 65-6314, 65-6407, 65-6408, 65-6411, 74-5311, 74-5318, 74-5319, 74-5320, 74-5321, 74-5325, 74-5326, 74-5327, 74-5328, 74-5332, 74-5333, 74-5334, 74-5336, 74-5338, 74-5361, 74-5362, 74-5363, 74-5365, 74-5370, 75-6115 and"; also in line 30, after "Supp." by inserting "59-29b46, 59-3077,"; in line 31, before "and" by inserting ", 65-2872, 65-2901, 65-2913, 65-4024a, 65-5807, 65-5809, 65-5815, 65-6309, 65-6311, 65-6313, 65-6405, 65-6406, 65-6412, 65-6607, 65-6608, 65-6609, 65-6610, 65-6611, 65-6612, 65-6613, 65-6614, 65-6615, 65-6616, 65-6617, 65-6618, 65-6619, 65-6620, 74-5310, 74-5315, 74-5316, 74-5324, 74-5337, 74-5367, 74-5369, 74-5375, 74-5376, 74-7507, 74-7508";

Also on page 11, following line 31, by inserting:

"Sec. 102. On and after January 1, 2017, K.S.A. 2015 Supp. 65-1130, 65-1626 and 65-4101 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, by striking all in lines 1 through 4 and inserting:

"AN ACT concerning healthcare providers; relating to powers, duties and functions thereof; licensure requirements; regulation; acupuncturists; certified nurse-midwives; physical therapists; professions regulated by the behavioral science regulatory board; amending K.S.A. 59-29b54, 59-29b61, 65-4016, 65-5806, 65-5808, 65-6314, 65-6407, 65-6408, 65-6411, 74-5311, 74-5318, 74-5361, 74-5362, 74-5363, 74-5365, 74-5370, 75-6115 and 75-6120 and K.S.A. 2015 Supp. 59-29b46, 59-3077, 65-1130, 65-1431, 65-1626, 65-2809, 65-2872, 65-2901, 65-2913, 65-4024a, 65-4101, 65-5807, 65-5809, 65-6309, 65-6311, 65-6313, 65-6405, 65-6406, 65-6607, 65-6608, 65-6609, 65-6610, 65-6611, 65-6612, 65-6613, 65-6614, 65-6615, 65-6616, 65-6617, 65-6618, 65-6620, 74-5310, 74-5315, 74-5316, 74-5324, 74-5367, 74-5369, 74-5375, 74-5376, 74-7507, 74-7508 and 75-6102 and repealing the existing sections; also repealing K.S.A. 74-5319, 74-5320, 74-5321, 74-5325, 74-5326, 74-5327, 74-5328, 74-5332, 74-5333, 74-5334, 74-5336 and 74-5338 and K.S.A. 2015 Supp. 65-5815, 65-6412, 65-6619 and 74-5337.";

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

MICHAEL O'DONNELL, II
ELAINE BOWERS
Conferees on part of Senate

DANIEL R. HAWKINS
WILLIE O. DOVE
Conferees on part of House

On motion of Rep. Hawkins, to adopt the conference committee report on **HB 2615**, Rep. Rubin offered a substitute motion to not adopt the conference committee report and that a new conference committee be appointed.

The substitute motion of Rep. Rubin prevailed and Speaker Merrick appointed Reps. Hawkins, Dove and Ward as third conferees.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2460** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

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

GREG SMITH
FORREST J. KNOX
PAT PETTEY
Conferees on part of Senate

RAMON C. GONZALEZ
BLAINE FINCH
Conferees on part of House

On motion of Rep. Gonzalez the conference committee report on **HB 2460** to agree to disagree, was adopted.

Speaker Merrick thereupon appointed Reps. Gonzalez, Pauls and Highberger as second conferees on the part of the House.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Phillips, the House concurred in Senate amendments to **HB 2164**, AN ACT concerning sewer districts; amending K.S.A. 19-27a19 and repealing the existing section.

(The House requested the Senate to return the bill, which was in conference).

Call of the House was demanded.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter,

Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Kiegerl, Ruiz, Schwab, Victors, K. Williams.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 63** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 63, as follows:

On page 1, by striking all in lines 8 through 36;

By striking all on pages 2 through 38;

On page 39, by striking lines 1 through 13 and inserting:

"Section 1. K.S.A. 2015 Supp. 79-32,117 is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction, except that the federal net operating loss deduction shall not be added to an individual's federal adjusted gross income for

tax years beginning after December 31, 2016.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2015 Supp. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 2015 Supp. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to K.S.A. 79-32,117(c)(xv), and amendments thereto, or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 2015 Supp. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 2015 Supp. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xiii), or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2015 Supp. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2015 Supp. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2015 Supp. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2015 Supp. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2015 Supp. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S corporations, except those with wholly owned subsidiaries subject to the Kansas privilege tax, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer, to the extent the deduction is attributable to income reported on schedule C, E

or F and on line 12, 17 or 18 of the taxpayer's form 1040 federal income tax return.

(xxi) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for health insurance under section 162(l) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid for medical care of the taxpayer or the taxpayer's spouse or dependents when such expenses were paid or incurred for an abortion, or for a health benefit plan, as defined in K.S.A. 2015 Supp. 65-6731, and amendments thereto, for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2015 Supp. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xxv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 2015 Supp. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2015 Supp. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as a deduction for federal income tax purposes.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain

which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b (a) and 228c (a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280 C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280 C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas venture capital, inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 2015 Supp. 74-50,201 et seq., and amendments thereto.

(xiv) For ~~all~~ taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) For ~~all~~ taxable years beginning after December 31, 2006, amounts not exceeding $3,000, or $6,000 for a married couple filing a joint return, for each designated beneficiary which are contributed to a family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary at an institution of postsecondary education. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 2015 Supp. 75-643, and amendments thereto, and the provisions of such section are hereby incorporated by reference for all purposes thereof.

(xvi) For ~~all~~ taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the Kansas army and air national guard.

(xvii) For ~~all~~ taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, or pursuant to section 1 or section 2 of chapter 207 of the 2005 Session Laws of Kansas, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of $50,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and for all taxable years beginning after December 31, 2007, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of $75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For ~~all~~ taxable years beginning after December 31, 2012, <u>and ending before January 1, 2017</u>, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income, not including guaranteed payments as defined in section 707(c) of the federal internal revenue code and as reported to the taxpayer from federal schedule K-1, (form 1065-B), in box 9, code F or as reported to the taxpayer from federal schedule K-1, (form 1065) in box 4, from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined

under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For ~~all~~ taxable years beginning after December 31, 2013, amounts equal to the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to another person for human organ transplantation. The expenses may be claimed as a subtraction modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a dependent, exceed $5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed $20,000.

(xxii) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of net gain from the sale of: (1) Cattle and horses, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 24 months or more from the date of acquisition; and (2) other livestock, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 12 months or more from the date of acquisition. The subtraction from federal adjusted gross income shall be limited to the amount of the additions recognized under the provisions of subsection (b)(xix) attributable to the business in which the livestock sold had been used. As used in this paragraph, the term "livestock" shall not include poultry.

(xxiii) For ~~all~~ taxable years beginning after December 31, 2012, amounts received under either the Overland Park, Kansas police department retirement plan or the Overland Park, Kansas fire department retirement plan, both as established by the city of Overland Park, pursuant to the city's home rule authority.

(xxiv) For ~~all~~ taxable years beginning after December 31, 2013, the net gain from the sale from Christmas trees grown in Kansas and held by the taxpayer for six years or more.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.

Sec. 2. K.S.A. 2015 Supp. 79-32,117 is hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "to"; by striking line 2; in line 3, by striking all before the semicolon and inserting "income tax, addition and subtraction modifications"; in line 4, by striking "12-6a31, 79-3399 and 79-3606" and inserting "79-32,117"; in line 5, by striking "sections" and inserting "section";

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

MARVIN KLEEB
MARK HUTTON
TOM SAWYER
Conferees on part of House

LES DONOVAN
CARYN TYSON
TOM HOLLAND
Conferees on part of Senate

The motion of Rep. Kleeb to adopt the conference committee report on **H Sub for SB 63** did not prevail. The bill was killed.

On roll call, the vote was: Yeas 45; Nays 74; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Alford, Ballard, Barker, Becker, Billinger, Boldra, Campbell, Carmichael, W. Carpenter, Concannon, Curtis, E. Davis, Edmonds, Estes, Ewy, Hawkins, Helgerson, Highberger, Hoffman, Hutton, Johnson, Kelly, Kleeb, Lusk, Lusker, Pauls, Peck, Proehl, Read, Ryckman Sr., Sawyer, Schroeder, Schwartz, Scott, Seiwert, Sloan, C. Smith, Thimesch, Tietze, Todd, Trimmer, Ward, Waymaster, Wolfe Moore.

Nays: Anthimides, Barton, Bollier, Bradford, Bruchman, Burroughs, Carlin, B. Carpenter, Claeys, Clark, Clayton, Corbet, DeGraaf, Dierks, Doll, Dove, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hedke, Hemsley, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Houser, Houston, Huebert, Hutchins, Jennings, D. Jones, K. Jones, Kahrs, Kelley, Kuether, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Phillips, R. Powell, Rahjes, Rhoades, Rooker, Rubin, Ryckman, Scapa, Suellentrop, Sutton, S. Swanson, Thompson, Vickrey, Weber, C., Whipple, Whitmer, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Goico, Kiegerl, Ruiz, Schwab, Victors, K. Williams.

EXPLANATIONS OF VOTE

MR. SPEAKER: It is with great concern that I am being asked to vote on a bill that has not been brought to the floor through the proper process and does not allow it to be read or fully vetted. I don't believe rescinding the LLC tax exemption will be enough to fully fund the budget of our state. This is only the first step in a very tough process of fulfilling our fiscal responsibility to fund the schools and agencies we have placed so much hardship on by depleting and stealing from their budgets. The people of Kansas deserve better. I vote No on **H Sub for SB 63**. – LONNIE CLARK, SUSIE SWANSON, DON HILL, DIANA DIERKS, GREG LEWIS

Mr. Speaker: We vote yes on **H Sub for SB 63**, as we are cognizant of the major business interests in our rural areas of the state of Kansas, that which are agriculture and oil production. The hindrance of not allowing these businesses the ability to account for their losses has been a tax burden and not a benefit to them, especially as they experience a downturn in the commodity and oil prices. We also acknowledge that the state of Kansas need a stable budget, spending and revenues. By casting this vote we have done our duty to listen to our districts and constituencies. – Troy L. Waymaster, Joe Seiwert, Susan Concannon, Jack Thimesch, Kyle Hoffman, Stephen Alford, Bud Estes, Sharon Schwartz, John L. Ewy, John Edmonds

Mr. Speaker: I've polled several voters in the 38th that feel with the new businesses in Kansas, and several other positive factors contributing to that success I have to vote No on this bill. The reasons are many. We have a very low unemployment rate in Kansas. The State of Kansas has taken in more revenue this year than 2015. We have reduced individual Income taxes by an average of 30% for families and individuals. 29% went to small business.

The small Business Tax Policy exempts non-wage business income. Citizens still pay taxes on wages dividends and capital gains. I vote no on **H Sub for SB 63**. – Willie Dove

Mr. Speaker: It is with a heavy heart that I vote no on **H Sub for SB 63**. I have seen dedicated colleagues working hard to solve a difficult problem. I have seen others who have not. Rather than contributing to the solution, they have complained; declaring it a pity to not pay taxes, using their extra tax funds on extravagant adventures, and still consistently voting no. It is time Kansans had honest people representing them instead of disingenuous leaders using votes for their personal advantage. I vote no, Mr. Speaker, because it is too great an insult to be used this time. – Peggy Mast

Mr. Speaker: I vote no on **H Sub for SB 63**. I've been advocating for fair, responsible and financially sustainable tax policies for our state. This bill is a step in that direction, but falls entirely too short to fix the structural deficit our state faces. Closing the LLC loophole without addressing other aspects of the 2012 tax plan will still require yearly budget cuts, all while still not addressing school funding, sales tax on food, KPERs funding, and dozens of other needs. I am ready to work with my colleagues in the House, Senate and the Governor's office to develop a more comprehensive and responsible tax plan. – John Wilson

Mr. Speaker: Without a more comprehensive plan, we face crippling cuts to essential services this year and next. **H Sub for SB 63** proposed a "fix" that still leaves us on a march to insolvency, a path both reckless and irresponsible. No bill to debate, no time to vet and no input in the process for 120 House members. We understand incremental progress, negotiation, compromise and consensus building. Sadly none of those traits describe this process. Bill written in conference committee in the morning, voted on same day. We remain committed to fighting for real revenue reform. We vote NO. – Melissa A. Rooker, Linda Gallagher, Barbara Bollier, Stephanie Clayton

Mr. Speaker: Kansans are calling out for tax reform which will stabilize our budget. But we have once again been presented a false choice: a partial solution which may

make some feel good, but which is inadequate to right the financial affairs of the state. Lack of opportunity to debate, amend or even read the bill represents a corruption of the legislative process and it is time for that practice to end. I stand ready at any time to work with my colleagues for a lasting solution to the fiscal imbalance we face, and to adopt true revenue reform. I vote no on **H Sub for SB 63**. – DON HINEMAN

MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **HB 2662** and has appointed Senators Masterson, Denning and Kelly as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2739** and has appointed Senators Masterson, Denning and Kelly as conferees on the part of the Senate.

The Senate concurs in House amendments to **SB 19**, and requests return of the bill.

The Senate concurs in House amendments to **House Substitute for SB 44**, and requests return of the bill.

The Senate concurs in House amendments to **SB 321**, and requests return of the bill.

The Senate concurs in House amendments to **SB 407**, and requests return of the bill.

The Senate concurs in House amendments to **SB 408**, and requests return of the bill.

The Senate adopts the Conference Committee report on **SB 326**.

The Senate adopts the Conference Committee report on **Senate Substitute for HB 2088**.

The Senate adopts the Conference Committee report on **Substitute for HB 2151**.

The Senate adopts the Conference Committee report on **HB 2463**.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 81, by Representative Randy Garber congratulating the 2016 Centralia boys and girls basketball teams for winning the Class 1A division 1 Championship;

Request No. 82, by Representative Kyle Hoffman commending the Comanche County Fire Department for their service in the historic 2016 Kansas wildfire season;

Request No. 83, by Representative Kyle Hoffman commending the Kansas State Firefighters Association for their service in the historic 2016 Kansas wildfire season;

Request No. 84, by Representative Kyle Hoffman commending the Barber County Fire Department for their service in the historic 2016 Kansas wildfire season;

Request No. 85, by Representative Don Hineman congratulating the Dighton High School Girls Basketball Team for winning the 2016 State 1A Division II Tournament;

Request No. 86, by Representative Susan Concannon congratulating Billy Bob and the Belaires for their induction to the Kansas Music Hall of Fame;

Request No. 87, by Representative Jim Kelly congratulating Dr. Jo Ann McDowell for receiving the prestigious 2016 Jerome Lawrence Award at the 35th Annual Independence Community College William Inge Festival;

Request No. 88, by Representative Susie Swanson congratulating the Clay Center Community High School Girls Basketball Team for being named the 2016 4A Division II State Champions;

Request No. 89, by Representative Jim Kelly congratulating David L. Torbett for his induction into the Kansas Teachers Hall of Fame;

Request No. 90, by Representative Brandon Whipple congratulating the Wichita South High School Girls Basketball Team for winning the 2016 Kansas State Girls Championship Class 6A Division, the first 6A program to win four straight titles;

Request No. 91, by Representative Jim Kelly congratulating the Independence Community College Speech and Debate Team for winning the 2016 Junior Varsity National Speech and Debate Team Tournament;

Request No. 92, by Representative Blaine Finch commending the East Central Kansas Economic Opportunity Corporation in recognition for 50 years of fighting poverty in East Central Kansas;

Request No. 93, by Representative Ray Merrick congratulating James and Judith Morrison on their 55th Wedding Anniversary, September 2, 2016;

Request No. 94, by Representative Barbara W. Ballard honoring and commending Representative Jerry Henry for making a difference in his 24 years of public service in the Kansas House of Representatives;

Request No. 95, by Representatives Ousley, Bollier, Gallagher, Lusk, Rooker and Rubin congratulating the Shawnee Mission North Boys Basketball Team in recognition for winning the 2016 Kansas State Boys Championship Class 6A Division;

Request No. 96, by Representatives Ousley, Bollier, Gallagher, Lusk, Rooker and Rubin congratulating the Shawnee Mission North High School NJ ROTC in recognition for being the 2016 Navy Junior Reserve Officer Training Corps Overall National Academic, Athletic and Drill Champions;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

On motion of Rep. Vickrey, the House recessed until 7:30 p.m.

EVENING SESSION

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

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2463**, **Sub HB 2151**, **H Sub for SB 227**, **Sub SB 323**, **H Sub for SB 337**, **SB 366**, **H Sub for SB 168**, **SB 248**, **H Sub for SB 249**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 337** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 337, on page 1, following line 5, by inserting:

"New Section 1. To further implement the provisions of the groundwater management district act, if the secretary of agriculture or the chief engineer of the division of water resources of the Kansas department of agriculture propose rules and regulations that may change an adopted local groundwater management program or impact water use in a groundwater management district, the secretary or chief engineer shall notify the groundwater management district board of directors of such requested management program change or proposed rules and regulations and provide a copy of such requested management program change or proposed rules and regulations to the board. Upon such notice, the board of directors shall prepare a response of intended board actions. The board of directors shall follow the provisions of K.S.A. 82a-1029, and amendments thereto, for revising active groundwater management programs.

New Sec. 2. (a) The division of water resources of the Kansas department of agriculture shall post all complete applications and all orders issued by the division pursuant to K.S.A. 82a-706b, 82a-708a and 82a-708b, and amendments thereto, on its official website.

(b) The division, in conjunction with the groundwater management district within which such water right is situated, shall notify all water right owners with a point of diversion within half a mile, or further if deemed necessary by a rule and regulation of the chief engineer, of a water right pending request or application pursuant to K.S.A. 82a-706b, 82a-708a and 82a-708b, and amendments thereto, except for change applications requesting a point of diversion move 300 feet or less from the currently authorized location.

Sec. 3. K.S.A. 2015 Supp. 74-506d is hereby amended to read as follows: 74-506d. The secretary of agriculture is hereby authorized to employ a chief engineer of the division of water resources and such expert assistants, clerical and other help as may be necessary to properly carry out the provisions of this act, and to fix their compensation~~, all of whom~~. The chief engineer shall be under the classified service of the Kansas civil service act, but any vacant position of such expert assistants, clerical and other help necessary to carry out the provisions of this act may be converted by the secretary of agriculture to an unclassified position.

Sec. 4. K.S.A. 2015 Supp. 75-2935 is hereby amended to read as follows: 75-2935. The civil service of the state of Kansas is hereby divided into the unclassified and the classified services.

(1) The unclassified service comprises positions held by state officers or employees who are:

(a) Chosen by election or appointment to fill an elective office;

(b) members of boards and commissions, heads of departments required by law to be appointed by the governor or by other elective officers, and the executive or administrative heads of offices, departments, divisions and institutions specifically established by law;

(c) except as otherwise provided under this section, one personal secretary to each elective officer of this state, and in addition thereto, 10 deputies, clerks or employees designated by such elective officer;

(d) all employees in the office of the governor;

(e) officers and employees of the senate and house of representatives of the legislature and of the legislative coordinating council and all officers and employees of the office of revisor of statutes, of the legislative research department, of the division of legislative administrative services, of the division of post audit and the legislative counsel;

(f) chancellor, president, deans, administrative officers, student health service physicians, pharmacists, teaching and research personnel, health care employees and student employees in the institutions under the state board of regents, the executive officer of the board of regents and the executive officer's employees other than clerical employees, and, at the discretion of the state board of regents, directors or administrative officers of departments and divisions of the institution and county extension agents, except that this subsection (1)(f) shall not be construed to include the custodial, clerical or maintenance employees, or any employees performing duties in connection with the business operations of any such institution, except administrative officers and directors; as used in this subsection (1)(f), "health care employees" means employees of the university of Kansas medical center who provide health care services at the university of Kansas medical center and who are medical technicians or technologists or respiratory therapists, who are licensed professional nurses or licensed practical nurses, or who are in job classes which are designated for this purpose by the chancellor of the university of Kansas upon a finding by the chancellor that such designation is required for the university of Kansas medical center to recruit or retain personnel for positions in the designated job classes; and employees of any institution under the state board of regents who are medical technologists;

(g) operations, maintenance and security personnel employed to implement agreements entered into by the adjutant general and the federal national guard bureau, and officers and enlisted persons in the national guard and the naval militia;

(h) persons engaged in public work for the state but employed by contractors when the performance of such contract is authorized by the legislature or other competent authority;

(i) persons temporarily employed or designated by the legislature or by a legislative committee or commission or other competent authority to make or conduct a special inquiry, investigation, examination or installation;

(j) officers and employees in the office of the attorney general and special counsel to state departments appointed by the attorney general, except that officers and employees of the division of the Kansas bureau of investigation shall be in the classified or unclassified service as provided in K.S.A. 75-711, and amendments thereto;

(k) all employees of courts;

(l) client, patient and inmate help in any state facility or institution;

(m) all attorneys for boards, commissions and departments;

(n) the secretary and assistant secretary of the Kansas state historical society;

(o) physician specialists, dentists, dental hygienists, pharmacists, medical technologists and long term care workers employed by the Kansas department for aging and disability services;

(p) physician specialists, dentists and medical technologists employed by any board, commission or department or by any institution under the jurisdiction thereof;

(q) student employees enrolled in public institutions of higher learning;

(r) administrative officers, directors and teaching personnel of the state board of education and the state department of education and of any institution under the supervision and control of the state board of education, except that this subsection (1)(r) shall not be construed to include the custodial, clerical or maintenance employees, or any employees performing duties in connection with the business operations of any such institution, except administrative officers and directors;

(s) all officers and employees in the office of the secretary of state;

(t) one personal secretary and one special assistant to the following: The secretary of administration, the secretary for aging and disability services, the secretary of agriculture, the secretary of commerce, the secretary of corrections, the secretary of health and environment, the superintendent of the Kansas highway patrol, the secretary of labor, the secretary of revenue, the secretary for children and families, the secretary of transportation, the secretary of wildlife, parks and tourism and the commissioner of juvenile justice;

(u) one personal secretary and one special assistant to the chancellor and presidents of institutions under the state board of regents;

(v) one personal secretary and one special assistant to the executive vice chancellor of the university of Kansas medical center;

(w) one public information officer and one chief attorney for the following: The department of administration, the Kansas department for aging and disability services, the department of agriculture, the department of commerce, the department of corrections, the department of health and environment, the department of labor, the department of revenue, the Kansas department for children and families, the department of transportation, the Kansas department of wildlife, parks and tourism and the commissioner of juvenile justice;

(x) if designated by the appointing authority, persons in newly hired positions, including any employee who is rehired into such position and any current state employee who voluntarily transfers into, or is voluntarily promoted or demoted into such position, on and after July 1, 2015, in any state agency;

(y) one executive director, one general counsel and one director of public affairs and consumer protection in the office of the state corporation commission;

(z) specifically designated by law as being in the unclassified service;

(aa) any position that is classified as a position in the information resource manager job class series, that is the chief position responsible for all information resources management for a state agency, and that becomes vacant on or after the effective date of this act. Nothing in this section shall affect the classified status of any employee in the classified service who is employed on the date immediately preceding the effective date of this act in any position that is a classified position in the information resource manager job class series and the unclassified status as prescribed by this subsection shall apply only to a person appointed to any such position on or after the effective date of this act that is the chief position responsible for all information resources management for a state agency;

(bb) positions at state institutions of higher education that have been converted to unclassified positions pursuant to K.S.A. 2015 Supp. 76-715a, and amendments thereto;

and

(cc) notwithstanding the provisions of K.S.A. 22-4524, 32-802, 44-510g, 44-551, 44-552, 48-205, 48-919, 49-402e, 58-4105, 58-4503, 65-2878, 65-6103, 73-1210a, 73-1234, ~~74-506d,~~ 74-515b, 74-561, 74-569, 74-631, 74-1106, 74-1704, 74-1806, 74-2435, 74-2614, 74-2702, 74-2906a, 74-5014, 74-5210, 74-6707, 74-6901, 74-6904, 74-7008, 74-7501, 74-8704, 74-8805, 74-9804, 75-118, 75-1202d, 75-2537, 75-2944, 75-3148, 75-3702c, 75-4222, 75-5005, 75-5015, 75-5016, 75-5122, 75-5157, 75-5309, 75-5310, 75-5378, 75-5610, 75-5702, 75-5708, 75-5733, 75-5910, 75-7028, 75-7054, 75-7304, 76-1002a, 76-1116, 76-12a04, 76-12a05, 76-12a08, 76-12a16, 76-3202 and 82a-1205 and K.S.A. 2015 Supp. 39-1911, and amendments thereto, any vacant position within the classified service may be converted by the appointing authority to an unclassified position.

(2) The classified service comprises all positions now existing or hereafter created which are not included in the unclassified service. Appointments in the classified service shall be made according to merit and fitness from eligible pools which so far as practicable shall be competitive. No person shall be appointed, promoted, reduced or discharged as an officer, clerk, employee or laborer in the classified service in any manner or by any means other than those prescribed in the Kansas civil service act and the rules adopted in accordance therewith.

(3) For positions involving unskilled, or semiskilled duties, the secretary of administration, as provided by law, shall establish rules and regulations concerning certifications, appointments, layoffs and reemployment which may be different from the rules and regulations established concerning these processes for other positions in the classified service.

(4) Officers authorized by law to make appointments to positions in the unclassified service, and appointing officers of departments or institutions whose employees are exempt from the provisions of the Kansas civil service act because of the constitutional status of such departments or institutions shall be permitted to make appointments from appropriate pools of eligibles maintained by the division of personnel services.

(5) On and after the effective date of this act, any state agency that has positions in the classified service within the Kansas civil service act to satisfy any requirement of maintaining personnel standards on a merit basis pursuant to federal law or the rules and regulations promulgated thereunder by the federal government or any agency thereof, shall adopt a binding statement of agency policy pursuant to K.S.A. 77-415, and amendments thereto, to satisfy such requirements if the appointing authority has made any such position unclassified.";

Also on page 1, in line 30, after "telemetry" by inserting "for the purpose of documentation";

On page 2, in line 3, after "Supp." by inserting "74-506d, 75-2935 and"; also in line 3, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "relating to the division of water resources; chief engineer;"; also in line 2, after "Supp." by inserting "74-506d, 75-2935 and"; in line 3, by striking "section" and inserting "sections";

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

SHARON SCHWARTZ
SUE BOLDRA
JOHN WILSON
Conferees on part of House

LARRY R. POWELL
DAN KERSCHEN
MARCI FRANCISCO
Conferees on part of Senate

On motion of Rep. Schwartz, the conference committee report on **H Sub for SB 337** was adopted.

On roll call, the vote was: Yeas 95; Nays 21; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Curtis, E. Davis, Dierks, Doll, Dove, Edmonds, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Hawkins, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Read, Rooker, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, S. Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Whipple, Wilson, Winn, Wolfe Moore.

Nays: Barton, B. Carpenter, Corbet, DeGraaf, Esau, Garber, Grosserode, Hedke, Hildabrand, Houser, K. Jones, Kahrs, Macheers, McPherson, R. Powell, Rhoades, Rubin, Scapa, Sutton, Todd, Whitmer.

Present but not voting: None.

Absent or not voting: Bollier, Goico, Hill, Kelley, Kiegerl, Peck, Ruiz, Victors, K. Williams.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 323** submits the following report:

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

On page 1, in line 17, by striking "two hours" and inserting "one hour";

By striking pages 2 through 10;

On page 11, by striking lines 1 through 27 and inserting:

"New Sec. 2. (a) There is hereby established a language assessment program to be coordinated by the Kansas commission for the deaf and hard of hearing. The purpose of the program is to assess, monitor and track the language developmental milestones of children who are deaf or hard of hearing from birth through the age of eight. The recognized languages used in the education of children who are deaf and hard of hearing are English and American sign language. The scope of the program includes

children who may use one or more communication modes in American sign language, English literacy and, if applicable, spoken English and visual supplements.

(b) On and after July 1, 2018, an annual language assessment shall be given to each child who is deaf or hard of hearing and who is less than nine years of age. Language assessments shall be provided either through early intervention services administered by the Kansas department of health and environment, or if the child is three years of age or older, through the school district in which the child is enrolled. Such language assessments shall be provided in accordance with the provisions of this section and any recommendations adopted pursuant to this section.

(c) There is hereby established within KCDHH an advisory committee on the language assessment program. The advisory committee shall consist of 16 members as follows:

(1) Nine members of the advisory committee shall be appointed by the governor as follows:

(A) One member shall be a credentialed teacher of the deaf who uses both ASL and English during instruction;

(B) one member shall be a credentialed teacher of the deaf who uses spoken English with or without visual supplements during instruction;

(C) one member shall be a credentialed teacher of the deaf who has expertise in curriculum development and instruction of ASL and English;

(D) one member shall be a credentialed teacher of the deaf who has expertise in assessing language development in both ASL and English;

(E) one member shall be a speech language pathologist who has experience working with children from birth through the age of eight;

(F) one member shall be a professional with a linguistic background who conducts research on language outcomes of children who are deaf or hard of hearing and use ASL and English;

(G) one member shall be a parent of a child who is deaf or hard of hearing and who uses both ASL and English;

(H) one member shall be a parent of a child who is deaf or hard of hearing and who uses spoken English with or without visual supplements; and

(I) one member who is knowledgeable about teaching and using both ASL and English in the education of children who are deaf and hard of hearing; and

(2) seven members of the advisory committee shall be ex officio members as follows:

(A) One member shall be the executive director of KCDHH;

(B) one member shall be the coordinator of the sound start program, or such coordinator's designee;

(C) one member shall be the KCDHH commission member representing the state school for the deaf, or such commission member's designee;

(D) one member shall be the KCDHH commission member representing the department of health and environment, or such commission member's designee;

(E) one member shall be the KCDHH commission member representing the state board of education, or such commission member's designee;

(F) one member shall be the coordinator of the early intervention program administered by the department of health and environment, or such coordinator's designee; and

(G) one member shall be the coordinator of the early education program administered by the department of education, or such coordinator's designee.

(d) The executive director of KCDHH shall call an organizational meeting of the advisory committee on or before August 1, 2016. At such organizational meeting, the members shall elect a chairperson and vice-chairperson from the membership of the advisory committee. The advisory committee may meet at any time and at any place within the state on the call of the chairperson. A quorum of the advisory committee shall be nine members. All actions of the advisory committee shall be by motion adopted by a majority of those members present when there is a quorum. Any vacancy on the committee shall be filled in accordance with subsection (c).

(e) On or before January 31, 2018, the advisory committee shall develop specific action plans and make recommendations necessary to fully implement the language assessment program. In carrying out its charge under this section, the committee shall:

(1) Collaborate with the coordinating council on early childhood developmental services and the Kansas state special education advisory council;

(2) solicit input from professionals trained in the language development and education of children who are deaf or hard of hearing on the selection of specific language developmental milestones;

(3) review, recommend and monitor the use of existing and available language assessments for children who are deaf or hard of hearing;

(4) identify and recommend qualifications of language professionals with knowledge of the use of evidence-based, best practices in English and American sign language who can be available to advocate at IFSP or IEP team meetings;

(5) identify qualifications of language assessment evaluators with knowledge on the use of evidence-based, best practices with children who are deaf or hard of hearing and the resources for locating such evaluators; and

(6) identify procedures and methods for communicating information on language acquisition, assessment results, milestones, assessment tools used and progress of the child to the parent or legal guardian of such child, teachers and other professionals involved in the early intervention and education of such child.

(f) The specific action plans and recommendations developed by the advisory committee shall include, but are not limited to, the following:

(1) Language assessments that include data collection and timely tracking of the child's development so as to provide information about the child's receptive and expressive language compared to such child's linguistically age-appropriate peers who are not deaf or hard of hearing;

(2) language assessments conducted in accordance with standardized norms and timelines in order to monitor and track language developmental milestones in receptive, expressive, social and pragmatic language acquisition and developmental stages to show progress in American sign language literacy, English literacy, or both, for all children who are deaf or hard of hearing from birth through the age of eight;

(3) language assessments delivered in the child's mode of communication and which have been validated for the specific purposes for which each assessment is used, and appropriately normed;

(4) language assessments administered by individuals who are proficient in ASL for ASL assessments and English for English assessments;

(5) use of assessment results, in addition to the assessment required by federal law,

for guidance on the language developmental discussions by IFSP and IEP teams when assessing the child's progress in language development;

(6) reporting of assessment results to the parents or legal guardian of the child and the applicable agency;

(7) reporting of assessment results on an aggregated basis to the committees on education of the house of representatives and the senate; and

(8) reporting of assessment results to the members of the child's IFSP or IEP team, which may be used, in addition to the assessment required by federal law, by the child's IFSP or IEP team, as applicable, to track the child's progress, and to establish or modify the IFSP or IEP.

(g) The state department of education, the department of health and environment and the state school for the deaf shall enter into interagency agreements with KCDHH to share statewide aggregate data.

(h) On or before January 31, 2019, and each January 31 thereafter, KCDHH shall publish a report that is specific to language and literacy developmental milestones of children who are deaf or hard of hearing for each age from birth through the age of eight, including those who are deaf or hard of hearing and have other disabilities, relative to such children's peers who are not deaf or hard of hearing. Such report shall be based on existing data reported in compliance with the federally required state performance plan on pupils with disabilities. KCDHH shall publish the report on its website.

(i) The advisory committee shall cease to exist from and after July 1, 2018.

(j) As used in this section:

(1) "ASL" means American sign language.

(2) "English" means English literacy, spoken English, signing exact English and morphemic system of signs, CASE, cued speech and any other visual supplements.

(3) "IEP" means individualized education program.

(4) "IFSP" means individualized family service plan.

(5) "KCDHH" means the Kansas commission for the deaf and hard of hearing.

(6) "Language" means a complex and dynamic system of conventional symbols that is used in various modes for thought and communication.

(7) "Literacy" includes the developmental stages of literacy, including pre-emergent, emergent and novice levels, as necessary beginning stages to master a language.

Sec. 3. K.S.A. 2015 Supp. 75-2319 is hereby amended to read as follows: 75-2319. (a) There is hereby established in the state treasury the school district capital improvements fund. The fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) ~~Subject to the provisions of subsection (f),~~ In each school year, each school district which is obligated to make payments from its capital improvements fund shall be entitled to receive payment from the school district capital improvements fund in an amount determined by the state board of education as provided in this subsection.

(1) For general obligation bonds approved for issuance at an election held prior to July 1, 2015, the state board of education shall:

(A) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state and round such amount to the nearest $1,000. The rounded amount is the AVPP of a school district for the purposes of this subsection (b)(1);

(B) determine the median AVPP of all school districts;

(C) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal $1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal $1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(D) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each $1,000 interval above the amount of the median AVPP, and increasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each $1,000 interval below the amount of the median AVPP. Except as provided by K.S.A. 2015 Supp. 75-2319c, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 25%;

(E) determine the amount of payments that a school district is obligated to make from its bond and interest fund attributable to general obligation bonds approved for issuance at an election held prior to July 1, 2015; and

(F) multiply the amount determined under subsection (b)(1)(E) by the applicable state aid percentage factor.

(2) For general obligation bonds approved for issuance at an election held on or after July 1, 2015, ~~but prior to July 1, 2017,~~ the state board of education shall:

(A) Determine the amount of the AVPP of each school district in the state and round such amount to the nearest $1,000. The rounded amount is the AVPP of a school district for the purposes of this subsection (b)(2);

(B) prepare a schedule of dollar amounts using the amount of the AVPP of the school district with the lowest AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal $1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts;

(C) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the lowest AVPP shown on the schedule and decreasing the state aid computation percentage assigned to the amount of the lowest AVPP by one percentage point for each $1,000 interval above the amount of the lowest AVPP. Except as provided by K.S.A. 2015 Supp. 75-2319c, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid computation percentage is 75%;

(D) determine the amount of payments that a school district is obligated to make from its bond and interest fund attributable to general obligation bonds approved for issuance at an election held on or after July 1, 2015~~, but prior to July 1, 2017~~; and

(E) multiply the amount determined under subsection (b)(2)(D) by the applicable state aid percentage factor.

(3) For general obligation bonds approved for issuance at an election held on or before June 30, 2016, the sum of the amount determined under subsection (b)(1)(F) and the amount determined under subsection (b)(2)(E) is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(4) For general obligation bonds approved for issuance at an election held on or after July 1, 2016, the amount determined under subsection (b)(2)(E) is the amount of payment the school district shall receive from the school district capital improvements fund in the school year, except the total amount of payments school districts receive from the school district capital improvements fund in the school year for such bonds shall not exceed the six-year average amount of capital improvement state aid as determined by the state board of education.

(A) The state board of education shall determine the six-year average amount of capital improvement state aid by calculating the average of the total amount of moneys expended per year from the school district capital improvements fund in the immediately preceding six fiscal years, not to include the current fiscal year.

(B) (i) Subject to clause (ii), the state board of education shall prioritize the allocations to school districts from the school district capital improvements fund 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.

(ii) In allocating capital improvement state aid, the state board shall give higher priority to those school districts with a lower AVPP compared to the other school districts that are to receive capital improvement state aid under this section.

(C) On and after July 1, 2016, the state board of education shall approve the amount of state aid payments a school district shall receive from the school district capital improvements fund pursuant to subsection (b)(5) prior to an election to approve the issuance of general obligation bonds.

(5) The sum of the amounts determined under subsection (b)(3) and the amount determined or allocated to the district by the state board of education pursuant to subsection (b)(4), is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(c) The state board of education shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital improvements fund for distribution to school districts. All transfers made in accordance with the provisions of this subsection shall be

considered to be demand transfers from the state general fund, except that all such transfers during the fiscal years ending June 30, 2013, June 30, 2014, June 30, 2015, and June 30, 2016, shall be considered to be revenue transfers from the state general fund.

(d) Payments from the school district capital improvements fund shall be distributed to school districts at times determined by the state board of education to be necessary to assist school districts in making scheduled payments pursuant to contractual bond obligations. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, 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 bond and interest fund of the school district to be used for the purposes of such fund.

(e) The provisions of this section apply only to contractual obligations incurred by school districts pursuant to general obligation bonds issued upon approval of a majority of the qualified electors of the school district voting at an election upon the question of the issuance of such bonds.

(f) On or before the first day of the legislative session in 2017, and each year thereafter, the state board of education shall prepare and submit a report to the legislature that includes information on school district elections held on or after July 1, 2016, to approve the issuance of general obligation bonds and the amount of payments school districts were approved to receive from the school district capital improvements fund pursuant to subsection (b)(4)(C).

Sec. 4. K.S.A. 2015 Supp. 75-2319 is hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 through 5; in line 6 by striking all before the period and inserting "education; relating to capital improvement state aid; creating a language assessment program for children who are deaf or hard of hearing; creating the Jason Flatt act; requiring suicide prevention training for school district personnel; amending K.S.A. 2015 Supp. 75-2319 and repealing the existing section";

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

RONALD L. HIGHLAND
JERRY D. LUNN
VALDENIA WINN
Conferees on part of House

STEVE E. ABRAMS
TOM ARPKE
ANTHONY HENSLEY
Conferees on part of Senate

On motion of Rep. Highland, the conference committee report on **Sub SB 323** was adopted.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra,

Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Kelley, Kiegerl, Peck, Ruiz, Victors, K. Williams.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 227** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 227, as follows:

On page 1, by striking all in lines 7 through 29;

By striking all on pages 2 through 8;

On page 9, by striking all in lines 1 through 34 and inserting:

"Section 1. The intent of this act is to provide a mechanism to allow real property with environmental contamination to be purchased without the purchaser becoming liable for cleanup costs. This act establishes the contaminated property redevelopment fund to help municipalities redevelop contaminated and potentially contaminated properties. This act shall be known and may be cited as the contaminated property redevelopment act.

Sec. 2. As used in this act:

(a) "Certificate of environmental liability release" or "CELR" means a certificate issued by the department that releases the purchaser from environmental liability for contamination existing at the time of issuance of the CELR on a property from actions taken by the bureau of environmental remediation under K.S.A. 65-159, 65-161 through 65-171z, 65-3401 et seq., 65-3430 et seq. and 65-3452a et seq., and amendments thereto.

(b) "Department" means the Kansas department of health and environment.

(c) "Owner" means any owner of record of property or authorized representative.

(d) "Person" means any individual, trust, firm, joint stock company, public or private corporation, limited liability company or partnership; the federal government or any agency or instrumentality thereof; any state, or any agency, instrumentality or political or taxing subdivision thereof; or any interstate body.

(e) "Property" means real property.

(f) "Purchaser" means any person who is acquiring property through purchase, foreclosure or default. For purposes of this act, "purchaser" does not include the federal

government or a person who acquires property through gifts, bequests or inheritance.

(g) "Secretary" means the secretary of health and environment.

(h) "Site" means all areas and media to which environmental contamination or pollution has been released, transported or migrated.

Sec. 3. (a) A property shall be eligible for a CELR from the department if the purchaser submits a complete application to the department and the department finds that:

(1) The property is contaminated, not including contamination resulting from radon, lead-based paint or asbestos;

(2) the purchaser is not the party responsible for the contamination;

(3) the property is:

(A) Not currently owned by the purchaser;

(B) currently owned by the purchaser and was acquired through seizure, condemnation, foreclosure or default; or

(C) currently owned by the purchaser and the purchaser is the state of Kansas and any department or branch of state government, or any agency, authority, institution or other instrumentality thereof; or any county, township, city, school district or other political or taxing subdivision of the state, or any agency, authority, institution or other instrumentality thereof;

(4) if the purchaser is a current owner, the purchaser could not have reasonably foreseen the threat of contamination and failed to take reasonable steps to prevent the contamination;

(5) there is no direct or indirect familial relationship or any contractual, corporate or financial relationship between the purchaser and the owner or the party responsible for the contamination, other than that by which such purchaser's interest in the property was conveyed or financed; and

(6) the property is not ineligible for a CELR pursuant to the provisions of section 4, and amendments thereto, and the purchaser has met the conditions required by section 4, and amendments thereto.

(b) It shall be the sole responsibility of the purchaser to provide the needed documentation to the department for the department to make an eligibility determination. These documents shall include:

(1) Phase I or Phase II environmental reports that are completed within industry standards;

(2) environmental assessment reports that are completed within industry standards; or

(3) other reports that will expedite the department's determination requested by the department.

(c) In making eligibility determinations, the department shall have authority to consider such additional factors as deemed relevant by the department, including the current and potential future use of the property.

(d) The department shall make a determination of eligibility or noneligibility within 15 business days of receiving the application and all required information.

(e) Only property acquired after July 1, 2016, shall be eligible for a CELR.

Sec. 4. (a) In addition to the findings required for a determination of eligibility by the department pursuant to section 3, and amendments thereto, the department shall only grant a CELR upon the following conditions:

(1) The department determines that the purchaser has not caused or exacerbated and will not exacerbate the contamination on the property;

(2) the purchaser agrees to disclose the CELR to subsequent purchasers until the property can be used for unrestricted use;

(3) the purchaser agrees to reasonable access for future environmental investigation and remediation by the department or other party performing investigation and remediation under the oversight of the department; and

(4) the purchaser agrees to provide the department notification within 30 days of any transfer or sale of property that is subject to a CELR.

(b) Property shall not be eligible for a CELR if:

(1) The contamination on the property is subject to regulation under the nuclear energy development and radiation control act, K.S.A. 48-1601 et seq., and amendments thereto;

(2) the property is the source of the contamination and it is eligible for cleanup under the Kansas storage tank act, K.S.A. 65-34,100 et seq., or the Kansas drycleaner environmental response act, K.S.A. 65-34,141 et seq., and amendments thereto, unless the site has been enrolled into the appropriate cleanup program under such acts as applicable;

(3) the property is the source of the contamination and it is listed or proposed for listing on the national priorities list of superfund sites established under the comprehensive environmental response, compensation and liability act (CERCLA) (42 U.S.C.A. § 9601 et seq.);

(4) the purchaser has entered into or is the subject of one or more contracts, agreements or orders with the intended purpose of performing investigation or remediation of contamination at the property; or

(5) the purchaser has provided indemnification or release of environmental liability to any other party regarding contamination at the property.

(c) A CELR does not relieve the holder of requirements or duties of an applicable environmental use control agreement or risk management plan.

Sec. 5. The purchaser shall submit payment to the department of a fee with the CELR application. The fee for the CELR shall be determined by the department by rules and regulations, but shall not exceed $2,000 and shall be based on the size and complexity of the site and property as determined by the department. If a CELR is not issued by the department, a refund shall be issued to the purchaser less the amount expended by the department to review and process the application.

Sec. 6. (a) A person may submit a request to the department for approval to modify a CELR. The department shall approve or deny the request within 30 business days after the department's receipt of the request. If the department denies the request, justification shall be provided with a written explanation of the denial. A denial by the department may include as a justification for denial that the person has not provided the necessary documentation to justify the modification as determined by the department.

(b) A CELR is not transferable.

(c) The department shall not acquire any liability by virtue of this act.

Sec. 7. (a) If the department determines that fraudulent information was provided by the purchaser to the department for the purpose of obtaining a CELR, the secretary may take such actions as necessary to protect human health or the environment and may take actions including, but not limited to:

(1) Issuing an order directing the purchaser to take any emergency action necessary to protect human health and the environment;

(2) issuing an order revoking the CELR;

(3) issuing an order that will require the purchaser to implement a cleanup of the site to a standard that will allow for unrestricted use; or

(4) assessing an administrative penalty of up to $500 per day starting from the date of the application to the date the department determined false information was provided by the purchaser.

(b) Failure by a CELR recipient to grant reasonable access as required by this act or failure to otherwise comply with this act shall result in revocation of the CELR by the department.

(c) If an owner who has received a CELR exacerbates the contamination or interferes with a department-approved remedy on the property, the department shall revoke the CELR.

(d) If an owner who has received a CELR acquires liability for the contamination through contract, law or other mechanism, the CELR shall be null and void.

Sec. 8. (a) There is established in the state treasury the contaminated property redevelopment fund, which shall be administered by the secretary. Moneys collected by the secretary from the following sources shall be remitted to the state treasurer in accordance with K.S.A. 75-4215, and amendments thereto, and deposited in the state treasury to the credit of the fund:

(1) Fees for CELR applications;

(2) the federal brownfields program;

(3) gifts, grants, reimbursements or appropriations from any source intended to be used for purposes of the fund;

(4) interest attributable to the investment of moneys in the fund;

(5) penalties collected pursuant to this act; and

(6) repayment of any brownfields loan, including interest and fees.

(b) Expenditures from the contaminated property redevelopment fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary or the secretary's designee for the following purposes:

(1) Review and approval of CELR applications;

(2) oversight and modifications of completed CELRs;

(3) development, operation and maintenance of the CELR tracking system;

(4) loans to municipalities for assessment and cleanup actions at brownfields redevelopment projects;

(5) grants to municipalities for assessment and cleanup actions at brownfields redevelopment projects; and

(6) administration and enforcement of the provisions of this act.

(c) On or before the 10th of each month, the director of accounts and reports shall transfer from the state general fund to the contaminated property redevelopment fund interest earnings based on:

(1) The average daily balance of moneys in the contaminated property redevelopment fund for the preceding month; and

(2) the net earnings rate of the pooled money investment portfolio for the preceding month.

Sec. 9. The secretary may adopt rules and regulations necessary to implement the provisions of this act.

Sec. 10. Any person adversely affected by any order or decision of the secretary under this act may, within 15 days of service of the order or decision, request a hearing in writing. Hearings under this section shall be conducted in accordance with the provisions of the Kansas administrative procedure act.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking lines 2 and 3; in line 4, by striking all before the period and inserting "economic development of environmentally contaminated property; relating to liability for cleanup costs; enacting the contaminated property redevelopment act";

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

Sharon Schwartz
Sue Boldra
John Wilson
Conferees on part of House

Larry R. Powell
Dan Kerschen
Marci Francisco
Conferees on part of Senate

On motion of Rep. Schwartz, the conference committee report on **H Sub for SB 227** was adopted.

On roll call, the vote was: Yeas 117; Nays 1; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: Houser.

Present but not voting: None.

Absent or not voting: Goico, Kelley, Kiegerl, Peck, Ruiz, Victors, K. Williams.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 168** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 168, as follows:

On page 4, in line 31, by striking "2021" and inserting "2020";

On page 5, in line 32, by striking "2021" and inserting "2020";

On page 6, in line 24, by striking "2021" and inserting "2020";

On page 7, in line 1, following "74-4937" by inserting "(3),"; in line 6, by striking all following "(iii)"; by striking all in lines 7 through 23; in line 24, by striking "(iv)";

And by redesignating subsections, paragraphs and subparagraphs accordingly;

Also on page 7, in line 35, by striking "and"; following line 35, by inserting:

"(vi) a poll worker hired to work an election day for a county election officer responsible for conducting all official elections held in the county; and";

On page 9, in line 20, by striking "2016" and inserting "2021"; in line 29, after "74-4937" by inserting "(3),"; in line 31, after "as" by inserting ", commencing July 1, 2016,", in line 39, before the comma, by inserting "and prior to the end of the subsequent 60-day waiting period";

On page 10, in line 1, after the period by inserting "The participating employer which hired such retirant shall be required to pay to the system any fees, fines, penalties or any other cost imposed by the internal revenue service and indemnify the system for any cost incurred by the system to defend any action brought by the internal revenue service based on in-service distributions which are a result of any determined prearranged agreement and for any cost incurred by the system to collect any monthly retirement benefit required to be repaid by such retirant pursuant to this subsection.

(9) For the purposes of this section a prearranged agreement for employment may be determined by whether the facts and circumstances of the situation indicate that the employer and employee reasonably anticipated that further services would be performed after the employee's retirement.";

On page 13, in line 11, by striking "extend" and inserting "make a one-time extension to"; in line 32, by striking "2021" and inserting "2020";

On page 15, in line 17, by striking "extend" and inserting "make a one-time extension to"; in line 38, by striking "2021"; and inserting "2020"; in line 42, after "subsection" by inserting "(3),";

On page 16, in line 1, after "as" by inserting ", commencing July 1, 2016,"; following line 6, by inserting:

"(8) For the purposes of this section a prearranged agreement for employment may be determined by whether the facts and circumstances of the situation indicate that the employer and employee reasonably anticipated that further services would be performed after the employee's retirement.";

On page 18, following line 10, by inserting:

"Sec. 6. K.S.A. 74-4916 is hereby amended to read as follows: 74-4916. (1) Upon the death of a member before retirement, the member's accumulated contributions shall be paid to the member's beneficiary.

(2) (a) In the event that a member dies before retirement as a result of an accident arising out of and in the course of the member's actual performance of duty in the employ of a participating employer independent of all other causes and not as a result of a willfully negligent or intentional act of the member, an accidental death benefit shall be payable if: (A) A report of the accident, in a form acceptable to the board, is filed in

the office of the executive director of the board within 60 days after the date of the accident causing such death and an application for such benefit, in such form and manner as the board shall prescribe, is filed in the office of the executive director of the board within two years of the date of the accident, but the board may waive such time limits for a reasonable period if in the judgment of the board the failure to meet these limits was due to lack of knowledge or incapacity; and (B) the board finds from such evidence as it may require, to be submitted in such form and manner as it shall prescribe, that the natural and proximate cause of death was the result of an accident arising out of and in the course of the member's employment with a participating employer independent of all other causes at a definite time and place. Such accidental death benefit shall be a lump-sum amount of $50,000 and an annual amount of $^1/_2$ of the member's final average salary, and for members who were first employed by a participating employer and covered as a member of the system under the provisions of K.S.A. 74-49,301 et seq., and amendments thereto, an annual amount of 50% of such member's salary averaged over the final three years of such member's covered employment, which shall accrue from the first day of the month following the date of death and which shall be payable in monthly installments or as the board may direct, but, after June 30, 1982, in no case shall the accidental death benefit be less than $100 per month. The accidental death benefit payments shall be paid to the surviving spouse of such deceased member, such payments to continue so long as such surviving spouse lives or if there is no surviving spouse, or in the case the spouse dies before the youngest child of such deceased member attains age 18 or before the youngest child of such deceased member attains age 23 years, if such child is a full-time student as provided in K.S.A. 74-49,117, and amendments thereto, or if there are one or more children of the member who are totally disabled and dependent on the member or spouse, then to the child or children of such member under age 18 or under age 23, if such child or children are full-time students as provided in K.S.A. 74-49,117, and amendments thereto, and to the child or children of the member who are totally disabled and dependent on the member or spouse, divided in such manner as the board in its discretion shall determine, to continue until the youngest surviving child dies or attains age 18 or attains age 23 if such child is a full-time student as provided in K.S.A. 79-49,117, and amendments thereto, or, in the case of the child or children who are totally disabled and dependent on the member or spouse, until death or until no longer totally disabled, or if there is no surviving spouse or child eligible for accidental death benefits under this subsection (2) at the time of the member's death, then to the parent or parents of such member who are dependent on such member, to continue until the last such parent dies. All payments due under this subsection (2) to a minor shall be made to a legally appointed conservator of such minor or totally disabled child as provided in ~~subsection (7) of~~ K.S.A. ~~74-4902~~ 74-49,127, and amendments thereto. Commencing on the effective date of this act, any surviving spouse, who was receiving benefits pursuant to this section and who had such benefits terminated by reason of such spouse's remarriage, shall be entitled to once again receive benefits pursuant to this section, except that such surviving spouse shall not be entitled to recover any benefits not received after the termination of benefits by reason of such surviving spouse's remarriage but before the effective date of this act.

(b) In construction of this section of the act there shall be no presumption that the death of the member was the result of an accident nor shall there be a liberal

interpretation of the law or evidence in favor of the person claiming under this subsection (2). In the event of the death of a member resulting from a heart, circulatory or respiratory condition there must be clear and precise evidence that death was the result of an accident independent of all other causes which arose out of and in the course of the member's actual performance of duties in the employ of a participating employer.

(c) The annual benefit under this subsection (2) shall be reduced by any workers compensation benefit payable. If the workers compensation benefit is paid in a lump-sum, the amount of such reduction shall be calculated on a monthly basis over the period of time for which workers compensation benefits would have been payable had such lump-sum not been paid. For any recipient already in receipt of such benefits on the effective date of this act, no change in the original reduction for workers compensation benefits shall be applicable to benefits paid prior to July 1, 1994. In the event that a member should die as a result of an accident as described in this subsection (2), all elections or options previously made by the deceased member shall become void and of no effect whatsoever and the retirement system shall be liable only for the accidental death benefit, refund of accumulated contributions as described in subsection (1) and any insured death benefit that may be due. The benefit payable under this subsection (2) shall be known and referred to as the "accidental death benefit."

(3) (a) Upon the application of a member, or the member's appointing authority acting for the member, a member who is in the employ of a participating employer and becomes totally and permanently disabled for duty in the employ of a participating employer, by reason of an accident which occurred prior to July 1, 1975, may be retired by the board if~~,~~: (A) The board finds the total and permanent disability to be the natural and proximate result of an accident causing personal injury or disease independent of all other causes and arising out of and in the course of the member's actual performance of duties as an employee of a participating employer; ~~and~~ (B) a report of the accident, in a form acceptable to the board is filed in the office of the executive director of the board within 200 days after the date of the accident causing such injury; ~~and~~ (C) such application for retirement under this provision, in such form and manner as shall be prescribed by the board, is filed in the office of the executive director of the board within two years of the date of the accident;~~ and~~ (D) after a medical examination of the member has been made by or under the direction of a medical physician or physicians or any other practitioner holding a valid license to practice a branch of the healing arts issued by the state board of healing arts designated by the board and the medical physician or physicians or any other practitioner holding a valid license to practice a branch of the healing arts issued by the state board of healing arts report in writing to the board that the member is physically or mentally totally disabled for duty in the employ of a participating employer and that such disability will probably be permanent; and (E) the board finds that the member became permanently and totally disabled on a date certain based on the evidence furnished and the professional guidance obtained and that such disability was not the result of a willfully negligent or intentional act of the member. If the board shall so retire the applicant, the member shall receive annually an accidental total disability benefit equal to $^1/_2$ of the member's final average salary which shall accrue from the first day of the month following the date of such accidental total and permanent disability as found by the board payable in monthly installments or as the board may direct.

(b) In construction of this subsection (3) there shall be no presumption that the disability of the member was the result of an accident nor shall there be a liberal interpretation of the law or evidence in favor of the member claiming under this subsection (3). In the event of the disability of a member resulting from a heart, circulatory or respiratory condition there must be clear and precise evidence that disability was the result of an accident independent of all other causes which arose out of and in the course of the member's actual performance of duties in the employ of a participating employer.

(c) A member will continue to receive such accidental total disability benefit so long as the member is wholly and continuously disabled by such injury and prevented thereby from engaging in any gainful occupation or employment for which the member is reasonably qualified by reason of education, training or experience. The accidental loss of both hands by actual severance through or above the wrist joint, or the accidental loss of both feet by actual severance through or above the ankle joint or the entire and irrecoverable accidental loss of sight of both eyes, or such severance of one hand and one foot, and such severance of one hand or one foot and such loss of sight of one eye, shall be deemed accidental total and permanent disability and accidental total disability benefits shall be paid so long as the member lives.

(d) Any retirant retired by reason of such accidental total and permanent disability who has been receiving benefits under the provisions of this subsection (3) for a period of five years shall be deemed finally retired and shall not be subject to further medical examinations, except that if the board of trustees has reasonable grounds to question whether the retirant remains totally and permanently disabled, a further medical examination or examinations may be required. Refusal or neglect to submit to examination shall be sufficient cause for suspending or discontinuing the accidental total disability benefit. If the refusal or neglect continues for a period of one year, all of the member's rights with respect to such accidental total disability benefit may be revoked by the board.

(e) In the event that a retirant who is receiving an accidental total disability benefit dies within five years after the date of the retirant's retirement, an accidental death benefit shall then be payable as provided in subsection (2) of this section.

(f) A member who retires under the provisions of this subsection (3) shall receive such benefits as provided in this subsection (3) in lieu of all other retirement benefits provided under the retirement system except that no member shall be entitled to receive any payments under this subsection (3) for a period for which insured disability benefits are received.

(g) The value, as determined by the board upon recommendation of the actuary, of any workmen's compensation benefits paid or payable to the recipient of an accidental total disability benefit shall be deducted from the amount payable under this section.

(h) The benefit payable under subsection (3) of this section shall be known and referred to as "accidental total disability benefit."

(4) The payment of benefits as provided in this section is subject to the provisions of K.S.A. 74-49,123, and amendments thereto.

Sec. 7. K.S.A. 2015 Supp. 74-4927 is hereby amended to read as follows: 74-4927. (1) The board may establish a plan of death and long-term disability benefits to be paid to the members of the retirement system as provided by this section. The long-term disability benefit shall be payable in accordance with the terms of such plan as

established by the board, except that for any member who is disabled prior to the effective date of this act, the annual disability benefit amount shall be an amount equal to $66^2/_3$% of the member's annual rate of compensation on the date such disability commenced. Such plan shall provide that:

(A) ~~For deaths occurring prior to January 1, 1987, the right to receive such death benefit shall cease upon the member's attainment of age 70 or date of retirement whichever first occurs.~~ The right to receive such long-term disability benefit shall cease: (i) For a member who becomes eligible for such benefit before attaining age 60, upon the date that such member attains age 65 or the date of such member's retirement, whichever first occurs~~,~~; and (ii) for a member who becomes eligible for such benefit at or after attaining age 60, the date that such member has received such benefit for a period of five years, or upon the date of such member's retirement, whichever first occurs.

(B) Long-term disability benefit payments shall be in lieu of any accidental total disability benefit that a member may be eligible to receive under ~~subsection (3) of~~ K.S.A. 74-4916(3), and amendments thereto. The member must make an initial application for social security disability benefits and, if denied such benefits, the member must pursue and exhaust all administrative remedies of the social security administration which include, but are not limited to, reconsideration and hearings. Such plan may provide that any amount which a member receives as a social security benefit or a disability benefit or compensation from any source by reason of any employment including, but not limited to, workers compensation benefits may be deducted from the amount of long-term disability benefit payments under such plan. However, in no event shall the amount of long-term disability benefit payments under such plan be reduced by any amounts a member receives as a supplemental disability benefit or compensation from any source by reason of the member's employment, provided such supplemental disability benefit or compensation is based solely upon the portion of the member's monthly compensation that exceeds the maximum monthly compensation taken into account under such plan. As used in this paragraph, "maximum monthly compensation" means the dollar amount that results from dividing the maximum monthly disability benefit payable under such plan by the percentage of compensation that is used to calculate disability benefit payments under such plan. During the period in which such member is pursuing such administrative remedies prior to a final decision of the social security administration, social security disability benefits may be estimated and may be deducted from the amount of long-term disability benefit payments under such plan. If the social security benefit, workers compensation benefit, other income or wages or other disability benefit by reason of employment other than a supplemental benefit based solely on compensation in excess of the maximum monthly compensation taken into account under such plan, or any part thereof, is paid in a lump-sum, the amount of the reduction shall be calculated on a monthly basis over the period of time for which the lump-sum is given. As used in this section, "workers compensation benefits" means the total award of disability benefit payments under the workers compensation act notwithstanding any payment of attorney fees from such benefits as provided in the workers compensation act.

(C) The plan may include other provisions relating to qualifications for benefits; schedules and graduation of benefits; limitations of eligibility for benefits by reason of termination of employment or membership; conversion privileges; limitations of

eligibility for benefits by reason of leaves of absence, military service or other interruptions in service; limitations on the condition of long-term disability benefit payment by reason of improved health; requirements for medical examinations or reports; or any other reasonable provisions as established by rule and regulation of uniform application adopted by the board.

(D) Any visually impaired person who is in training at and employed by a sheltered workshop for the blind operated by the secretary for children and families and who would otherwise be eligible for the long-term disability benefit as described in this section shall not be eligible to receive such benefit due to visual impairment as such impairment shall be determined to be a preexisting condition.

(2) (A) In the event that a member becomes eligible for a long-term disability benefit under the plan authorized by this section such member shall be given participating service credit for the entire period of such disability. Such member's final average salary shall be computed in accordance with ~~subsection (17) of~~ K.S.A. 74-4902(17), and amendments thereto, except that the years of participating service used in such computation shall be the years of salaried participating service.

(B) In the event that a member eligible for a long-term disability benefit under the plan authorized by this section shall be disabled for a period of five years or more immediately preceding retirement, such member's final average salary shall be adjusted upon retirement by the actuarial salary assumption rates in existence during such period of disability. ~~Effective July 1, 1993, such member's final average salary shall be adjusted upon retirement by 5% for each year of disability after July 1, 1993, but before July 1, 1998.~~ Effective July 1, 1998, such member's final average salary shall be adjusted upon retirement by an amount equal to the lesser of: (i) The percentage increase in the consumer price index for all urban consumers as published by the bureau of labor statistics of the United States department of labor minus 1%; or (ii) four percent per annum, measured from the member's last day on the payroll to the month that is two months prior to the month of retirement, for each year of disability after July 1, 1998.

(C) In the event that a member eligible for a long-term disability benefit under the plan authorized by this section shall be disabled for a period of five years or more immediately preceding death, such member's current annual rate shall be adjusted by the actuarial salary assumption rates in existence during such period of disability. ~~Effective July 1, 1993, such member's current annual rate shall be adjusted upon death by 5% for each year of disability after July 1, 1993, but before July 1, 1998.~~ Effective July 1, 1998, such member's current annual rate shall be adjusted upon death by an amount equal to the lesser of: (i) The percentage increase in the consumer price index for all urban consumers published by the bureau of labor statistics of the United States department of labor minus 1%; or (ii) four percent per annum, measured from the member's last day on the payroll to the month that is two months prior to the month of death, for each year of disability after July 1, 1998.

(3) (A) To carry out the legislative intent to provide, within the funds made available therefor, the broadest possible coverage for members who are in active employment or involuntarily absent from such active employment, the plan of death and long-term disability benefits shall be subject to adjustment from time to time by the board within the limitations of this section. The plan may include terms and provisions which are consistent with the terms and provisions of group life and long-term disability policies usually issued to those employers who employ a large number of employees.

The board shall have the authority to establish and adjust from time to time the procedures for financing and administering the plan of death and long-term disability benefits authorized by this section. Either the insured death benefit or the insured disability benefit or both such benefits may be financed directly by the system or by one or more insurance companies authorized and licensed to transact group life and group accident and health insurance in this state.

(B) The board may contract with one or more insurance companies, which are authorized and licensed to transact group life and group accident and health insurance in Kansas, to underwrite or to administer or to both underwrite and administer either the insured death benefit or the long-term disability benefit or both such benefits. Each such contract with an insurance company under this subsection shall be entered into on the basis of competitive bids solicited and administered by the board. Such competitive bids shall be based on specifications prepared by the board.

(i) In the event the board purchases one or more policies of group insurance from such company or companies to provide either the insured death benefit or the long-term disability benefit or both such benefits, the board shall have the authority to subsequently cancel one or more of such policies and, notwithstanding any other provision of law, to release each company which issued any such canceled policy from any liability for future benefits under any such policy and to have the reserves established by such company under any such canceled policy returned to the system for deposit in the group insurance reserve of the fund.

(ii) In addition, the board shall have the authority to cancel any policy or policies of group life and long-term disability insurance in existence on the effective date of this act and, notwithstanding any other provision of law, to release each company which issued any such canceled policy from any liability for future benefits under any such policy and to have the reserves established by such company under any such canceled policy returned to the system for deposit in the group insurance reserve of the fund. Notwithstanding any other provision of law, no premium tax shall be due or payable by any such company or companies on any such policy or policies purchased by the board nor shall any brokerage fees or commissions be paid thereon.

(4) (A) There is hereby created in the state treasury the group insurance reserve fund. Investment income of the fund shall be added or credited to the fund as provided by law. The cost of the plan of death and long-term disability benefits shall be paid from the group insurance reserve fund, which shall be administered by the board. ~~For the period commencing July 1, 2013, and ending June 30, 2015, each participating employer shall appropriate and pay to the system in such manner as the board shall prescribe in addition to the employee and employer retirement contributions an amount equal to .85% of the amount of compensation on which the members' contributions to the Kansas public employees retirement system are based for deposit in the group insurance reserve fund. For the period commencing July 1, 2015, and all periods thereafter,~~ Each participating employer shall appropriate and pay to the system in such manner as the board shall prescribe in addition to the employee and employer retirement contributions an amount equal to 1.0% of the amount of compensation on which the members' contributions to the Kansas public employees retirement system are based for deposit in the group insurance reserve fund. Notwithstanding the provisions of this subsection, no participating employer <u>other than the state of Kansas</u> shall appropriate and pay to the system any amount provided for by this subsection for

deposit in the group insurance reserve fund for the period commencing on April 1, ~~2013~~ 2016, and ending on June 30, ~~2013~~ 2017. Notwithstanding the provisions of this subsection, the state of Kansas shall not appropriate and pay to the system any amount provided for by this subsection for deposit in the group insurance reserve fund for the period commencing on March 25, 2016, and ending on June 30, 2017.

(B) The director of the budget and the governor shall include in the budget and in the budget request for appropriations for personal services a sum to pay the state's contribution to the group insurance reserve fund as provided by this section and shall present the same to the legislature for allowances and appropriation.

(C) The provisions of ~~subsection (4) of~~ K.S.A. 74-4920(4), and amendments thereto, shall apply for the purpose of providing the funds to make the contributions to be deposited to the group insurance reserve fund.

(D) Any dividend or retrospective rate credit allowed by an insurance company or companies shall be credited to the group insurance reserve fund and the board may take such amounts into consideration in determining the amounts of the benefits under the plan authorized by this section.

(5) The death benefit provided under the plan of death and long-term disability benefits authorized by this section shall be known and referred to as insured death benefit. The long-term disability benefit provided under the plan of death and long-term disability benefits authorized by this section shall be known and referred to as long-term disability benefit.

(6) The board is hereby authorized to establish an optional death benefit plan for employees and spouses and dependents of employees. Except as provided in subsection (7), such optional death benefit plan shall be made available to all employees who are covered or may hereafter become covered by the plan of death and long-term disability benefits authorized by this section. The cost of the optional death benefit plan shall be paid by the applicant either by means of a system of payroll deductions or direct payment to the board. The board shall have the authority and discretion to establish such terms, conditions, specifications and coverages as it may deem to be in the best interest of the state of Kansas and its employees which should include term death benefits for the person's period of active state employment regardless of age, but in no case, shall the maximum allowable coverage be less than $200,000. The cost of the optional death benefit plan shall not be established on such a basis as to unreasonably discriminate against any particular age group. The board shall have full administrative responsibility, discretion and authority to establish and continue such optional death benefit plan and the director of accounts and reports of the department of administration shall when requested by the board and from funds appropriated or available for such purpose establish a system to make periodic deductions from state payrolls to cover the cost of the optional death benefit plan coverage under the provisions of this subsection (6) and shall remit all deductions together with appropriate accounting reports to the system. There is hereby created in the state treasury the optional death benefit plan reserve fund. Investment income of the fund shall be added or credited to the fund as provided by law. All funds received by the board, whether in the form of direct payments, payroll deductions or otherwise, shall be accounted for separately from all other funds of the retirement system and shall be paid into the optional death benefit plan reserve fund, from which the board is authorized to make the appropriate payments and to pay the ongoing costs of administration of such optional death benefit plan as

may be incurred in carrying out the provisions of this subsection (6).

(7) Any employer other than the state of Kansas which is currently a participating employer of the Kansas public employees retirement system or is in the process of affiliating with the Kansas public employees retirement system may also elect to affiliate for the purposes of subsection (6). All such employers shall make application for affiliation with such system, to be effective on January 1 or July 1 next following application.

(8) For purposes of the death benefit provided under the plan of death and long-term disability benefits authorized by this section and the optional death benefit plan authorized by subsection (6), commencing on the effective date of this act, in the case of medical or financial hardship of the member as determined by the executive director, or otherwise commencing January 1, 2005, the member may name a beneficiary or beneficiaries other than the beneficiary or beneficiaries named by the member to receive other benefits as provided by the provisions of K.S.A. 74-4901 et seq., and amendments thereto.

Sec. 8. K.S.A. 2015 Supp. 74-4986o is hereby amended to read as follows: 74-4986o. (a) For each DROP member, the board shall calculate a monthly DROP accrual. The system shall determine the DROP member's retirement benefit under K.S.A. 74-4958 or 74-4958a, and amendments thereto. In determining the retirement benefit, the system shall use the member's total service credit and final average salary as of the last day of the employer's payroll period immediately prior to the effective date of the member's election to participate in the DROP. Before entering the DROP, a member may elect to have such member's retirement benefit determined under one of the options provided in K.S.A. 74-4964 or 74-4964a, and amendments thereto, in lieu of having it determined in the form stated in K.S.A. 74-4958 or 74-4958a, and amendments thereto, except such member may not elect the lump sum payment option. During the DROP period, an amount equal to the monthly DROP accrual shall be credited to the member's DROP account. The calculation of the monthly DROP accrual will be calculated using the member's age and, if the member elected a joint and survivor option, the age of the beneficiary as of the calendar year which contains the beginning of the DROP period. The monthly DROP accrual shall comply with the requirements of section 401(a)(9) of the federal internal revenue code and treasury regulation § 1.401(a)9-6, Q&A-2(c).

(b) A member shall not receive a monthly retirement benefit, as calculated pursuant to K.S.A. 74-4958 or 74-4958a, and amendments thereto, until termination of such member's DROP participation and commencement of retirement. A DROP member shall not have any claim to any funds in such member's DROP account until such member retires at the termination of such member's DROP participation. Upon terminating DROP participation, a member is entitled to such member's retirement benefit, including any postretirement benefit adjustment for which the member is eligible and any change in the retirement benefit resulting from the recalculation of the member's final average salary as provided in subsection (c).

(c) A member may have such member's final average salary recalculated at the time of retirement to include any payments of the member's accumulated sick and annual leave compensation made at retirement. If the member's recalculated final average salary is higher than the final average salary used in calculating the member's monthly DROP accrual, the retirement benefit shall be based on the recalculated final average salary.

(d) An amount equal to the difference between the member's monthly DROP accrual and the monthly retirement benefit calculated under subsection (c), if any, times the number of months the member participated in the DROP, shall be credited as a lump sum to the member's DROP account at termination of participation and commencement of retirement. No interest shall be credited to such lump sum credit.

(e) If a member who selected a joint and survivor retirement benefit option dies during the DROP period, the joint survivor benefit shall be calculated as provided in subsection (c) and any lump sum credit that would have been payable to the member under subsection (d) shall be applied prior to distribution of the DROP account to the member's beneficiary as provided in K.S.A. 2015 Supp. 74-4986p(b), and amendments thereto.

Sec. 9. K.S.A. 2015 Supp. 74-4986p is hereby amended to read as follows: 74-4986p. (a) A member's participation in the DROP ceases on the occurrence of the earliest of the following:

(1) Termination of the member's active service with the Kansas highway patrol;

(2) the last day of the member's elected DROP period that begins on the effective date of the member's election to participate in the DROP;

(3) retirement due to disability as defined in K.S.A. 74-4952, and amendments thereto; or

(4) the member's death.

(b) If a member dies before taking a distribution from such member's DROP account, the member's designated beneficiary shall receive a lump-sum payment equal to the member's DROP account balance, including any lump sum credited as provided in K.S.A. 2015 Supp. 74-4986o(d), and amendments thereto. If the DROP member has not named a beneficiary for such member's DROP account, the amount in the DROP account shall be paid to the beneficiary of the member's retirement benefit.

Sec. 10. K.S.A. 2015 Supp. 74-4986q is hereby amended to read as follows: 74-4986q. (a) A member, who satisfies the requirements of this act, shall be entitled to a distribution of such member's DROP account, including any lump sum credited as provided in K.S.A. 2015 Supp. 74-4986o(d), and amendments thereto. Such distribution may be through any combination of the following payout options, each of which is subject to the applicable provisions of the federal internal revenue code and the applicable regulations of the internal revenue service:

(1) A direct rollover to an eligible retirement plan; or

(2) a lump-sum distribution.

(b) The board may specify minimum account balances for purposes of allowing benefit payment options and rollovers in accordance with federal law.

Sec. 11. K.S.A. 2015 Supp. 74-49,313 is hereby amended to read as follows: 74-49,313. (a) Except as provided in subsection (e), a member who has a nonforfeitable interest in the member's retirement annuity account, at any time after termination from service and the attainment of normal retirement age, shall receive an annuity based upon the balance in such member's retirement annuity account, using mortality rates established by the board by official action as of the member's annuity start date and an interest rate equal to the actuarial assumed investment rate of return established by the board minus 2%, as of the member's annuity start date. The legislature may from time to time prospectively change the interest rate and the board may from time to time prospectively change the mortality rates, and the legislature expressly reserves such

rights to do so.

(b) Except as provided in subsection (e), a member who has a vested interest in the member's retirement annuity account, who terminates covered employment, without forfeiting such member's account, with the completion of at least 10 years of service, shall be eligible to receive, upon attainment of age 55, an annuity based upon employer credits and interest credits in such member's retirement annuity account, using mortality rates established by the board by official action as of the member's annuity start date and an interest rate established by the legislature as of the member's annuity start date, and such interest rate shall ~~initially~~ be ~~6%~~ equal to the actuarially assumed investment rate of return established by the board minus 2%, as of the member's annuity start date. The legislature may from time to time prospectively change the interest rate and the board may from time to time prospectively change the mortality rates, and the legislature expressly reserves such rights to do so.

(c) The form of benefit payable under subsections (a) and (b) shall be a single life annuity with 10-year certain. The member may elect any option described in K.S.A. 74-4918, and amendments thereto, except the partial lump-sum option, subject to actuarial factors established by the board from time to time. The benefit option selected may include a self-funded cost-of-living adjustment feature, in which the account value is converted to a benefit amount that increases by a fixed percentage over time. One or more fixed percentages shall be established by the board, which may be changed from time to time. In lieu of a part of an annuity, for a member entitled to a benefit under subsection (a), the member may elect to receive a lump-sum of such member's retirement annuity account of any fixed dollar amount or percent, but in no event may the lump-sum option elected under this section and the lump-sum option elected under ~~subsection (a) of~~ K.S.A. 2015 Supp. 74-49,311(a), and amendments thereto, exceed 30% of the total value of such member's annuity savings account and retirement annuity account.

(d) Except as provided in subsection (e), in the case of an active or inactive member:

(1) Who is vested in the member's retirement annuity account;

(2) who has five or more years of service at death; and

(3) who dies before attaining normal retirement age, with such member's spouse at time of death designated as such member's sole primary beneficiary, the member's surviving spouse on and after the date the member would have attained normal retirement age had such member not died, shall receive an annuity based upon employer credits and interest credits in the retirement annuity account, using factors established by the board by official action as of the beneficiary's annuity start date. The form of benefit shall be a single life annuity with 10-year certain.

(e) If a member's vested retirement annuity account is less than $1,000 upon separation from service, or the total of the member's vested retirement annuity account and annuity savings account balance is less than $1,000, the account balance or balances shall be mandatorily distributed to the member in accordance with section 401(a)(31)(B) of the federal internal revenue code. If the member does not elect to have such distribution paid directly to an eligible retirement plan specified by the participant in a direct rollover or to receive the distribution directly, then the board will pay the distribution to the member directly.

Sec. 12. K.S.A. 2015 Supp. 74-49b10 is hereby amended to read as follows: 74-

49b10. (a) The board is authorized to enter into a voluntary participation agreement with any employee of the state whereby a portion of the employee's salary or compensation from the state shall be deferred and deducted each payroll period in accordance with subsection (b) and the Kansas public employees deferred compensation plan. Such participation agreement may require each participant to pay a service charge to defray all or part of any significant costs incurred and to be recovered by the state pursuant to ~~subsection (c) of~~ K.S.A. 2015 Supp. 74-49b09(c), and amendments thereto, as a result of the administration of this act.

(b) Pursuant to this act and such participation agreements, the director of accounts and reports, as a part of the system of regular payroll deductions and using funds either appropriated or otherwise available for such purpose, shall establish a system for the following purposes: (1) To defer each payroll period the amounts authorized in such participation agreements from the salary or compensation of each employee who has entered into a participation agreement; and

(2) to remit these moneys in accordance with the Kansas public employees deferred compensation plan.

(c) (1) Pursuant to section 401(a) of the federal internal revenue code, the board may establish a qualified plan under which the state may contribute a specified amount, subject to appropriations, to the deferred compensation plan for state employees who have entered into a voluntary participation agreement with the board under this section.

(2) Any state agency that has on its payroll persons participating in any qualified plan established under subsection (c)(1), shall pay from any moneys available to the state agency for such purpose an amount specified in the qualified plan, subject to appropriations for that purpose.

(d) The Kansas public employees deferred compensation plan shall exist and be in addition to, and shall not be a part of any retirement or pension system for employees. The state shall not be responsible for any loss incurred by any participant under the Kansas public employees deferred compensation plan established and approved pursuant to this act.

(e) Notwithstanding the provisions of K.S.A. 74-4909(10), and amendments thereto, for those employees who entered into a voluntary participation agreement pursuant to the provisions of this section or K.S.A. 2015 Supp. 74-49b15, and amendments thereto, and who are also members of a retirement system administered by the board, the board may share information from the participants' retirement or pension system accounts with a contracting party pursuant to the provisions of K.S.A. 2015 Supp. 74-49b09, and amendments thereto, for the purpose of facilitating the participants' comprehensive retirement income planning.

(f) Any amount of the employee's salary or compensation that is deferred on a pre-tax basis under ~~such~~ an authorized participation agreement shall continue to be included as regular compensation for all purposes of computing retirement and pension benefits earned by any such employee~~, but~~. Any sum so deferred or deducted shall not be subject to ~~any~~ state ~~or local~~ income taxes for the year in which such sum is ~~earned~~ contributed but shall be subject to applicable state ~~and local~~ income taxes for the year in which ~~such sum is~~ distributions are received by the employee. Any amounts contributed to a Roth 457 plan under this act shall be subject to state withholding and income taxes for the year in which such sum is contributed to the plan, but shall not be subject to applicable state income taxes for the year in which distributions are received by the employee,

unless the provisions of article 32 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, provide otherwise.

~~(f)~~ (g) A deferred compensation clearing fund shall be established in the state treasury in which all compensation deferred, deducted or contributed in accordance with this act and as provided for in each participation agreement shall be temporarily placed.

Sec. 13. K.S.A. 2015 Supp. 74-49b14 is hereby amended to read as follows: 74-49b14. (a) The board may enter into an agreement with any local government of the state of Kansas making the services under contracts entered into by the board under ~~subsection (b) of~~ K.S.A. 2015 Supp. 74-49b09(b), and amendments thereto, available to the local government, subject to the terms and conditions of those contracts and the agreement entered into between the board and the local governmental unit, if the local governmental unit meets all of the following conditions: (1) The local governmental unit meets the definition of eligible employer as defined in K.S.A. 74-4902, and amendments thereto;

(2) the governing body of the local governmental unit has enacted an ordinance or resolution adopting the terms of the deferred compensation plan for state employees established under K.S.A. 2015 Supp. 74-49b09, and amendments thereto, as the local government deferred compensation plan for the employees of that local governmental unit; and

(3) the governing body certified that the local governmental unit will make such local government deferred compensation plan available to its employees and will administer it in accordance with the provisions of this act, section 457 of the federal internal revenue code of 1986, and amendments thereto, and the deferred compensation plan established by the board under K.S.A. 2015 Supp. 74-49b09, and amendments thereto.

(b) Pursuant to section 401(a) of the federal internal revenue code, and subject to the provisions of K.S.A. 2015 Supp. 74-49b10, and amendments thereto, the board may establish a qualified plan under which local governmental units participating in the deferred compensation plan may contribute a specified amount to such plan.

(c) Except for such agreement, the board or any other state officer or employee shall not be involved nor incur any expense in the administration of a plan adopted by a local governmental unit under subsection (a) or (b), except to the extent that such costs are reimbursed under one or both of the methods identified in ~~subsection (c) of~~ K.S.A. 2015 Supp. 74-49b09(c), and amendments thereto.

~~(c)~~ (d) The state shall not be responsible for any loss incurred by or obligation of any local governmental unit participant under a local government deferred compensation plan established as provided pursuant to subsection (a) or (b).

Sec. 14. K.S.A. 2015 Supp. 74-49b15 is hereby amended to read as follows: 74-49b15. (a) Subject to the agreement entered into under the provisions of K.S.A. 2015 Supp. 74-49b14, and amendments thereto, the governing body of a local government unit may establish such conditions as the governing body deems advisable to govern the voluntary participation of its employees in the local government deferred compensation plan established by the local governmental unit under the provisions of K.S.A. 2015 Supp. 74-49b14, and amendments thereto.

(b) Any amount of an employee's salary or compensation that is deferred on a pre-tax basis under ~~such plan~~ an authorized participation agreement shall continue to be

included as regular compensation for all purposes of computing retirement and pension benefits earned by such employee~~, but~~. Any sum so deferred or deducted shall not be subject to ~~any~~ state ~~or local~~ income tax for the year in which such sum is ~~earned~~ contributed but shall be subject to applicable state ~~and local~~ income taxes for the year in which ~~such sum is~~ distributions are received by the employee. Any amounts contributed to a Roth 457 plan under this act shall be subject to state withholding and income taxes for the year in which such sum is contributed to the plan, but shall not be subject to applicable state income taxes for the year in which distributions are received by the employee, unless the provisions of article 32 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, provide otherwise.";

And by renumbering sections accordingly;

Also on page 18, in line 11, following "K.S.A." by inserting "74-4916 and"; also in line 11, following "74-4914," by inserting "74-4927,"; in line 12, by striking "and" and inserting a comma; also in line 12, following "74-4957" by inserting ", 74-4986o, 74-4986p, 74-4986q, 74-49,313, 74-49b10, 74-49b14 and 74-49b15";

On page 1, in the title, in line 10, before "amending" by inserting " Kansas deferred retirement option program act; final average salary; distribution of DROP account; death and long-term disability benefits; employer payments to group insurance reserve fund; Kansas public employees retirement system act of 2015; accidental death benefit; annuity interest rate; Kansas public employees deferred compensation act; sharing of account information; tax treatment; local governmental unit plan option;" also in line 10, following "K.S.A." by inserting "74-4916 and"; in line 11, following the comma, by inserting "74-4927,"; also in line 11, by striking "and" and inserting a comma; also in line 11, following "74-4957" by inserting ", 74-4986o, 74-4986p, 74-4986q, 74-49,313, 74-49b10, 74-49b14 and 74-49b15";

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

Steven C. Johnson
Kent L. Thompson
Ed Trimmer
Conferees on part of House

Jeff King
Greg Smith
Anthony Hensley
Conferees on part of Senate

On motion of Rep. Johnson, the conference committee report on **H Sub for SB 168** was adopted.

On roll call, the vote was: Yeas 117; Nays 1; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K.

Jones, Kahrs, Kelly, Kleeb, Kuether, Lewis, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: Lunn.

Present but not voting: None.

Absent or not voting: Goico, Kelley, Kiegerl, Peck, Ruiz, Victors, K. Williams.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2088** 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 5, in line 36, after "reflect" by inserting "the average"; in line 38, by striking "calendar year" and inserting "five calendar years";

On page 6, by striking all in lines 22 through 27; following line 27, by inserting:

"(C) real property located within added jurisdictional territory;

(D) real property which has changed in use;

(E) expiration of any abatement of property from property tax; or

(F) expiration of a tax increment financing district, rural housing incentive district, neighborhood revitalization area or any other similar property tax rebate or redirection program.";

Also on page 6, in line 29, after "Bond" by inserting ", temporary notes, no fund warrants, state infrastructure loans"; in line 30, after "payments" by inserting ", and payments made to a public building commission and lease payments but only to the extent such payments were obligations that existed prior to July 1, 2016"; in line 37, after "2015" by inserting ", and loss of funds from federal sources after January 1, 2017, where the city or county is contractually obligated to provide a service";

On page 7, in line 7, after "declined" by inserting ": (A)"; in line 13, after "year" by inserting "; or

(B) the increase in the amount of ad valorem tax to be levied is less than the change in the consumer price index plus the loss of assessed property valuation that has occurred as the result of legislative action, judicial action or a ruling by the board of tax appeals";

On page 7, following line 32, by inserting:

"Sec. 8. K.S.A. 2015 Supp. 25-432 is hereby amended to read as follows: 25-432. An election shall not be conducted under this act unless:

(a) Conducted on a date, mutually agreed upon by the governing body of the political or taxing subdivision and the county election officer, not later than 120 days following the date the request is submitted by the political or taxing subdivision;

(b) the secretary of state approves a written plan for conduct of the election, which shall include a written timetable for the conduct of the election, submitted by the county election officer;

(c) the election is nonpartisan;

(d) the election is not one at which any candidate is elected, retained or recalled;

(e) the election is not held on the same date as another election in which the qualified electors of that subdivision of government are eligible to cast ballots, except this restriction shall not apply to mail ballot elections held under section 6, and amendments thereto; and

(f) the election is a question submitted election at which all of the qualified electors of one of the following subdivisions of government are the only electors eligible to vote:

(1) Counties;

(2) cities;

(3) school districts, except in an election held pursuant to K.S.A. 72-7302 et seq., and amendments thereto;

(4) townships;

(5) benefit districts organized under K.S.A. 31-301, and amendments thereto;

(6) cemetery districts organized under K.S.A. 15-1013 or 17-1330, and amendments thereto;

(7) combined sewer districts organized under K.S.A. 19-27,169, and amendments thereto;

(8) community college districts organized under K.S.A. 71-1101 et seq., and amendments thereto;

(9) fire districts organized under K.S.A. 19-3601 or 80-1512, and amendments thereto;

(10) hospital districts;

(11) improvement districts organized under K.S.A. 19-2753, and amendments thereto;

(12) Johnson county park and recreation district organized under K.S.A. 19-2859, and amendments thereto;

(13) sewage disposal districts organized under K.S.A. 19-27,140, and amendments thereto;

(14) water districts organized under K.S.A. 19-3501 et seq., and amendments thereto;

(15) transportation development districts created pursuant to K.S.A. 2015 Supp. 12-17,140 et seq., and amendments thereto; or

(16) any tract of land annexed pursuant to K.S.A. ~~15-521~~ 12-521, and amendments thereto.";

Also on page 7, in line 34, after "Supp." by inserting "25-432,";

And by redesignating sections accordingly;

On page 1, in the title, in line 2, after "Supp." by inserting "25-432,";

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

Les Donovan
Caryn Tyson
Conferees on part of Senate

MARVIN KLEEB
GENE SUELLENTROP
TOM SAWYER
Conferees on part of House

On motion of Rep. Kleeb, the conference committee report on **S Sub for HB 2088** was adopted.

On roll call, the vote was: Yeas 112; Nays 5; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Whipple, Whitmer, Wilson, Winn.

Nays: Concannon, Kuether, Schroeder, Tietze, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Ewy, Goico, Kelley, Kiegerl, Peck, Ruiz, Victors, K. Williams.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2151** 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, following line 5, by inserting:

"New Section 1. (a) The secretary of corrections may transfer an offender from a correctional facility to home detention in the community if the secretary determines that community parenting release is an appropriate placement and:

(1) The offender is serving a current sentence for a nondrug severity level 4 through 10 felony or a drug severity level 3 through 5 felony and is determined to be low, low-moderate or moderate risk on a standardized risk assessment tool;

(2) the offender has no prior or current conviction for a sex offense or an inherently dangerous felony as defined in K.S.A. 2015 Supp. 21-5402, and amendments thereto, not including a drug severity level 3 through 5 felony;

(3) the offender has not been found by the United States attorney general to be subject to a deportation detainer or order;

(4) the offender signs any release of information waivers required to allow information regarding current or prior child in need of care cases involving the offender to be shared with the department of corrections;

(5) the offender had physical custody of such offender's minor child or was a legal guardian or custodian with physical custody of a minor child at the time the offense for which the offender is serving a sentence was committed;

(6) the offender has 12 months or less remaining of the offender's sentence; and

(7) the secretary of corrections determines that such placement is in the best interests of the child.

(b) Prior to transferring an offender from a correctional facility to home detention pursuant to this section, the secretary of corrections shall obtain information from the department for children and families regarding any child in need of care case involving the offender. Such information shall be used by the secretary of corrections in determining whether placing an offender in community parenting release is in the best interests of the child.

(c) Offenders placed on community parenting release shall provide to the secretary of corrections an approved residence and living arrangement prior to transfer to home detention.

(d) The secretary of corrections shall:

(1) Require offenders placed on community parenting release to:

(A) Comply with the provisions of K.S.A. 21-6609, and amendments thereto; and

(B) participate in programming and treatment that the secretary determines is needed; and

(2) assign a parole officer to monitor the offender's compliance with conditions of community parenting release.

(e) The secretary of corrections has the authority to return any offender serving the remainder of such offender's sentence on community parenting release to a correctional facility if the offender is not complying with community parenting release requirements.

New Sec. 2. (a) All law enforcement agencies in this state shall adopt a detailed, written policy relating to the procedures to be employed when a citizen is asked to identify a person in the context of a criminal investigation.

(b) All law enforcement agencies in this state shall collaborate with the county or district attorney in the appropriate jurisdiction to adopt written policies regarding eyewitness procedures. Such policies shall be made available to all officers of such agency.

(c) Policies adopted pursuant to this section shall be implemented by all Kansas law enforcement agencies within two years after the effective date of this act. Such policies shall be available for public inspection during normal business hours.

(d) The policies adopted pursuant to this section shall include, but not be limited to, identifying the procedures the law enforcement agency should employ when asking a citizen to identify a person in the context of a criminal investigation. The procedures should include:

(1) Use of blind and blinded procedures;

(2) instructions to the witness that the perpetrator may or may not be present;

(3) use of non-suspect fillers who are reasonably similar to the perpetrator and do not make the suspect stand out; and

(4) after an identification is made by the witness, eliciting a confidence statement, in the witness's own words, regarding the level of certainty in the selection.";

On page 3, in line 41, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "crimes, punishment and criminal procedure; relating to sentencing, early release from incarceration; eyewitness identification;";

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

JEFF KING
GREG SMITH
DAVID HALEY
Conferees on part of Senate

JOHN E. BARKER
CHARLES MACHEERS
JOHN CARMICHAEL
Conferees on part of House

On motion of Rep. Macheers, the conference committee report on **Sub HB 2151** was adopted.

On roll call, the vote was: Yeas 114; Nays 3; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Waymaster, Weber, C., Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: Kuether, Tietze, Ward.

Present but not voting: None.

Absent or not voting: Ewy, Goico, Kelley, Kiegerl, Peck, Ruiz, Victors, K. Williams.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2463** submits the following report:

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

On page 2, in line 6, by striking "Except as provided in paragraph (5),"; in line 10 before "person" by inserting "nondrug severity level 1 through 4"; in line 20, by striking all after the first "felony"; by striking all in lines 21 and 22; in line 23, by striking all before the period; in line 30, by striking all after felony; by striking all in line 31; in line 32 by striking all before "or"; also in line 32, by striking all after felony; in line 33, by

striking all before the comma;

On page 12, following line 4, by inserting:

"Sec. 4. K.S.A. 2015 Supp. 22-4903 is hereby amended to read as follows: 22-4903. (a) Violation of the Kansas offender registration act is the failure by an offender, as defined in K.S.A. 22-4902, and amendments thereto, to comply with any and all provisions of such act, including any and all duties set forth in K.S.A. 22-4905 through 22-4907, and amendments thereto. Any violation of the Kansas offender registration act which continues for more than 30 consecutive days shall, upon the 31st consecutive day, constitute a new and separate offense, and shall continue to constitute a new and separate offense every 30 days thereafter for as long as the violation continues.

(b) Aggravated violation of the Kansas offender registration act is violation of the Kansas offender registration act which continues for more than 180 consecutive days. Any aggravated violation of the Kansas offender registration act which continues for more than 180 consecutive days shall, upon the 181st consecutive day, constitute a new and separate offense, and shall continue to constitute a new and separate violation of the Kansas offender registration act every 30 days thereafter, or a new and separate aggravated violation of the Kansas offender registration act every 180 days thereafter, for as long as the violation continues.

(c) (1) Except as provided in subsection (c)(3), violation of the Kansas offender registration act is:

(A) Upon a first conviction, a severity level 6~~, person~~ felony;

(B) upon a second conviction, a severity level 5~~, person~~ felony; and

(C) upon a third or subsequent conviction, a severity level 3~~, person~~ felony.

Such violation shall be designated as a person or nonperson crime in accordance with the designation assigned to the underlying crime for which the offender is required to be registered under the Kansas offender registration act. If the offender is required to be registered under both a person and nonperson underlying crime, the violation shall be designated as a person crime.

(2) Except as provided in subsection (c)(3), aggravated violation of the Kansas offender registration act is a severity level 3~~, person~~ felony.

Such violation shall be designated as a person or nonperson crime in accordance with the designation assigned to the underlying crime for which the offender is required to be registered under the Kansas offender registration act. If the offender is required to be registered under both a person and nonperson underlying crime, the violation shall be designated as a person crime.

(3) Violation of the Kansas offender registration act or aggravated violation of the Kansas offender registration act consisting only of failing to remit payment to the sheriff's office as required in ~~subsection (k) of~~ K.S.A. 22-4905(k), and amendments thereto, is:

(A) Except as provided in subsection (c)(3)(B), a class A misdemeanor if, within 15 days of registration, full payment is not remitted to the sheriff's office;

(B) a severity level 9~~, person~~ felony if, within 15 days of the most recent registration, two or more full payments have not been remitted to the sheriff's office.

Such violation shall be designated as a person or nonperson crime in accordance with the designation assigned to the underlying crime for which the offender is required to be registered under the Kansas offender registration act. If the offender is required to be registered under both a person and nonperson underlying crime, the violation shall be

designated as a person crime.

(d) Prosecution of violations of this section may be held:

(1) In any county in which the offender resides;

(2) in any county in which the offender is required to be registered under the Kansas offender registration act;

(3) in any county in which the offender is located during which time the offender is not in compliance with the Kansas offender registration act; or

(4) in the county in which any conviction or adjudication occurred for which the offender is required to be registered under the Kansas offender registration act.";

Also on page 12, in line 5, by striking "and" and inserting a comma; also in line 5, after "22-3716" by inserting "and 22-4903";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the second semicolon by inserting "violations of the Kansas offender registration act;"; in line 4, by striking the first "and" and inserting a comma; also in line 4, after "22-3716" by inserting "and 22-4903";

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

GREG SMITH
FORREST J. KNOX
PAT PETTEY
Conferees on part of Senate

RAMON C. GONZALEZ
BLAINE FINCH
DENNIS "BOOG" HIGHBERGER
Conferees on part of House

On motion of Rep. Highberger, the conference committee report on **HB 2463** was adopted.

On roll call, the vote was: Yeas 116; Nays 1; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: Kahrs.

Present but not voting: None.

Absent or not voting: Ewy, Goico, Kelley, Kiegerl, Peck, Ruiz, Victors, K. Williams.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 366** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

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

Mark Hutton
Les Mason
Conferees on part of House

Julia Lynn
Susan Wagle
Conferees on part of Senate

On motion of Rep. Hutton the conference committee report on **SB 366** to agree to disagree, was adopted.

Speaker Merrick thereupon appointed Reps. Hutton, Mason and Frownfelter as second conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 248** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

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

Ronald Ryckman
Jerry Henry
Conferees on part of House

Ty Masterson
Jim Denning
Laura Kelly
Conferees on part of Senate

On motion of Rep. Ryckman the conference committee report on **SB 248** to agree to disagree, was adopted.

Speaker Merrick thereupon appointed Reps. Ryckman, Schwartz and Henry as second conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 249** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

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

RONALD RYCKMAN
SHARON SCHWARTZ
JERRY HENRY
Conferees on part of House

TY MASTERSON
JIM DENNING
LAURA KELLY
Conferees on part of Senate

On motion of Rep. Ryckman the conference committee report on **H Sub for SB 249** to agree to disagree, was adopted.

Speaker Merrick thereupon appointed Reps. Ryckman, Schwartz and Henry as second conferees on the part of the House.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **HB 2502**, and has appointed Senators Ostmeyer, LaTurner and Faust-Goudeau as second conferees on the part of the Senate.

The Senate adopts the Conference Committee report to agree to disagree on **HB 2662**, and has appointed Senators Masterson, Denning and Kelly as second conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2615** and has appointed Senators O'Donnell, Bowers and Kelly as third conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2502**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2662** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

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

TY MASTERSON
JIM DENNING
LAURA KELLY
Conferees on part of Senate

Ronald Ryckman
Sharon Schwartz
Jerry Henry
Conferees on part of House

On motion of Rep. Ryckman the conference committee report on **HB 2662** to agree to disagree, was adopted.

Speaker Merrick thereupon appointed Reps. Ryckman, Schwartz and Henry as second conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2502** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

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

Ralph Ostmeyer
Jake LaTurner
Conferees on part of Senate

Jan Pauls
James Eric Todd
Conferees on part of House

On motion of Rep. Pauls the conference committee report on **HB 2502** to agree to disagree, was adopted.

Speaker Merrick thereupon appointed Reps. Pauls, Todd and Scott as second conferees on the part of the House.

REPORT ON ENGROSSED BILLS

HB 2558 reported correctly engrossed April 29, 2016.

REPORT ON ENGROSSED BILLS

HB 2480 reported correctly re-engrossed April 28, 2016.

S Sub for HB 2008, HB 2563, HB 2610 reported correctly re-engrossed April 29, 2016.

On motion of Rep. Vickrey, the House adjourned until 9:00 a.m., Saturday, April 30, 2016.

Journal of the House

FIFTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Saturday, April 30, 2016, 9:00 a.m.

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

The roll was called with 113 members present.

Reps. Alcala, Davis, Ewy, Goico, Hemsley, Kelley, Peck, Ruiz, Schwab, Victors and Williams were excused on excused absence by the Speaker.

Absent: Rep. Bruchman.

Present later: Reps. Alcala, Bruchman, Davis, Hemsley, Kelley, Peck, Ruiz, Schwab Victors and Williams.

Prayer by Chaplain Brubaker:

Gracious and loving Lord God,
the God of all beginnings and endings,
thank you for the gift of this legislative session.
It has been a time filled with
blessings, opportunities and challenges.
Some days have passed quickly,
others not so quickly—
but each day came forth from your hand
as a gift for us to steward.
We know that Your purposes were always at work each day,
although sometimes it was difficult to
understand and appreciate what You wanted to accomplish.
Bring all their work to a meaningful conclusion,
and bring blessings upon these leaders
and the people of this great state,
according to Your will.
Help each of to continue to grow
in wisdom, knowledge, grace and compassion.
This I pray in Christ's Name,
Amen.

The Pledge of Allegiance was led by Rep. Henry.

PERSONAL PRIVILEGE

Rep. Gonzalez addressed remarks to the members of the House, introduced his wife, Yolanda, and informed them of his intention not to seek re-election.

PERSONAL PRIVILEGE

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

The Shawnee Mission North NJROTC was recently crowned the 2016 Navy Junior Reserve Officer Training Corps Overall National Academic, Athletic and Drill Champions. In a competition that began last fall with 600 high schools the Shawnee Mission North students were one of only 25 high schools to make it the National Championship held at Naval Air Station Pensacola, FL. Competing against the best competition in the country the Cadets of Shawnee Mission North dominated the competition in the areas of close order drill and athletics taking home first place in five of the seven events in these two areas. When dust settled at the end of the two-day competition Shawnee Mission North was:

1st Place – Overall Drill
1st Place – Armed Regulation Drill
1st Place – Unarmed Regulation Drill
1st Place – Color Guard
1st Place – Overall Athletics
1st Place - Push–Ups
1st Place - Sit–Ups
2016 OVERALL NATIONAL CHAMPIONS

It was an unbelievable performance and a testament to the thousands of hours of hard work and preparation that these students put into being the very best! Congratulations and job well done!

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **SB 248**, and has appointed Senators Masterson, Denning and Kelly as second conferees on the part of the Senate.

The Senate adopts the Conference Committee report to agree to disagree on **House Substitute for SB 249**, and has appointed Senators Masterson, Denning and Kelly as second conferees on the part of the Senate.

The Senate adopts the Conference Committee report to agree to disagree on **SB 366**, and has appointed Senators Lynn, Wagle and Holland as second conferees on the part of the Senate.

The Senate adopts the Conference Committee report on **Senate Substitute for HB 2156**.

The Senate adopts the Conference Committee report on **HB 2456**.

The Senate adopts the Conference Committee report on **HB 2617**.

The Senate not adopts the Conference Committee report on **Senate Subsitute for HB 2059**, requests a conference and appoints Senators Powell, Kerschen and Francisco as second conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **H Sub for SB 402, SB 418, S Sub for HB 2059, S Sub for HB 2156, HB 2456, HB 2617**.

CONFERENCE COMMITTEE REPORTS

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 402** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

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

DANIEL R. HAWKINS
WILLIE O. DOVE
JIM WARD
Conferees on part of House

MICHAEL O'DONNELL, II
JIM DENNING
LAURA KELLY
Conferees on part of Senate

On motion of Rep. Hawkins to adopt the conference committee report on **H Sub for SB 402** to agree to disagree, the motion did not prevail and the bill remains in conference.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2156** 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. 2156, as follows:

On page 1, by striking all in lines 6 through 36;

By striking all on pages 2 through 6;

On page 7, by striking all in lines 1 through 13 and inserting the following:

"Section 1. K.S.A. 32-960a is hereby amended to read as follows: 32-960a. (a) On or before January 1, 1998, the secretary shall adopt, in accordance with K.S.A. 32-805, and amendments thereto, rules and regulations establishing procedures for developing and implementing recovery plans for all species listed as in need of conservation, threatened or endangered. The secretary shall give priority to development of recovery plans for particular species based on a cumulative assessment of the scientific evidence available. Based on the priority ranking, the secretary shall develop and begin implementation of recovery plans for at least two listed species on or before January 1, 1999.

(b) Whenever a species is added to the list of threatened or endangered species, the secretary shall establish a volunteer local advisory committee composed of members

broadly representative of the area affected by the addition of the species to the list. Members shall include representatives of specialists from academic institutions, agribusiness and other trade organizations, state environmental and conservation organizations and other interested organizations and individuals. In addition, the membership shall include, if appropriate, landowners and public officials representing state, local and tribal governments. To the maximum extent possible, committee membership shall evenly balance the interests of all potentially affected groups and institutions.

(c) The advisory committee shall: (1) Work with the secretary to adapt the listing of the species and the recovery plan for the species to the social and economic conditions of the affected area; and (2) disseminate information to the public about the scientific basis of the decision to list the species, the regulatory process and incentives available to landowners pursuant to this act.

(d) If a species in need of conservation receives a priority ranking to develop and begin implementation of a recovery plan, the secretary shall establish a volunteer local advisory committee in the same manner as provided by subsection (b) to work with the secretary to adapt the recovery plan and disseminate information to the public.

(e) In implementing a recovery plan for a species, the secretary shall consider any data, recommendations and information provided by the advisory committee.

(f) The secretary shall cause each developed and implemented recovery plan to be published and maintained on the official website of the department of wildlife, parks and tourism.

Sec. 2. K.S.A. 32-961 is hereby amended to read as follows: 32-961. (a) Whenever any species is listed as a threatened species pursuant to K.S.A. 32-960, and amendments thereto, the secretary shall adopt such rules and regulations pursuant to K.S.A. 32-963, and amendments thereto, as the secretary deems necessary and advisable to provide for the conservation of such species. By rules and regulations adopted pursuant to K.S.A. 32-963, and amendments thereto, the secretary may prohibit with respect to any threatened species included in a list adopted pursuant to K.S.A. 32-960, and amendments thereto, except as provided in subsection (c), any act which is prohibited under subsection (b) ~~with respect to any endangered species included in a list adopted pursuant to K.S.A. 32-960~~.

(b) Except as otherwise specifically provided by this section or rules and regulations adopted pursuant to this section, a special permit is required for any person subject to the jurisdiction of this state to:

(1) Export from this state any endangered species included in a list adopted pursuant to K.S.A. 32-960, and amendments thereto;

(2) possess, process, sell, offer for sale, deliver, carry, transport or ship, by any means whatsoever, any such endangered species; or

(3) act in a manner contrary to any rule and regulation adopted by the secretary pursuant to authority provided by K.S.A. 32-957 through 32-963 and 32-1009 through 32-1012, and amendments thereto, which pertains to such endangered species or to any threatened species of wildlife included in a list adopted pursuant to K.S.A. 32-960, and amendments thereto.

(c) The provisions of subsection (b)(3) shall not apply to:

(1) Normal farming and ranching practices, including government cost-shared agriculture land treatment measures, unless a permit is required by another state or

federal agency or such practices involve an intentional taking of a threatened species under K.S.A. 32-1010, and amendments thereto, or involve an intentional taking of an endangered species under K.S.A. 32-1011, and amendments thereto;

(2) development of residential and commercial property on privately owned property financed with private, nonpublic funds unless a permit is required by another state or federal agency or the development involves an intentional taking of a threatened species under K.S.A. 32-1010, and amendments thereto, or involves an intentional taking of an endangered species under K.S.A. 32-1011, and amendments thereto; or

(3) activities for which a person has obtained a scientific, educational or exhibition permit, as provided by K.S.A. 32-952, and amendments thereto.

(d) For the purposes of this section, a permit required by another state or federal agency shall not include a certification or registration.

(e) Subsection (b) ~~does~~ shall not apply to any endangered species listed pursuant to K.S.A. 32-960, and amendments thereto, and any species of wildlife determined to be an endangered species pursuant to Pub. L. 93-205 (December 28, 1973), the endangered species act of 1973, and amendments thereto, entering the state from another state or from a point outside the territorial limits of the United States and being transported to a point within or beyond the state in accordance with the terms of any federal permit or permit issued under the laws or regulations of another state.

~~(d)~~ (f) The secretary may issue special permits to authorize, under such terms and conditions as the secretary prescribes, any act described in subsection (b) or any act which is otherwise prohibited by rules and regulations adopted pursuant to subsection (a), for scientific purposes or to enhance the propagation or survival of the affected species. Application for such permit shall be made to the secretary or the secretary's designee and shall be accompanied by the fee prescribed pursuant to K.S.A. 32-988, and amendments thereto. The secretary shall maintain a list of permit applications under this subsection. Where such applications have been approved and special permits have been issued, the secretary shall maintain a list of such permits, including therein the name and address of the permittee and the terms and conditions prescribed for each such permit. The secretary shall keep such lists current and shall file copies thereof, along with any additions or amendments, with the secretary of the interior of the federal government.

~~(e)~~ (g) Threatened or endangered species included in a list adopted pursuant to K.S.A. 32-960, and amendments thereto, may be captured or destroyed without a permit by any person in an emergency situation involving an immediate and demonstrable threat to human life.

(h) (1) For all new species listed as endangered or threatened by the secretary pursuant to this act on and after July 1, 2016, recovery plans for such species shall be completed within four years after the species is listed. If such recovery plan is not completed within four years, no permit shall be required by the secretary for any activity that would otherwise require a permit pursuant to this act until the recovery plan is complete. The provisions of this paragraph shall not apply to any species listed as endangered or threatened under the endangered species act of 1973 (Pub. L. No. 93-205).

(2) The secretary shall annually submit a report on all species listed as endangered or threatened as of June 30, 2016, to the senate committee on natural resources and the house committee on agriculture and natural resources. Such report shall include:

(A) The status of species with a completed recovery plan;

(B) the status of species with a recovery plan currently in process, but not yet complete; and

(C) future goals for completing recovery plans for any listed species that does not yet have a recovery plan.

Sec. 3. K.S.A. 32-960a and 32-961 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking line 2; in line 3, by striking "303b" and inserting "wildlife, parks and tourism; relating to the nongame and endangered species act; amending K.S.A. 32-960a and 32-961";

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

Larry R. Powell
Dan Kerschen
Marci Francisco
Conferees on part of Senate

Sharon Schwartz
Sue Boldra
John Wilson
Conferees on part of House

On motion of Rep. Boldra, the conference committee report on **S Sub for HB 2156** was adopted.

On roll call, the vote was: Yeas 111; Nays 2; Present but not voting: 0; Absent or not voting: 12.

Yeas: Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Waymaster, Weber, C., Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: Highberger, Ward.

Present but not voting: None.

Absent or not voting: Alcala, Bruchman, E. Davis, Ewy, Goico, Hemsley, Kelley, Peck, Ruiz, Schwab, Victors, K. Williams.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2456** 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 4 through 36;

By striking all on pages 2 through 16 and inserting the following:

"New Section 1. (a) No tanning facility shall provide access to a tanning device for any person under 18 years of age.

(b) In addition to the board's authority to impose discipline pursuant to K.S.A. 65-1920, and amendments thereto, the board shall have the authority to assess a fine not in excess of $250 against a licensee for each violation. Such fine may be assessed in lieu of or in addition to such discipline.

(c) The board shall adopt rules and regulations as necessary to effectuate the provisions of this section. Such rules and regulations shall be adopted no later than January 1, 2017.

New Sec. 2. K.S.A. 65-1920 through 65-1929 and section 1, and amendments thereto, shall be known and may be cited as the Kansas tanning facilities act.

Sec. 3. K.S.A. 65-1810 is hereby amended to read as follows: 65-1810. (a) No barber school or barber college shall be approved by the board unless:

(1) The school or college requires, as a prerequisite to graduation, a course of instruction of not less than 1,200 hours and not more than 1,500 hours, as prescribed in rules and regulations by the board, to be completed within 18 months of not more than eight hours in any one working day;

(2) the course of instruction required by the school or college includes scientific fundamentals of barbering; hygiene; histology of the hair and skin; structure of the head, face and neck; elementary chemistry relating to sterilization and antiseptics; massages and manipulations of the muscles of the scalp, skin and neck; cutting, shaving, arranging, perming, waving, curling, coloring, bleaching, tinting and dyeing the hair; and barbering practices for all major ethnic groups residing in the state;

(3) all instructors of the school or college have been licensed practicing barbers ~~for not less than three years~~ and hold instructors licenses; and

(4) no practice or policy of discrimination is in effect against applicants for admission to the school or college by reason of race, religion, color, national origin or ancestry.

(b) An instructor's license shall be granted by the board only after the applicant has passed a two-part examination, prescribed by the board for such purpose, with a grade of not less than 75% on each part of the examination, and has paid the prescribed fee for such examination.

(c) Every barber school and every barber college shall designate to the public that it is a barber school or barber college by posting a sign on the front window or entrance with letters not less than six inches in height.

(d) No barber school or barber college shall enroll or admit any student ~~thereto~~ unless such student shall make and file in duplicate an application upon a form prescribed and furnished by the board. One copy of such application shall be retained

by the school or college, and the school or college shall file the other with the board. Upon enrollment, a student shall pay to the board the fee prescribed for a student learning license. Such license shall be used by the student while enrolled in the school or college and shall be placed next to or near the working area of the student.

(e) ~~No barber school or barber college shall enroll or admit any student to a postgraduate course for the purpose of qualifying persons to pass the examination conducted by the board to determine fitness to practice barbering~~ Barber schools or barber colleges may design courses of study for barbers who have not renewed their licenses for a period of at least three years, for students who have failed at least two examinations conducted by the board to determine fitness to practice barbering or for other purposes as prescribed by the board, including courses of study for professionals in related industries.

(f) It shall be unlawful for any person, firm or corporation to operate a barber school or barber college without first obtaining a license from the board, fully complying with the provisions of this act and paying an annual fee for ~~the~~ operation ~~thereof~~.

Sec. 4. K.S.A. 65-1812 is hereby amended to read as follows: 65-1812. (a) Any person shall be qualified to receive a license to practice barbering if such person:

(1) Is at least 16 years of age and of good moral character and temperate habits;

(2) has graduated from a high school accredited by the appropriate accrediting agency or has otherwise obtained the equivalent of a high school education;

(3) is a graduate of a barber school or barber college approved by the board or has satisfactorily completed the barber course at an institution under the control of the secretary of corrections or the disciplinary barracks at Fort Leavenworth or has been certified in a related industry, such as barbering in any branch of the United States military service, and has completed a course of study in a licensed Kansas barber college or barber school as prescribed by the board under K.S.A. 65-1810(e), and amendments thereto, or has been a cosmetologist licensed by the Kansas board of cosmetology and has completed a course of study in a licensed Kansas barber college or barber school as prescribed by the board under K.S.A. 65-1810(e), and amendments thereto; and

(4) has paid an examination fee and has passed the examination conducted by the board to determine the fitness of such person to practice barbering.

(b) Any person who fails to pass an examination conducted by the board to determine such person's fitness to practice barbering shall be entitled to take the next examination conducted by the board.

(c) The board may issue a temporary license to practice barbering to any person who has graduated from an approved barber school or barber college and who makes application to take the next examination for licensure to practice barbering. Such license shall be effective only until the results of the examination are announced. No more than three temporary licenses shall be issued to any one person.

Sec. 5. K.S.A. 65-1819 is hereby amended to read as follows: 65-1819. (a) Every licensed barber, instructor, operator of a barber shop and operator of a barber school or barber college shall annually renew the license and pay the required fee. The expiration date of each license which is issued, restored or renewed by the board shall be established by rules and regulations of the board so that licenses are renewed by the board throughout the year on a continuing basis. In each case in which a license is

issued, restored or renewed for a period of time of less than one year, the board may prorate the amount of the fee established under K.S.A. 65-1817, and amendments thereto.

(b) A barber, instructor or operator of a barber shop whose license has been expired for a period of less than three years may have the license renewed ~~immediately~~ upon filing with the board a renewal application and payment of the required restoration fee. Any barber, instructor or operator of a barber shop whose license has been expired for a period of three or more years~~,~~ may renew the license ~~after a successful~~ by filing with the board an application for reexamination, successfully completing such reexamination by the board and ~~upon the payment of~~ paying the required examination and license fees. Upon receipt of such application, payment of fees and passage of reexamination, if applicable, the board may grant a new license according to the provisions of K.S.A. 65-1820a, and amendments thereto.

Sec. 6. K.S.A. 65-1820a is hereby amended to read as follows: 65-1820a. (a) The board may ~~issue orders which require the remedying of any of the violations specified in subsection (b). If the violations are not remedied in a reasonable time after the order is issued, the board shall issue an order suspending the license of the violator. The board shall follow the procedure provided in the Kansas administrative procedure act to suspend a license.~~

~~(b) The board may refuse to issue, renew, suspend or revoke a license for any one or combination of the following reasons~~ censure, limit, condition, suspend, revoke or refuse to issue, reinstate or renew a license of any applicant or licensee upon proof that the applicant or licensee:

(1) Has committed malpractice or incompetency;

(2) ~~when an applicant or a licensed barber is or becomes~~ has become afflicted with an infectious or communicable disease;

(3) ~~advertising~~ has advertised by knowingly false or deceptive statements;

(4) ~~advertising, practicing or attempting~~ has advertised, practiced or attempted to practice under a trade name other than one's own;

(5) ~~habitual drunkenness or habitual addiction to habit-forming drugs~~ is unable to practice barbering with skill and safety due to current abuse of drugs or alcohol;

(6) has committed unprofessional conduct as defined in rules and regulations adopted by the board;

(7) ~~obtaining or attempting~~ has obtained or attempted to obtain a license for money other than the required fee, or for any other thing of value or by fraudulent misrepresentations;

(8) ~~the willful failure~~ has willfully failed to display a license to practice barbering as required by K.S.A. 65-1818, and amendments thereto;

(9) ~~practicing or attempting~~ has practiced or attempted to practice barbering by fraudulent misrepresentations;

(10) ~~the violation of~~ has violated any of the sanitation standards adopted by the secretary of health and environment pursuant to K.S.A. 65-1,148, and amendments thereto, for the regulation of barber shops, barber schools and barber colleges; ~~or~~

(11) ~~the violation of~~ has violated any lawful rules and regulations of the board concerning the operation or management of a barber shop, barber school or barber college; or

(12) has been convicted of any felony offense or misdemeanor offense of a crime

against persons or involving illegal drugs as determined by the board in rules and regulations, and the licensee or applicant for a license is unable to demonstrate to the board's satisfaction that such person has been sufficiently rehabilitated to warrant the public trust.

(b) The board, in lieu of or addition to any other penalty prescribed under the provisions of article 18 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, may assess a civil fine against a licensee for a violation of the provisions of article 18 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, in an amount not to exceed $1,000.

(c) In all matters pending before the board, the board shall have the power to revoke the license of any licensee who voluntarily surrenders such person's or entity's license pending investigation of misconduct or while charges of misconduct against the licensee are pending or anticipated.

(d) All proceedings under the provisions of article 18 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under the provisions of article 18 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, shall be in accordance with the Kansas judicial review act.

Sec. 7. K.S.A. 2015 Supp. 65-1824 is hereby amended to read as follows: 65-1824. The board is hereby authorized, empowered, and directed to administer and enforce the provisions of this act and the board is hereby granted such specific powers as are necessary for the purpose of administering and enforcing the same. In addition thereto, the board shall have power:

(a) To supervise and regulate the barbering industry in this state. Nothing contained in this act shall be construed to abrogate, affect the status, force or operation of any provision of the general laws of this state relating to public health or any lawful rule, regulation or order promulgated thereunder, the law regulating the practice of barbering or any local health ordinance or regulation.

(b) To investigate all matters pertaining to the proper supervision and control of barber shops and the practice of barbering in this state.

(c) To subpoena barber shop owners, operators, managers or employees, their books and accounts, and other persons from whom such information may be desired, to carry out the purposes and intent of this act, and may issue commissions to take depositions from witnesses absent from the state. Any member of the board may sign and issue subpoenas and administer oaths to witnesses.

(d) To act as mediator and arbitrator in any controversy or issue that may arise among or between barbers as individuals or that may arise between them as groups. Nothing herein contained shall be construed as authorizing any interference with the authority of the state department of labor or the United States department of labor.

The operation and effect of any provisions of this act which confer a general power upon the board shall not be impaired or qualified because a specific power has been granted to the board by this act.

(e) To issue a cease and desist order against any individual, operator or licensee if the board determines that such individual, operator or licensee has practiced without a valid license or engaged or attempted to engage in any act or practice in violation of article 18 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, or

rules and regulations adopted thereunder.

(f) To make an application to any court of competent jurisdiction for an order enjoining any person who has engaged or attempted to engage in any act or practice in violation of article 18 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, or rules and regulations adopted thereunder. Upon a showing by the board that such person has engaged or attempted to engage in any such act or practice, an injunction, restraining order or such other order as may be appropriate shall be granted by such court without bond.

Sec. 8. K.S.A. 65-1810, 65-1812, 65-1819 and 65-1820a and K.S.A. 2015 Supp. 65-1824 are hereby repealed.

Sec. 9. This act shall take effect and be in force from and after its publication in the statute book.";

On page 1, in the title, in line 1, by striking all after "ACT" and inserting "concerning state boards; relating to the state board of cosmetology; state board of barbering; powers, duties and functions thereof; regulation of tanning facilities; regulation of barbering; amending K.S.A. 65-1810, 65-1812, 65-1819, 65-1820a and 2015 Supp. 65-1824 and repealing the existing sections.";

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

MICHAEL O'DONNELL, II
ELAINE BOWERS
LAURA KELLY
Conferees on part of Senate

DANIEL R. HAWKINS
WILLIE O. DOVE
JIM WARD
Conferees on part of House

On motion of Rep. Hawkins, the conference committee report on **HB 2456** was adopted.

On roll call, the vote was: Yeas 71; Nays 42; Present but not voting: 0; Absent or not voting: 12.

Yeas: Alford, Ballard, Barker, Becker, Billinger, Bollier, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, Dierks, Doll, Dove, Edmonds, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Hawkins, Helgerson, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Houston, Jennings, Johnson, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lusk, Lusker, Mast, Moxley, Osterman, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Rooker, Rubin, Ryckman Sr., Sawyer, Schroeder, Scott, Sloan, C. Smith, S. Swanson, Thompson, Tietze, Todd, Trimmer, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Anthimides, Barton, Boldra, Bradford, B. Carpenter, W. Carpenter, Claeys, Corbet, DeGraaf, Esau, Garber, Grosserode, Hedke, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, D. Jones, K. Jones, Kahrs, Lunn, Macheers, Mason, McPherson, Merrick, O'Brien, R. Powell, Read, Rhoades, Ryckman, Scapa, Schwartz, Seiwert, Suellentrop, Sutton, Thimesch, Vickrey, Waymaster, Weber, C., Whitmer.

Present but not voting: None.

Absent or not voting: Alcala, Bruchman, E. Davis, Ewy, Goico, Hemsley, Kelley, Peck, Ruiz, Schwab, Victors, K. Williams.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2617** submits the following report:

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

On page 4, in line 10, after "(c)" by inserting "After implementation of rules and regulations by the director,";

On page 5, following line 18, by inserting:

"Sec. 4. K.S.A. 2015 Supp. 44-550b is hereby amended to read as follows: 44-550b. (a) All records provided to be maintained under K.S.A. 44-550, and amendments thereto, and not withstanding the provisions of K.S.A. 45-215 et seq., and amendments thereto, shall be open to public inspection, except:

(1) Records relating to financial information submitted by an employer to qualify as a self-insurer pursuant to K.S.A 44-532, and amendments thereto;

(2) records which relate to utilization review or peer review conducted pursuant to K.S.A. 44-510j, and amendments thereto, shall not be disclosed except to the health care provider and as otherwise specifically provided by the workers compensation act;

(3) records relating to private premises safety inspections;

(4) medical records, forms collected pursuant to ~~subsection (b) of~~ K.S.A. 44-567(b), and amendments thereto, accident reports maintained under K.S.A. 44-550, and amendments thereto, and social security numbers pertaining to an individual which shall not be disclosed except:

(A) Upon order of a court of competent jurisdiction;

(B) to the employer, its insurance carrier or its representative, from whom a worker seeks workers compensation benefits;

(C) to the division of workers compensation for its own purposes;

(D) to federal or state governmental agencies for purposes of fraud and abuse investigations and child support enforcement, except that such disclosure shall not then be open to public inspection;

(E) to an employer in connection with any application for employment to an employer, its insurance carrier or representatives providing: (i) A conditional offer of employment has been made; and (ii) the request for records includes a signed release by the individual, identifies the job conditionally offered by the employer and is submitted in writing, either by mail or electronic means. Requests relating to an individual under this subsection shall be considered a record to be maintained and open to public inspection under K.S.A. 44-550, and amendments thereto, except social security numbers;

(F) to the workers compensation fund for its own purposes; and

(G) to the worker upon written release by the worker.

(b) This section shall be part of and supplemental to the workers compensation act.";

Also on page 5, in line 19, after "44-510i" by inserting "and 44-550b";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the second semicolon by inserting "records disclosure;"; in line 3, after "44-510i" by inserting "and 44-550b";

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

JULIA LYNN
SUSAN WAGLE
TOM HOLLAND
Conferees on part of Senate

MARK HUTTON
LES MASON
STAN FROWNFELTER
Conferees on part of House

On motion of Rep. Hutton, the conference committee report on **HB 2617** was adopted.

On roll call, the vote was: Yeas 113; Nays 0; Present but not voting: 0; Absent or not voting: 12.

Yeas: Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Alcala, Bruchman, E. Davis, Ewy, Goico, Hemsley, Kelley, Peck, Ruiz, Schwab, Victors, K. Williams.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 128** submits the following report:

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

On page 1, following line 6, by inserting:

"Section 1. K.S.A. 2015 Supp. 7-127 is hereby amended to read as follows: 7-127.

(a) Each applicant for admission to practice law in this state, in submitting the application, shall provide to the clerk of the supreme court the information enumerated in K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto. Whenever

any person whose application for admission to practice law in this state is pending shall move from the residential address listed on such person's application, or when the name of any such person is changed by marriage or otherwise, such person, within 10 days thereafter, shall notify the clerk of the supreme court in writing of such person's old and new residential addresses or of such person's former and new names.

(b) Any person whose application to practice law in Kansas is pending as of the effective date of this act, and for whom the information enumerated in K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto, is not correct on such application as of the effective date of this act, shall provide the information enumerated in K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto, in writing to the clerk of the supreme court within 60 days after the effective date of this act. The clerk of the supreme court, within 30 days after the effective date of this act, shall send notice to all persons whose applications to practice law in Kansas are pending as of the effective date of this act, that such persons are required by law to provide the information enumerated in K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto, in writing to the clerk of the supreme court within 60 days after the effective date of this act.

(c) The supreme court may require an applicant for admission to practice law in this state to be fingerprinted and submit to a national criminal history record check. The fingerprints shall be used to identify the applicant and to determine whether the applicant has a record of criminal arrests and convictions in this state or other jurisdictions. The supreme court and the state board of law examiners are authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The state board of law examiners and the supreme court may use the information obtained from fingerprinting and the applicant's criminal history only for purposes of verifying the identification of any applicant and in the official determination of character and fitness of the applicant for admission to practice law in this state.

~~(b)~~ (d) Local and state law enforcement officers and agencies shall assist the supreme court in taking and processing of fingerprints of applicants seeking admission to practice law in this state and shall release all records of an applicant's arrests and convictions to the supreme court and the state board of law examiners.

New Sec. 2. (a) The clerk of the supreme court shall maintain in the clerk's office a roster of attorneys licensed to practice law in Kansas. Such roster shall include the information enumerated in K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto, the congressional district of residence and the judicial district of residence for each person licensed to practice law in Kansas. Whenever any person licensed to practice law in Kansas moves from the residential address listed for such person on such roster, or when the name of any such person is changed by marriage or otherwise, such person, within 10 days thereafter, shall notify the clerk of the supreme court in writing of such person's old and new residential addresses or of such person's former and new names.

(b) Each person on the roster of attorneys licensed to practice law in Kansas on the effective date of this act, and for whom the information enumerated in K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto, is not correct on such roster on the effective date of this act, shall provide the information enumerated in K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto, in writing to the clerk

of the supreme court within 60 days after the effective date of this act. The clerk of the supreme court, within 30 days after the effective date of this act, shall send notice to all persons listed on the roster of attorneys licensed to practice law in Kansas on the effective date of this act, that such persons are required by law to provide the information enumerated in K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto, in writing to the clerk of the supreme court within 60 days of the effective date of this act.

(c) Only attorneys licensed to practice law in Kansas and residing in Kansas on or before the 15th day of February preceding the selection of the chairperson of the supreme court nominating commission as provided in K.S.A. 20-119, and amendments thereto, and only attorneys so licensed and residing in the congressional district on or before the 15th day of February preceding the selection of the members of the supreme court nominating commission to be chosen from among the members of the bar of such congressional district as provided in K.S.A. 20-120, and amendments thereto, and, in either event, only attorneys for whom the roster of attorneys licensed to practice law in Kansas contains the information enumerated in K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto, shall be entitled to make nominations or receive and cast ballots in such selections.

(d) (1) On or before the 20th day of February preceding the selection of a chairperson of the supreme court nominating commission, the clerk of the supreme court shall transmit a certified copy of the roster of attorneys licensed to practice law in Kansas to the secretary of state. Such certified copy shall include the information enumerated in K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto, for each person listed on the roster and having a residential address within Kansas as of the preceding 15th day of February.

(2) On or before the 20th day of February preceding the selection of a member of the supreme court nominating commission to be chosen from among the members of the bar of a congressional district, the clerk of the supreme court shall transmit a certified copy of the roster of attorneys licensed to practice law in Kansas to the secretary of state. Such certified copy shall include the information enumerated in K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto, for each person listed on the roster and having a residential address within the congressional district as of the preceding 15th day of February.

(3) The certified copy of the roster shall be transmitted in a format prescribed by the secretary of state. Upon receipt of such certified roster, the secretary of state shall append thereto the unique voter identification number for each person listed on the roster having such a number, as contained in the centralized voter registration database described in K.S.A. 2015 Supp. 25-2304, and amendments thereto.

(e) Notwithstanding any other provision of law, the names, residential addresses, dates of birth, unique voter identification numbers and dates of licensure to practice law in Kansas of all persons listed on the certified roster of attorneys licensed to practice law in Kansas created pursuant to subsection (d), including the information as appended to the roster pursuant to subsection (d), shall be disclosed upon proper request submitted to the clerk of the supreme court or to the secretary of state pursuant to the open records act, K.S.A. 45-215 et seq., and amendments thereto.

Sec. 3. K.S.A. 2015 Supp. 12-4516 is hereby amended to read as follows: 12-4516. (a) (1) Except as provided in subsections (b), (c), (d), (e) and (f), any person who has

been convicted of a violation of a city ordinance of this state may petition the convicting court for the expungement of such conviction and related arrest records if three or more years have elapsed since the person:

(A) Satisfied the sentence imposed; or

(B) was discharged from probation, parole or a suspended sentence.

(2) Except as provided in subsections (b), (c), (d), (e) and (f), any person who has fulfilled the terms of a diversion agreement based on a violation of a city ordinance of this state may petition the court for the expungement of such diversion agreement and related arrest records if three or more years have elapsed since the terms of the diversion agreement were fulfilled.

(b) Any person convicted of a violation of any ordinance that is prohibited by either K.S.A. 2015 Supp. 12-16,134(a) or (b), and amendments thereto, and which was adopted prior to July 1, 2014, or who entered into a diversion agreement in lieu of further criminal proceedings for such violation, may petition the convicting court for the expungement of such conviction or diversion agreement and related arrest records.

(c) Any person convicted of the violation of a city ordinance which would also constitute a violation of K.S.A. 21-3512, prior to its repeal, or a violation of K.S.A. 2015 Supp. 21-6419, and amendments thereto, or who entered into a diversion agreement in lieu of further criminal proceedings for such violation, may petition the convicting court for the expungement of such conviction or diversion agreement and related arrest records if:

(1) One or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, parole, conditional release or a suspended sentence; and

(2) such person can prove they were acting under coercion caused by the act of another. For purposes of this subsection, "coercion" means: Threats of harm or physical restraint against any person; a scheme, plan or pattern intended to cause a person to believe that failure to perform an act would result in bodily harm or physical restraint against any person; or the abuse or threatened abuse of the legal process.

(d) No person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, parole, conditional release or a suspended sentence, if such person was convicted of the violation of a city ordinance which would also constitute:

(1) Vehicular homicide, as defined by K.S.A. 21-3405, prior to its repeal, or K.S.A. 2015 Supp. 21-5406, and amendments thereto;

(2) driving while the privilege to operate a motor vehicle on the public highways of this state has been canceled, suspended or revoked, as prohibited by K.S.A. 8-262, and amendments thereto;

(3) perjury resulting from a violation of K.S.A. 8-261a, and amendments thereto;

(4) a violation of the provisions of K.S.A. 8-142 *Fifth*, and amendments thereto, relating to fraudulent applications;

(5) any crime punishable as a felony wherein a motor vehicle was used in the perpetration of such crime;

(6) failing to stop at the scene of an accident and perform the duties required by K.S.A. 8-1602, 8-1603, prior to its repeal, or 8-1604, and amendments thereto;

(7) a violation of the provisions of K.S.A. 40-3104, and amendments thereto,

relating to motor vehicle liability insurance coverage; or

(8) a violation of K.S.A. 21-3405b, prior to its repeal.

(e) (1) No person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, parole, conditional release or a suspended sentence, if such person was convicted of a first violation of a city ordinance which would also constitute a first violation of K.S.A. 8-1567 or K.S.A. 2015 Supp. 8-1025, and amendments thereto.

(2) No person may petition for expungement until 10 or more years have elapsed since the person satisfied the sentence imposed or was discharged from probation, parole, conditional release or a suspended sentence, if such person was convicted of a second or subsequent violation of a city ordinance which would also constitute a second or subsequent violation of K.S.A. 8-1567 or K.S.A. 2015 Supp. 8-1025, and amendments thereto.

(f) There shall be no expungement of convictions or diversions for a violation of a city ordinance which would also constitute a violation of K.S.A. 8-2,144, and amendments thereto.

(g) (1) When a petition for expungement is filed, the court shall set a date for a hearing of such petition and shall cause notice of such hearing to be given to the prosecuting attorney and the arresting law enforcement agency. The petition shall state the:

(A) Defendant's full name;

(B) full name of the defendant at the time of arrest, conviction or diversion, if different than the defendant's current name;

(C) defendant's sex, race and date of birth;

(D) crime for which the defendant was arrested, convicted or diverted;

(E) date of the defendant's arrest, conviction or diversion; and

(F) identity of the convicting court, arresting law enforcement agency or diverting authority.

(2) A municipal court may prescribe a fee to be charged as costs for a person petitioning for an order of expungement pursuant to this section.

(3) Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner and shall have access to any reports or records relating to the petitioner that are on file with the secretary of corrections or the prisoner review board.

(h) At the hearing on the petition, the court shall order the petitioner's arrest record, conviction or diversion expunged if the court finds that:

(1) The petitioner has not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against the petitioner;

(2) the circumstances and behavior of the petitioner warrant the expungement; and

(3) the expungement is consistent with the public welfare.

(i) When the court has ordered an arrest record, conviction or diversion expunged, the order of expungement shall state the information required to be contained in the petition. The clerk of the court shall send a certified copy of the order of expungement to the Kansas bureau of investigation which shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which

may have a record of the arrest, conviction or diversion. If the case was appealed from municipal court, the clerk of the district court shall send a certified copy of the order of expungement to the municipal court. The municipal court shall order the case expunged once the certified copy of the order of expungement is received. After the order of expungement is entered, the petitioner shall be treated as not having been arrested, convicted or diverted of the crime, except that:

(1) Upon conviction for any subsequent crime, the conviction that was expunged may be considered as a prior conviction in determining the sentence to be imposed;

(2) the petitioner shall disclose that the arrest, conviction or diversion occurred if asked about previous arrests, convictions or diversions:

(A) In any application for licensure as a private detective, private detective agency, certification as a firearms trainer pursuant to K.S.A. 2015 Supp. 75-7b21, and amendments thereto, or employment as a detective with a private detective agency, as defined by K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services;

(B) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(C) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(D) to aid in determining the petitioner's qualifications for executive director of the Kansas racing and gaming commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(E) to aid in determining the petitioner's qualifications for the following under the Kansas expanded lottery act: (i) Lottery gaming facility manager or prospective manager, racetrack gaming facility manager or prospective manager, licensee or certificate holder; or (ii) an officer, director, employee, owner, agent or contractor thereof;

(F) upon application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(G) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(H) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;

(I) in any application for registration as a broker-dealer, agent, investment adviser or investment adviser representative all as defined in K.S.A. 17-12a102, and amendments thereto;

(J) in any application for employment as a law enforcement officer, as defined in K.S.A. 22-2202 or 74-5602, and amendments thereto; or

(K) for applications received on and after July 1, 2006, to aid in determining the petitioner's qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act, K.S.A. 2015 Supp. 75-7c01 et seq., and amendments

thereto;

(3) the court, in the order of expungement, may specify other circumstances under which the arrest, conviction or diversion is to be disclosed; and

(4) the conviction may be disclosed in a subsequent prosecution for an offense which requires as an element of such offense a prior conviction of the type expunged.

(j) Whenever a person is convicted of an ordinance violation, pleads guilty and pays a fine for such a violation, is placed on parole or probation or is granted a suspended sentence for such a violation, the person shall be informed of the ability to expunge the arrest records or conviction. Whenever a person enters into a diversion agreement, the person shall be informed of the ability to expunge the diversion.

(k) Subject to the disclosures required pursuant to subsection (i), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records, conviction or diversion of an offense has been expunged under this statute may state that such person has never been arrested, convicted or diverted of such offense.

(l) Whenever the record of any arrest, conviction or diversion has been expunged under the provisions of this section or under the provisions of any other existing or former statute, the custodian of the records of arrest, conviction, diversion and incarceration relating to that crime shall not disclose the existence of such records, except when requested by:

(1) The person whose record was expunged;

(2) a private detective agency or a private patrol operator, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with such agency or operator by the person whose record has been expunged;

(3) a court, upon a showing of a subsequent conviction of the person whose record has been expunged;

(4) the secretary for aging and disability services, or a designee of the secretary, for the purpose of obtaining information relating to employment in an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services of any person whose record has been expunged;

(5) a person entitled to such information pursuant to the terms of the expungement order;

(6) a prosecuting attorney, and such request is accompanied by a statement that the request is being made in conjunction with a prosecution of an offense that requires a prior conviction as one of the elements of such offense;

(7) the supreme court, the clerk or disciplinary administrator thereof, the state board for admission of attorneys or the state board for discipline of attorneys, and the request is accompanied by a statement that the request is being made in conjunction with an application for admission, or for an order of reinstatement, to the practice of law in this state by the person whose record has been expunged;

(8) the Kansas lottery, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(9) the governor or the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being

made to aid in determining qualifications for executive director of the commission, for employment with the commission, for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission or for licensure, renewal of licensure or continued licensure by the commission;

(10) the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications of the following under the Kansas expanded lottery act:

(A) Lottery gaming facility managers and prospective managers, racetrack gaming facility managers and prospective managers, licensees and certificate holders; and

(B) their officers, directors, employees, owners, agents and contractors;

(11) the state gaming agency, and the request is accompanied by a statement that the request is being made to aid in determining qualifications:

(A) To be an employee of the state gaming agency; or

(B) to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;

(12) the Kansas securities commissioner, or a designee of the commissioner, and the request is accompanied by a statement that the request is being made in conjunction with an application for registration as a broker-dealer, agent, investment adviser or investment adviser representative by such agency and the application was submitted by the person whose record has been expunged;

(13) the attorney general, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act;

(14) the Kansas sentencing commission;

(15) the Kansas commission on peace officers' standards and training and the request is accompanied by a statement that the request is being made to aid in determining certification eligibility as a law enforcement officer pursuant to K.S.A. 74-5601 et seq., and amendments thereto; or

(16) a law enforcement agency and the request is accompanied by a statement that the request is being made to aid in determining eligibility for employment as a law enforcement officer as defined by K.S.A. 22-2202, and amendments thereto.

Sec. 4. K.S.A. 20-122 is hereby amended to read as follows: 20-122. (a) The clerk of the supreme court ~~may~~ shall use the certified roster of attorneys ~~in the clerk's office~~ licensed to practice law in Kansas, as provided to the secretary of state pursuant to section 2, and amendments thereto, for ascertaining the names and places of residence of those entitled to receive ballots and for ascertaining the qualifications of those nominated for membership on the commission. The clerk shall supply with each ballot distributed a certificate to be signed and returned by the member of the bar voting such ballot, evidencing the qualifications of such member of the bar to vote, including the name and residential address of such member of the bar, and certifying that the ballot was voted by the certifying voter.

(b) ~~To the end~~ In order to ensure that the vote cast may be secret, the clerk shall provide a separate envelope ~~shall be provided~~ for the ballot, in which the voted ballot only shall be placed, and the envelope containing the voted ballot shall be ~~returned in an~~ placed in another envelope, also to be supplied by the clerk, together with the signed certificate. ~~No~~ A ballot not accompanied by the signed certificate of the voter shall not be counted. When the voted ballots are received by the clerk they shall be separated

from the certificates by the canvassers, and after the ballots are counted and the results certified ~~both~~, the ballots ~~and the certificates~~ shall be preserved by the clerk for a period of six months and the certificates shall be preserved by the clerk for a period of five years. No one shall be permitted to inspect ~~them~~ the ballots received pursuant to this section except on order of the supreme court. Unless otherwise ordered by the supreme court, at the end of such ~~six months~~ six-month period the clerk~~, unless otherwise ordered by the supreme court,~~ shall destroy ~~them~~ the ballots received pursuant to this section, and at the end of such five-year period, the clerk shall destroy the certificates received pursuant to this section.

(c) Within 14 days after the results of a selection are certified pursuant to this section, the clerk of the supreme court shall: (1) Create a list designating the position and year for which the selection was held and containing the names and residential addresses of all persons who returned a ballot with a signed certificate as described in subsection (b); and (2) transmit a certified copy of the list to the secretary of state. The list described in this subsection shall be transmitted in a format prescribed by the secretary of state. Upon receipt of the list described in this subsection, the secretary of state shall append the information contained therein to the roster for such selection as described in section 2, and amendments thereto.

(d) Notwithstanding any other provision of law, the certificates received for a selection pursuant to this section shall be disclosed upon proper request submitted to the clerk of the supreme court pursuant to the open records act, K.S.A. 45-215 et seq., and amendments thereto.

(e) Notwithstanding any other provision of law, the lists described in subsection (c) shall be disclosed upon proper request submitted to the clerk of the supreme court or to the secretary of state pursuant to the open records act, K.S.A. 45-215 et seq., and amendments thereto.

(f) The provisions of this section shall apply to all selections held under K.S.A. 20-119 and 20-120, and amendments thereto, which have not been canvassed pursuant to K.S.A. 20-130, and amendments thereto, regardless of whether such selections are scheduled, upcoming or pending as on the effective date of this act.

Sec. 5. K.S.A. 20-123 is hereby amended to read as follows: 20-123. (a) When the chairperson and other members of the commission chosen by the members of the bar have been elected, and after the names of the nonlawyer members appointed by the governor have been certified to the clerk of the supreme court as provided in this act, the clerk shall make a record thereof in the clerk's office and shall notify the members of the commission of their election and appointment. The commission shall meet from time to time as may be necessary to discharge the responsibilities of the commission. Such meetings shall be held at such place as the clerk of the supreme court may arrange. Such meeting shall be held upon the call of the chairperson, or in the event of the chairperson's failure to call a meeting when a meeting is necessary, upon the call of any four members of the commission. The commission shall act only at a meeting, and may act only by the concurrence of a majority of its members. The commission shall have power to adopt such reasonable and proper rules and regulations for the conduct of its proceedings and the discharge of its duties as are consistent with this act and the constitution of the state of Kansas.

(b) (1) The supreme court nominating commission shall be and is hereby deemed to be a public body and shall be subject to the open meetings act, K.S.A. 75-4317 et seq.,

and amendments thereto.

(2) Except as provided further, the commission shall not recess for a closed or executive meeting for any purpose. The commission, in accordance with K.S.A. 75-4319, and amendments thereto, may recess for a closed or executive meeting only for the purpose of discussing sensitive financial information contained within the personal financial records or official background check of a candidate for judicial nomination.

(3) Nothing in this subsection shall be construed to supersede the commission's discretion to close a record or portion of a record submitted to the commission pursuant to any applicable exception to public disclosure under the open records act.

Sec. 6. K.S.A. 20-128 is hereby amended to read as follows: 20-128. Any vacancy occurring from any cause in the office of chairman of the commission or among the lawyer members from the congressional districts shall be filled by appointment by the ~~chief justice of the supreme court of Kansas;~~ governor within 10 days after the governor has been given notice of such vacancy. Any appointment made by the governor pursuant to this section shall be without regard to political affiliation of the appointee. Such appointee shall be a member of the bar who is a resident of and licensed in Kansas. Such appointee ~~to~~ shall hold office until the first day of July following the expiration of four months after such appointment is made. During the four months immediately preceding the termination of such appointive term an election shall be held in the manner by this act provided for other elections of subsequent members of the commission, for the unexpired term, if any, of the member whose vacancy is being filled. Appointments to fill such vacancies shall be certified to the clerk of the supreme court.

Sec. 7. K.S.A. 20-130 is hereby amended to read as follows: 20-130. The canvassers at any election held pursuant to this act shall consist of the clerk of the supreme court ~~and two (2) or more persons who are members of the bar residing in Kansas, either practicing lawyers, justices or judges, designated to act as such by the chief justice~~, the secretary of state or the secretary of state's designee and the attorney general or the attorney general's designee. The canvassers shall open and canvass the ballots and shall tabulate and sign the results as a record in the office of the clerk.

Sec. 8. K.S.A. 20-132 is hereby amended to read as follows: 20-132. When a vacancy occurs in the supreme court, the clerk of such court shall promptly notify the chairman of the commission of such vacancy, and the commission shall make nominations of three persons to fill such vacancy and certify the names of the nominees to the governor. When it is known that a vacancy will occur at a definite future date, but the vacancy has not yet occurred, the clerk shall notify the chairman of the commission thereof, and the commission may, within ~~sixty (~~60~~)~~ days prior to the occurrence of such vacancy, make its nominations and submit to the governor the names of three ~~(3)~~ persons nominated for such forthcoming vacancy. To the end that the administration of justice may be facilitated and that no vacancy on the supreme court may be permitted to exist unduly, the commission shall make its nominations for each vacancy and certify them to the governor as promptly as possible, and in any event not later than ~~sixty (~~60~~)~~ days from the time such vacancy occurs.

New Sec. 9. (a) Only attorneys licensed to practice law in Kansas and residing in the judicial district on or before the 15th day of November preceding the election of a lawyer member of the district judicial nominating commission, and for whom the roster of attorneys licensed to practice law in Kansas contains the information enumerated in

K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto, shall be entitled to make nominations or receive and cast ballots in such elections.

(b) On or before the 20th day of November preceding the election of a lawyer member of the district judicial nominating commission, the clerk of the supreme court shall transmit a certified copy of the roster of attorneys licensed to practice law in Kansas to the secretary of state. Such certified copy shall include the information enumerated in K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto, for each person listed on the roster and having a residential address within the judicial district as of the preceding 15th day of November. The certified copy of the roster shall be transmitted in a format prescribed by the secretary of state. Upon receipt of such certified roster, the secretary of state shall append thereto the unique voter identification number for each person listed on the roster having such a number, as contained in the centralized voter registration database described in K.S.A. 2015 Supp. 25-2304, and amendments thereto.

(c) Notwithstanding any other provision of law, the names, residential addresses, dates of birth, unique voter identification numbers and dates of licensure to practice law in Kansas of all persons listed on the certified roster of attorneys licensed to practice law in Kansas created pursuant to subsection (b), including the information as appended to the roster pursuant to subsection (b), shall be disclosed upon proper request submitted to the clerk of the supreme court or to the secretary of state pursuant to the open records act, K.S.A. 45-215 et seq., and amendments thereto.

Sec. 10. K.S.A. 20-2904 is hereby amended to read as follows: 20-2904. (a) Lawyer members of the district judicial nominating commission shall be elected ~~by the lawyers who are qualified electors of the judicial district and who are registered with the clerk of the supreme court pursuant to rule 208 of such court. Each lawyer member of a district judicial nominating commission shall be a qualified elector of such judicial district~~ pursuant to this section. The clerk of the supreme court shall use the certified roster of attorneys licensed to practice law in Kansas, as provided to the secretary of state pursuant to section 8, and amendments thereto, for ascertaining the names and places of residence of those entitled to receive ballots and for ascertaining the qualifications of those nominated for membership on the district judicial nominating commission.

(b) The number of lawyer members to be elected to the district judicial nominating commission of a judicial district shall be as follows:

(1) In a judicial district consisting of a single county, the number of members elected shall be equal to the number of nonlawyer members appointed pursuant to ~~subsection (a)(1) of~~ K.S.A. 20-2905(a)(1), and amendments thereto.

(2) In a judicial district consisting of two counties, four members shall be elected.

(3) In a judicial district consisting of three or more counties, the number of members elected shall equal the number of counties in such judicial district.

~~(b)~~ (c) (1) Between December 1 and December 15 of the year in which nonpartisan selection of judges of the district court is approved by the electors of the judicial district as provided in K.S.A. 20-2901, and amendments thereto, the clerk of the supreme court shall send to each lawyer by ordinary first class mail a form for nominating one lawyer for election to the commission. Any such nomination shall be received in the office of the clerk of the supreme court on or before January 1 of the following year, together with the written consent of the nominee. After receipt of all nominations which are

timely submitted, the clerk shall prepare a ballot containing the names of all lawyers so nominated and shall mail one such ballot and instructions for voting such ballot to each registered lawyer in the judicial district. Ballots shall be prepared in such manner that each lawyer receiving the same shall be instructed to vote for not more than the number of positions to be filled. Each such ballot shall be accompanied by a certificate to be signed and returned by the lawyer voting such ballot, evidencing the qualifications of such lawyer to vote, including the name and residential address of such lawyer, and certifying that the ballot was voted by such person. In any judicial district in which the number of nominees does not exceed the number of positions to be filled, the clerk shall declare those nominees to be elected without preparation of a ballot.

(2) In order to insure that the election of lawyer members is by secret ballot, the clerk shall provide a separate envelope for the ballot, in which the voted ballot only shall be placed, and the envelope containing the voted ballot shall be placed in another envelope, also to be supplied by the clerk, together with the signed certificate, and received in the office of the clerk of the supreme court on or before February 15 of such year. A ballot not accompanied by the signed certificate of the voter shall not be counted. The ballots returned as provided in this section shall be canvassed within ~~five~~ 10 days thereafter. The canvassers shall consist of the clerk of the supreme court ~~and two or more persons who are registered members of the bar residing in Kansas, either practicing lawyers, justices or judges, designated to act as such by the chief justice~~, the secretary of state or the secretary of state's designee and the attorney general or the attorney general's designee. The canvassers shall open and canvass the ballots and shall tabulate and sign the results as a record in the office of the clerk. After the ballots are counted and the results certified, the ballots shall be preserved by the clerk for a period of six months, and the certificates shall be preserved by the clerk for a period of five years. No one shall be permitted to inspect the ballots received pursuant to this section except upon order by the supreme court. Unless otherwise ordered by the supreme court, at the end of such six-month period, the clerk shall destroy the ballots received pursuant to this section, and at the end of such five-year period, the clerk shall destroy the certificates received pursuant to this section.

(c) Within 14 days after the results of an election are certified pursuant to this section, the clerk of the supreme court shall: (1) Create a list designating the positions and year for which the selection was held and containing the names and residential addresses of all persons who returned a ballot with a signed certificate as described in subsection (b); and (2) transmit a certified copy of the list to the secretary of state. The list described in this subsection shall be transmitted in a format prescribed by the secretary of state. Upon receipt of the list described in this subsection, the secretary of state shall append the information contained therein to the roster for such election as described in section 8, and amendments thereto.

(d) Notwithstanding any other provision of law, the certificates received for an election pursuant to this section shall be disclosed upon proper request submitted to the clerk of the supreme court pursuant to the open records act, K.S.A. 45-215 et seq., and amendments thereto.

(e) Notwithstanding any other provision of law, the lists described in subsection (c) shall be disclosed upon proper request submitted to the clerk of the supreme court or to the secretary of state pursuant to the open records act, K.S.A. 45-215 et seq., and amendments thereto.

~~(c)~~ (f) After the ballots are counted and tabulated in descending order from the nominee receiving the highest number of votes the canvassers shall declare to be elected those nominees who are equal in number to the number of lawyers to be elected and who have the greatest number of votes. In the event of a tie creating more nominees to be elected than there are positions to be filled, the canvassers shall determine the person or persons to be elected by lot. In the event that less than the required number of lawyers is elected, the positions for which lawyers have not been elected shall be declared vacant and the vacancies filled in the manner prescribed by ~~subsection (c) of~~ K.S.A. 20-2906(e), and amendments thereto.

~~(d)~~ (g) The procedure provided in this section for election of lawyers to serve as members of the first district judicial nominating commission established in a judicial district shall apply to the election of lawyers to succeed lawyer members of the commission whose terms of office expire, except that the form for submitting a nomination shall be sent between December 1 and December 15 of the year preceding the year in which such terms of office expire, and the dates prescribed for submission of nominations and the mailing, returning and canvassing of ballots shall apply in the year in which such terms of office expire.

Sec. 11. K.S.A. 20-2907 is hereby amended to read as follows: 20-2907. (a) Prior to taking office, each member of a district judicial nominating commission shall take and subscribe an oath of office as provided by law for public officers, and shall file the same with the clerk of the supreme court. After the members of the first commission established in a judicial district have commenced their terms of office, the chairman shall call a meeting of the commission to be held within the judicial district at a time and place designated by the chairman. At such meeting, the commission shall determine a regular meeting place or places, and the commission shall have the power to adopt such reasonable and proper rules and regulations as are necessary for the conduct of its proceedings and the discharge of its duties, consistent with the provisions of this act and the constitution and laws of this state.

(b) The commission shall meet only upon call of the chairman, and the commission shall not take any final action except at such meeting. A majority of the members of the commission shall constitute a quorum to do business, but no final action shall be taken except upon a vote of the majority of the members of the commission.

(c) Members of the commission shall receive no compensation, but shall be reimbursed for their actual and necessary expenses incurred in performing their official duties, as provided in ~~subsections (b), (c) and (d) of~~ K.S.A. 75-3223 (b), (c) and (d), and amendments thereto. Such expenses shall be paid from the judicial nominating commission fund as provided in K.S.A. 20-138, ~~as amended~~ and amendments thereto.

(d) The board of county commissioners of each county in a judicial district shall cooperate with the district judicial nominating commission of such judicial district, and shall make available to the commission wherever possible the facilities and services of such county, in order to expedite the business of the commission.

(e) (1) A district judicial nominating commission shall be and is hereby deemed to be a public body and shall be subject to the open meetings act, K.S.A. 75-4317 et seq., and amendments thereto.

(2) Except as provided further, the commission shall not recess for a closed or executive meeting for any purpose. The commission, in accordance with K.S.A. 75-4319, and amendments thereto, may recess for a closed or executive meeting only for

the purpose of discussing sensitive financial information contained within the personal financial records or official background check of a candidate for judicial nomination.

(3) Nothing in this subsection shall be construed to supersede the commission's discretion to close a record or portion of a record submitted to the commission pursuant to any applicable exception to public disclosure under the open records act."; Also on page 1, in line 17, by striking "The"; by striking all in lines 18 through 20; in line 21, by striking all before "It";

On page 2, in line 9, by striking all after "(b)"; by striking all in lines 10 through 20; in line 21, by striking "(c)";

Also, on page 2, following line 30, by inserting:

"Sec. 13. K.S.A. 2015 Supp. 20-3020 is hereby amended to read as follows: 20-3020. (a) (1) On and after July 1, 2013, any vacancy occurring in the office of any judge of the court of appeals and any position to be open on the court of appeals as a result of enlargement of such court, or the retirement or failure of an incumbent to file such judge's declaration of candidacy to be retained in office as hereinafter required, or failure of a judge to be elected to be retained in office, shall be filled by appointment by the governor, with the consent of the senate, of a person possessing the qualifications of office.

(2) Whenever a vacancy occurs, will occur or position opens on the court of appeals, the clerk of the supreme court shall promptly give notice to the governor.

(3) If the governor is making an appointment to the court of appeals, the governor shall make each applicant's name and city of residence available to the public whenever the governor stops accepting applications for such appointment, but not less than 10 days prior to making such appointment.

(4) In event of the failure of the governor to make the appointment within 60 days from the date such vacancy occurred or position became open, the chief justice of the supreme court, with the consent of the senate, shall make the appointment of a person possessing the qualifications of office.

(5) If the chief justice of the supreme court is making an appointment to the court of appeals, the chief justice shall make each applicant's name and city of residence available to the public whenever the chief justice stops accepting applications for such appointment, but not less than 10 days prior to making such appointment.

~~(4)~~ (6) Whenever a vacancy in the office of judge of the court of appeals exists at the time the appointment to fill such vacancy is made pursuant to this section, the appointment shall be effective at the time it is made, but where an appointment is made pursuant to this section to fill a vacancy which will occur at a future date, such appointment shall not take effect until such date.

(b) No person appointed pursuant to subsection (a) shall assume the office of judge of the court of appeals until the senate, by an affirmative vote of the majority of all members of the senate then elected or appointed and qualified, consents to such appointment. The senate shall vote to consent to any such appointment not later than 60 days after such appointment is received by the senate. If the senate is not in session and will not be in session within the 60-day time limitation, the senate shall vote to consent to any such appointment not later than 20 days after the senate begins its next session. In the event a majority of the senate does not vote to consent to the appointment, the governor, within 60 days after the senate vote on the previous appointee, shall appoint another person possessing the qualifications of office and such subsequent appointment

shall be considered by the senate in the same procedure as provided in this section. The same appointment and consent procedure shall be followed until a valid appointment has been made. No person who has been previously appointed but did not receive the consent of the senate shall be appointed again for the same vacancy. If the senate fails to vote on an appointment within the time limitation imposed by this subsection, the senate shall be deemed to have given consent to such appointment.

(c) Persons who are appointed as judges of the court of appeals pursuant to K.S.A. 20-3005, prior to its repeal, and this section, shall commence the duties of office upon appointment and consent, and each judge shall have all the rights, privileges, powers and duties prescribed by law for the office of judge of the court of appeals.

(d) Judges of the court of appeals shall possess the qualifications prescribed by law for justices of the supreme court.

Sec. 14. K.S.A. 2015 Supp. 21-6614 is hereby amended to read as follows: 21-6614. (a) (1) Except as provided in subsections (b), (c), (d), (e) and (f), any person convicted in this state of a traffic infraction, cigarette or tobacco infraction, misdemeanor or a class D or E felony, or for crimes committed on or after July 1, 1993, any nongrid felony or felony ranked in severity levels 6 through 10 of the nondrug grid, or for crimes committed on or after July 1, 1993, but prior to July 1, 2012, any felony ranked in severity level 4 of the drug grid, or for crimes committed on or after July 1, 2012, any felony ranked in severity level 5 of the drug grid may petition the convicting court for the expungement of such conviction or related arrest records if three or more years have elapsed since the person: (A) Satisfied the sentence imposed; or (B) was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence.

(2) Except as provided in subsections (b), (c), (d), (e) and (f), any person who has fulfilled the terms of a diversion agreement may petition the district court for the expungement of such diversion agreement and related arrest records if three or more years have elapsed since the terms of the diversion agreement were fulfilled.

(b) Any person convicted of prostitution, as defined in K.S.A. 21-3512, prior to its repeal, convicted of a violation of K.S.A. 2015 Supp. 21-6419, and amendments thereto, or who entered into a diversion agreement in lieu of further criminal proceedings for such violation, may petition the convicting court for the expungement of such conviction or diversion agreement and related arrest records if:

(1) One or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence; and

(2) such person can prove they were acting under coercion caused by the act of another. For purposes of this subsection, "coercion" means: Threats of harm or physical restraint against any person; a scheme, plan or pattern intended to cause a person to believe that failure to perform an act would result in bodily harm or physical restraint against any person; or the abuse or threatened abuse of the legal process.

(c) Except as provided in subsections (e) and (f), no person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a class A,

B or C felony, or for crimes committed on or after July 1, 1993, if convicted of an off-grid felony or any felony ranked in severity levels 1 through 5 of the nondrug grid, or for crimes committed on or after July 1, 1993, but prior to July 1, 2012, any felony ranked in severity levels 1 through 3 of the drug grid, or for crimes committed on or after July 1, 2012, any felony ranked in severity levels 1 through 4 of the drug grid, or:

(1) Vehicular homicide, as defined in K.S.A. 21-3405, prior to its repeal, or K.S.A. 2015 Supp. 21-5406, and amendments thereto, or as prohibited by any law of another state which is in substantial conformity with that statute;

(2) driving while the privilege to operate a motor vehicle on the public highways of this state has been canceled, suspended or revoked, as prohibited by K.S.A. 8-262, and amendments thereto, or as prohibited by any law of another state which is in substantial conformity with that statute;

(3) perjury resulting from a violation of K.S.A. 8-261a, and amendments thereto, or resulting from the violation of a law of another state which is in substantial conformity with that statute;

(4) violating the provisions of K.S.A. 8-142 *Fifth*, and amendments thereto, relating to fraudulent applications or violating the provisions of a law of another state which is in substantial conformity with that statute;

(5) any crime punishable as a felony wherein a motor vehicle was used in the perpetration of such crime;

(6) failing to stop at the scene of an accident and perform the duties required by K.S.A. 8-1602, 8-1603, prior to its repeal, or 8-1604, and amendments thereto, or required by a law of another state which is in substantial conformity with those statutes;

(7) violating the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage; or

(8) a violation of K.S.A. 21-3405b, prior to its repeal.

(d) (1) No person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a first violation of K.S.A. 8-1567 or K.S.A. 2015 Supp. 8-1025, and amendments thereto, including any diversion for such violation.

(2) No person may petition for expungement until 10 or more years have elapsed since the person satisfied the sentence imposed or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a second or subsequent violation of K.S.A. 8-1567 or K.S.A. 2015 Supp. 8-1025, and amendments thereto.

(e) There shall be no expungement of convictions for the following offenses or of convictions for an attempt to commit any of the following offenses:

(1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2015 Supp. 21-5503, and amendments thereto;

(2) indecent liberties with a child or aggravated indecent liberties with a child, as defined in K.S.A. 21-3503 or 21-3504, prior to their repeal, or K.S.A. 2015 Supp. 21-5506, and amendments thereto;

(3) criminal sodomy, as defined in K.S.A. 21-3505(a)(2) or (a)(3), prior to its repeal, or K.S.A. 2015 Supp. 21-5504(a)(3) or (a)(4), and amendments thereto;

(4) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior to its repeal,

or K.S.A. 2015 Supp. 21-5504, and amendments thereto;

(5) indecent solicitation of a child or aggravated indecent solicitation of a child, as defined in K.S.A. 21-3510 or 21-3511, prior to their repeal, or K.S.A. 2015 Supp. 21-5508, and amendments thereto;

(6) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2015 Supp. 21-5510, and amendments thereto;

(7) aggravated incest, as defined in K.S.A. 21-3603, prior to its repeal, or K.S.A. 2015 Supp. 21-5604, and amendments thereto;

(8) endangering a child or aggravated endangering a child, as defined in K.S.A. 21-3608 or 21-3608a, prior to their repeal, or K.S.A. 2015 Supp. 21-5601, and amendments thereto;

(9) abuse of a child, as defined in K.S.A. 21-3609, prior to its repeal, or K.S.A. 2015 Supp. 21-5602, and amendments thereto;

(10) capital murder, as defined in K.S.A. 21-3439, prior to its repeal, or K.S.A. 2015 Supp. 21-5401, and amendments thereto;

(11) murder in the first degree, as defined in K.S.A. 21-3401, prior to its repeal, or K.S.A. 2015 Supp. 21-5402, and amendments thereto;

(12) murder in the second degree, as defined in K.S.A. 21-3402, prior to its repeal, or K.S.A. 2015 Supp. 21-5403, and amendments thereto;

(13) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to its repeal, or K.S.A. 2015 Supp. 21-5404, and amendments thereto;

(14) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to its repeal, or K.S.A. 2015 Supp. 21-5405, and amendments thereto;

(15) sexual battery, as defined in K.S.A. 21-3517, prior to its repeal, or K.S.A. 2015 Supp. 21-5505, and amendments thereto, when the victim was less than 18 years of age at the time the crime was committed;

(16) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to its repeal, or K.S.A. 2015 Supp. 21-5505, and amendments thereto;

(17) a violation of K.S.A. 8-2,144, and amendments thereto, including any diversion for such violation; or

(18) any conviction for any offense in effect at any time prior to July 1, 2011, that is comparable to any offense as provided in this subsection.

(f) Notwithstanding any other law to the contrary, for any offender who is required to register as provided in the Kansas offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, there shall be no expungement of any conviction or any part of the offender's criminal record while the offender is required to register as provided in the Kansas offender registration act.

(g) (1) When a petition for expungement is filed, the court shall set a date for a hearing of such petition and shall cause notice of such hearing to be given to the prosecutor and the arresting law enforcement agency. The petition shall state the:

(A) Defendant's full name;

(B) full name of the defendant at the time of arrest, conviction or diversion, if different than the defendant's current name;

(C) defendant's sex, race and date of birth;

(D) crime for which the defendant was arrested, convicted or diverted;

(E) date of the defendant's arrest, conviction or diversion; and

(F) identity of the convicting court, arresting law enforcement authority or

diverting authority.

(2) Except as otherwise provided by law, a petition for expungement shall be accompanied by a docket fee in the amount of $176. On and after July 1, ~~2013~~ 2015, through ~~July 1, 2015~~ June 30, 2017, the supreme court may impose a charge, not to exceed $19 per case, to fund the costs of non-judicial personnel. The charge established in this section shall be the only fee collected or moneys in the nature of a fee collected for the case. Such charge shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee.

(3) All petitions for expungement shall be docketed in the original criminal action. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner and shall have access to any reports or records relating to the petitioner that are on file with the secretary of corrections or the prisoner review board.

(h) At the hearing on the petition, the court shall order the petitioner's arrest record, conviction or diversion expunged if the court finds that:

(1) The petitioner has not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against the petitioner;

(2) the circumstances and behavior of the petitioner warrant the expungement; and

(3) the expungement is consistent with the public welfare.

(i) When the court has ordered an arrest record, conviction or diversion expunged, the order of expungement shall state the information required to be contained in the petition. The clerk of the court shall send a certified copy of the order of expungement to the Kansas bureau of investigation which shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest, conviction or diversion. If the case was appealed from municipal court, the clerk of the district court shall send a certified copy of the order of expungement to the municipal court. The municipal court shall order the case expunged once the certified copy of the order of expungement is received. After the order of expungement is entered, the petitioner shall be treated as not having been arrested, convicted or diverted of the crime, except that:

(1) Upon conviction for any subsequent crime, the conviction that was expunged may be considered as a prior conviction in determining the sentence to be imposed;

(2) the petitioner shall disclose that the arrest, conviction or diversion occurred if asked about previous arrests, convictions or diversions:

(A) In any application for licensure as a private detective, private detective agency, certification as a firearms trainer pursuant to K.S.A. 2015 Supp. 75-7b21, and amendments thereto, or employment as a detective with a private detective agency, as defined by K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services;

(B) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(C) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(D) to aid in determining the petitioner's qualifications for executive director of the Kansas racing and gaming commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(E) to aid in determining the petitioner's qualifications for the following under the Kansas expanded lottery act: (i) Lottery gaming facility manager or prospective manager, racetrack gaming facility manager or prospective manager, licensee or certificate holder; or (ii) an officer, director, employee, owner, agent or contractor thereof;

(F) upon application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(G) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(H) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;

(I) in any application for registration as a broker-dealer, agent, investment adviser or investment adviser representative all as defined in K.S.A. 17-12a102, and amendments thereto;

(J) in any application for employment as a law enforcement officer as defined in K.S.A. 22-2202 or 74-5602, and amendments thereto; or

(K) for applications received on and after July 1, 2006, to aid in determining the petitioner's qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act, K.S.A. 2015 Supp. 75-7c01 et seq., and amendments thereto;

(3) the court, in the order of expungement, may specify other circumstances under which the conviction is to be disclosed;

(4) the conviction may be disclosed in a subsequent prosecution for an offense which requires as an element of such offense a prior conviction of the type expunged; and

(5) upon commitment to the custody of the secretary of corrections, any previously expunged record in the possession of the secretary of corrections may be reinstated and the expungement disregarded, and the record continued for the purpose of the new commitment.

(j) Whenever a person is convicted of a crime, pleads guilty and pays a fine for a crime, is placed on parole, postrelease supervision or probation, is assigned to a community correctional services program, is granted a suspended sentence or is released on conditional release, the person shall be informed of the ability to expunge the arrest records or conviction. Whenever a person enters into a diversion agreement, the person shall be informed of the ability to expunge the diversion.

(k) (1) Subject to the disclosures required pursuant to subsection (i), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records, conviction or diversion of a crime has been expunged under this statute may state that such person has never been arrested, convicted or diverted of such crime.

(2) Notwithstanding the provisions of subsection (k)(1), and except as provided in

K.S.A. 2015 Supp. 21-6304(a)(3)(A), and amendments thereto, the expungement of a prior felony conviction does not relieve the individual of complying with any state or federal law relating to the use, shipment, transportation, receipt or possession of firearms by persons previously convicted of a felony.

(l) Whenever the record of any arrest, conviction or diversion has been expunged under the provisions of this section or under the provisions of any other existing or former statute, the custodian of the records of arrest, conviction, diversion and incarceration relating to that crime shall not disclose the existence of such records, except when requested by:

(1) The person whose record was expunged;

(2) a private detective agency or a private patrol operator, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with such agency or operator by the person whose record has been expunged;

(3) a court, upon a showing of a subsequent conviction of the person whose record has been expunged;

(4) the secretary for aging and disability services, or a designee of the secretary, for the purpose of obtaining information relating to employment in an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services of any person whose record has been expunged;

(5) a person entitled to such information pursuant to the terms of the expungement order;

(6) a prosecutor, and such request is accompanied by a statement that the request is being made in conjunction with a prosecution of an offense that requires a prior conviction as one of the elements of such offense;

(7) the supreme court, the clerk or disciplinary administrator thereof, the state board for admission of attorneys or the state board for discipline of attorneys, and the request is accompanied by a statement that the request is being made in conjunction with an application for admission, or for an order of reinstatement, to the practice of law in this state by the person whose record has been expunged;

(8) the Kansas lottery, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(9) the governor or the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for executive director of the commission, for employment with the commission, for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission or for licensure, renewal of licensure or continued licensure by the commission;

(10) the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications of the following under the Kansas expanded lottery act: (A) Lottery gaming facility managers and prospective managers, racetrack gaming facility managers and prospective managers, licensees and certificate holders; and (B) their officers, directors, employees, owners, agents and contractors;

(11) the Kansas sentencing commission;

(12) the state gaming agency, and the request is accompanied by a statement that the request is being made to aid in determining qualifications: (A) To be an employee of the state gaming agency; or (B) to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-gaming compact;

(13) the Kansas securities commissioner or a designee of the commissioner, and the request is accompanied by a statement that the request is being made in conjunction with an application for registration as a broker-dealer, agent, investment adviser or investment adviser representative by such agency and the application was submitted by the person whose record has been expunged;

(14) the Kansas commission on peace officers' standards and training and the request is accompanied by a statement that the request is being made to aid in determining certification eligibility as a law enforcement officer pursuant to K.S.A. 74-5601 et seq., and amendments thereto;

(15) a law enforcement agency and the request is accompanied by a statement that the request is being made to aid in determining eligibility for employment as a law enforcement officer as defined by K.S.A. 22-2202, and amendments thereto;

(16) the attorney general and the request is accompanied by a statement that the request is being made to aid in determining qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act; or

(17) the Kansas bureau of investigation for the purposes of:

(A) Completing a person's criminal history record information within the central repository, in accordance with K.S.A. 22-4701 et seq., and amendments thereto; or

(B) providing information or documentation to the federal bureau of investigation, in connection with the national instant criminal background check system, to determine a person's qualification to possess a firearm.

(m) The provisions of subsection (l)(17) shall apply to records created prior to, on and after July 1, 2011.

Sec. 15. K.S.A. 2015 Supp. 22-2410 is hereby amended to read as follows: 22-2410. (a) Any person who has been arrested in this state may petition the district court for the expungement of such arrest record.

(b) When a petition for expungement is filed, the court shall set a date for hearing on such petition and shall cause notice of such hearing to be given to the prosecuting attorney and the arresting law enforcement agency. When a petition for expungement is filed, the official court file shall be separated from the other records of the court, and shall be disclosed only to a judge of the court and members of the staff of the court designated by a judge of the district court, the prosecuting attorney, the arresting law enforcement agency, or any other person when authorized by a court order, subject to any conditions imposed by the order. Except as otherwise provided by law, a petition for expungement shall be accompanied by a docket fee in the amount of $176. Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, 2015, through June 30, 2017, the supreme court may impose an additional charge, not to exceed $19 per docket fee, to fund the costs of non-judicial personnel. The petition shall state:

(1) The petitioner's full name;

(2) the full name of the petitioner at the time of arrest, if different than the

petitioner's current name;

(3) the petitioner's sex, race and date of birth;

(4) the crime for which the petitioner was arrested;

(5) the date of the petitioner's arrest; and

(6) the identity of the arresting law enforcement agency.

No surcharge or fee shall be imposed to any person filing a petition pursuant to this section, who was arrested as a result of being a victim of identity theft under K.S.A. 21-4018, prior to its repeal, or K.S.A. 2015 Supp. 21-6107(a), and amendments thereto, or who has had criminal charges dismissed because a court has found that there was no probable cause for the arrest, the petitioner was found not guilty in court proceedings or the charges have been dismissed. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner.

(c) At the hearing on a petition for expungement, the court shall order the arrest record and subsequent court proceedings, if any, expunged upon finding: (1) The arrest occurred because of mistaken identity;

(2) a court has found that there was no probable cause for the arrest;

(3) the petitioner was found not guilty in court proceedings; or

(4) the expungement would be in the best interests of justice and: (A) Charges have been dismissed; or (B) no charges have been or are likely to be filed.

(d) When the court has ordered expungement of an arrest record and subsequent court proceedings, if any, the order shall state the information required to be stated in the petition and shall state the grounds for expungement under subsection (c). The clerk of the court shall send a certified copy of the order to the Kansas bureau of investigation which shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest. <u>If the case was appealed from municipal court, the clerk of the district court shall send a certified copy of the order of expungement to the municipal court. The municipal court shall order the case expunged once the certified copy of the order of expungement is received.</u> If an order of expungement is entered, the petitioner shall be treated as not having been arrested.

(e) If the ground for expungement is as provided in subsection (c)(4), the court shall determine whether, in the interests of public welfare, the records should be available for any of the following purposes: (1) In any application for employment as a detective with a private detective agency, as defined in K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services;

(2) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(3) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(4) to aid in determining the petitioner's qualifications for executive director of the Kansas racing commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of

the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(5) in any application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(6) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(7) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact; or

(8) in any other circumstances which the court deems appropriate.

(f) The court shall make all expunged records and related information in such court's possession, created prior to, on and after July 1, 2011, available to the Kansas bureau of investigation for the purposes of:

(1) Completing a person's criminal history record information within the central repository in accordance with K.S.A. 22-4701 et seq., and amendments thereto; or

(2) providing information or documentation to the federal bureau of investigation, in connection with the national instant criminal background check system, to determine a person's qualification to possess a firearm.

(g) Subject to any disclosures required under subsection (e), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records have been expunged as provided in this section may state that such person has never been arrested.

(h) Whenever a petitioner's arrest records have been expunged as provided in this section, the custodian of the records of arrest, incarceration due to arrest or court proceedings related to the arrest, shall not disclose the arrest or any information related to the arrest, except as directed by the order of expungement or when requested by the person whose arrest record was expunged.

(i) The docket fee collected at the time the petition for expungement is filed shall be disbursed in accordance with K.S.A. 20-362, and amendments thereto.

Sec. 16. K.S.A. 2015 Supp. 22-3609 is hereby amended to read as follows: 22-3609. ~~(1)~~ (a) The defendant shall have the right to appeal to the district court of the county from any judgment of a municipal court which adjudges the defendant guilty of a violation of the ordinances of any municipality of Kansas or any findings of contempt. The appeal shall be assigned by the chief judge to a district judge. The appeal shall stay all further proceedings upon the judgment appealed from.

~~(2)~~ (b) An appeal to the district court shall be taken by filing, in the district court of the county in which the municipal court is located, a notice of appeal and any appearance bond required by the municipal court. Municipal court clerks are hereby authorized to accept notices of appeal and appearance bonds under this subsection and shall forward such notices and bonds to the district court. No appeal shall be filed until after the sentence has been imposed. No appeal shall be taken more than 14 days after the date the sentence is imposed.

~~(3)~~ (c) The notice of appeal shall designate the judgment or part of the judgment appealed from. The defendant shall cause notice of the appeal to be served upon the city attorney prosecuting the case. The judge whose judgment is appealed from or the clerk of the court, if there is one, shall certify the complaint and warrant to the district court of the county, but failure to do so shall not affect the validity of the appeal.

~~(4)~~ (d) Except as provided herein, the trial of municipal appeal cases shall be to the court unless a jury trial is requested in writing by the defendant not later than seven days after first notice of trial assignment is given to the defendant or such defendant's counsel. The time requirement provided in this subsection regarding when a jury trial shall be requested may be waived in the discretion of the court upon a finding that imposing such time requirement would cause undue hardship or prejudice to the defendant. A jury in a municipal appeal case shall consist of six members. All appeals taken by a defendant from a municipal judge in contempt findings, cigarette or tobacco infraction or traffic infraction cases shall be tried by the court.

~~(5)~~ (e) Notwithstanding the other provisions of this section, appeal from a conviction rendered pursuant to ~~subsection (b) of~~ K.S.A. 12-4416(b), and amendments thereto, shall be conducted only on the record of the stipulation of facts relating to the complaint.

(f) At the conclusion of the case, the district court shall send notice of dismissal, conviction or acquittal to the municipal court clerk.

New Sec. 17. If any provision of this bill or the application thereof to any person or circumstances is held unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect other provisions or applications of the bill which can be given effect without the unconstitutional or invalid portion or application, and, to this end, the provisions of this bill are severable.";

Also on page 2, in line 31, before "K.S.A" by inserting "K.S.A. 20-122, 20-123, 20-128, 20-130, 20-132, 20-2904 and 20-2907 and"; also in line 31, after "Supp." by inserting "7-127, 12-4516, 12-4516d,"; also in line 31, by striking "is" and inserting ", 20-3020, 21-6614, 21-6614f, 22-2410 and 22-3609 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking lines 2 and 3; in line 4, by striking all before the period and inserting "courts; relating to attorney licensure; selection and appointment of judges and justices; supreme court nominating commission and district judicial nominating commissions; applicability of open meetings act and open records act; amending K.S.A. 20-122, 20-123, 20-128, 20-130, 20-132, 20-2904 and 20-2907 and K.S.A. 2015 Supp. 7-127, 12-4516, 20-2909, 20-3020, 21-6614, 22-2410 and 22-3609 and repealing the existing sections; also repealing K.S.A. 2015 Supp. 12-4516d and 21-6614f";

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

John E. Barker
Charles Macheers
Conferees on part of House

Jeff King
Greg Smith
Conferees on part of Senate

On motion of Rep. Barker to adopt the conference committee report on **H Sub for SB 128**, Rep. Carmichael offered a substitute motion to not adopt the conference committee report and that a new conference committee be appointed.

The substitute motion of Rep. Carmichael did not prevail and the question reverted back to the original motion of Rep. Barker to adopt the conference committee report.

Call of the House was demanded.

On roll call, the vote was: Yeas 56; Nays 57; Present but not voting: 0; Absent or not voting: 12.

Yeas: Barker, Barton, Boldra, Bradford, B. Carpenter, W. Carpenter, Claeys, Corbet, DeGraaf, Dove, Esau, Estes, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schwartz, Seiwert, C. Smith, Suellentrop, Sutton, Thimesch, Vickrey, Weber, C., Whitmer.

Nays: Alford, Anthimides, Ballard, Becker, Billinger, Bollier, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, Dierks, Doll, Edmonds, Finch, Finney, Francis, Frownfelter, Gallagher, Helgerson, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Jennings, Kelly, Kuether, Lewis, Lusk, Lusker, Moxley, Ousley, F. Patton, Pauls, Phillips, Rooker, Sawyer, Schroeder, Scott, Sloan, S. Swanson, Thompson, Tietze, Todd, Trimmer, Ward, Waymaster, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Alcala, Bruchman, E. Davis, Ewy, Goico, Hemsley, Kelley, Peck, Ruiz, Schwab, Victors, K. Williams.

The motion of Rep. Barker did not prevail and **H Sub for SB 128** was killed.

(See further action HJ p. 2752.)

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **S Sub HB 2059**.

Speaker Merrick thereupon appointed Reps. Schwartz, Boldra and Wilson as second conferees on the part of the House.

CHANGE OF CONFEREES

Speaker Merrick announced the appointment of Reps. O'Brien, Dove and Ousley as members of the conference committee on **H Sub for SB 193** to replace Reps. Highland, Lunn and Winn.

Also, the appointment of Rep. Tietze as a member of the conference committee on **HB 2502** to replace Rep. Scott.

On motion of Rep. Vickrey, the House recessed until 12:30 p.m.

AFTERNOON SESSION

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

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **SB 388**, **Sub HB 2289**.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Barker, the House concurred in Senate amendments to **Sub HB 2289**, AN ACT concerning driving; relating to driving under the influence of alcohol or drugs; test refusal or failure; suspension of license; administrative hearing; procedure; amending K.S.A. 2015 Supp. 8-1002 and 8-1020 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 115; Nays 0; Present but not voting: 0; Absent or not voting: 10.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: E. Davis, Ewy, Goico, Kelley, Moxley, Peck, Ruiz, Schwab, Victors, K. Williams.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 388** submits the following report:

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

On page 1, by striking all in lines 5 through 34;

By striking all on page 2, and inserting:

"Section 1. K.S.A. 2015 Supp. 32-1047 is hereby amended to read as follows: 32-1047. (a) ~~Subject to the provisions in subsection (b),~~ The department is hereby empowered and directed to seize and possess any wildlife which is taken, possessed, sold or transported unlawfully, and any steel trap, snare or other device or equipment used in taking or transporting wildlife unlawfully or during closed season. The department ~~is hereby authorized to~~ shall:

(1) Offer the seized item, if the item is unlawfully taken wildlife parts, to the landowner or tenant on whose property the wildlife parts were unlawfully taken, provided:

(A) The wildlife parts are no longer needed as evidence;

(B) the location of the violation can be positively ascertained;

(C) there is no dispute between landowners or tenants as to who may receive the

wildlife parts; and

(D) the landowner or tenant did not commit the violation for which the wildlife parts were seized~~; and~~.

~~(E) the wildlife parts are transferred within two years of adjudication of the violation;~~

(2) The provisions of subsection (a)(1) are construed to be and shall be applied retroactively as they relate to antlers, antler sheds and horns seized by the department after January 1, 2005, and in the care, custody, control, management or possession of the department as of January 1, 2015, when the landowner or tenant whose property on which the antlers, antler sheds or horns were unlawfully taken, requests such wildlife parts to be returned to such landowner or tenant. This subsection shall apply to antlers, antler sheds and horns in the possession of the department or in the possession of some other entity pursuant to an agreement with the department.

(b) If the seized item is not unlawfully taken wildlife or is unlawfully taken wildlife that is not disposed of as described in subsection (a), the department is hereby authorized to:

~~(2)~~(1) Sell the seized item, including wildlife parts with a dollar value, and remit the proceeds to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. If the seized item is a firearm that has been forfeited pursuant to K.S.A. 22-2512, and amendments thereto, then it may be sold unless: ~~(1)~~(A) The firearm is significantly altered in any manner; or ~~(2)~~(B) the sale and public possession of such firearm is otherwise prohibited by law. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the wildlife fee fund;

~~(3)~~(2) retain the seized item for educational, scientific or department operational purposes; or

~~(4)~~(3) destroy the seized item.

~~(b) The department shall give priority to disposing of unlawfully taken wildlife items in accordance with the process provided for in subsection (a)(1).~~

Sec. 2. K.S.A. 2015 Supp. 32-1047 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.";

On page 1, in the title, in line 1, by striking all after "concerning"; in line 2, by striking all before the period and inserting "wildlife; relating to seizure of wildlife; disposal; amending K.S.A. 2015 Supp. 32-1047 and repealing the existing section";

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

SHARON SCHWARTZ
SUE BOLDRA
JOHN WILSON
Conferees on part of House

STEVE E. ABRAMS
TOM ARPKE
ANTHONY HENSLEY
Conferees on part of Senate

On motion of Rep. Boldra, the conference committee report on **SB 388** was adopted.

On roll call, the vote was: Yeas 81; Nays 32; Present but not voting: 0; Absent or not voting: 12.

Yeas: Alcala, Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Campbell, B. Carpenter, Claeys, Clark, Concannon, Corbet, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwartz, Scott, Seiwert, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Vickrey, Waymaster, Weber, C., Whitmer.

Nays: Ballard, Bollier, Burroughs, Carlin, Carmichael, W. Carpenter, Clayton, Curtis, Frownfelter, Gallagher, Helgerson, Henderson, Henry, Highberger, Hill, Hineman, Houston, Kuether, Lewis, Lusk, Lusker, Ousley, Rooker, Sloan, Tietze, Todd, Trimmer, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: E. Davis, Ewy, Goico, Kelley, Kleeb, Moxley, Peck, Ruiz, Schwab, Suellentrop, Victors, K. Williams.

On motion of Rep. Vickrey, the House recessed until 5:15 p.m.

LATE AFTERNOON SESSION

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

MESSAGES FROM THE SENATE

The Senate announced the appointment of Senator Pettey to replace Senator Haley as a conferee on **Senate Substitute for HB 2049**.

The Senate announced the appointment of Senator Abrams to replace Senator Masterson as a conferee on **House Substitute for SB 193**.

The Senate announced the appointment of Senator Arpke to replace Senator Denning as a conferee on **House Substitute for SB 193**.

The Senate announced the appointment of Senator Hensley to replace Senator Kelly as a conferee on **House Substitute for SB 193**.

The Senate adopts the Conference Committee report on **House Substitute for SB 168**.

The Senate adopts the Conference Committee report on **House Substitute for SB227**.

The Senate adopts the Conference Committee report on **Substitute SB 323**.

The Senate adopts the Conference Committee report on **House Substitute for SB 337**.

The Senate not adopts the conference committee report on **SB 388**.

The Senate adopts the Conference Committee report on **Senate Subsitute for HB 2056**.

The Senate adopts the Conference Committee report on **HB 2163**.
The Senate adopts the Conference Committee report on **HB 2460**.
The Senate adopts the Conference Committee report on **HB 2490**.

INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, Rep. Pauls moved pursuant to House Rule 2303, that the House reconsider its previous action of not adopting the conference committee report on **H Sub for SB 128**. The motion prevailed and the bill was returned to that order of business Consideration of Conference Committee Reports. (See previous action HJ p. 2748.)

Rep. Barker offered a substitute motion to not adopt the conference committee report and that a new conference committee be appointed. The motion prevailed.

Speaker Merrick thereupon appointed Reps. Barker, Macheers and Carmichael as third conferees.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **H Sub for SB 149, SB 325, H Sub for SB 193, S Sub for HB 2056, HB 2163, HB 2490**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 418** submits the following report:

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

On page 1, following line 7, by inserting:

"New Section 1. Sections 1 through 5, and amendments thereto, shall be known and may be cited as the host families act.

New Sec. 2. As used in the host families act:

(a) "Charitable organization" has the same meaning as defined in K.S.A. 17-1760, and amendments thereto.

(b) "Child placement agency" means a business or service conducted, maintained or operated by a person engaged in finding homes for children by placing or arranging for the placement of such children for adoption or foster care and licensed by the state of Kansas pursuant to K.S.A. 65-501, and amendments thereto.

(c) "Host family" means an individual or family who provides temporary care under this act.

(d) "Parent," when used in relation to a child or children, includes a guardian and every person who is by law liable to maintain, care for or support the child.

(e) "Serving parent" means a parent who is a member of the reserves of the army, navy, air force, marine corps or coast guard of the United States or the commissioned corps of the national oceanic and atmospheric administration or the public health service of the United States department of health and human services detailed by proper authority for duty with the army or navy of the United States, or who is required to enter or serve in the active military service of the United States under a call or order of

the president of the United States or to serve on state active duty.

New Sec. 3. (a) A child placement agency, or other Kansas charitable organization working under an agreement with a child placement agency, may establish a program in which it coordinates with private organizations to provide temporary care of children by placing a child with a host family.

(b) (1) A program established pursuant to subsection (a) shall include screening and background checks for potential host families. Such screening and background checks shall be the same as the screening and background checks required for obtaining and maintaining a license to operate a family foster home pursuant to rules and regulations adopted by the secretary for children and families.

(2) A host family shall not receive payment other than reimbursement for actual expenses of providing temporary care for the child.

(c) Any placement of a child into a program established pursuant to subsection (a):

(1) Shall be voluntary and shall not be considered an out-of-home placement by the state;

(2) shall not supersede any order under the revised Kansas code for care of children or any other court order; and

(3) shall not preclude any investigation of suspected abuse or neglect.

(d) (1) A parent may place a child into a program established pursuant to subsection (a) by executing a power of attorney delegating to a host family any of the powers regarding the care and custody of the child, except the power to consent to marriage or adoption of the child, the performance or inducement of an abortion on or for the child, or the termination of parental rights to the child. Such placement of a child shall not be allowed without the consent of all individuals who have legal custody of the child.

(2) (A) A power of attorney executed pursuant to this subsection shall not exceed one year in duration, except that such power of attorney may be renewed for one additional year.

(B) A serving parent may execute a power of attorney pursuant to this section for a duration longer than one year if on active duty service, and the duration of such power of attorney shall not exceed the term of active duty service plus 30 days.

(3) A delegation of powers pursuant to this subsection shall not: (A) Deprive any parent of any parental or legal authority regarding the care and custody of the child; (B) deprive any non-delegating parent of any parental or legal authority regarding the child, if such parent's rights have not otherwise been terminated or relinquished as provided by law; or (C) affect any parental or legal authority otherwise limited by a court order.

(4) A parent executing a power of attorney pursuant to this subsection shall have the authority to revoke or withdraw the power of attorney at any time. If a parent withdraws or revokes the power of attorney, the child shall be returned to the custody of the parent as soon as reasonably possible.

(5) The execution of a power of attorney by a parent pursuant to this subsection shall not be evidence of abandonment, abuse or neglect as defined in K.S.A. 2015 Supp. 38-2202, and amendments thereto.

(6) A power of attorney executed pursuant to this subsection shall be deemed sufficient if in substantial compliance with the form set forth by the judicial council. The judicial council shall develop a form for use under this subsection.

New Sec. 4. During any child protective investigation by the Kansas department for children and families that does not result in an out-of-home placement due to abuse of a

child, the department is authorized and encouraged to provide information to the parent or custodian about community service programs that provide respite care, voluntary guardianship or other support services for families in crisis, including organizations that operate programs authorized under section 3, and amendments thereto. In providing information, the department is authorized to exercise its discretion in recommending programs, organizations and resources to the parent or custodian.

New Sec. 5. The Kansas department for children and families is hereby authorized to work with families who are in financial distress, unemployed, homeless or experiencing other family crises by detailing community resources available to such families in the community, including, but not limited to, respite care, voluntary guardianship under the host families act and information regarding child placement agencies and other charitable organizations that operate programs authorized under section 3, and amendments thereto.";

Also, on page 1, following line 24, by inserting:

"Sec. 7. K.S.A. 2015 Supp. 23-3203 is hereby amended to read as follows: 23-3203. (a) In determining the issue of ~~child~~ legal custody, residency and parenting time of a child, the court shall consider all relevant factors, including, but not limited to:

~~(a)~~ (1) Each parent's role and involvement with the minor child before and after separation;

~~(b)~~ (2) the desires of the child's parents as to custody or residency;

~~(c)~~ (3) the desires of a child of sufficient age and maturity as to the child's custody or residency;

~~(d)~~ (4) the age of the child;

~~(e)~~ (5) the emotional and physical needs of the child;

~~(f)~~ (6) the interaction and interrelationship of the child with parents, siblings and any other person who may significantly affect the child's best interests;

~~(g)~~ (7) the child's adjustment to the child's home, school and community;

~~(h)~~ (8) the willingness and ability of each parent to respect and appreciate the bond between the child and the other parent and to allow for a continuing relationship between the child and the other parent;

~~(i)~~ (9) evidence of spousal abuse, either emotional or physical;

~~(j)~~ (10) the ability of the parties to communicate, cooperate and manage parental duties;

~~(k)~~ (11) the school activity schedule of the child;

~~(l)~~ (12) the work schedule of the parties;

~~(m)~~ (13) the location of the parties' residences and places of employment;

~~(n)~~ (14) the location of the child's school;

~~(o)~~ (15) whether a parent is subject to the registration requirements of the Kansas offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, or any similar act in any other state, or under military or federal law;

~~(p)~~ (16) whether a parent has been convicted of abuse of a child, K.S.A. 21-3609, prior to its repeal, or K.S.A. 2015 Supp. 21-5602, and amendments thereto;

~~(q)~~ (17) whether a parent is residing with an individual who is subject to registration requirements of the Kansas offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, or any similar act in any other state, or under military or federal law; and

~~(r)~~ (18) whether a parent is residing with an individual who has been convicted of

abuse of a child, K.S.A. 21-3609, prior to its repeal, or K.S.A. 2015 Supp. 21-5602, and amendments thereto.

(b) To aid in determining the issue of legal custody, residency and parenting time of a child, the court may order a parent to undergo a domestic violence offender assessment conducted by a certified batterer intervention program and may order such parent to follow all recommendations made by such program.

Sec. 8. K.S.A. 2015 Supp. 38-2201 is hereby amended to read as follows: 38-2201. K.S.A. 2015 Supp. 38-2201 through 38-2283, and amendments thereto, shall be known as and may be cited as the revised Kansas code for care of children.

(a) Proceedings pursuant to this code shall be civil in nature and all proceedings, orders, judgments and decrees shall be deemed to be pursuant to the parental power of the state. Any orders pursuant to this code shall take precedence over any similar order under chapter 23 of the Kansas Statutes Annotated, and amendments thereto, the Kansas family law code, article 11 of chapter 38 of the Kansas Statutes Annotated, and amendments thereto, determination of parentage, article 21 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, adoption and relinquishment act, article 30 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, guardians and conservators, or article 31 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto, protection from abuse act, until jurisdiction under this code is terminated.

(b) The code shall be liberally construed to carry out the policies of the state which are to:

(1) Consider the safety and welfare of a child to be paramount in all proceedings under the code;

(2) provide that each child who comes within the provisions of the code shall receive the care, custody, guidance control and discipline that will best serve the child's welfare and the interests of the state, preferably in the child's home and recognizing that the child's relationship with such child's family is important to the child's well being;

(3) make the ongoing physical, mental and emotional needs of the child decisive considerations in proceedings under this code;

(4) acknowledge that the time perception of a child differs from that of an adult and to dispose of all proceedings under this code without unnecessary delay;

(5) encourage the reporting of suspected child abuse and neglect;

(6) investigate reports of suspected child abuse and neglect thoroughly and promptly;

(7) provide for the protection of children who have been subject to physical, mental or emotional abuse or neglect or sexual abuse;

(8) provide preventative and rehabilitative services, when appropriate, to abused and neglected children and their families so, if possible, the families can remain together without further threat to the children;

(9) provide stability in the life of a child who must be removed from the home of a parent; and

(10) place children in permanent family settings, in absence of compelling reasons to the contrary.

(c) Nothing in this code shall be construed to permit discrimination on the basis of disability.

(1) The disability of a parent shall not constitute a basis for a determination that a

child is a child in need of care, for the removal of custody of a child from the parent, or for the termination of parental rights without a specific showing that there is a causal relation between the disability and harm to the child.

(2) In cases involving a parent with a disability, determinations made under this code shall consider the availability and use of accommodations for the disability, including adaptive equipment and support services.

(d) (1) Nothing in this code shall be construed to permit any person to compel a parent to medicate a child if the parent is acting in accordance with medical advice from a physician. The actions of a parent in such circumstances shall not constitute a basis for a determination that a child is a child in need of care, for the removal of custody of a child from the parent, or for the termination of parental rights without a specific showing that there is a causal relation between the actions and harm to the child.

(2) As used in this subsection, "physician" means a person licensed to practice medicine and surgery by the state board of healing arts or by an equivalent licensing board or entity in any state.";

On page 7, following line 28, by inserting:

"Sec. 11. K.S.A. 2015 Supp. 38-2211 is hereby amended to read as follows: 38-2211. (a) *Access to the official file.* The following persons or entities shall have access to the official file of a child in need of care proceeding pursuant to this code:

(1) The court having jurisdiction over the proceedings, including the presiding judge and any court personnel designated by the judge.

(2) The parties to the proceedings and their attorneys.

(3) The guardian ad litem for a child who is the subject of the proceeding.

(4) A court appointed special advocate for a child who is the subject of the proceeding or a paid staff member of a court appointed special advocate program.

(5) Any individual, or any public or private agency or institution, having custody of the child under court order or providing educational, medical or mental health services to the child or any placement provider or potential placement provider as determined by the secretary or court services officer.

(6) A citizen review board.

(7) The ~~commissioner of juvenile justice~~ secretary of corrections or any agents designated by the ~~commissioner~~ secretary of corrections.

(8) Any county or district attorney from another jurisdiction with a pending child in need of care matter regarding any of the same parties.

(9) Any other person when authorized by a court order, subject to any conditions imposed by the order.

~~(9)~~ (10) The commission on judicial performance in the discharge of the commission's duties pursuant to article 32 of chapter 20 of the Kansas Statutes Annotated, and amendments thereto.

(b) *Access to the social file*. The following persons or entities shall have access to the social file of a child in need of care proceeding pursuant to this code:

(1) The court having jurisdiction over the proceeding, including the presiding judge and any court personnel designated by the judge.

(2) The attorney for a party to the proceeding or the person or persons designated by an Indian tribe that is a party.

(3) The guardian ad litem for a child who is the subject of the proceeding.

(4) A court appointed special advocate for a child who is the subject of the

proceeding or a paid staff member of a court appointed special advocate program.

(5) A citizen review board.

(6) The secretary.

(7) The ~~commissioner of juvenile justice~~ secretary of corrections or any agents designated by the ~~commissioner~~ secretary of corrections.

(8) Any county or district attorney from another jurisdiction with a pending child in need of care matter regarding any of the same parties or interested parties.

(9) Any other person when authorized by a court order, subject to any conditions imposed by the order.

(c) *Preservation of records*. The Kansas state historical society shall be allowed to take possession for preservation in the state archives of any court records related to proceedings under the Kansas code for care of children whenever such records otherwise would be destroyed. No such records in the custody of the Kansas state historical society shall be disclosed directly or indirectly to anyone for 70 years after creation of the records, except as provided in subsections (a) and (b). Pursuant to subsections (a)~~(8)~~(9) and (b)~~(8)~~(9), a judge of the district court may allow inspection for research purposes of any court records in the custody of the Kansas state historical society related to proceedings under the Kansas code for care of children.";

On page 14, by striking all in lines 5 through 43;

By striking all on page 15;

On page 16, by striking all in lines 1 through 32 and inserting:

"Sec. 17. K.S.A. 2015 Supp. 38-2302, as amended by section 29 of 2016 Senate Bill No. 367, is hereby amended to read as follows: 38-2302. As used in this code, unless the context otherwise requires:

(a) "Commissioner" means the secretary of corrections or the secretary's designee.

(b) "Community supervision officer" means any officer from court services, community corrections or any other individual authorized to supervise a juvenile on an immediate intervention, probation or conditional release.

(c) "Conditional release" means release from a term of commitment in a juvenile correctional facility for an aftercare term pursuant to K.S.A. 2015 Supp. 38-2369, and amendments thereto, under conditions established by the secretary of corrections.

(d) "Court-appointed special advocate" means a responsible adult, other than an attorney appointed pursuant to K.S.A. 2015 Supp. 38-2306, and amendments thereto, who is appointed by the court to represent the best interests of a child, as provided in K.S.A. 2015 Supp. 38-2307, and amendments thereto, in a proceeding pursuant to this code.

(e) "Detention risk assessment tool" means a risk assessment instrument adopted pursuant to K.S.A. 75-7023(f), and amendments thereto, used to identify factors shown to be statistically related to a juvenile's risk of failing to appear in court or reoffending pre-adjudication and designed to assist in making detention determinations.

(f) "Educational institution" means all schools at the elementary and secondary levels.

(g) "Educator" means any administrator, teacher or other professional or paraprofessional employee of an educational institution who has exposure to a pupil specified in K.S.A. 72-89b03(a)(1) through (5), and amendments thereto.

(h) "Evidence-based" means practices, policies, procedures and programs demonstrated by research to produce reduction in the likelihood of reoffending.

(i) "Graduated responses" means a system of community-based sanctions and incentives developed pursuant to K.S.A. 75-7023(h) and section 2, and amendments thereto, used to address violations of immediate interventions, terms and conditions of probation and conditional release and to incentivize positive behavior.

(j) "Immediate intervention" means all programs or practices developed by the county to hold juvenile offenders accountable while allowing such offenders to be diverted from formal court processing pursuant to K.S.A. 2015 Supp. 38-2346, and amendments thereto.

(k) "Institution" means the Larned juvenile correctional facility and the Kansas juvenile correctional complex.

(l) "Investigator" means an employee of the ~~juvenile justice authority~~ department of corrections assigned by the ~~commissioner~~ secretary of corrections with the responsibility for investigations concerning employees at the juvenile correctional facilities and juveniles in the custody of the ~~commissioner~~ secretary of corrections at a juvenile correctional facility.

(m) "Jail" means: (1) An adult jail or lockup; or

(2) a facility in the same building as an adult jail or lockup, unless the facility meets all applicable licensure requirements under law and there is: (A) Total separation of the juvenile and adult facility spatial areas such that there could be no haphazard or accidental contact between juvenile and adult residents in the respective facilities; (B) total separation in all juvenile and adult program activities within the facilities, including recreation, education, counseling, health care, dining, sleeping and general living activities; and (C) separate juvenile and adult staff, including management, security staff and direct care staff such as recreational, educational and counseling.

(n) "Juvenile" means a person to whom one or more of the following applies, the person: (1) Is 10 or more years of age but less than 18 years of age; (2) is alleged to be a juvenile offender; or (3) has been adjudicated as a juvenile offender and continues to be subject to the jurisdiction of the court.

(o) "Juvenile correctional facility" means a facility operated by the secretary of corrections for the commitment of juvenile offenders.

(p) "Juvenile corrections officer" means a certified employee of the department of corrections working at a juvenile correctional facility assigned by the secretary of corrections with responsibility for maintaining custody, security and control of juveniles in the custody of the secretary of corrections at a juvenile correctional facility.

(q) "Juvenile detention facility" means a public or private facility licensed pursuant to article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, which is used for the lawful custody of alleged or adjudicated juvenile offenders.

(r) "Juvenile intake and assessment worker" means a responsible adult trained and authorized to perform intake and assessment services as part of the intake and assessment system established pursuant to K.S.A. 75-7023, and amendments thereto.

(s) "Juvenile offender" means a person who commits an offense while 10 or more years of age but less than 18 years of age which if committed by an adult would constitute the commission of a felony or misdemeanor as defined by K.S.A. 2015 Supp. 21-5102, and amendments thereto, or who violates the provisions of K.S.A. 41-727, K.S.A. 74-8810(j) or K.S.A. 2015 Supp. 21-6301(a)(14), and amendments thereto, but does not include:

(1) A person 14 or more years of age who commits a traffic offense, as defined in

K.S.A. 8-2117(d), and amendments thereto;

(2) a person 16 years of age or over who commits an offense defined in chapter 32 of the Kansas Statutes Annotated, and amendments thereto;

(3) a person under 18 years of age who previously has been:

(A) Convicted as an adult under the Kansas criminal code;

(B) sentenced as an adult under the Kansas criminal code following termination of status as an extended jurisdiction juvenile pursuant to K.S.A. 2015 Supp. 38-2364, and amendments thereto; or

(C) convicted or sentenced as an adult in another state or foreign jurisdiction under substantially similar procedures described in K.S.A. 2015 Supp. 38-2347, and amendments thereto, or because of attaining the age of majority designated in that state or jurisdiction.

(t) "Law enforcement officer" means any person who by virtue of that person's office or public employment is vested by law with a duty to maintain public order or to make arrests for crimes, whether that duty extends to all crimes or is limited to specific crimes.

(u) "Overall case length limit" when used in relation to a juvenile adjudicated a juvenile offender means the maximum jurisdiction of the court following disposition on an individual case. Pursuant to K.S.A. 2015 Supp. 38-2304, and amendments thereto, the case and the court's jurisdiction shall terminate once the overall case length limit expires and may not be extended.

(v) "Parent" when used in relation to a juvenile, includes a guardian and every person who is, by law, liable to maintain, care for or support the juvenile.

(w) "Probation" means a period of community supervision ordered pursuant to K.S.A. 2015 Supp. 38-2361, and amendments thereto, overseen by either court services or community corrections, but not both.

(x) "Reasonable and prudent parenting standard" means the standard characterized by careful and sensible parental decisions that maintain the health, safety and best interests of a child while at the same time encouraging the emotional and developmental growth of the child, that a caregiver shall use when determining whether to allow a child in foster care under the responsibility of the state to participate in extracurricular, enrichment, cultural and social activities.

(y) "Reintegration plan" means a written document prepared in consultation with the child's parent or guardian that:

(1) Describes the reintegration goal, which, if achieved, will most likely give the juvenile and the victim of the juvenile a permanent and safe living arrangement;

(2) describes the child's level of physical health, mental and emotional health and educational functioning;

(3) provides an assessment of the needs of the child and family;

(4) describes the services to be provided to the child, the child's family and the child's foster parents, if appropriate;

(5) includes a description of the tasks and responsibilities designed to achieve the plan and to whom assigned;

(6) includes measurable objectives and time schedules for achieving the plan; and

(7) if the child is in an out of home placement:

(A) Provides a statement for the basis of determining that reintegration is determined not to be a viable option if such a determination is made and includes a plan

for another permanent living arrangement;

(B) describes available alternatives;

(C) justifies the alternative placement selected, including a description of the safety and appropriateness of such placement; and

(D) describes the programs and services that will help the child prepare to live independently as an adult.

~~(y)~~ (z) "Risk and needs assessment" means a standardized instrument administered on juveniles to identify specific risk factors and needs shown to be statistically related to a juvenile's risk of reoffending and, when properly addressed, can reduce a juvenile's risk of reoffending.

~~(z)~~ (aa) "Secretary" means the secretary of corrections or the secretary's designee.

~~(aa)~~ (bb) "Technical violation" means an act that violates the terms or conditions imposed as part of a probation disposition pursuant to K.S.A. 2015 Supp. 38-2361, and amendments thereto, and that does not constitute a new juvenile offense or a new child in need of care violation pursuant to K.S.A. 2015 Supp. 38-2202(d), and amendments thereto.

~~(bb)~~ (cc) "Warrant" means a written order by a judge of the court directed to any law enforcement officer commanding the officer to take into custody the juvenile named or described therein.

~~(cc)~~ (dd) "Youth residential facility" means any home, foster home or structure which provides 24-hour-a-day care for juveniles and which is licensed pursuant to article 5 of chapter 65 or article 70 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.";

On page 27, following line 18, by inserting:

"Sec. 22. On and after January 1, 2017, K.S.A. 2015 Supp. 75-7023, as amended by section 63 of 2016 Senate Bill No. 367, is hereby amended to read as follows: 75-7023. (a) The secretary for children and families may contract with the secretary of corrections to provide for the juvenile intake and assessment system and programs for children in need of care. Except as provided further, the secretary of corrections shall promulgate rules and regulations for the juvenile intake and assessment system and programs concerning juvenile offenders. If the secretary contracts with the office of judicial administration to administer the juvenile intake and assessment system and programs concerning juvenile offenders, the supreme court administrative orders shall be in force until such contract ends and the rules and regulations concerning juvenile intake and assessment system and programs concerning juvenile offenders have been adopted.

(b) ~~No~~ Except as otherwise provided in this subsection, records, reports and information obtained as a part of the juvenile intake and assessment process ~~may~~ shall not be admitted into evidence in any proceeding and ~~may~~ shall not be used in a child in need of care proceeding ~~except~~ or a juvenile offender proceeding.

(1) Such records, reports and information may be used in a child in need of care proceeding for diagnostic and referral purposes and by the court in considering dispositional alternatives. ~~However,~~ If the records, reports or information are in regard to abuse or neglect, which is required to be reported under K.S.A. 2015 Supp. 38-2223, and amendments thereto, such records, reports or information may then be used for any purpose in a child in need of care proceeding pursuant to the revised Kansas code for care of children.

(2) Such records, reports and information may be used in a juvenile offender proceeding only if such records, reports and information are in regard to the possible trafficking of a runaway. Such records, reports and information in regard to the possible trafficking of a runaway shall be made available to the appropriate county or district attorney and the court, and shall be used only for diagnostic and referral purposes.

(c) Upon a juvenile being taken into custody pursuant to K.S.A. 2015 Supp. 38-2330, and amendments thereto, a juvenile intake and assessment worker shall complete the intake and assessment process, making release and referral determinations as required by supreme court administrative order or district court rule, or except as provided above rules and regulations established by the secretary of corrections.

(d) Except as provided in subsection (g) and in addition to any other information required by the supreme court administrative order, the secretary for children and families, the secretary of corrections or by the district court of such district, the juvenile intake and assessment worker shall collect the following information either in person or over two-way audio or audio-visual communication:

(1) The results of a standardized detention risk assessment tool pursuant to K.S.A. 2015 Supp. 38-2302, and amendments thereto, if detention is being considered for the juvenile, such as the problem oriented screening instrument for teens;

(2) criminal history, including indications of criminal gang involvement;

(3) abuse history;

(4) substance abuse history;

(5) history of prior community services used or treatments provided;

(6) educational history;

(7) medical history;

(8) family history; and

(9) the results of other assessment instruments as approved by the secretary.

(e) After completion of the intake and assessment process for such child, the intake and assessment worker shall make both a release and a referral determination:

(1) Release the child to the custody of the child's parent, other legal guardian or another appropriate adult.

(2) Conditionally release the child to the child's parent, other legal guardian or another appropriate adult if the intake and assessment worker believes that if the conditions are met, it would be in the child's best interest to release the child to such child's parent, other legal guardian or another appropriate adult; and the intake and assessment worker has reason to believe that it might be harmful to the child to release the child to such child's parents, other legal guardian or another appropriate adult without imposing the conditions. The conditions may include, but not be limited to the alternatives listed in K.S.A. 2015 Supp. 38-2331(b), and amendments thereto, and the following:

(A) Participation of the child in counseling;

(B) participation of members of the child's family in counseling;

(C) participation by the child, members of the child's family and other relevant persons in mediation;

(D) provision of outpatient treatment for the child;

(E) referral of the child and the child's family to the secretary for children and families for services and the agreement of the child and family to accept and participate in the services offered;

(F) referral of the child and the child's family to available community resources or services and the agreement of the child and family to accept and participate in the services offered;

(G) requiring the child and members of the child's family to enter into a behavioral contract which may provide for regular school attendance among other requirements; or

(H) any special conditions necessary to protect the child from future abuse or neglect.

(3) Deliver the child to a shelter facility or a licensed attendant care center along with the law enforcement officer's written application for a maximum stay of up to 72 hours. The shelter facility or licensed attendant care facility shall then have custody as if the child had been directly delivered to the facility by the law enforcement officer pursuant to K.S.A. 2015 Supp. 38-2232, and amendments thereto.

(4) The intake and assessment worker shall also refer the juvenile's case to one of the following:

(A) An immediate intervention program pursuant to K.S.A. 2015 Supp. 38-2346(b), and amendments thereto;

(B) the county or district attorney for appropriate proceedings to be filed, with or without a recommendation that the juvenile be considered for alternative means of adjudication programs pursuant to K.S.A. 2015 Supp. 38-2389, and amendments thereto, or immediate intervention pursuant to K.S.A. 2015 Supp. 38-2346, and amendments thereto; or

(C) refer the child and family to the secretary for children and families for investigations in regard to the allegations.

(f) The secretary of corrections, in conjunction with the office of judicial administration, shall develop, implement and validate on the Kansas juvenile population, a statewide detention risk assessment tool.

(1) The assessment shall be conducted for each youth under consideration for detention and may only be conducted by a juvenile intake and assessment worker who has completed training to conduct the detention risk assessment tool.

(2) The secretary and the office of judicial administration shall establish cutoff scores determining eligibility for placement in a juvenile detention facility or for referral to a community-based alternative to detention and shall collect and report data regarding the use of the detention risk assessment tool.

(3) The detention risk assessment tool includes an override function that may be approved by the court for use under certain circumstances. If approved by the court, the juvenile intake and assessment worker or the court may override the detention risk assessment tool score in order to direct placement in a short-term shelter facility, a community-based alternative to detention or, subject to K.S.A. 2015 Supp. 38-2331, and amendments thereto, a juvenile detention facility. Such override must be documented, include a written explanation and receive approval from the director of the intake and assessment center or the court.

(4) If a juvenile meets one or more eligibility criteria for detention or referral to a community-based alternative to detention, the person with authority to detain shall maintain discretion to release the juvenile if other less restrictive measures would be adequate.

(g) Parents, guardians and juveniles may access the juvenile intake and assessment programs on a voluntary basis. The parent or guardian shall be responsible for the costs

of any such program utilized.

(h) Every juvenile intake and assessment worker shall receive training in evidence-based practices, including, but not limited to:

(1) Risk and needs assessments;

(2) individualized diversions based on needs and strengths;

(3) graduated responses;

(4) family engagement;

(5) trauma-informed care;

(6) substance abuse;

(7) mental health; and

(8) special education.";

On page 29, in line 14, after "Supp." by inserting "23-3203, 38-2201,"; also in line 14, after "38-2210," by inserting "38-2211,"; in line 15, after "38-2302," by inserting "as amended by section 29 of 2016 Senate Bill No. 367,"; following line 16, by inserting:

"Sec. 24. On and after January 1, 2017, K.S.A. 2015 Supp. 75-7023, as amended by section 22 of this act, and 75-7023, as amended by section 63 of 2016 Senate Bill No. 367, are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the semicolon, by inserting "enacting the host families act;"; in line 2, after "Supp." by inserting "23-3203, 38-2201,"; in line 3, after "2210," by inserting "38-2211,"; also in line 3, after "38-2302," by inserting "as amended by section 29 of 2016 Senate Bill No. 367,"; in line 4, by striking the first "and" and inserting a comma; also in line 4, after "75-7023" by inserting "and 75-7023, as amended by section 63 of 2016 Senate Bill No. 367,"; in line 5, before the period, by inserting "and 75-7023, as amended by section 22 of this act";

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

John E. Barker
Charles Macheers
John Carmichael
Conferees on part of House

Jeff King
Greg Smith
David Haley
Conferees on part of Senate

On motion of Rep. Rhoades, the conference committee report on **SB 418** was adopted.

Call of the House was demanded

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley,

Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ewy, Goico, Kelley, K. Williams.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 149** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 149, as follows:

On page 3, following line 36, by inserting:

"Sec. 4. K.S.A. 2015 Supp. 12-6a31 is hereby amended to read as follows: 12-6a31. (a) In addition to and notwithstanding any limitations on the aggregate amount of the retailers' sales tax contained in K.S.A. 12-187 through 12-197, and amendments thereto, any municipality may impose a community improvement district sales tax on the selling of tangible personal property at retail or rendering or furnishing services taxable pursuant to the provisions of the Kansas retailers' sales tax act, and amendments thereto, within a community improvement district for purposes of financing a project in such district in any increment of 0.10% or 0.25% not to exceed 2% and pledging the revenue received therefrom to pay the bonds issued for the project or to reimburse the cost of the project pursuant to pay-as-you-go financing. In the event bonds are issued to finance a project or refunding bonds issued therefore, the community improvement district sales tax imposed pursuant to this section shall expire no later than the date such bonds shall mature. In the event pay-as-you-go financing is utilized, the community improvement district sales tax shall expire 22 years from the date the state director of taxation begins collecting such tax or when the project bonds or pay-as-you-go costs have been paid. Except as otherwise provided by the provisions of K.S.A. 2015 Supp. 12-6a27 et seq., and amendments thereto, the tax authorized by this section shall be administered, collected and subject to the provisions of K.S.A. 12-187 through 12-197, ~~inclusive,~~ and amendments thereto.

(b) Upon receipt of a certified copy of the resolution or ordinance authorizing the levy of the community improvement district sales tax pursuant to this section, the state director of taxation shall cause such tax to be collected in the district at the same time and in the same manner provided for the collection of the state retailers' sales tax. All of the taxes collected under the provisions of this act shall be remitted by the secretary of revenue to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall

deposit the entire amount in the state treasury, and the state treasurer shall credit 2% of all taxes so collected to the community improvement district sales tax administration fund, which fund is hereby established in the state treasury, to defray the expenses of the department of revenue in administration and enforcement of the collection thereof. The aggregate amount of moneys credited to the community improvement district sales tax administration fund shall not exceed ~~$60,000~~ $200,000 in any state fiscal year. The remainder of such taxes shall be credited to the community improvement district sales tax fund, which fund is hereby established in the state treasury. All moneys in the community improvement district sales tax fund shall be remitted at least quarterly by the state treasurer, on instruction from the secretary of revenue, to the treasurers of those municipalities which are qualified to receive disbursements from such fund for the amount collected within such municipality. Any refund due on any community improvement district sales tax collected pursuant to this section shall be paid out of the community improvement district sales tax refund fund which is hereby established in the state treasury and reimbursed by the director of taxation from collections of the community improvement district sales tax authorized by this section. Community improvement district sales tax received by a municipality pursuant to this section shall be deposited in the community improvement district sales tax fund created pursuant to K.S.A. 2015 Supp. 12-6a34, and amendments thereto.

(c) Notwithstanding any other provisions of law to the contrary, copies of all retailers' sales and use tax returns filed with the secretary of revenue in connection with a district for which sales or use tax revenues, or both, are pledged or otherwise intended to be used in whole or in part for the payment of bonds issued to finance costs of a project, shall be provided by the secretary of revenue to the bond trustee, escrow agent or paying agent for such bonds upon a written request of the municipality within 15 days of receipt by the secretary of revenue. The bond trustee, escrow agent or paying agent shall keep such retailers' sales and use tax returns and the information contained therein confidential, but may use such information for purposes of allocating and depositing such sales and use tax revenues in connection with the bonds used to finance costs of a project. Except as otherwise provided herein, the sales and use tax returns received by the bond trustee, escrow agent or paying agent shall be subject to the provisions of K.S.A. 79-3614, and amendments thereto.

Sec. 5. K.S.A. 2015 Supp. 79-3399 is hereby amended to read as follows: 79-3399. (a) On and after ~~July 1, 2016~~ January 1, 2017, a tax is hereby imposed upon the privilege of selling or dealing in electronic cigarettes in this state by any person engaged in business as a distributor thereof, at the rate of $.20 per milliliter of consumable material for electronic cigarettes and a proportionate tax at the like rate on all fractional parts thereof. For electronic cigarettes in the possession of retail dealers for which tax has not been paid, tax shall be imposed under this subsection at the earliest time the retail dealer: (1) Brings or causes to be brought into this state from without the state electronic cigarettes for sale; (2) makes, manufactures or fabricates electronic cigarettes in this state for sale in this state; or (3) sells electronic cigarettes to consumers within this state.

(b) The secretary of revenue shall adopt rules and regulations to implement the provisions of this section.

Sec. 6. K.S.A. 2015 Supp. 79-3606 is hereby amended to read as follows: 79-3606. The following shall be exempt from the tax imposed by this act:

(a) All sales of motor-vehicle fuel or other articles upon which a sales or excise tax has been paid, not subject to refund, under the laws of this state except cigarettes and electronic cigarettes as defined by K.S.A. 79-3301, and amendments thereto, including consumable material for such electronic cigarettes, cereal malt beverages and malt products as defined by K.S.A. 79-3817, and amendments thereto, including wort, liquid malt, malt syrup and malt extract, which is not subject to taxation under the provisions of K.S.A. 79-41a02, and amendments thereto, motor vehicles taxed pursuant to K.S.A. 79-5117, and amendments thereto, tires taxed pursuant to K.S.A. 65-3424d, and amendments thereto, drycleaning and laundry services taxed pursuant to K.S.A. 65-34,150, and amendments thereto, and gross receipts from regulated sports contests taxed pursuant to the Kansas professional regulated sports act, and amendments thereto;

(b) all sales of tangible personal property or service, including the renting and leasing of tangible personal property, purchased directly by the state of Kansas, a political subdivision thereof, other than a school or educational institution, or purchased by a public or private nonprofit hospital or public hospital authority or nonprofit blood, tissue or organ bank and used exclusively for state, political subdivision, hospital or public hospital authority or nonprofit blood, tissue or organ bank purposes, except when: (1) Such state, hospital or public hospital authority is engaged or proposes to engage in any business specifically taxable under the provisions of this act and such items of tangible personal property or service are used or proposed to be used in such business; or (2) such political subdivision is engaged or proposes to engage in the business of furnishing gas, electricity or heat to others and such items of personal property or service are used or proposed to be used in such business;

(c) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly by a public or private elementary or secondary school or public or private nonprofit educational institution and used primarily by such school or institution for nonsectarian programs and activities provided or sponsored by such school or institution or in the erection, repair or enlargement of buildings to be used for such purposes. The exemption herein provided shall not apply to erection, construction, repair, enlargement or equipment of buildings used primarily for human habitation;

(d) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, a public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership, which would be exempt from taxation under the provisions of this act if purchased directly by such hospital or public hospital authority, school, educational institution or a state correctional institution; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or district described in subsection (s), the total cost of which is paid from funds of such political subdivision or district and which would be exempt from taxation under the provisions of this act if purchased directly by such political subdivision or district. Nothing in this subsection or in the provisions of K.S.A. 12-3418, and amendments thereto, shall be deemed to exempt the purchase of any

construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or any such district. As used in this subsection, K.S.A. 12-3418 and 79-3640, and amendments thereto, "funds of a political subdivision" shall mean general tax revenues, the proceeds of any bonds and gifts or grants-in-aid. Gifts shall not mean funds used for the purpose of constructing, equipping, reconstructing, repairing, enlarging, furnishing or remodeling facilities which are to be leased to the donor. When any political subdivision of the state, district described in subsection (s), public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or department of corrections concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or the contractor contracting with the department of corrections for a correctional institution concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(e) all sales of tangible personal property or services purchased by a contractor for

the erection, repair or enlargement of buildings or other projects for the government of the United States, its agencies or instrumentalities, which would be exempt from taxation if purchased directly by the government of the United States, its agencies or instrumentalities. When the government of the United States, its agencies or instrumentalities shall contract for the erection, repair, or enlargement of any building or other project, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the government of the United States, its agencies or instrumentalities concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(f) tangible personal property purchased by a railroad or public utility for consumption or movement directly and immediately in interstate commerce;

(g) sales of aircraft including remanufactured and modified aircraft sold to persons using directly or through an authorized agent such aircraft as certified or licensed carriers of persons or property in interstate or foreign commerce under authority of the laws of the United States or any foreign government or sold to any foreign government or agency or instrumentality of such foreign government and all sales of aircraft for use outside of the United States and sales of aircraft repair, modification and replacement parts and sales of services employed in the remanufacture, modification and repair of aircraft;

(h) all rentals of nonsectarian textbooks by public or private elementary or secondary schools;

(i) the lease or rental of all films, records, tapes, or any type of sound or picture transcriptions used by motion picture exhibitors;

(j) meals served without charge or food used in the preparation of such meals to employees of any restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public if such employees' duties are related to the furnishing or sale of such meals or drinks;

(k) any motor vehicle, semitrailer or pole trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto, or aircraft sold and delivered in this state to a bona fide resident of another state, which motor vehicle, semitrailer, pole trailer or aircraft is not to be registered or based in this state and which vehicle, semitrailer, pole

trailer or aircraft will not remain in this state more than 10 days;

(l) all isolated or occasional sales of tangible personal property, services, substances or things, except isolated or occasional sale of motor vehicles specifically taxed under the provisions of K.S.A. 79-3603(o), and amendments thereto;

(m) all sales of tangible personal property which become an ingredient or component part of tangible personal property or services produced, manufactured or compounded for ultimate sale at retail within or without the state of Kansas; and any such producer, manufacturer or compounder may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for use as an ingredient or component part of the property or services produced, manufactured or compounded;

(n) all sales of tangible personal property which is consumed in the production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property, the treating of by-products or wastes derived from any such production process, the providing of services or the irrigation of crops for ultimate sale at retail within or without the state of Kansas; and any purchaser of such property may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for consumption in such production, manufacture, processing, mining, drilling, refining, compounding, treating, irrigation and in providing such services;

(o) all sales of animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber or fur, or the production of offspring for use for any such purpose or purposes;

(p) all sales of drugs dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "drug" means a compound, substance or preparation and any component of a compound, substance or preparation, other than food and food ingredients, dietary supplements or alcoholic beverages, recognized in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary, and supplement to any of them, intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease or intended to affect the structure or any function of the body, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of drugs used in the performance or induction of an abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(q) all sales of insulin dispensed by a person licensed by the state board of pharmacy to a person for treatment of diabetes at the direction of a person licensed to practice medicine by the board of healing arts;

(r) all sales of oxygen delivery equipment, kidney dialysis equipment, enteral feeding systems, prosthetic devices and mobility enhancing equipment prescribed in writing by a person licensed to practice the healing arts, dentistry or optometry, and in addition to such sales, all sales of hearing aids, as defined by K.S.A. 74-5807(c), and amendments thereto, and repair and replacement parts therefor, including batteries, by a person licensed in the practice of dispensing and fitting hearing aids pursuant to the provisions of K.S.A. 74-5808, and amendments thereto. For the purposes of this

subsection: (1) "Mobility enhancing equipment" means equipment including repair and replacement parts to same, but does not include durable medical equipment, which is primarily and customarily used to provide or increase the ability to move from one place to another and which is appropriate for use either in a home or a motor vehicle; is not generally used by persons with normal mobility; and does not include any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer; and (2) "prosthetic device" means a replacement, corrective or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction or support a weak or deformed portion of the body;

(s) except as provided in K.S.A. 2015 Supp. 82a-2101, and amendments thereto, all sales of tangible personal property or services purchased directly or indirectly by a groundwater management district organized or operating under the authority of K.S.A. 82a-1020 et seq., and amendments thereto, by a rural water district organized or operating under the authority of K.S.A. 82a-612, and amendments thereto, or by a water supply district organized or operating under the authority of K.S.A. 19-3501 et seq., 19-3522 et seq., or 19-3545, and amendments thereto, which property or services are used in the construction activities, operation or maintenance of the district;

(t) all sales of farm machinery and equipment or aquaculture machinery and equipment, repair and replacement parts therefor and services performed in the repair and maintenance of such machinery and equipment. For the purposes of this subsection the term "farm machinery and equipment or aquaculture machinery and equipment" shall include a work-site utility vehicle, as defined in K.S.A. 8-126, and amendments thereto, and is equipped with a bed or cargo box for hauling materials, and shall also include machinery and equipment used in the operation of Christmas tree farming but shall not include any passenger vehicle, truck, truck tractor, trailer, semitrailer or pole trailer, other than a farm trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto. "Farm machinery and equipment" includes precision farming equipment that is portable or is installed or purchased to be installed on farm machinery and equipment. "Precision farming equipment" includes the following items used only in computer-assisted farming, ranching or aquaculture production operations: Soil testing sensors, yield monitors, computers, monitors, software, global positioning and mapping systems, guiding systems, modems, data communications equipment and any necessary mounting hardware, wiring and antennas. Each purchaser of farm machinery and equipment or aquaculture machinery and equipment exempted herein must certify in writing on the copy of the invoice or sales ticket to be retained by the seller that the farm machinery and equipment or aquaculture machinery and equipment purchased will be used only in farming, ranching or aquaculture production. Farming or ranching shall include the operation of a feedlot and farm and ranch work for hire and the operation of a nursery;

(u) all leases or rentals of tangible personal property used as a dwelling if such tangible personal property is leased or rented for a period of more than 28 consecutive days;

(v) all sales of tangible personal property to any contractor for use in preparing meals for delivery to homebound elderly persons over 60 years of age and to homebound disabled persons or to be served at a group-sitting at a location outside of the home to otherwise homebound elderly persons over 60 years of age and to

otherwise homebound disabled persons, as all or part of any food service project funded in whole or in part by government or as part of a private nonprofit food service project available to all such elderly or disabled persons residing within an area of service designated by the private nonprofit organization, and all sales of tangible personal property for use in preparing meals for consumption by indigent or homeless individuals whether or not such meals are consumed at a place designated for such purpose, and all sales of food products by or on behalf of any such contractor or organization for any such purpose;

(w) all sales of natural gas, electricity, heat and water delivered through mains, lines or pipes: (1) To residential premises for noncommercial use by the occupant of such premises; (2) for agricultural use and also, for such use, all sales of propane gas; (3) for use in the severing of oil; and (4) to any property which is exempt from property taxation pursuant to K.S.A. 79-201b, *Second* through *Sixth*. As used in this paragraph, "severing" shall have the meaning ascribed thereto by K.S.A. 79-4216(k), and amendments thereto. For all sales of natural gas, electricity and heat delivered through mains, lines or pipes pursuant to the provisions of subsection (w)(1) and (w)(2), the provisions of this subsection shall expire on December 31, 2005;

(x) all sales of propane gas, LP-gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises occurring prior to January 1, 2006;

(y) all sales of materials and services used in the repairing, servicing, altering, maintaining, manufacturing, remanufacturing, or modification of railroad rolling stock for use in interstate or foreign commerce under authority of the laws of the United States;

(z) all sales of tangible personal property and services purchased directly by a port authority or by a contractor therefor as provided by the provisions of K.S.A. 12-3418, and amendments thereto;

(aa) all sales of materials and services applied to equipment which is transported into the state from without the state for repair, service, alteration, maintenance, remanufacture or modification and which is subsequently transported outside the state for use in the transmission of liquids or natural gas by means of pipeline in interstate or foreign commerce under authority of the laws of the United States;

(bb) all sales of used mobile homes or manufactured homes. As used in this subsection: (1) "Mobile homes" and "manufactured homes" shall have the meanings ascribed thereto by K.S.A. 58-4202, and amendments thereto; and (2) "sales of used mobile homes or manufactured homes" means sales other than the original retail sale thereof;

(cc) all sales of tangible personal property or services purchased prior to January 1, 2012, except as otherwise provided, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business or retail business which meets the requirements established in K.S.A. 74-50,115, and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business or retail business, and all sales of tangible personal property or services purchased on or after January 1, 2012, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business which meets the requirements established in K.S.A. 74-50,115(e), and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at

any such business. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such business or retail business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the owner of the business or retail business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "business" and "retail business" have the meanings respectively ascribed thereto by K.S.A. 74-50,114, and amendments thereto. Project exemption certificates that have been previously issued under this subsection by the department of revenue pursuant to K.S.A. 74-50,115, and amendments thereto, but not including K.S.A. 74-50,115(e), and amendments thereto, prior to January 1, 2012, and have not expired will be effective for the term of the project or two years from the effective date of the certificate, whichever occurs earlier. Project exemption certificates that are submitted to the department of revenue prior to January 1, 2012, and are found to qualify will be issued a project exemption certificate that will be effective for a two-year period or for the term of the project, whichever occurs earlier;

(dd) all sales of tangible personal property purchased with food stamps issued by the United States department of agriculture;

(ee) all sales of lottery tickets and shares made as part of a lottery operated by the state of Kansas;

(ff) on and after July 1, 1988, all sales of new mobile homes or manufactured homes to the extent of 40% of the gross receipts, determined without regard to any trade-in allowance, received from such sale. As used in this subsection, "mobile homes" and "manufactured homes" shall have the meanings ascribed thereto by K.S.A. 58-4202, and amendments thereto;

(gg) all sales of tangible personal property purchased in accordance with vouchers issued pursuant to the federal special supplemental food program for women, infants and children;

(hh) all sales of medical supplies and equipment, including durable medical equipment, purchased directly by a nonprofit skilled nursing home or nonprofit intermediate nursing care home, as defined by K.S.A. 39-923, and amendments thereto, for the purpose of providing medical services to residents thereof. This exemption shall not apply to tangible personal property customarily used for human habitation purposes. As used in this subsection, "durable medical equipment" means equipment including repair and replacement parts for such equipment, which can withstand repeated use, is

primarily and customarily used to serve a medical purpose, generally is not useful to a person in the absence of illness or injury and is not worn in or on the body, but does not include mobility enhancing equipment as defined in subsection (r), oxygen delivery equipment, kidney dialysis equipment or enteral feeding systems;

(ii) all sales of tangible personal property purchased directly by a nonprofit organization for nonsectarian comprehensive multidiscipline youth development programs and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(jj) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly on behalf of a community-based facility for people with intellectual disability or mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto, and licensed in accordance with the provisions of K.S.A. 75-3307b, and amendments thereto, and all sales of tangible personal property or services purchased by contractors during the time period from July, 2003, through June, 2006, for the purpose of constructing, equipping, maintaining or furnishing a new facility for a community-based facility for people with intellectual disability or mental health center located in Riverton, Cherokee County, Kansas, which would have been eligible for sales tax exemption pursuant to this subsection if purchased directly by such facility or center. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(kk) (1) (A) all sales of machinery and equipment which are used in this state as an integral or essential part of an integrated production operation by a manufacturing or processing plant or facility;

(B) all sales of installation, repair and maintenance services performed on such machinery and equipment; and

(C) all sales of repair and replacement parts and accessories purchased for such machinery and equipment.

(2) For purposes of this subsection:

(A) "Integrated production operation" means an integrated series of operations engaged in at a manufacturing or processing plant or facility to process, transform or convert tangible personal property by physical, chemical or other means into a different form, composition or character from that in which it originally existed. Integrated production operations shall include: (i) Production line operations, including packaging operations; (ii) preproduction operations to handle, store and treat raw materials; (iii) post production handling, storage, warehousing and distribution operations; and (iv) waste, pollution and environmental control operations, if any;

(B) "production line" means the assemblage of machinery and equipment at a manufacturing or processing plant or facility where the actual transformation or processing of tangible personal property occurs;

(C) "manufacturing or processing plant or facility" means a single, fixed location owned or controlled by a manufacturing or processing business that consists of one or more structures or buildings in a contiguous area where integrated production operations are conducted to manufacture or process tangible personal property to be ultimately sold at retail. Such term shall not include any facility primarily operated for the purpose of conveying or assisting in the conveyance of natural gas, electricity, oil or

water. A business may operate one or more manufacturing or processing plants or facilities at different locations to manufacture or process a single product of tangible personal property to be ultimately sold at retail;

(D) "manufacturing or processing business" means a business that utilizes an integrated production operation to manufacture, process, fabricate, finish, or assemble items for wholesale and retail distribution as part of what is commonly regarded by the general public as an industrial manufacturing or processing operation or an agricultural commodity processing operation. (i) Industrial manufacturing or processing operations include, by way of illustration but not of limitation, the fabrication of automobiles, airplanes, machinery or transportation equipment, the fabrication of metal, plastic, wood, or paper products, electricity power generation, water treatment, petroleum refining, chemical production, wholesale bottling, newspaper printing, ready mixed concrete production, and the remanufacturing of used parts for wholesale or retail sale. Such processing operations shall include operations at an oil well, gas well, mine or other excavation site where the oil, gas, minerals, coal, clay, stone, sand or gravel that has been extracted from the earth is cleaned, separated, crushed, ground, milled, screened, washed, or otherwise treated or prepared before its transmission to a refinery or before any other wholesale or retail distribution. (ii) Agricultural commodity processing operations include, by way of illustration but not of limitation, meat packing, poultry slaughtering and dressing, processing and packaging farm and dairy products in sealed containers for wholesale and retail distribution, feed grinding, grain milling, frozen food processing, and grain handling, cleaning, blending, fumigation, drying and aeration operations engaged in by grain elevators or other grain storage facilities. (iii) Manufacturing or processing businesses do not include, by way of illustration but not of limitation, nonindustrial businesses whose operations are primarily retail and that produce or process tangible personal property as an incidental part of conducting the retail business, such as retailers who bake, cook or prepare food products in the regular course of their retail trade, grocery stores, meat lockers and meat markets that butcher or dress livestock or poultry in the regular course of their retail trade, contractors who alter, service, repair or improve real property, and retail businesses that clean, service or refurbish and repair tangible personal property for its owner;

(E) "repair and replacement parts and accessories" means all parts and accessories for exempt machinery and equipment, including, but not limited to, dies, jigs, molds, patterns and safety devices that are attached to exempt machinery or that are otherwise used in production, and parts and accessories that require periodic replacement such as belts, drill bits, grinding wheels, grinding balls, cutting bars, saws, refractory brick and other refractory items for exempt kiln equipment used in production operations;

(F) "primary" or "primarily" mean more than 50% of the time.

(3) For purposes of this subsection, machinery and equipment shall be deemed to be used as an integral or essential part of an integrated production operation when used:

(A) To receive, transport, convey, handle, treat or store raw materials in preparation of its placement on the production line;

(B) to transport, convey, handle or store the property undergoing manufacturing or processing at any point from the beginning of the production line through any warehousing or distribution operation of the final product that occurs at the plant or facility;

(C) to act upon, effect, promote or otherwise facilitate a physical change to the

property undergoing manufacturing or processing;

(D) to guide, control or direct the movement of property undergoing manufacturing or processing;

(E) to test or measure raw materials, the property undergoing manufacturing or processing or the finished product, as a necessary part of the manufacturer's integrated production operations;

(F) to plan, manage, control or record the receipt and flow of inventories of raw materials, consumables and component parts, the flow of the property undergoing manufacturing or processing and the management of inventories of the finished product;

(G) to produce energy for, lubricate, control the operating of or otherwise enable the functioning of other production machinery and equipment and the continuation of production operations;

(H) to package the property being manufactured or processed in a container or wrapping in which such property is normally sold or transported;

(I) to transmit or transport electricity, coke, gas, water, steam or similar substances used in production operations from the point of generation, if produced by the manufacturer or processor at the plant site, to that manufacturer's production operation; or, if purchased or delivered from off-site, from the point where the substance enters the site of the plant or facility to that manufacturer's production operations;

(J) to cool, heat, filter, refine or otherwise treat water, steam, acid, oil, solvents or other substances that are used in production operations;

(K) to provide and control an environment required to maintain certain levels of air quality, humidity or temperature in special and limited areas of the plant or facility, where such regulation of temperature or humidity is part of and essential to the production process;

(L) to treat, transport or store waste or other byproducts of production operations at the plant or facility; or

(M) to control pollution at the plant or facility where the pollution is produced by the manufacturing or processing operation.

(4) The following machinery, equipment and materials shall be deemed to be exempt even though it may not otherwise qualify as machinery and equipment used as an integral or essential part of an integrated production operation: (A) Computers and related peripheral equipment that are utilized by a manufacturing or processing business for engineering of the finished product or for research and development or product design; (B) machinery and equipment that is utilized by a manufacturing or processing business to manufacture or rebuild tangible personal property that is used in manufacturing or processing operations, including tools, dies, molds, forms and other parts of qualifying machinery and equipment; (C) portable plants for aggregate concrete, bulk cement and asphalt including cement mixing drums to be attached to a motor vehicle; (D) industrial fixtures, devices, support facilities and special foundations necessary for manufacturing and production operations, and materials and other tangible personal property sold for the purpose of fabricating such fixtures, devices, facilities and foundations. An exemption certificate for such purchases shall be signed by the manufacturer or processor. If the fabricator purchases such material, the fabricator shall also sign the exemption certificate; (E) a manufacturing or processing business' laboratory equipment that is not located at the plant or facility, but that would otherwise qualify for exemption under subsection (3)(E); (F) all machinery and

equipment used in surface mining activities as described in K.S.A. 49-601 et seq., and amendments thereto, beginning from the time a reclamation plan is filed to the acceptance of the completed final site reclamation.

(5) "Machinery and equipment used as an integral or essential part of an integrated production operation" shall not include:

(A) Machinery and equipment used for nonproduction purposes, including, but not limited to, machinery and equipment used for plant security, fire prevention, first aid, accounting, administration, record keeping, advertising, marketing, sales or other related activities, plant cleaning, plant communications, and employee work scheduling;

(B) machinery, equipment and tools used primarily in maintaining and repairing any type of machinery and equipment or the building and plant;

(C) transportation, transmission and distribution equipment not primarily used in a production, warehousing or material handling operation at the plant or facility, including the means of conveyance of natural gas, electricity, oil or water, and equipment related thereto, located outside the plant or facility;

(D) office machines and equipment including computers and related peripheral equipment not used directly and primarily to control or measure the manufacturing process;

(E) furniture and other furnishings;

(F) buildings, other than exempt machinery and equipment that is permanently affixed to or becomes a physical part of the building, and any other part of real estate that is not otherwise exempt;

(G) building fixtures that are not integral to the manufacturing operation, such as utility systems for heating, ventilation, air conditioning, communications, plumbing or electrical;

(H) machinery and equipment used for general plant heating, cooling and lighting;

(I) motor vehicles that are registered for operation on public highways; or

(J) employee apparel, except safety and protective apparel that is purchased by an employer and furnished gratuitously to employees who are involved in production or research activities.

(6) Subsections (3) and (5) shall not be construed as exclusive listings of the machinery and equipment that qualify or do not qualify as an integral or essential part of an integrated production operation. When machinery or equipment is used as an integral or essential part of production operations part of the time and for nonproduction purposes at other times, the primary use of the machinery or equipment shall determine whether or not such machinery or equipment qualifies for exemption.

(7) The secretary of revenue shall adopt rules and regulations necessary to administer the provisions of this subsection;

(ll) all sales of educational materials purchased for distribution to the public at no charge by a nonprofit corporation organized for the purpose of encouraging, fostering and conducting programs for the improvement of public health, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such materials purchased by a nonprofit corporation which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(mm) all sales of seeds and tree seedlings; fertilizers, insecticides, herbicides, germicides, pesticides and fungicides; and services, purchased and used for the purpose of producing plants in order to prevent soil erosion on land devoted to agricultural use;

(nn) except as otherwise provided in this act, all sales of services rendered by an advertising agency or licensed broadcast station or any member, agent or employee thereof;

(oo) all sales of tangible personal property purchased by a community action group or agency for the exclusive purpose of repairing or weatherizing housing occupied by low income individuals;

(pp) all sales of drill bits and explosives actually utilized in the exploration and production of oil or gas;

(qq) all sales of tangible personal property and services purchased by a nonprofit museum or historical society or any combination thereof, including a nonprofit organization which is organized for the purpose of stimulating public interest in the exploration of space by providing educational information, exhibits and experiences, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(rr) all sales of tangible personal property which will admit the purchaser thereof to any annual event sponsored by a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property purchased by a nonprofit organization which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(ss) all sales of tangible personal property and services purchased by a public broadcasting station licensed by the federal communications commission as a noncommercial educational television or radio station;

(tt) all sales of tangible personal property and services purchased by or on behalf of a not-for-profit corporation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the sole purpose of constructing a Kansas Korean War memorial;

(uu) all sales of tangible personal property and services purchased by or on behalf of any rural volunteer fire-fighting organization for use exclusively in the performance of its duties and functions;

(vv) all sales of tangible personal property purchased by any of the following organizations which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the following purposes, and all sales of any such property by or on behalf of any such organization for any such purpose:

(1) The American heart association, Kansas affiliate, inc. for the purposes of providing education, training, certification in emergency cardiac care, research and other related services to reduce disability and death from cardiovascular diseases and stroke;

(2) the Kansas alliance for the mentally ill, inc. for the purpose of advocacy for persons with mental illness and to education, research and support for their families;

(3) the Kansas mental illness awareness council for the purposes of advocacy for persons who are mentally ill and for education, research and support for them and their families;

(4) the American diabetes association Kansas affiliate, inc. for the purpose of eliminating diabetes through medical research, public education focusing on disease

prevention and education, patient education including information on coping with diabetes, and professional education and training;

(5) the American lung association of Kansas, inc. for the purpose of eliminating all lung diseases through medical research, public education including information on coping with lung diseases, professional education and training related to lung disease and other related services to reduce the incidence of disability and death due to lung disease;

(6) the Kansas chapters of the Alzheimer's disease and related disorders association, inc. for the purpose of providing assistance and support to persons in Kansas with Alzheimer's disease, and their families and caregivers;

(7) the Kansas chapters of the Parkinson's disease association for the purpose of eliminating Parkinson's disease through medical research and public and professional education related to such disease;

(8) the national kidney foundation of Kansas and western Missouri for the purpose of eliminating kidney disease through medical research and public and private education related to such disease;

(9) the heartstrings community foundation for the purpose of providing training, employment and activities for adults with developmental disabilities;

(10) the cystic fibrosis foundation, heart of America chapter, for the purposes of assuring the development of the means to cure and control cystic fibrosis and improving the quality of life for those with the disease;

(11) the spina bifida association of Kansas for the purpose of providing financial, educational and practical aid to families and individuals with spina bifida. Such aid includes, but is not limited to, funding for medical devices, counseling and medical educational opportunities;

(12) the CHWC, Inc., for the purpose of rebuilding urban core neighborhoods through the construction of new homes, acquiring and renovating existing homes and other related activities, and promoting economic development in such neighborhoods;

(13) the cross-lines cooperative council for the purpose of providing social services to low income individuals and families;

(14) the dreams work, inc., for the purpose of providing young adult day services to individuals with developmental disabilities and assisting families in avoiding institutional or nursing home care for a developmentally disabled member of their family;

(15) the KSDS, Inc., for the purpose of promoting the independence and inclusion of people with disabilities as fully participating and contributing members of their communities and society through the training and providing of guide and service dogs to people with disabilities, and providing disability education and awareness to the general public;

(16) the lyme association of greater Kansas City, Inc., for the purpose of providing support to persons with lyme disease and public education relating to the prevention, treatment and cure of lyme disease;

(17) the dream factory, inc., for the purpose of granting the dreams of children with critical and chronic illnesses;

(18) the Ottawa Suzuki strings, inc., for the purpose of providing students and families with education and resources necessary to enable each child to develop fine character and musical ability to the fullest potential;

(19) the international association of lions clubs for the purpose of creating and fostering a spirit of understanding among all people for humanitarian needs by providing voluntary services through community involvement and international cooperation;

(20) the Johnson county young matrons, inc., for the purpose of promoting a positive future for members of the community through volunteerism, financial support and education through the efforts of an all volunteer organization;

(21) the American cancer society, inc., for the purpose of eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer, through research, education, advocacy and service;

(22) the community services of Shawnee, inc., for the purpose of providing food and clothing to those in need;

(23) the angel babies association, for the purpose of providing assistance, support and items of necessity to teenage mothers and their babies; and

(24) the Kansas fairgrounds foundation for the purpose of the preservation, renovation and beautification of the Kansas state fairgrounds;

(ww) all sales of tangible personal property purchased by the habitat for humanity for the exclusive use of being incorporated within a housing project constructed by such organization;

(xx) all sales of tangible personal property and services purchased by a nonprofit zoo which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, or on behalf of such zoo by an entity itself exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986 contracted with to operate such zoo and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo which would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit zoo or the entity operating such zoo. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo. When any nonprofit zoo shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the nonprofit zoo concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of

the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the nonprofit zoo concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(yy) all sales of tangible personal property and services purchased by a parent-teacher association or organization, and all sales of tangible personal property by or on behalf of such association or organization;

(zz) all sales of machinery and equipment purchased by over-the-air, free access radio or television station which is used directly and primarily for the purpose of producing a broadcast signal or is such that the failure of the machinery or equipment to operate would cause broadcasting to cease. For purposes of this subsection, machinery and equipment shall include, but not be limited to, that required by rules and regulations of the federal communications commission, and all sales of electricity which are essential or necessary for the purpose of producing a broadcast signal or is such that the failure of the electricity would cause broadcasting to cease;

(aaa) all sales of tangible personal property and services purchased by a religious organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and used exclusively for religious purposes, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of

the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 1998, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(bbb) all sales of food for human consumption by an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, pursuant to a food distribution program which offers such food at a price below cost in exchange for the performance of community service by the purchaser thereof;

(ccc) on and after July 1, 1999, all sales of tangible personal property and services purchased by a primary care clinic or health center the primary purpose of which is to provide services to medically underserved individuals and families, and which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center which would be exempt from taxation under the provisions of this section if purchased directly by such clinic or center, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property and services purchased by a primary care clinic or health center which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center. When any such clinic or center shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such clinic or center concerned a sworn

statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such clinic or center concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ddd) on and after January 1, 1999, and before January 1, 2000, all sales of materials and services purchased by any class II or III railroad as classified by the federal surface transportation board for the construction, renovation, repair or replacement of class II or III railroad track and facilities used directly in interstate commerce. In the event any such track or facility for which materials and services were purchased sales tax exempt is not operational for five years succeeding the allowance of such exemption, the total amount of sales tax which would have been payable except for the operation of this subsection shall be recouped in accordance with rules and regulations adopted for such purpose by the secretary of revenue;

(eee) on and after January 1, 1999, and before January 1, 2001, all sales of materials and services purchased for the original construction, reconstruction, repair or replacement of grain storage facilities, including railroad sidings providing access thereto;

(fff) all sales of material handling equipment, racking systems and other related machinery and equipment that is used for the handling, movement or storage of tangible personal property in a warehouse or distribution facility in this state; all sales of installation, repair and maintenance services performed on such machinery and equipment; and all sales of repair and replacement parts for such machinery and equipment. For purposes of this subsection, a warehouse or distribution facility means a single, fixed location that consists of buildings or structures in a contiguous area where storage or distribution operations are conducted that are separate and apart from the business' retail operations, if any, and which do not otherwise qualify for exemption as occurring at a manufacturing or processing plant or facility. Material handling and storage equipment shall include aeration, dust control, cleaning, handling and other such equipment that is used in a public grain warehouse or other commercial grain storage facility, whether used for grain handling, grain storage, grain refining or processing, or other grain treatment operation;

(ggg) all sales of tangible personal property and services purchased by or on behalf of the Kansas academy of science which is exempt from federal income taxation

pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and used solely by such academy for the preparation, publication and dissemination of education materials;

(hhh) all sales of tangible personal property and services purchased by or on behalf of all domestic violence shelters that are member agencies of the Kansas coalition against sexual and domestic violence;

(iii) all sales of personal property and services purchased by an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the collection, storage and distribution of food products to nonprofit organizations which distribute such food products to persons pursuant to a food distribution program on a charitable basis without fee or charge, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities used for the collection and storage of such food products for any such organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 2005, but prior to the

effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(jjj) all sales of dietary supplements dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "dietary supplement" means any product, other than tobacco, intended to supplement the diet that: (1) Contains one or more of the following dietary ingredients: A vitamin, a mineral, an herb or other botanical, an amino acid, a dietary substance for use by humans to supplement the diet by increasing the total dietary intake or a concentrate, metabolite, constituent, extract or combination of any such ingredient; (2) is intended for ingestion in tablet, capsule, powder, softgel, gelcap or liquid form, or if not intended for ingestion, in such a form, is not represented as conventional food and is not represented for use as a sole item of a meal or of the diet; and (3) is required to be labeled as a dietary supplement, identifiable by the supplemental facts box found on the label and as required pursuant to 21 C.F.R. § 101.36;

(lll) all sales of tangible personal property and services purchased by special olympics Kansas, inc. for the purpose of providing year-round sports training and athletic competition in a variety of olympic-type sports for individuals with intellectual disabilities by giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy and participate in a sharing of gifts, skills and friendship with their families, other special olympics athletes and the community, and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization;

(mmm) all sales of tangible personal property purchased by or on behalf of the Marillac center, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing psycho-social-biological and special education services to children, and all sales of any such property by or on behalf of such organization for such purpose;

(nnn) all sales of tangible personal property and services purchased by the west Sedgwick county-sunrise rotary club and sunrise charitable fund for the purpose of constructing a boundless playground which is an integrated, barrier free and developmentally advantageous play environment for children of all abilities and disabilities;

(ooo) all sales of tangible personal property by or on behalf of a public library serving the general public and supported in whole or in part with tax money or a not-for-profit organization whose purpose is to raise funds for or provide services or other benefits to any such public library;

(ppp) all sales of tangible personal property and services purchased by or on behalf of a homeless shelter which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal income tax code of 1986, and used by any such homeless shelter to provide emergency and transitional housing for individuals and families

experiencing homelessness, and all sales of any such property by or on behalf of any such homeless shelter for any such purpose;

(qqq) all sales of tangible personal property and services purchased by TLC for children and families, inc., hereinafter referred to as TLC, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of TLC for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by TLC. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC. When TLC contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(rrr) all sales of tangible personal property and services purchased by any county law library maintained pursuant to law and sales of tangible personal property and services purchased by an organization which would have been exempt from taxation under the provisions of this subsection if purchased directly by the county law library for the purpose of providing legal resources to attorneys, judges, students and the general public, and all sales of any such property by or on behalf of any such county law library;

(sss) all sales of tangible personal property and services purchased by catholic charities or youthville, hereinafter referred to as charitable family providers, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of charitable family providers for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for charitable family providers for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by charitable family providers. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for charitable family providers. When charitable family providers contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to charitable family providers a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, charitable family providers shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ttt) all sales of tangible personal property or services purchased by a contractor for a project for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility owned by a nonprofit museum which has been granted an exemption pursuant to subsection (qq), which such home or facility is located in a city which has been designated as a qualified hometown pursuant to the provisions of K.S.A. 75-5071 et seq., and amendments thereto, and which such project is related to the purposes of K.S.A. 75-5071 et seq., and

amendments thereto, and which would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit museum. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility for any such nonprofit museum. When any such nonprofit museum shall contract for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such nonprofit museum a sworn statement on a form to be provided by the director of taxation that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in a home or facility or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such nonprofit museum shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(uuu) all sales of tangible personal property and services purchased by Kansas children's service league, hereinafter referred to as KCSL, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing for the prevention and treatment of child abuse and maltreatment as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of KCSL for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for KCSL for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by KCSL. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for KCSL. When KCSL contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for

the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to KCSL a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, KCSL shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(vvv) all sales of tangible personal property or services, including the renting and leasing of tangible personal property or services, purchased by jazz in the woods, inc., a Kansas corporation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing jazz in the woods, an event benefiting children-in-need and other nonprofit charities assisting such children, and all sales of any such property by or on behalf of such organization for such purpose;

(www) all sales of tangible personal property purchased by or on behalf of the Frontenac education foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education support for students, and all sales of any such property by or on behalf of such organization for such purpose;

(xxx) all sales of personal property and services purchased by the booth theatre foundation, inc., an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling of the booth theatre, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling the booth theatre for such organization, which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling

facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after January 1, 2007, but prior to the effective date of this act upon the gross receipts received from any sale which would have been exempted by the provisions of this subsection had such sale occurred after the effective date of this act shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(yyy) all sales of tangible personal property and services purchased by TLC charities foundation, inc., hereinafter referred to as TLC charities, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of encouraging private philanthropy to further the vision, values, and goals of TLC for children and families, inc.; and all sales of such property and services by or on behalf of TLC charities for any such purpose and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC charities for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by TLC charities. Nothing in this

subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC charities. When TLC charities contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC charities a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be incorporated into the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC charities shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(zzz) all sales of tangible personal property purchased by the rotary club of shawnee foundation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, as amended, used for the purpose of providing contributions to community service organizations and scholarships;

(aaaa) all sales of personal property and services purchased by or on behalf of victory in the valley, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing a cancer support group and services for persons with cancer, and all sales of any such property by or on behalf of any such organization for any such purpose;

(bbbb) all sales of entry or participation fees, charges or tickets by Guadalupe health foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for such organization's annual fundraising event which purpose is to provide health care services for uninsured workers;

(cccc) all sales of tangible personal property or services purchased by or on behalf of wayside waifs, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing such organization's annual fundraiser, an event whose purpose is to support the care of

homeless and abandoned animals, animal adoption efforts, education programs for children and efforts to reduce animal over-population and animal welfare services, and all sales of any such property, including entry or participation fees or charges, by or on behalf of such organization for such purpose;

(dddd) all sales of tangible personal property or services purchased by or on behalf of goodwill industries or Easter seals of Kansas, inc., both of which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education, training and employment opportunities for people with disabilities and other barriers to employment;

(eeee) all sales of tangible personal property or services purchased by or on behalf of All American beef battalion, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of educating, promoting and participating as a contact group through the beef cattle industry in order to carry out such projects that provide support and morale to members of the United States armed forces and military services;

(ffff) all sales of tangible personal property and services purchased by sheltered living, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing residential and day services for people with developmental disabilities or intellectual disability, or both, and all sales of any such property by or on behalf of sheltered living, inc., for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling homes and facilities for sheltered living, inc., for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by sheltered living, inc. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities for sheltered living, inc. When sheltered living, inc., contracts for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to sheltered living, inc., a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, sheltered living, inc., shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover

the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(gggg) all sales of game birds for which the primary purpose is use in hunting;

(hhhh) all sales of tangible personal property or services purchased on or after July 1, 2014, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business identified under the North American industry classification system (NAICS) subsectors 1123, 1124, 112112, 112120 or 112210, and the sale and installation of machinery and equipment purchased for installation at any such business. The exemption provided in this subsection shall not apply to projects that have actual total costs less than $50,000. When a person contracts for the construction, reconstruction, enlargement or remodeling of any such business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor of the contractor, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(iiii) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for Wichita children's home for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by Wichita children's home. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for Wichita children's home. When Wichita children's home contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to Wichita children's home a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were

entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, Wichita children's home shall be liable for the tax on all materials purchased for the project, and upon payment, it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(jjjj) all sales of tangible personal property or services purchased by or on behalf of the beacon, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing those desiring help with food, shelter, clothing and other necessities of life during times of special need; ~~and~~

(kkkk) all sales of tangible personal property and services purchased by or on behalf of reaching out from within, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of sponsoring self-help programs for incarcerated persons that will enable such incarcerated persons to become role models for non-violence while in correctional facilities and productive family members and citizens upon return to the community; and

(llll) all sales of tangible personal property and services purchased by Gove county healthcare endowment foundation, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of constructing and equipping an airport in Quinter, Kansas, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing and equipping an airport in Quinter, Kansas, for such organization, which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing or equipping of facilities for such organization. When such organization shall contract for the purpose of constructing or equipping an airport in Quinter, Kansas, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of

taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation no later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. The provisions of this subsection shall expire and have no effect on and after July 1, 2019.

Sec. 7. K.S.A. 79-3606d is hereby amended to read as follows: 79-3606d. (a) The following shall be exempt from the tax imposed by the Kansas retailers' sales tax act: All sales of tangible personal property and services purchased during calendar year ~~1996~~ 2016, necessary to construct, reconstruct, repair or replace any fence which was damaged or destroyed by fire occurring during calendar year ~~1996~~ 2016, and the purpose for which is to enclose land devoted to agricultural use. Sales tax paid on and after January 1, ~~1996~~ 2016, but prior to the effective date of this act upon the gross receipts received from any such sale shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this section. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee.

(b) The provisions of this section shall be deemed to be supplemental to the Kansas retailers' sales tax act.";

Also on page 3, in line 37, after "K.S.A." by inserting "79-3606d and K.S.A."; also in line 37, after "Supp." by inserting "12-6a31,"; also in line 37, by striking "is" and inserting ", 79-3399 and 79-3606 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking the first "income tax" and inserting "taxation"; in line 3, after the semicolon by inserting "community improvement district sales tax administration fund; electronic cigarettes; sales tax exemptions, Gove county healthcare endowment foundation, inc., certain sales of tangible personal property purchased to rebuild or repair certain fences;"; also in line 3, after "K.S.A." by inserting "79-3606d and K.S.A."; also in line 3, after "Supp." by inserting "12-6a31,"; also in line 3, after "74-8133" by inserting ", 79-3399 and 79-3606"; in line 4, by striking "section" and inserting "sections";

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

Marvin Kleeb
Gene Suellentrop
Tom Sawyer
Conferees on part of House

Les Donovan
Caryn Tyson
Tom Holland
Conferees on part of Senate

On motion of Rep. Kleeb, the conference committee report on **H Sub for SB 149** was adopted.

On roll call, the vote was: Yeas 100; Nays 21; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bruchman, Burroughs, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, Dierks, Doll, Dove, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lusk, Lusker, Mason, Mast, Merrick, Moxley, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, Proehl, Rahjes, Rooker, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Wilson, Winn, Wolfe Moore.

Nays: Barton, Bradford, B. Carpenter, DeGraaf, Edmonds, Garber, Grosserode, Houser, K. Jones, Kahrs, Lunn, Macheers, McPherson, O'Brien, R. Powell, Read, Rhoades, Rubin, Scapa, Sutton, Whitmer.

Present but not voting: None.

Absent or not voting: Ewy, Goico, Kelley, K. Williams.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 325** submits the following report:

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

On page 1, by striking all in lines 6 through 36;

On page 2, by striking all in lines 1 through 29 and inserting:

"Section 1. K.S.A. 2015 Supp. 22-3717 is hereby amended to read as follows: 22-3717. (a) Except as otherwise provided by this section~~:~~, K.S.A. 1993 Supp. 21-4628, prior to its repeal; K.S.A. 21-4624, 21-4635 through 21-4638 and 21-4642, prior to their repeal; K.S.A. 2015 Supp. 21-6617, 21-6620, 21-6623, 21-6624, 21-6625 and 21-6626, and amendments thereto; and K.S.A. 8-1567, and amendments thereto; an inmate, including an inmate sentenced pursuant to K.S.A. 21-4618, prior to its repeal, or K.S.A. 2015 Supp. 21-6707, and amendments thereto, shall be eligible for parole after serving the entire minimum sentence imposed by the court, less good time credits.

(b) (1) An inmate sentenced to imprisonment for life without the possibility of parole pursuant to K.S.A. 2015 Supp. 21-6617, and amendments thereto, shall not be eligible for parole.

(2) Except as provided by K.S.A. 21-4635 through 21-4638, prior to their repeal, and K.S.A. 2015 Supp. 21-6620, 21-6623, 21-6624 and 21-6625, and amendments thereto, an inmate sentenced to imprisonment for the crime of: (A) Capital murder committed on or after July 1, 1994, shall be eligible for parole after serving 25 years of confinement, without deduction of any good time credits; (B) murder in the first degree based upon a finding of premeditated murder committed on or after July 1, 1994, but prior to July 1, 2014, shall be eligible for parole after serving 25 years of confinement, without deduction of any good time credits; and (C) murder in the first degree as described in ~~subsection (a)(2) of~~ K.S.A. 2015 Supp. 21-5402(a)(2), and amendments thereto, committed on or after July 1, 2014, shall be eligible for parole after serving 25 years of confinement, without deduction of any good time credits.

(3) Except as provided by subsections (b)(1), (b)(2) and (b)(5), K.S.A. 1993 Supp. 21-4628, prior to its repeal, K.S.A. 21-4635 through 21-4638, prior to their repeal, and K.S.A. 2015 Supp. 21-6620, 21-6623, 21-6624 and 21-6625, and amendments thereto, an inmate sentenced to imprisonment for an off-grid offense committed on or after July 1, 1993, but prior to July 1, 1999, shall be eligible for parole after serving 15 years of confinement, without deduction of any good time credits and an inmate sentenced to imprisonment for an off-grid offense committed on or after July 1, 1999, shall be eligible for parole after serving 20 years of confinement without deduction of any good time credits.

(4) Except as provided by K.S.A. 1993 Supp. 21-4628, prior to its repeal, an inmate sentenced for a class A felony committed before July 1, 1993, including an inmate sentenced pursuant to K.S.A. 21-4618, prior to its repeal, or K.S.A. 2015 Supp. 21-6707, and amendments thereto, shall be eligible for parole after serving 15 years of confinement, without deduction of any good time credits.

(5) An inmate sentenced to imprisonment for a violation of ~~subsection (a) of~~ K.S.A. 21-3402(a), prior to its repeal, committed on or after July 1, 1996, but prior to July 1, 1999, shall be eligible for parole after serving 10 years of confinement without deduction of any good time credits.

(6) An inmate sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2015 Supp. 21-6627, and amendments thereto, committed on or after July 1, 2006, shall be eligible for parole after serving the mandatory term of imprisonment without deduction of any good time credits.

(c) (1) Except as provided in subsection (e), if an inmate is sentenced to imprisonment for more than one crime and the sentences run consecutively, the inmate shall be eligible for parole after serving the total of:

(A) The aggregate minimum sentences, as determined pursuant to K.S.A. 21-4608, prior to its repeal, or K.S.A. 2015 Supp. 21-6606, and amendments thereto, less good time credits for those crimes which are not class A felonies; and

(B) an additional 15 years, without deduction of good time credits, for each crime which is a class A felony.

(2) If an inmate is sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2015 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, the inmate shall be eligible for parole after serving

the mandatory term of imprisonment.

(d) (1) Persons sentenced for crimes, other than off-grid crimes, committed on or after July 1, 1993, or persons subject to subparagraph (G), will not be eligible for parole, but will be released to a mandatory period of postrelease supervision upon completion of the prison portion of their sentence as follows:

(A) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity levels 1 through 4 crimes, drug severity levels 1 and 2 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity levels 1, 2 and 3 crimes committed on or after July 1, 2012, must serve 36 months on postrelease supervision.

(B) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity levels 5 and 6 crimes, drug severity level 3 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity level 4 crimes committed on or after July 1, 2012, must serve 24 months on postrelease supervision.

(C) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity levels 7 through 10 crimes, drug severity level 4 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity level 5 crimes committed on or after July 1, 2012, must serve 12 months on postrelease supervision.

(D) Persons sentenced to a term of imprisonment that includes a sentence for a sexually violent crime as defined in K.S.A. 22-3717, and amendments thereto, a sexually motivated crime in which the offender has been ordered to register pursuant to ~~subsection (d)(1)(D)(vii) of~~ K.S.A. 22-3717(d)(1)(D)(vii), and amendments thereto, electronic solicitation, K.S.A. 21-3523, prior to its repeal, or K.S.A. 2015 Supp. 21-5509, and amendments thereto, or unlawful sexual relations, K.S.A. 21-3520, prior to its repeal, or K.S.A. 2015 Supp. 21-5512, and amendments thereto, shall serve the period of postrelease supervision as provided in subsections (d)(1)(A), (d)(1)(B) or (d)(1)(C) plus the amount of good time and program credit earned and retained pursuant to K.S.A. 21-4722, prior to its repeal, or K.S.A. 2015 Supp. 21-6821, and amendments thereto, on postrelease supervision.

(i) If the sentencing judge finds substantial and compelling reasons to impose a departure based upon a finding that the current crime of conviction was sexually motivated, departure may be imposed to extend the postrelease supervision to a period of up to 60 months.

(ii) If the sentencing judge departs from the presumptive postrelease supervision period, the judge shall state on the record at the time of sentencing the substantial and compelling reasons for the departure. Departures in this section are subject to appeal pursuant to K.S.A. 21-4721, prior to its repeal, or K.S.A. 2015 Supp. 21-6820, and amendments thereto.

(iii) In determining whether substantial and compelling reasons exist, the court shall consider:

(a) Written briefs or oral arguments submitted by either the defendant or the state;

(b) any evidence received during the proceeding;

(c) the presentence report, the victim's impact statement and any psychological evaluation as ordered by the court pursuant to ~~subsection (e) of~~ K.S.A. 21-4714(e), prior to its repeal, or ~~subsection (e) of~~ K.S.A. 2015 Supp. 21-6813(e), and amendments thereto; and

(d) any other evidence the court finds trustworthy and reliable.

(iv) The sentencing judge may order that a psychological evaluation be prepared and the recommended programming be completed by the offender. The department of corrections or the prisoner review board shall ensure that court ordered sex offender treatment be carried out.

(v) In carrying out the provisions of subsection (d)(1)(D), the court shall refer to K.S.A. 21-4718, prior to its repeal, or K.S.A. 2015 Supp. 21-6817, and amendments thereto.

(vi) Upon petition and payment of any restitution ordered pursuant to K.S.A. 2015 Supp. 21-6604, and amendments thereto, the prisoner review board may provide for early discharge from the postrelease supervision period imposed pursuant to subsection (d)(1)(D)(i) upon completion of court ordered programs and completion of the presumptive postrelease supervision period, as determined by the crime of conviction, pursuant to subsection (d)(1)(A), (d)(1)(B) or (d)(1)(C). Early discharge from postrelease supervision is at the discretion of the board.

(vii) Persons convicted of crimes deemed sexually violent or sexually motivated shall be registered according to the offender registration act, K.S.A. 22-4901 through 22-4910, and amendments thereto.

(viii) Persons convicted of K.S.A. 21-3510 or 21-3511, prior to their repeal, or K.S.A. 2015 Supp. 21-5508, and amendments thereto, shall be required to participate in a treatment program for sex offenders during the postrelease supervision period.

(E) The period of postrelease supervision provided in subparagraphs (A) and (B) may be reduced by up to 12 months and the period of postrelease supervision provided in subparagraph (C) may be reduced by up to six months based on the offender's compliance with conditions of supervision and overall performance while on postrelease supervision. The reduction in the supervision period shall be on an earned basis pursuant to rules and regulations adopted by the secretary of corrections.

(F) In cases where sentences for crimes from more than one severity level have been imposed, the offender shall serve the longest period of postrelease supervision as provided by this section available for any crime upon which sentence was imposed irrespective of the severity level of the crime. Supervision periods will not aggregate.

(G) Except as provided in subsection (u), persons convicted of a sexually violent crime committed on or after July 1, 2006, and who are released from prison, shall be released to a mandatory period of postrelease supervision for the duration of the person's natural life.

(2) Persons serving a period of postrelease supervision pursuant to subsections (d)(1)(A), (d)(1)(B) or (d)(1)(C) may petition the prisoner review board for early discharge. Upon payment of restitution, the prisoner review board may provide for early discharge.

(3) Persons serving a period of incarceration for a supervision violation shall not have the period of postrelease supervision modified until such person is released and returned to postrelease supervision.

(4) Offenders whose crime of conviction was committed on or after July 1, 2013, and whose probation, assignment to a community correctional services program, suspension of sentence or nonprison sanction is revoked pursuant to ~~subsection (c) of~~ K.S.A. 22-3716(c), and amendments thereto, or whose underlying prison term expires while serving a sanction pursuant to ~~subsection (c)(1)(C) or (c)(1)(D) of~~ K.S.A. 22-3716(c)(1)(C) or (c)(1)(D), and amendments thereto, shall serve a period of postrelease

supervision upon the completion of the underlying prison term.

(5) As used in this subsection, "sexually violent crime" means:

(A) Rape, K.S.A. 21-3502, prior to its repeal, or K.S.A. 2015 Supp. 21-5503, and amendments thereto;

(B) indecent liberties with a child, K.S.A. 21-3503, prior to its repeal, or ~~subsection (a) of~~ K.S.A. 2015 Supp. 21-5506(a), and amendments thereto;

(C) aggravated indecent liberties with a child, K.S.A. 21-3504, prior to its repeal, or ~~subsection (b) of~~ K.S.A. 2015 Supp. 21-5506(b), and amendments thereto;

(D) criminal sodomy, ~~subsection (a)(2) and (a)(3) of~~ K.S.A. 21-3505(a)(2) and (a)(3), prior to its repeal, or ~~subsection (a)(3) and (a)(4) of~~ K.S.A. 2015 Supp. 21-5504(a)(3) and (a)(4), and amendments thereto;

(E) aggravated criminal sodomy, K.S.A. 21-3506, prior to its repeal, or ~~subsection (b) of~~ K.S.A. 2015 Supp. 21-5504(b), and amendments thereto;

(F) indecent solicitation of a child, K.S.A. 21-3510, prior to its repeal, or ~~subsection (a) of~~ K.S.A. 2015 Supp. 21-5508(a), and amendments thereto;

(G) aggravated indecent solicitation of a child, K.S.A. 21-3511, prior to its repeal, or ~~subsection (b) of~~ K.S.A. 2015 Supp. 21-5508(b), and amendments thereto;

(H) sexual exploitation of a child, K.S.A. 21-3516, prior to its repeal, or K.S.A. 2015 Supp. 21-5510, and amendments thereto;

(I) aggravated sexual battery, K.S.A. 21-3518, prior to its repeal, or ~~subsection (b) of~~ K.S.A. 2015 Supp. 21-5505(b), and amendments thereto;

(J) aggravated incest, K.S.A. 21-3603, prior to its repeal, or ~~subsection (b) of~~ K.S.A. 2015 Supp. 21-5604(b), and amendments thereto;

(K) aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or ~~subsection (b) of~~ K.S.A. 2015 Supp. 21-5426(b), and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the defendant or another;

(L) commercial sexual exploitation of a child, as defined in K.S.A. 2015 Supp. 21-6422, and amendments thereto; or

(M) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2015 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, of a sexually violent crime as defined in this section.

(6) As used in this subsection, "sexually motivated" means that one of the purposes for which the defendant committed the crime was for the purpose of the defendant's sexual gratification.

(e) If an inmate is sentenced to imprisonment for a crime committed while on parole or conditional release, the inmate shall be eligible for parole as provided by subsection (c), except that the prisoner review board may postpone the inmate's parole eligibility date by assessing a penalty not exceeding the period of time which could have been assessed if the inmate's parole or conditional release had been violated for reasons other than conviction of a crime.

(f) If a person is sentenced to prison for a crime committed on or after July 1, 1993, while on probation, parole, conditional release or in a community corrections program, for a crime committed prior to July 1, 1993, and the person is not eligible for retroactive application of the sentencing guidelines and amendments thereto pursuant to K.S.A. 21-4724, prior to its repeal, the new sentence shall not be aggregated with the old sentence, but shall begin when the person is paroled or reaches the conditional release date on the

old sentence. If the offender was past the offender's conditional release date at the time the new offense was committed, the new sentence shall not be aggregated with the old sentence but shall begin when the person is ordered released by the prisoner review board or reaches the maximum sentence expiration date on the old sentence, whichever is earlier. The new sentence shall then be served as otherwise provided by law. The period of postrelease supervision shall be based on the new sentence, except that those offenders whose old sentence is a term of imprisonment for life, imposed pursuant to K.S.A. 1993 Supp. 21-4628, prior to its repeal, or an indeterminate sentence with a maximum term of life imprisonment, for which there is no conditional release or maximum sentence expiration date, shall remain on postrelease supervision for life or until discharged from supervision by the prisoner review board.

(g) Subject to the provisions of this section, the prisoner review board may release on parole those persons confined in institutions who are eligible for parole when: (1) The board believes that the inmate should be released for hospitalization, deportation or to answer the warrant or other process of a court and is of the opinion that there is reasonable probability that the inmate can be released without detriment to the community or to the inmate; or (2) the secretary of corrections has reported to the board in writing that the inmate has satisfactorily completed the programs required by any agreement entered under K.S.A. 75-5210a, and amendments thereto, or any revision of such agreement, and the board believes that the inmate is able and willing to fulfill the obligations of a law abiding citizen and is of the opinion that there is reasonable probability that the inmate can be released without detriment to the community or to the inmate. Parole shall not be granted as an award of clemency and shall not be considered a reduction of sentence or a pardon.

(h) The prisoner review board shall hold a parole hearing at least the month prior to the month an inmate will be eligible for parole under subsections (a), (b) and (c). At least one month preceding the parole hearing, the county or district attorney of the county where the inmate was convicted shall give written notice of the time and place of the public comment sessions for the inmate to any victim of the inmate's crime who is alive and whose address is known to the county or district attorney or, if the victim is deceased, to the victim's family if the family's address is known to the county or district attorney. Except as otherwise provided, failure to notify pursuant to this section shall not be a reason to postpone a parole hearing. In the case of any inmate convicted of an off-grid felony or a class A felony, the secretary of corrections shall give written notice of the time and place of the public comment session for such inmate at least one month preceding the public comment session to any victim of such inmate's crime or the victim's family pursuant to K.S.A. 74-7338, and amendments thereto. If notification is not given to such victim or such victim's family in the case of any inmate convicted of an off-grid felony or a class A felony, the board shall postpone a decision on parole of the inmate to a time at least 30 days after notification is given as provided in this section. Nothing in this section shall create a cause of action against the state or an employee of the state acting within the scope of the employee's employment as a result of the failure to notify pursuant to this section. If granted parole, the inmate may be released on parole on the date specified by the board, but not earlier than the date the inmate is eligible for parole under subsections (a), (b) and (c). At each parole hearing and, if parole is not granted, at such intervals thereafter as it determines appropriate, the board shall consider: (1) Whether the inmate has satisfactorily completed the programs

required by any agreement entered under K.S.A. 75-5210a, and amendments thereto, or any revision of such agreement; and (2) all pertinent information regarding such inmate, including, but not limited to, the circumstances of the offense of the inmate; the presentence report; the previous social history and criminal record of the inmate; the conduct, employment, and attitude of the inmate in prison; the reports of such physical and mental examinations as have been made, including, but not limited to, risk factors revealed by any risk assessment of the inmate; comments of the victim and the victim's family including in person comments, contemporaneous comments and prerecorded comments made by any technological means; comments of the public; official comments; any recommendation by the staff of the facility where the inmate is incarcerated; proportionality of the time the inmate has served to the sentence a person would receive under the Kansas sentencing guidelines for the conduct that resulted in the inmate's incarceration; and capacity of state correctional institutions.

(i) In those cases involving inmates sentenced for a crime committed after July 1, 1993, the prisoner review board will review the inmate's proposed release plan. The board may schedule a hearing if they desire. The board may impose any condition they deem necessary to insure public safety, aid in the reintegration of the inmate into the community, or items not completed under the agreement entered into under K.S.A. 75-5210a, and amendments thereto. The board may not advance or delay an inmate's release date. Every inmate while on postrelease supervision shall remain in the legal custody of the secretary of corrections and is subject to the orders of the secretary.

(j) (1) Before ordering the parole of any inmate, the prisoner review board shall have the inmate appear either in person or via a video conferencing format and shall interview the inmate unless impractical because of the inmate's physical or mental condition or absence from the institution. Every inmate while on parole shall remain in the legal custody of the secretary of corrections and is subject to the orders of the secretary. Whenever the board formally considers placing an inmate on parole and no agreement has been entered into with the inmate under K.S.A. 75-5210a, and amendments thereto, the board shall notify the inmate in writing of the reasons for not granting parole. If an agreement has been entered under K.S.A. 75-5210a, and amendments thereto, and the inmate has not satisfactorily completed the programs specified in the agreement, or any revision of such agreement, the board shall notify the inmate in writing of the specific programs the inmate must satisfactorily complete before parole will be granted. If parole is not granted only because of a failure to satisfactorily complete such programs, the board shall grant parole upon the secretary's certification that the inmate has successfully completed such programs. If an agreement has been entered under K.S.A. 75-5210a, and amendments thereto, and the secretary of corrections has reported to the board in writing that the inmate has satisfactorily completed the programs required by such agreement, or any revision thereof, the board shall not require further program participation. However, if the board determines that other pertinent information regarding the inmate warrants the inmate's not being released on parole, the board shall state in writing the reasons for not granting the parole. If parole is denied for an inmate sentenced for a crime other than a class A or class B felony or an off-grid felony, the board shall hold another parole hearing for the inmate not later than one year after the denial unless the board finds that it is not reasonable to expect that parole would be granted at a hearing if held in the next three years or during the interim period of a deferral. In such case, the board may defer

subsequent parole hearings for up to three years but any such deferral by the board shall require the board to state the basis for its findings. If parole is denied for an inmate sentenced for a class A or class B felony or an off-grid felony, the board shall hold another parole hearing for the inmate not later than three years after the denial unless the board finds that it is not reasonable to expect that parole would be granted at a hearing if held in the next 10 years or during the interim period of a deferral. In such case, the board may defer subsequent parole hearings for up to 10 years, but any such deferral shall require the board to state the basis for its findings.

(2) Inmates sentenced for a class A or class B felony who have not had a board hearing in the five years prior to July 1, 2010, shall have such inmates' cases reviewed by the board on or before July 1, 2012. Such review shall begin with the inmates with the oldest deferral date and progress to the most recent. Such review shall be done utilizing existing resources unless the board determines that such resources are insufficient. If the board determines that such resources are insufficient, then the provisions of this paragraph are subject to appropriations therefor.

(k) (1) Parolees and persons on postrelease supervision shall be assigned, upon release, to the appropriate level of supervision pursuant to the criteria established by the secretary of corrections.

(2) Parolees and persons on postrelease supervision are, and shall agree in writing to be, subject to ~~search or seizure~~ searches of the person and the person's effects, vehicle, residence and property by a parole officer or a department of corrections enforcement, apprehension and investigation officer, at any time of the day or night, with or without a search warrant and with or without cause. Nothing in this subsection shall be construed to authorize such officers to conduct arbitrary or capricious searches or searches for the sole purpose of harassment.

(3) Parolees and persons on postrelease supervision are, and shall agree in writing to be, subject to ~~search or seizure~~ searches of the person and the person's effects, vehicle, residence and property by any law enforcement officer based on reasonable suspicion of the person violating conditions of parole or postrelease supervision or reasonable suspicion of criminal activity. Any law enforcement officer who conducts such a search shall submit a written report to the appropriate parole officer no later than the close of the next business day after such search. The written report shall include the facts leading to such search, the scope of such search and any findings resulting from such search.

(l) The prisoner review board shall promulgate rules and regulations in accordance with K.S.A. 77-415 et seq., and amendments thereto, not inconsistent with the law and as it may deem proper or necessary, with respect to the conduct of parole hearings, postrelease supervision reviews, revocation hearings, orders of restitution, reimbursement of expenditures by the state board of indigents' defense services and other conditions to be imposed upon parolees or releasees. Whenever an order for parole or postrelease supervision is issued it shall recite the conditions thereof.

(m) Whenever the prisoner review board orders the parole of an inmate or establishes conditions for an inmate placed on postrelease supervision, the board:

(1) Unless it finds compelling circumstances which would render a plan of payment unworkable, shall order as a condition of parole or postrelease supervision that the parolee or the person on postrelease supervision pay any transportation expenses resulting from returning the parolee or the person on postrelease supervision to this state

to answer criminal charges or a warrant for a violation of a condition of probation, assignment to a community correctional services program, parole, conditional release or postrelease supervision;

(2) to the extent practicable, shall order as a condition of parole or postrelease supervision that the parolee or the person on postrelease supervision make progress towards or successfully complete the equivalent of a secondary education if the inmate has not previously completed such educational equivalent and is capable of doing so;

(3) may order that the parolee or person on postrelease supervision perform community or public service work for local governmental agencies, private corporations organized not-for-profit or charitable or social service organizations performing services for the community;

(4) may order the parolee or person on postrelease supervision to pay the administrative fee imposed pursuant to K.S.A. 22-4529, and amendments thereto, unless the board finds compelling circumstances which would render payment unworkable;

(5) unless it finds compelling circumstances which would render a plan of payment unworkable, shall order that the parolee or person on postrelease supervision reimburse the state for all or part of the expenditures by the state board of indigents' defense services to provide counsel and other defense services to the person. In determining the amount and method of payment of such sum, the prisoner review board shall take account of the financial resources of the person and the nature of the burden that the payment of such sum will impose. Such amount shall not exceed the amount claimed by appointed counsel on the payment voucher for indigents' defense services or the amount prescribed by the board of indigents' defense services reimbursement tables as provided in K.S.A. 22-4522, and amendments thereto, whichever is less, minus any previous payments for such services;

(6) shall order that the parolee or person on postrelease supervision agree in writing to be subject to ~~search or seizure~~ searches of the person and the person's effects, vehicle, residence and property by a parole officer or a department of corrections enforcement, apprehension and investigation officer, at any time of the day or night, with or without a search warrant and with or without cause. Nothing in this subsection shall be construed to authorize such officers to conduct arbitrary or capricious searches or searches for the sole purpose of harassment; and

(7) shall order that the parolee or person on postrelease supervision agree in writing to be subject to ~~search or seizure~~ searches of the person and the person's effects, vehicle, residence and property by any law enforcement officer based on reasonable suspicion of the person violating conditions of parole or postrelease supervision or reasonable suspicion of criminal activity.

(n) If the court which sentenced an inmate specified at the time of sentencing the amount and the recipient of any restitution ordered as a condition of parole or postrelease supervision, the prisoner review board shall order as a condition of parole or postrelease supervision that the inmate pay restitution in the amount and manner provided in the journal entry unless the board finds compelling circumstances which would render a plan of restitution unworkable.

(o) Whenever the prisoner review board grants the parole of an inmate, the board, within 14 days of the date of the decision to grant parole, shall give written notice of the decision to the county or district attorney of the county where the inmate was sentenced.

(p) When an inmate is to be released on postrelease supervision, the secretary, within 30 days prior to release, shall provide the county or district attorney of the county where the inmate was sentenced written notice of the release date.

(q) Inmates shall be released on postrelease supervision upon the termination of the prison portion of their sentence. Time served while on postrelease supervision will vest.

(r) An inmate who is allocated regular good time credits as provided in K.S.A. 22-3725, and amendments thereto, may receive meritorious good time credits in increments of not more than 90 days per meritorious act. These credits may be awarded by the secretary of corrections when an inmate has acted in a heroic or outstanding manner in coming to the assistance of another person in a life threatening situation, preventing injury or death to a person, preventing the destruction of property or taking actions which result in a financial savings to the state.

(s) The provisions of subsections (d)(1)(A), (d)(1)(B), (d)(1)(C) and (d)(1)(E) shall be applied retroactively as provided in subsection (t).

(t) For offenders sentenced prior to July 1, 2014, who are eligible for modification of their postrelease supervision obligation, the department of corrections shall modify the period of postrelease supervision as provided for by this section:

(1) On or before September 1, 2013, for offenders convicted of:

(A) Severity levels 9 and 10 crimes on the sentencing guidelines grid for nondrug crimes;

(B) severity level 4 crimes on the sentencing guidelines grid for drug crimes committed prior to July 1, 2012; and

(C) severity level 5 crimes on the sentencing guidelines grid for drug crimes committed on and after July 1, 2012;

(2) on or before November 1, 2013, for offenders convicted of:

(A) Severity levels 6, 7 and 8 crimes on the sentencing guidelines grid for nondrug crimes;

(B) level 3 crimes on the sentencing guidelines grid for drug crimes committed prior to July 1, 2012; and

(C) level 4 crimes on the sentencing guidelines grid for drug crimes committed on or after July 1, 2012; and

(3) on or before January 1, 2014, for offenders convicted of:

(A) Severity levels 1, 2, 3, 4 and 5 crimes on the sentencing guidelines grid for nondrug crimes;

(B) severity levels 1 and 2 crimes on the sentencing guidelines grid for drug crimes committed at any time; and

(C) severity level 3 crimes on the sentencing guidelines grid for drug crimes committed on or after July 1, 2012.

(u) An inmate sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2015 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, shall be placed on parole for life and shall not be discharged from supervision by the prisoner review board. When the board orders the parole of an inmate pursuant to this subsection, the board shall order as a condition of parole that the inmate be electronically monitored for the duration of the inmate's natural life.

(v) Whenever the prisoner review board orders a person to be electronically monitored pursuant to this section, or the court orders a person to be electronically monitored pursuant to ~~subsection (r) of~~ K.S.A. 2015 Supp. 21-6604(r), and amendments

thereto, the board shall order the person to reimburse the state for all or part of the cost of such monitoring. In determining the amount and method of payment of such sum, the board shall take account of the financial resources of the person and the nature of the burden that the payment of such sum will impose.

(w) (1) On and after July 1, 2012, for any inmate who is a sex offender, as defined in K.S.A. 22-4902, and amendments thereto, whenever the prisoner review board orders the parole of such inmate or establishes conditions for such inmate placed on postrelease supervision, such inmate shall agree in writing to not possess pornographic materials.

(A) As used in this subsection, "pornographic materials" means: any obscene material or performance depicting sexual conduct, sexual contact or a sexual performance; and any visual depiction of sexually explicit conduct.

(B) As used in this subsection, all other terms have the meanings provided by K.S.A. 2015 Supp. 21-5510, and amendments thereto.

(2) The provisions of this subsection shall be applied retroactively to every sex offender, as defined in K.S.A. 22-4902, and amendments thereto, who is on parole or postrelease supervision on July 1, 2012. The prisoner review board shall obtain the written agreement required by this subsection from such offenders as soon as practicable.

Sec. 2. K.S.A. 2015 Supp. 22-3717 is hereby repealed.";

On page 1, in the title, in line 1, by striking all after concerning; by striking all in line 2; in line 3, by striking all before the period and inserting "crimes, punishment and criminal procedure; relating to conditions of parole and postrelease supervision; search and seizure; amending K.S.A. 2015 Supp. 22-3717 and repealing the existing section";

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

Ramon C. Gonzalez
Jan Pauls
Dennis "Boog" Highberger
Conferees on part of House

Greg Smith
Forrest J. Knox
Pat Pettey
Conferees on part of Senate

On motion of Rep. Gonzalez, the conference committee report on **SB 325** was adopted.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers,

Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ewy, Goico, Kelley, K. Williams.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 193** submits the following report:

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

On page 1, by striking all in lines 5 through 36;

On page 2, by striking all in lines 1 through 39; following line 39, by inserting:

"Section 1. K.S.A. 2015 Supp. 72-89d02 is hereby amended to read as follows: 72-89d02. As used in K.S.A. 2015 Supp. 72-89d01 through 72-89d07, and amendments thereto:

(a) "Appointing authority" means a group of persons empowered by statute to make human resource decisions that affect the employment of officers.

(b) "Campus police officer" means a school security officer designated by the board of education of any school district pursuant to K.S.A. 72-8222, and amendments thereto.

(c) "Chemical restraint" means the use of medication to control a student's violent physical behavior or restrict a student's freedom of movement.

(d) "Commissioner" means the commissioner of education.

(e) "Complaint" means a written document that a parent files with a local board as provided for in this act.

~~(a)~~ (f) "Department" means the state department of education.

~~(b)~~ (g) "Emergency safety intervention" means the use of seclusion or physical restraint, but does not include the use of time-out.

(h) "Hearing officer" means the state department employee designated to conduct an administrative review.

(i) "Incident" means each occurrence of the use of an emergency safety intervention.

(j) "Law enforcement officer" and "police officer" means a full-time or part-time salaried officer or employee of the state, a county or a city, whose duties include the prevention or detection of crime and the enforcement of criminal or traffic law of this state or any Kansas municipality. This term includes a campus police officer.

(k) "Legitimate law enforcement purpose" means a goal within the lawful authority of an officer that is to be achieved through methods or conduct condoned by the officer's appointing authority.

(l) "Local board" means the board of education of a district or the governing body of any accredited nonpublic school.

(m) "Mechanical restraint" means any device or object used to limit a student's movement.

~~(c)~~ (n) "Parent" means: (1) A natural parent; (2) an adoptive parent; (3) a person acting as a parent as defined in K.S.A. 72-1046(d)(2), and amendments thereto; (4) a legal guardian; (5) an education advocate for a student with an exceptionality; (6) a foster parent, unless the student is a child with an exceptionality; or (7) a student who has reached the age of majority or is an emancipated minor.

(o) "Physical escort" means the temporary touching or holding the hand, wrist, arm, shoulder or back of a student who is acting out for the purpose of inducing the student to walk to a safe location. Physical escort shall not be considered an emergency safety intervention.

~~(d)~~ (p) "Physical restraint" means bodily force used to substantially limit a student's movement, except that consensual, solicited or unintentional contact and contact to provide comfort, assistance or instruction shall not be deemed to be physical restraint.

~~(e)~~ (q) "School" means any learning environment, including any nonprofit institutional day or residential school or accredited nonpublic school, that receives public funding or which is subject to the regulatory authority of the state board of education.

(r) "School resource officer" means a law enforcement officer or police officer employed by a local law enforcement agency who is assigned to a district through an agreement between the local law enforcement agency and the district.

(s) "School security officer" means a person who is employed by a board of education of any school district for the purpose of aiding and supplementing state and local law enforcement agencies in which the school district is located, but is not a law enforcement officer or police officer.

~~(f)~~ (t) "Seclusion" means placement of a student in a location where all the following conditions are met:

(1) The student is placed in an enclosed area by school personnel;

(2) the student is purposefully isolated from adults and peers; and

(3) the student is prevented from leaving, or the student reasonably believes that such student will be prevented from leaving, the enclosed area.

(u) "State board" means the Kansas state board of education.

(v) "Time-out" means a behavioral intervention in which a student is temporarily removed from a learning activity without being secluded.

Sec. 2. K.S.A. 2015 Supp. 72-89d03 is hereby amended to read as follows: 72-89d03. (a) Emergency safety interventions shall be used only when a student presents a reasonable and immediate danger of physical harm to such student or others with the present ability to effect such physical harm. Less restrictive alternatives to emergency safety interventions, such as positive behavior interventions support, shall be deemed inappropriate or ineffective under the circumstances by the school employee witnessing the student's behavior prior to the use of any emergency safety interventions. The use of an emergency safety ~~interventions~~ intervention shall cease as soon as the immediate danger of physical harm ceases to exist. Violent action that is destructive of property may necessitate the use of an emergency safety intervention. Use of an emergency safety intervention for purposes of discipline, punishment or for the convenience of a school employee shall not meet the standard of immediate danger of physical harm.

(b) A student shall not be subjected to ~~seclusion~~ an emergency safety intervention if

the student is known to have a medical condition that could put the student in mental or physical danger as a result of ~~seclusion~~ the emergency safety intervention. The existence of such medical condition must be indicated in a written statement from the student's licensed health care provider, a copy of which shall be provided to the school and placed in the student's file. Such written statement shall include an explanation of the student's diagnosis, a list of any reasons why an emergency safety intervention would put the student in mental or physical danger and any suggested alternatives to the use of emergency safety interventions. Notwithstanding the provisions of this subsection, a student may be subjected to an emergency safety intervention, if not subjecting the student to an emergency safety intervention would result in significant physical harm to the student or others.

(c) When a student is placed in seclusion, a school employee shall be able to see and hear the student at all times.

(d) All seclusion rooms equipped with a locking door shall be designed to ensure that the lock automatically disengages when the school employee viewing the student walks away from the seclusion room, or in cases of emergency, such as fire or severe weather.

(e) A seclusion room shall be a safe place with proportional and similar characteristics as other rooms where students frequent. Such room shall be free of any condition that could be a danger to the student, and shall be well-ventilated and sufficiently lighted.

(f) The following types of restraint shall be prohibited:

(1) Prone, or face-down, physical restraint; supine, or face-up physical restraint; physical restraint that obstructs the airway of a student; or any physical restraint that impacts a student's primary mode of communication;

(2) chemical restraint, except as prescribed treatments for a student's medical or psychiatric condition by a person appropriately licensed to issue such treatments; and

(3) mechanical restraint, except those protective or stabilizing devices either ordered by a person appropriately licensed to issue the order for the device or required by law, any device used by a certified law enforcement officer in carrying out law enforcement duties, seatbelts and any other safety equipment when used to secure students during transportation.

(g) Each local board shall develop and implement written policies to govern the use of emergency safety interventions in schools. At a minimum, written district policies shall conform to the standards, definitions and requirements of this act.

Such written policies shall include that:

(1) (A) School personnel training shall be designed to meet the needs of personnel as appropriate to their duties and potential need for the use of emergency safety interventions;

(B) training shall address prevention techniques, de-escalation techniques and positive behavioral intervention strategies;

(C) training shall be consistent with nationally recognized training programs; and

(D) schools shall maintain written or electronic documentation on training provided and lists of participants in each training for inspection by the Kansas state board of education;

(2) a local dispute resolution process shall be developed, which shall include the following:

(A) A procedure for a parent to file a complaint with the local board. If a parent believes that an emergency safety intervention has been used on the parent's child in violation of the act, rules and regulations or the local board's emergency safety intervention policy, the parent may file a complaint within 30 days of the date on which the parent was informed of the use of the emergency safety intervention;

(B) a procedure for complaint investigation;

(C) a procedure to implement a dispute-resolution final decision. The local board's decision shall be in writing and shall include findings of fact and any corrective action required by the school if the local board deems such action necessary. The local board's final decision shall be mailed to the parent and the department within 30 days of the the local board's receipt of the complaint; and

(D) a procedure setting out the parent's right to request an administrative review by the state board, including information as to the deadline by which the parent must submit the request to the state board;

(3) a system for the collection and maintenance of documentation for each use of an emergency safety intervention as set forth in K.S.A. 2015 Supp. 72-89d04, and amendments thereto;

(4) a procedure for the periodic review of the use of emergency safety interventions at each school, which shall be compiled and submitted at least biannually to the superintendent or the superintendent's designee; and

(5) a schedule for when and how parents are provided with notice of the local board's written policies on the use of emergency safety interventions.

(h) Written policies developed pursuant to this act shall be accessible on each school's website and shall be included in each school's code of conduct, school safety plan or student handbook.

(i) (1) Campus police officers and school resource officers shall be exempt from the requirements of this act when engaged in an activity that has a legitimate law enforcement purpose.

(2) School security officers shall not be exempt from the requirements of this act.

Sec. 3. K.S.A. 2015 Supp. 72-89d04 is hereby amended to read as follows: 72-89d04. (a) (1) When a student is subjected to an emergency safety intervention, the school shall notify the parent~~, or if a parent cannot be notified, then shall notify an emergency contact person for such student,~~ on the same day the emergency safety intervention was used. If the school is unable to contact the parent, the school shall attempt to contact the parent using at least two methods of contact. The same-day notification requirement of this subsection shall be deemed satisfied if the school attempts at least two methods of contact. A parent may designate a preferred method of contact to receive the same-day notification required by this subsection. A parent may agree, in writing, to receive only one same-day notification from the school for multiple incidents occurring on the same day. Written documentation of the use of an emergency safety ~~interventions used~~ intervention shall be completed and provided to the parent no later than the school day following the day on which the emergency safety intervention was used. Such written documentation shall include: (A) The events leading up to the incident; (B) student behaviors that necessitated the emergency safety intervention; (C) steps taken to transition the student back into the educational setting; (D) the date and time the incident occurred, the type of emergency safety intervention used, the duration of the emergency safety intervention and the school personnel who used or supervised

the emergency safety intervention; (E) space or an additional form for parents to provide feedback or comments to the school regarding the incident; (F) a statement that invites and strongly encourages parents to schedule a meeting to discuss the incident and how to prevent future use of emergency safety interventions; and (G) email and phone information for the parent to contact the school to schedule the emergency safety intervention meeting. Schools may group incidents together when documenting the items in subparagraphs (A), (B) and (C) if the triggering issue necessitating the emergency safety interventions is the same.

(2) The parent shall be provided the following information after the first incident in which an emergency safety intervention is used during the school year, and may be provided such information after each subsequent incident that occurs during the school year: ~~(1)~~ (A) A copy of the standards of when emergency safety interventions can be used; ~~(2)~~ (B) a flyer on the parent's rights; ~~(3)~~ (C) information on the parent's right to file a complaint through the local dispute resolution process and the complaint process of the state board of education; and ~~(4)~~ (D) information that will assist the parent in navigating the complaint process, including contact information for the parent training and information center and protection and advocacy system. Upon the first occurrence of an incident involving the use of emergency safety interventions, the parent shall be provided the foregoing information in printed form~~, and~~ or, upon the parent's written request, by email. Upon the occurrence of a second or subsequent incident, the parent shall be provided with a full and direct website address containing such information.

(b) ~~If a parent believes emergency safety interventions have been used in violation of this act, rules and regulations adopted pursuant thereto or policies of the school district, then within 30 days from being informed of the use of emergency safety intervention, such parent may file a complaint through the local dispute resolution process. A parent may file a complaint under the state board of education complaint process within 30 days from the date a final decision is issued pursuant to the local dispute resolution process~~ If a school is aware that a law enforcement officer or school resource officer has used seclusion, physical restraint or mechanical restraint on a student, the school shall notify the parent the same day using the parent's preferred method of contact. A school shall not be required to provide written documentation to a parent, as set forth in subsection (a)(1) regarding law enforcement use of an emergency safety intervention, or report to the department law enforcement use of an emergency safety intervention. For purposes of this subsection, mechanical restraint includes, but is not limited to, the use of handcuffs.

(c) The department shall compile reports from schools on the use of emergency safety interventions and provide the results based on aggregate data on the department website, and to the governor and the committees on education in the senate and the house of representatives by January 20, 2016, and annually thereafter. The data governance board of the department shall use the actual data value when providing statewide aggregate data for such reports. The department's reported results shall include, but shall not be limited to, the following information:

(1) The number of incidents in which emergency safety interventions were used on students who have an individualized education program;

(2) the number of incidents in which emergency safety interventions were used on students who have a section 504 plan;

(3) the number of incidents in which emergency safety interventions were used on

students who do not have an individualized education program or a section 504 plan;

(4) the total number of incidents in which emergency safety interventions were used on students;

(5) the total number of students with behavior intervention plans subjected to an emergency safety intervention;

(6) the number of students physically restrained;

(7) the number of students placed in seclusion;

(8) the maximum and median number of minutes a student was placed in seclusion;

(9) the maximum number of incidents in which emergency safety interventions were used on a student;

(10) the information reported under subsection (c)(1) through (c)(3) ~~reported~~ by the school to the extent possible;

(11) the information reported under subsections (c)(1) through (c)(9) aggregated by age ~~and~~, ethnicity, gender and eligibility for free and reduced lunch of the students on a statewide basis; and

(12) such other information as the department deems necessary to report.

Sec. 4. K.S.A. 2015 Supp. 72-89d05 is hereby amended to read as follows: 72-89d05. (a) ~~If there is a third incident involving the use of emergency safety interventions within a school year on~~ After each incident, a parent may request a meeting with the school to discuss and debrief the incident. A parent may request such meeting verbally, in writing or by electronic means. A school shall hold a meeting requested under this subsection within 10 school days of the parent's request. The focus of any meeting convened under this subsection shall be to discuss proactive ways to prevent the need for emergency safety interventions and to reduce incidents in the future.

(1) For a student who has an individualized education program or a section 504 plan, ~~then~~ such student's individualized education program team or section 504 plan team shall ~~meet within 10 days after such third incident to~~ discuss the incident and consider the need to conduct a functional behavioral analysis, develop a behavior intervention plan or amend either if already in existence~~, unless the individualized education program team or the section 504 plan team has agreed on a different process~~. For a student with a section 504 plan, such student's section 504 plan team shall discuss and consider the need for an evaluation under the special education for exceptional children act, K.S.A. 72-961 et seq., and amendments thereto. For students who have an individualized education program and are placed in a private school by a parent, a meeting called under this subsection shall include the parent and the private school, who shall consider whether the parent should request an individualized education program team meeting. If the parent requests an individualized education program team meeting, the private school shall help facilitate such meeting.

~~(b) If there is a third incident involving the use of emergency safety interventions within a school year on a student who is not described in subsection (a), then a meeting between such student's parent and school employees shall be conducted within 10 days after such third incident to~~

(2) For a student who does not have an individualized education program or section 504 plan, the parent and school shall discuss the incident and consider the appropriateness of a referral for an evaluation under the special education for exceptional children act, K.S.A. 72-961 et seq., and amendments thereto, the need for a

functional behavioral analysis or the need for a behavior intervention plan. Any meeting called pursuant to this subsection shall include the student's parent, a school administrator for the school where the student attends, one of the student's teachers, a school employee involved in the incident and such other school employees designated by the school administrator as appropriate for such meeting.

~~(c)~~ (b) The parent shall determine whether the student shall be invited to any meeting called pursuant to this section.

~~(d)~~ (c) The time for calling a meeting pursuant to this section shall be extended beyond the ~~10-day~~ 10-school-day limit if the parent of the student is unable to attend within that time period.

~~(e)~~ (d) Nothing in this section shall be construed to prohibit the development and implementation of a functional behavioral analysis or a behavior intervention plan for any student if such student may benefit from such measures ~~but has had less than three incidents involving emergency safety interventions within a school year~~.

Sec. 5. K.S.A. 2015 Supp. 72-89d08 is hereby amended to read as follows: 72-89d08. The provisions of K.S.A. 2015 Supp. 72-89d01 through 72-89d08, and amendments thereto, shall expire on June 30, ~~2018~~ 2020.

Sec. 6. K.S.A. 2015 Supp. 72-89d02, 72-89d03, 72-89d04, 72-89d05 and 72-89d08 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; in line 2, by striking all before the period and inserting "schools; relating to standards and requirements for the treatment of students; seclusion and restraint of students; amending K.S.A. 2015 Supp. 72-89d02, 72-89d03, 72-89d04, 72-89d05 and 72-89d08 and repealing the existing sections";

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

CONNIE O"BRIEN
WILLIE O. DOVE
JARED OUSLEY
Conferees on part of House

STEVE E. ABRAMS
TOM ARPKE
ANTHONY HENSLEY
Conferees on part of Senate

On motion of Rep. O'Brien, the conference committee report on **H Sub for SB 193** was adopted.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K.

Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ewy, Goico, Kelley, K. Williams.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2056** submits the following report:

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

On page 6, in line 17, by striking all before "that" and inserting "organized under the laws of the state of Kansas";

On page 9, following line 10, by inserting:

"(5) A person operating as a sufficient surety or bail bondsman in the state immediately prior to the effective date of this act shall be deemed to be compensated surety under this act and shall be exempt from the continuing education requirements for a conditional authorization pursuant to this section until July 1, 2017.";

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

Greg Smith
Forrest J. Knox
Pat Pettey
Conferees on part of Senate

Ramon C. Gonzalez
Blaine Finch
Dennis "Boog" Highberger
Conferees on part of House

On motion of Rep. Gonzalez, the conference committee report on **S Sub for HB 2056** was adopted.

On roll call, the vote was: Yeas 90; Nays 31; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Campbell, Carmichael, Claeys, Clark, Clayton, Concannon, E. Davis, Dierks, Doll, Dove, Estes, Finch, Finney, Francis, Gallagher, Gonzalez, Hawkins, Hedke, Hemsley, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusker, Macheers, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin,

Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, Wilson, Wolfe Moore.

Nays: Alcala, Barton, Burroughs, Carlin, B. Carpenter, W. Carpenter, Corbet, Curtis, DeGraaf, Edmonds, Esau, Frownfelter, Garber, Grosserode, Helgerson, Henderson, Henry, Hildabrand, Houser, K. Jones, Kahrs, Kuether, Lusk, Mason, McPherson, R. Powell, Ruiz, Scapa, Sutton, Tietze, Winn.

Present but not voting: None.

Absent or not voting: Ewy, Goico, Kelley, K. Williams.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2460** submits the following report:

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

On page 1, by striking all in lines 6 through 34;

By striking all on page 2, and inserting:

"New Section 1. (a) Within the limits of available resources, the attorney general may assist victims of identity theft, identity fraud and related crimes and violations in obtaining refunds in relation to fraudulent or unauthorized charges or debits, canceling fraudulent accounts, correcting false information in consumer reports caused by identity theft or identity fraud, correcting false information in personnel files and court records, obtaining security freezes, completing identity theft affidavits, filing complaints and related matters.

(b) This section shall be part of and supplemental to the Kansas consumer protection act.

New Sec. 2. (a) As used in this section:

(1) "Holder of personal information" or "holder" means a person who, in the ordinary course of business, collects, maintains or possesses, or causes to be collected, maintained or possessed, the personal information of any other person.

(2) "Person" means any individual, partnership, corporation, trust, estate, cooperative, association, government, governmental subdivision or agency or other entity.

(3) "Personal information" means personal information as defined by K.S.A. 50-7a01(g), and amendments thereto, and any other information which identifies an individual for which an information security obligation is imposed by federal or state statute or regulation.

(4) "Record" has the meaning provided by K.S.A. 84-1-201, and amendments thereto.

(b) A holder of personal information shall:

(1) Implement and maintain reasonable procedures and practices appropriate to the nature of the information, and exercise reasonable care to protect the personal information from unauthorized access, use, modification or disclosure. If federal or state law or regulation governs the procedures and practices of the holder of personal information for such protection of personal information, then compliance with such federal or state law or regulation shall be deemed compliance with this paragraph and

failure to comply with such federal or state law or regulation shall be prima facie evidence of a violation of this paragraph; and

(2) unless otherwise required by federal law or regulation, take reasonable steps to destroy or arrange for the destruction of any records within such holder's custody or control containing any person's personal information when such holder no longer intends to maintain or possess such records. Such destruction shall be by shredding, erasing or otherwise modifying the personal identifying information in the records to make it unreadable or undecipherable through any means.

(c) A holder of personal information shall have an affirmative defense to a violation of subsection (b)(2) if such holder proves by clear and convincing evidence that:

(1) The violation resulted from a failure of the method of destruction of records to make personal information contained in such records unreadable or undecipherable through any means, and such failure could not reasonably have been foreseen despite the holder's exercise of reasonable care in selecting and employing a method of destruction; or

(2) the holder of personal information had in effect at the time of the violation a bona fide written or electronic records management policy, including practices and procedures reasonably designed, maintained, and expected to prevent a violation of subsection (b)(2), and that the records involved in the violation of subsection (b)(2) were destroyed or disposed of in violation of such policy. No affirmative defense under this paragraph shall be available unless such holder proves:

(A) The employees or other persons involved in the violation received training in the holder's written or electronic records management policy;

(B) the violation resulted from a good faith error; and

(C) no reasonable likelihood exists that the violation may cause, enable or contribute to identity theft or identity fraud as defined by K.S.A. 2015 Supp. 21-6107, and amendments thereto, or to a violation of an information security obligation imposed by federal or state statute or regulation.

(d) Each violation of this section shall be an unconscionable act or practice in violation of K.S.A. 50-627, and amendments thereto. Each record that is not destroyed in compliance with subsection (b)(2) shall constitute a separate unconscionable act within the meaning of K.S.A. 50-627, and amendments thereto.

(e) Notwithstanding any other provision of law to the contrary, the exclusive authority to bring an action for any violation of this section shall be with the attorney general. Nothing in this section shall be construed to create or permit a private cause of action for any violation of this section.

(f) Nothing in this section relieves a holder of personal information from any duty to comply with other requirements of state and federal law regarding the protection of such information.

(g) This section shall be part of and supplemental to the Kansas consumer protection act.

Sec. 3. K.S.A. 2015 Supp. 50-6,139 is hereby amended to read as follows: 50-6,139. (a) The conduct prohibited by K.S.A. 2015 Supp. 21-6107, and amendments thereto, constitutes an unconscionable act or practice in violation of K.S.A. 50-627, and amendments thereto, and any person who engages in such conduct shall be subject to the remedies and penalties provided by the Kansas consumer protection act.

(b) For the purposes of the remedies and penalties provided by the Kansas

consumer protection act:

(1) The person committing the conduct prohibited by K.S.A. 2015 Supp. 21-6107, and amendments thereto, shall be deemed the supplier, and the person who is the victim of such conduct shall be deemed the consumer; and

(2) proof of a consumer transaction shall not be required.

(c) This section shall be part of and supplemental to the Kansas consumer protection act ~~and~~.

(d) The provisions of this section and sections 1 and 2, and amendments thereto, shall be known and may be cited as the Wayne Owen ~~law~~ act.

New Sec. 4. (a) Violation of a consumer protection order is engaging in a door-to-door sale while prohibited from door-to-door sales.

(b) Violation of a consumer protection order is a severity level 9, person felony.

(c) As used in this section:

(1) "Door-to-door sale" has the meaning provided by K.S.A. 50-640, and amendments thereto.

(2) "Engaging in" means participating, directly or indirectly, in the prohibited conduct or causing, directing, employing, enabling or assisting others to participate in such conduct.

(3) "Prohibited from door-to-door sales" means subject to any temporary or permanent order or judgment of a court entered under authority of the Kansas consumer protection act, K.S.A. 50-623 et seq., and amendments thereto, or any act that is part of or supplemental to the consumer protection act, and that restrains, enjoins or otherwise prohibits the person from engaging in door-to-door sales in this state or any portion thereof. For purposes of this section, an order or judgment restrains, enjoins or otherwise prohibits the person from engaging in door-to-door sales in this state or any portion thereof if such order or judgment:

(A) Expressly prohibits the person from engaging in door-to-door sales;

(B) prohibits conduct that includes, but is not limited to, engaging in door-to-door sales, such as prohibiting the person from engaging in consumer transactions as defined by K.S.A. 50-624, and amendments thereto; or

(C) prohibits engaging in only a particular type of door-to-door sale, such as the door-to-door sale of roofing-related services within the meaning of K.S.A. 2015 Supp. 50-6,122, and amendments thereto, or prohibits engaging in door-to-door sales only in a particular place. In such case, criminal liability under this section shall arise only if the person engaged in the particular type of door-to-door sale that is restrained, enjoined or otherwise prohibited or engaged in a door-to-door sale in the particular place where such sale is restrained, enjoined or otherwise prohibited.

(d) A person shall be subject to criminal liability under this section only if the state proves beyond a reasonable doubt that such person had actual or constructive notice of the temporary or permanent order or judgment described in subsection (b)(3).

(1) A person has actual notice of the existence of a temporary or permanent order or judgment if:

(A) Such order or judgment was actually served on such person in any manner authorized by the code of civil procedure or the Kansas consumer protection act, other than K.S.A. 60-307, and amendments thereto, at any time prior to the violation of this section, regardless of when such order or judgment was issued; or

(B) such person otherwise had actual knowledge of such order or judgment.

(2) A person has constructive notice of the existence of a temporary or permanent order or judgment if, on or after July 1, 2016:

(A) The petition or subpoena that resulted in issuance of such order or judgment was actually served on such person in any manner authorized by the code of civil procedure or the Kansas consumer protection act, other than K.S.A. 60-307, and amendments thereto;

(B) the petition or subpoena contained, or was accompanied by, notice that failure to answer the petition or comply with the subpoena could result in such person being prohibited from door-to-door sales should a judgment be issued, and that a violation of the judgment could constitute an additional crime;

(C) actual service of such order or judgment on such person was attempted, but was refused or left unclaimed; and

(D) such order or judgment is posted conspicuously on an official and publicly available website of the office of the attorney general, whether or not such order or judgment was actually served on such person. Compliance with this paragraph shall create a rebuttable presumption that such person had knowledge of the existence of such order or judgment, but such presumption may be rebutted by showing, through a preponderance of evidence, that such person neither knew nor should have known of the existence of such order or judgment.

(e) The criminal liability imposed by this section shall not relieve any person of civil liability for violating a consumer protection order, and any criminal penalties authorized by law may be imposed in addition to any civil sanctions or liability authorized by law.

(f) The attorney general, or county attorney or district attorney, or both, may institute criminal action to prosecute this offense.

(g) This section shall be part of and supplemental to the Kansas criminal code.

(h) If any provision or provisions of this section or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this section which can be given effect without the invalid provision or provisions or application, and to this end the provisions of this section are severable.

New Sec. 5. The attorney general may post conspicuously on an official and publicly available website of the office of the attorney general any judgment or order that restrains, enjoins or otherwise prohibits a person from engaging in door-to-door sales, as defined in section 4(c), and amendments thereto.

Sec. 6. K.S.A. 2015 Supp. 60-4104 is hereby amended to read as follows: 60-4104. Conduct and offenses giving rise to forfeiture under this act, whether or not there is a prosecution or conviction related to the offense, are:

(a) All offenses which statutorily and specifically authorize forfeiture;

(b) violations involving controlled substances, as described in K.S.A. 2015 Supp. 21-5701 through 21-5717, and amendments thereto;

(c) theft, as defined in K.S.A. 2015 Supp. 21-5801, and amendments thereto;

(d) criminal discharge of a firearm, as defined in ~~subsections (a)(1) and (a)(2) of~~ K.S.A. 2015 Supp. 21-6308(a)(1) and (a)(2), and amendments thereto;

(e) gambling, as defined in K.S.A. 2015 Supp. 21-6404, and amendments thereto, and commercial gambling, as defined in ~~subsection (a)(1) of~~ K.S.A. 2015 Supp. 21-6406(a)(1), and amendments thereto;

(f) counterfeiting, as defined in K.S.A. 2015 Supp. 21-5825, and amendments

thereto;

(g) unlawful possession or use of a scanning device or reencoder, as described in K.S.A. 2015 Supp. 21-6108, and amendments thereto;

(h) medicaid fraud, as described in K.S.A. 2015 Supp. 21-5925 through 21-5934, and amendments thereto;

(i) an act or omission occurring outside this state, which would be a violation in the place of occurrence and would be described in this section if the act occurred in this state, whether or not it is prosecuted in any state;

(j) an act or omission committed in furtherance of any act or omission described in this section including any inchoate or preparatory offense, whether or not there is a prosecution or conviction related to the act or omission;

(k) any solicitation or conspiracy to commit any act or omission described in this section, whether or not there is a prosecution or conviction related to the act or omission;

(l) terrorism, as defined in K.S.A. 2015 Supp. 21-5421, and amendments thereto, illegal use of weapons of mass destruction, as defined in K.S.A. 2015 Supp. 21-5422, and amendments thereto, and furtherance of terrorism or illegal use of weapons of mass destruction, as described in K.S.A. 2015 Supp. 21-5423, and amendments thereto;

(m) unlawful conduct of dog fighting and unlawful possession of dog fighting paraphernalia, as defined in ~~subsections (a) and (b) of~~ K.S.A. 2015 Supp. 21-6414(a) and (b), and amendments thereto;

(n) unlawful conduct of cockfighting and unlawful possession of cockfighting paraphernalia, as defined in ~~subsections (a) and (b) of~~ K.S.A. 2015 Supp. 21-6417(a) and (b), and amendments thereto;

(o) selling sexual relations, as defined in K.S.A. 2015 Supp. 21-6419, and amendments thereto, promoting the sale of sexual relations, as defined in K.S.A. 2015 Supp. 21-6420, and amendments thereto, and buying sexual relations, as defined in K.S.A. 2015 Supp. 21-6421, and amendments thereto;

(p) human trafficking and aggravated human trafficking, as defined in K.S.A. 2015 Supp. 21-5426, and amendments thereto;

(q) violations of the banking code, as described in K.S.A. 9-2012, and amendments thereto;

(r) mistreatment of a dependent adult, as defined in K.S.A. 2015 Supp. 21-5417, and amendments thereto;

(s) giving a worthless check, as defined in K.S.A. 2015 Supp. 21-5821, and amendments thereto;

(t) forgery, as defined in K.S.A. 2015 Supp. 21-5823, and amendments thereto;

(u) making false information, as defined in K.S.A. 2015 Supp. 21-5824, and amendments thereto;

(v) criminal use of a financial card, as defined in K.S.A. 2015 Supp. 21-5828, and amendments thereto;

(w) unlawful acts concerning computers, as described in K.S.A. 2015 Supp. 21-5839, and amendments thereto;

(x) identity theft and identity fraud, as defined in ~~subsections (a) and (b) of~~ K.S.A. 2015 Supp. 21-6107(a) and (b), and amendments thereto;

(y) electronic solicitation, as defined in K.S.A. 2015 Supp. 21-5509, and amendments thereto;

(z) felony violations of fleeing or attempting to elude a police officer, as described in K.S.A. 8-1568, and amendments thereto;

(aa) commercial sexual exploitation of a child, as defined in K.S.A. 2015 Supp. 21-6422, and amendments thereto;

(bb) violations of the Kansas racketeer influenced and corrupt organization act, as described in K.S.A. 2015 Supp. 21-6329, and amendments thereto;

(cc) indecent solicitation of a child and aggravated indecent solicitation of a child, as defined in K.S.A. 2015 Supp. 21-5508, and amendments thereto; ~~and~~

(dd) sexual exploitation of a child, as defined in K.S.A. 2015 Supp. 21-5510, and amendments thereto; and

(ee) violation of a consumer protection order as defined in section 4, and amendments thereto.

Sec. 7 K.S.A. 2015 Supp. 50-6,139, 50-7a03 and 60-4104 are hereby repealed.

Sec. 8 This act shall take effect and be in force from and after its publication in the statute book.";

On page 1, in the title, in line 1, by striking all after "concerning"; in line 2, by striking all before the semicolon and inserting "consumer protection; relating to identity theft and identity fraud; door-to-door sales"; also in line 2, by striking "22-4903" and inserting "50-6,139 and 60-4104"; in line 3 by striking "section" and inserting "sections; also repealing K.S.A. 2015 Supp. 50-7a03";

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

Greg Smith
Forrest J. Knox
Pat Pettey
Conferees on part of Senate

Ramon C. Gonzalez
Jan Pauls
Conferees on part of House

On motion of Rep. Gonzalez, the conference committee report on **HB 2460** was adopted.

On roll call, the vote was: Yeas 85; Nays 36; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, E. Davis, Dierks, Doll, Dove, Estes, Finch, Francis, Frownfelter, Gallagher, Gonzalez, Hawkins, Hedke, Helgerson, Hemsley, Henry, Hibbard, Highland, Hill, Hineman, Hoffman, Houser, Huebert, Hutton, Jennings, Johnson, D. Jones, Kelly, Kleeb, Lewis, Lunn, Lusk, Lusker, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Peck, Phillips, Proehl, Rahjes, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwartz, Seiwert, Sloan, C. Smith, Suellentrop, S. Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Waymaster, Weber, C., Whipple, Wolfe Moore.

Nays: Alcala, Ballard, Burroughs, Carlin, Carmichael, Curtis, DeGraaf, Edmonds, Esau, Finney, Garber, Grosserode, Henderson, Highberger, Hildabrand, Houston, Hutchins, K. Jones, Kahrs, Kiegerl, Kuether, Macheers, McPherson, Ousley, R. Powell,

Rhoades, Scapa, Schwab, Scott, Sutton, Todd, Victors, Ward, Whitmer, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Ewy, Goico, Kelley, K. Williams.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2490** submits the following report:

The Senate recedes from all of its amendments to the bill, and your committee on conference further agrees to amend the bill as printed as introduced, as follows:

On page 4, following line 10, by inserting:

"Sec. 5. K.S.A. 2015 Supp. 83-214 is hereby amended to read as follows: 83-214. (a) The secretary may try and prove weights, measures, balances and other measuring devices on request for any person, corporation or institution, and when the same are found or made to conform to the state standards, and otherwise fulfill such reasonable requirements as the secretary may make, the secretary, or an authorized representative of the secretary, may seal the same with a seal which is kept for that purpose.

(b) (1) Except as otherwise provided by statute, the secretary, or the authorized representative of the secretary, may charge for services provided by the department and other necessary and incidental expenses or both incurred in conjunction with the testing and proving of weights, measures and other devices at ~~a rate per hour or fraction thereof and other necessary and incidental expenses which are fixed by rules and regulations adopted by the secretary of agriculture, except that (1) the charges for services provided by the metrology lab shall not exceed $50 per hour or fraction thereof, and (2) in the case of the head house scale program such charges shall not exceed $100 per hour or fraction thereof.~~ rates prescribed pursuant to this section. An in-state rate shall be charged to licensed service companies that have licensed technical representatives performing service work in Kansas. An additional fee for adjustment of any weight, measure or other device may be assessed. The rates charged by the secretary shall be as follows:

Category	In-State rate	In-State rate for quantities of 10 or more	In-State rate for quantities of 100 or more	Standard rate	Standard rate for quantities of 10 or more	Adjustment fee per piece
Large Mass (≤ 1,250 lbs through ≥ 100 lbs, 500 kg through 50 ≥ kg)	$16	$8	$6	$20	$10	$5
Medium Mass (< 100 lbs through ≥ 20 lbs, < 50 kg through 10 ≥ kg)	$6	$4	$2	$10	$5	$5
Small Mass (< 20 lbs through ≥ 0.001 lbs, < 10 kg through 1 mg)	$6	$4	$2	$10	$5	$5
Small Mass Set (≤ 10 lbs through ≥ 0.001 lbs, ≤ 5 kg through ≥ 20 mg)	$35	$35		$45	$45	$5
Precision Mass (1,000 lbs through 0.001 lbs, 30 kg through 1 mg) ASTM 2, 3, 4, 5	$20	$20		$30	$30	$40
Precision Mass Echelon I (30 kg through 1 mg) ASTM 1 or ASTM 0	$40	$40		$60	$60	
Extra Large Headhouse Weights (3,000 lbs through > 1,250 lbs)	$40	$40		$50	$50	$5
Weight Carts (6,000 lbs through 2,000 lbs)	$80	$80		$100	$100	$25
Weight Carts (8,000 lbs)	$200	$200		$220	$220	$25
Large Volume (100 gal or less)	$85	$85		$100	$100	$25
Large Volume (greater than 100 gal and less than or equal to 200 gal)	$185	$185		$200	$200	$25
Large Volume (greater than 200 gal and less than or equal to 500 gal)	$285	$285		$300	$300	$25
Large Volume (greater than 500 gal)	$485	$485		$500	$500	$25
Small Volume (5 gal)	$50	$50		$70	$70	$10

(2) The secretary may charge the following additional fees for preparing items for shipment:

Category	Rate
Large Mass (≤ 1,250 lbs through ≥ 100 lbs, 500 kg through 50 ≥ kg)	$20
Medium Mass (< 100 lbs through ≥ 20 lbs, < 50 kg through ≥ 10 kg)	$30
Small Mass (< 20 lbs through ≥ 0.001 lbs, < 10 kg through 1 mg)	$20
Small Mass Set (≤ 10 lbs through ≥ 0.001 lbs, ≤ 5 kg through ≥ 1 mg)	$20
Precision Mass (1,000 lbs through 0.001 lbs, 30 kg through 1 mg)	$10
Precision Mass Set (1,000 lbs through 0.001 lbs, 30 kg through 1 mg)	$20
Extra Large Headhouse Weights (3,000 lbs through > 1,250 lbs)	$40
Weight Carts (8,000 lbs through 2,000 lbs)	$100
Large Volume (1,000 gal through 20 gal)	$100
Large Volume LPG (1,000 gal through 20 gal)	$100
Small Volume (5 gal)	$20
Gravimetric Volume (5 gal)	$20
Thermometry (-35°C through 150°C)(Based on a 2 point calibration)	$20

(3) For any service provided pursuant to this subsection that is not listed in the fee schedules in subsections (b)(1) and (b)(2), the secretary shall determine that fee to be charged.

(4) For any service provided pursuant to this subsection, the secretary may charge a minimum fee of $50 per invoice. The secretary may charge for subsistence and transportation of personnel and equipment to such point and return. Such charges shall be set by rules and regulations adopted by the secretary of agriculture.

(5) The secretary may fix the manner in which any charges made pursuant to this subsection are collected.

(c) The secretary shall remit all moneys received under subsection (b) to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the weights and measures fee fund which is hereby created. All expenditures from the weights and measures fee fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary or by a person designated by the secretary.

(d) Except as provided in K.S.A. 83-301 through 83-311, and amendments thereto, nothing in article 2 of chapter 83 of the Kansas Statutes Annotated, and amendments thereto, shall prohibit the owner of a weighing or measuring device or the owner's employee or agent from servicing or repairing such device. However, if such device is found out of tolerance and is rejected by the department of agriculture, the owner is responsible for repairing the device within the time specified on the rejection tag and notifying the department when the device is repaired and in operation. The owner shall pay a fee commensurate with the expense incurred by the secretary in performing the follow-up inspections or tests.

Sec. 6. K.S.A. 2015 Supp. 83-219 is hereby amended to read as follows: 83-219. (a) It shall be unlawful for any person:

(1) To offer or expose for sale, or to sell ~~or otherwise dispose of~~ any weight, measure or weighing or measuring device that does not meet the tolerances and

specifications required by chapter 83 of the Kansas Statutes Annotated, and amendments thereto, or which has been rejected without first obtaining the written authorization of the secretary;

(2) to use~~ or possess~~ a weight, measure or weighing or measuring device~~ that is used for or intended to be used~~ for commercial purposes which does not meet the tolerance and specifications required by chapter 83 of the Kansas Statutes Annotated, and amendments thereto, or that does not conform to the standard authorized by the secretary for determining the quantity of any commodity or article of merchandise, for the purpose of:

(A) Buying or selling any commodity or article of merchandise;

(B) computation of any charge for services rendered on the basis of weight or measure;

(C) determining weight or measure, either when a charge is made for such determination or where no charge is made for use of such weight, measure, weighing or measuring device;

(3) except as allowed in K.S.A. 83-225, and amendments thereto, to break or remove any tag, mark or seal placed on any weighing or measuring device by the secretary or a county or city inspector of weights and measures, without specific written authorization from the proper authority or to use a weighing or measuring device after the lapse of the authorized period following the placing of a rejection tag thereon by the secretary, unless further extension of time for any repair purposes is first obtained from the secretary;

(4) to sell, offer or expose for sale, less than the represented quantity of any commodity, thing or service;

(5) to take or attempt to take more of the represented quantity of any commodity, thing or service when the buyer furnishes the weight, measure or weighing or measuring device by which the amount of any commodity, thing or service is determined;

(6) to keep for the purpose of sale, or to offer or expose for sale, or to sell any commodity in a manner contrary to the law or contrary to any rule and regulation;

(7) to use in retail trade, except in preparation of packages of merchandise put up in advance of sale, a weighing or measuring device that is not so positioned that its indications may be accurately read and the weighing or measuring operation observed from a reasonable customer position;

(8) to violate any of the provisions of chapter 83 of the Kansas Statutes Annotated, and amendments thereto, or rules and regulations adopted thereunder, for which a specific penalty is not provided;

(9) to sell or offer for sale, or use or possess for the purpose of selling or using any device or instrument to be used or calculated to falsify any weight or measure;

(10) to dispose of any rejected weight or measure in a manner contrary to law or rules and regulations;

(11) to expose for sale, offer for sale or sell any commodity in package form, without it being so wrapped, or the container so made, formed or filled, that it will not mislead the purchaser as to the quantity of the contents of the package;

(12) to expose for sale, offer for sale or sell any commodity in any container where the contents of the container fall below such reasonable standard of fill as may have been prescribed for the commodity in question by the secretary;

(13) to misrepresent the price of any commodity or service sold, offered, exposed or advertised for sale by weight, measure or count, nor represent the price in any manner calculated or tending to mislead or in any way deceive any person;

(14) to misrepresent, or represent in a manner calculated or tending to mislead or deceive an actual or prospective purchaser, the price of an item offered, exposed or advertised for sale at retail;

(15) to compute or attempt to compute at the time of sale of an item, a value which is not a true extension of a price per unit which is then advertised, posted or quoted;

(16) to charge or attempt to charge, at the time of the sale of an item or commodity, a value which is more than the price which is advertised, posted or quoted;

(17) to alter a weight certificate, use or attempt to use any such certificate for any load or part of a load or for articles or things other than for which the certificate is given, or, after weighing and before the delivery of any articles or things so weighted, alter or diminish the quantity thereof;

(18) to hinder or obstruct in any way the secretary or any of the secretary's authorized agents in the performance of the secretary's official duties under chapter 83 of the Kansas Statutes Annotated, and amendments thereto, or any rules and regulations adopted thereunder;

(19) to fail to follow the standards and requirements established in K.S.A. 83-202, and amendments thereto, or any rules and regulations adopted thereunder;

(20) to fail to pay all fees and penalties as prescribed by chapter 83 of the Kansas Statutes Annotated, and amendments thereto, and the rules and regulations adopted thereunder;

(21) to fail to keep or make available for examination or provide to the secretary all inspection reports, test reports and any other service reports or other information on any device owned or operated by the owner or any agent or employee of the owner and other information necessary for the enforcement of chapter 83 of the Kansas Statutes Annotated, and amendments thereto, or any rules and regulations adopted thereunder, and as required by the secretary;

(22) to fail to have any commercial weight, measure or weighing and measuring device tested as required by chapter 83 of the Kansas Statutes Annotated, and amendments thereto, or any rules and regulations adopted thereunder;

(23) to sell or offer or expose for sale liquefied petroleum gas in packages or containers which do not bear a statement as to tare and net weight as required by chapter 83 of the Kansas Statutes Annotated, and amendments thereto, or any rules and regulations adopted thereunder, or packages or containers which bear a false statement as to weights;

(24) to sell, use, remove, or otherwise dispose of, or fail to remove from the premises specified, any weighing or measuring device or package or commodity contrary to the terms of any order issued by the secretary;

(25) to violate any order issued by the secretary pursuant to chapter 83 of the Kansas Statutes Annotated, and amendments thereto; and

(26) to prohibit a buyer or seller from observing the weighing or operation of any transaction to which such buyer or seller is a party.

(b) It shall be unlawful for any service company or technical representative to knowingly:

(1) Act as or represent such person's self to be a technical representative without

having a valid license issued by the Kansas department of agriculture;

(2) certify a device as correct unless the device meets the tolerances and specifications as required by chapter 83 of the Kansas Statutes Annotated, and amendments thereto, or any rules and regulations adopted thereunder;

(3) hinder or obstruct in any way the secretary in the performance of the secretary's official duties under chapter 83 of the Kansas Statutes Annotated, and amendments thereto, or any rules and regulations adopted thereunder;

(4) fail to follow the standards and requirements set forth in K.S.A. 83-202, and amendments thereto, or any rules and regulations adopted thereunder;

(5) fail to complete the testing or placing-in-service report in its entirety and to report the accurate description of the parts replaced, adjusted, reconditioned or work performed;

(6) file a false or fraudulent service company or technical representative application or reports to the secretary;

(7) fail to pay all fees and penalties as prescribed by chapter 83 of the Kansas Statutes Annotated, and amendments thereto, and the rules and regulations adopted thereunder;

(8) fail to keep or make available for examination in an accessible and legible manner or provide to the secretary in a legible manner all inspection reports, test reports, and any other service or report work information on any device which the service company or an agent or employee performed work on and other information necessary for the enforcement of chapter 83 of the Kansas Statutes Annotated, and amendments thereto, or any rules and regulations adopted thereunder; or

(9) sell, offer or expose for sale a weighing or measuring device intended to be used commercially, which is not traceable to a national type evaluation program certificate of conformance.

(c) For the purpose of ~~paragraph~~ subsection (a)(4), the selling and delivery of a stated quantity of any commodity shall be prima facie evidence of representations on the part of the seller that the quantity sold and delivered was the quantity bought by the purchaser.

(d) Violation of this section shall be deemed a deceptive act and practice as defined by K.S.A. 50-626, and amendments thereto. Violations of the provisions of K.S.A. 83-219, and amendments thereto, may be enforced by the secretary under the administrative provisions of chapter 83 of the Kansas Statutes Annotated, and amendments thereto, or by the attorney general or a county or district attorney under the Kansas consumer protection act.

Sec. 7. K.S.A. 2015 Supp. 83-302 is hereby amended to read as follows: 83-302. (a) (1) Each person, other than an authorized representative of the secretary or an authorized representative of a city or county department of public inspection of weights and measures established pursuant to K.S.A. 83-210, and amendments thereto, desiring to operate and perform testing and other services as a company in Kansas shall apply to the secretary for a service company license, on a form to be supplied by the secretary, and shall obtain such license from the secretary before operating and performing testing or other services as a service company. Each service company shall obtain a license for each place of business maintained in Kansas and shall pay a license application fee of $50~~, or commencing July 1, 2002, and ending June 30, 2010, a fee of $100 and thereafter an annual license renewal application fee of $50, or commencing July 1,~~

~~2002, and ending June 30, 2010, a fee of $100 for each place of business~~.

(2) Beginning with the 2017 license year, the secretary may, by order, set the license application fee, not to exceed the maximum fee stated herein:

(A) Commencing July 1, 2017, the license application fee shall not exceed $100.

(B) Commencing July 1, 2019, the license application fee shall not exceed $110.

(C) Commencing July 1, 2021, the license application fee shall not exceed $120.

(D) Commencing July 1, 2023, and thereafter, the license application fee shall not exceed $130.

(3) Each service company license shall expire on June 30 following issuance, shall be void unless renewed prior to the expiration and shall not be transferable. The license renewal fee shall be equal to the license application fee as provided in this section for each place of business.

(b) If any service company maintains any out-of-state places of business which the company operates in serving Kansas patrons, the service company seeking to obtain or renew a license under this section shall list in the application such places of business and the firm names under which the company operates at each such place of business. If any out-of-state place of business is established by a service company after being licensed under this section, the licensee shall supply such information to the secretary before any work is performed in Kansas from such out-of-state location. Each nonresident service company shall designate a resident agent upon whom service of notice or process may be made to enforce the provisions of chapter 83 of the Kansas Statutes Annotated, and amendments thereto, or any liabilities arising from operations thereunder. Each nonresident service company which maintains no established place of business in Kansas shall obtain a license under this section for each out-of-state place of business and shall list on the application the firm name or names for each place of business from which the service company intends to operate.

(c) (1) Each technical representative shall be licensed annually by the secretary. Except as provided in paragraph (2), each technical representative shall be required to attend continuing education seminars on an annual basis as required by rules and regulations adopted by the secretary and to pass a reasonable examination prescribed by the secretary each year prior to being licensed. ~~The Kansas department of agriculture shall be authorized to charge a fee to the attendees of the continuing education seminars sponsored by the agency. The amount charged shall be no more than is necessary to cover the expenses incurred in providing the seminar.~~ Each technical representative's license shall expire on June 30 following the issuance of the license and shall be void unless renewed prior to the expiration.

(2) Beginning on July 1, 2017, each technical representative who has had 10 years of continuous licensure with no administrative enforcement action adjudicated against such technical representative during such 10-year period shall be eligible to obtain a three-year license. The secretary shall implement, by order, the fee for such three-year license, which shall be an amount not to exceed $300. Each technical representative holding a three-year license shall be required to complete continuing education as described in subsection (c)(1) at a frequency not to exceed once per three-year period. The secretary may promulgate rules and regulations to require any technical representative who has been adjudicated in violation of this act or any rules and regulations promulgated by the secretary, to seek renewal of a license on an annual basis and may establish criteria for reinstatement of eligibility for a three-year license.

(3) The department of agriculture is authorized to charge a fee to the attendees of continuing education seminars sponsored by the department. The amount of such fee shall be no more than is necessary to cover the expenses incurred by providing the seminar.

(d) No service company license may be issued or renewed under this section until the applicant's weights or measures, or both have been tested for accuracy and sealed by the secretary. The secretary is authorized to accept a certification of the accuracy of the applicant's weights or measures issued by the national institute of standards and technology or by a weights and measures laboratory certified by the national institute of standards and technology in lieu of a test by the secretary, if such certificate shows that the weights or measures have been tested within the last 365 days preceding the license application.

(e) The secretary shall remit all moneys received under this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the weights and measures fee fund.";

And by renumbering sections accordingly;

Also on page 4, in line 11, by striking "and" and inserting a comma; also in line 11, after "2-2117" by inserting ", 83-214, 83-219 and 83-302";

On page 1, in the title, in line 1, after "concerning" by inserting "the department of agriculture; relating to"; in line 2, after "containment;" by inserting "weights and measures; charging for certain services; unlawful acts; technical representatives;"; in line 3, by striking the first "and" and inserting a comma; also in line 3, after "2-2117" by inserting ", 83-214, 83-219 and 83-302";

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

LARRY R. POWELL
DAN KERSCHEN
MARCI FRANCISCO
Conferees on part of Senate

SHARON SCHWARTZ
SUE BOLDRA
JOHN WILSON
Conferees on part of House

On motion of Rep. Schwartz, the conference committee report on **HB 2490** was adopted.

On roll call, the vote was: Yeas 117; Nays 4; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley,

O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: Grosserode, Hildabrand, McPherson, Schwab.

Present but not voting: None.

Absent or not voting: Ewy, Goico, Kelley, K. Williams.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2163** submits the following report:

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

On page 1, by striking all in lines 5 through 17 and inserting:

"Section 1. The board of county commissioners of any county may order an audit of any fire district located within the county created under article 15 of chapter 80 or article 36 of chapter 19 of the Kansas Statutes Annotated, and amendments thereto. The township or townships which comprise the fire district shall be responsible for payment of the cost of the audit.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking all after "concerning"; in line 2, by striking all before the period and inserting "audits of certain fire districts";

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

Dennis Pyle
Steve Fitzgerald
Oletha Faust-Goudeau
Conferees on part of Senate

Steve Huebert
Tom Phillips
John Alcala
Conferees on part of House

On motion of Rep. Huebert, the conference committee report on **HB 2163** was adopted.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K.

Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ewy, Goico, Kelley, K. Williams.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 402** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

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

DANIEL R. HAWKINS
WILLIE O. DOVE
Conferees on part of House

MICHAEL O'DONNELL, II
JIM DENNING
LAURA KELLY
Conferees on part of Senate

On motion of Rep. Hawkins the conference committee report on **H Sub for SB 402** to agree to disagree, was adopted.

Speaker Merrick thereupon appointed Reps. Hawkins, Dove and Ward as second conferees on the part of the House.

On motion of Rep. Vickrey, the House recessed until 9:00 p.m.

EVENING SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **House Substitute for SB 402**, and has appointed Senators O'Donnell, Denning and Kelly as second conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **House Substitute for SB 128** and has appointed Senators King, Smith and Haley as third conferees on the part of the Senate.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 366** submits the following report:

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

On page 1, following line 5, by inserting:

"New Section 1. As used in sections 1 and 2, and amendments thereto:

(a) "Food" means substances, whether in liquid, concentrated, solid, frozen, dried or dehydrated form, that are sold for ingestion by humans and are consumed for their taste or nutritional value. "Food and food ingredients" does not include alcoholic beverages or tobacco.

(b) "Food that is a menu item in vending machines" means food dispensed through a machine or other mechanical device that accepts payment.

(c) "Retail food establishment" or "food service operation" means any place in which food is served or is prepared on the premises for retail sale or service in a heated state or heated by the seller, mixed or combined by the seller for sale as a single item or sold with eating utensils provided by the seller and is intended for immediate consumption. Such term shall include, but not be limited to, fixed or mobile restaurants, coffee shops, cafeterias, short-order cafes, luncheonettes, grills, tea rooms, sandwich shops, soda fountains, taverns, private clubs, roadside kitchens, commissaries, drive-in restaurants and any other private, public or nonprofit organization or institution routinely serving food and any other eating or drinking establishment or operation where food is served or provided for the public with or without charge.

(d) "Food nutrition information" includes, but is not limited to, the caloric, fat, carbohydrate, cholesterol, fiber, sugar, potassium, protein, vitamin, mineral, sodium and allergen content of food. "Food nutrition information" also includes the designation of food as healthy or unhealthy.

(e) "Political subdivision" means political or taxing subdivisions of the state, including counties, townships, cities, school districts, authorities or other municipal or public corporations, agencies, boards, commissions, councils, committees, subcommittees and other subordinate groups or administrative units thereof, receiving or expending and supported, in whole or in part, by public funds.

(f) "Consumer incentive item" means any licensed media character, toy, game, trading card, contest, point accumulation, club membership, admission ticket, token, code or password for digital access, coupon, voucher, incentive, crayons, coloring placemats or other premium, prize or consumer product that is associated with a meal served by or acquired from a food service operation.

New Sec. 2. (a) The regulation of consumer incentive items and nutrition labeling for food and nonalcoholic beverages that are menu items in restaurants, retail food establishments or vending machines is reserved to the legislature and may be regulated only by legislation of statewide application enacted after the effective date of this act. The regulation of the provision of food nutrition information and consumer incentive items at food service operations and how food service operations are characterized are matters of general statewide interest that require statewide regulation, and rules and regulations adopted under this section constitute a comprehensive plan with respect to

all aspects of the regulation of the provision of food nutrition information and consumer incentive items at food service operations in this state. Rules and regulations adopted under this act shall be applied uniformly throughout this state.

(b) The state of Kansas, and any political subdivision thereof, shall not do any of the following:

(1) Enact, adopt or continue in effect local legislation relating to the provision or nonprovision of food nutrition information or consumer incentive items at food service operations;

(2) condition any license, permit or regulatory approval upon the provision or nonprovision of food nutrition information or consumer incentive items at food service operations;

(3) ban, prohibit or otherwise restrict food at food service operations based upon the food's nutrition information or upon the provision or nonprovision of consumer incentive items;

(4) condition any license, permit or regulatory approval for a food service operation upon the existence or nonexistence of food-based health disparities;

(5) where food service operations are permitted to operate, ban, prohibit or otherwise restrict a food service operation based upon the existence or nonexistence of food-based health disparities as recognized by the department of health, the institute of health or the centers for disease control;

(6) restrict the sale, distribution or serving of foods and nonalcoholic beverages that are approved for sale by the United States department of agriculture or other federal or state government agencies; or

(7) restrict the growing or raising of livestock or grain, vegetables, fruits or other crops grown or raised for food and approved for sale by the United States department of agriculture or other federal or state government agencies.

(c) Sections 1 and 2, and amendments thereto, shall not be interpreted as being more restrictive than any federal law or affecting in any manner the regulation of the nutrition labeling of food that is a menu item in restaurants, retail food establishments and vending machines pursuant to the federal food, drug and cosmetic act, 21 U.S.C. § 343(q)(5)(H).

(d) Nothing in sections 1 and 2, and amendments thereto, restricts a political subdivision, as defined herein, from owning or managing a food service facility and from purchasing and serving food products according to the Kansas food code and their own policies as long as those policies are not laws or ordinances restricting any other entity.

(e) Nothing in sections 1 and 2, and amendments thereto, shall be construed as limiting or restricting the zoning authority of a political subdivision authorized by article 7 of chapter 12 or article 29 of chapter 19 of the Kansas Statutes Annotated, and amendments thereto, or by any other provision of law.

(f) Nothing in sections 1 and 2, and amendments thereto, restricts a political subdivision, as defined herein, from creating and promulgating food nutrition information or food-based health disparity information, only in accordance with the United States department of agriculture dietary guidelines for Americans promulgated under 7 U.S.C. § 5341, as long as the information is not contained in a law or ordinance restricting any other entity.

(g) Nothing in this act restricts a political subdivision from financially participating

in a food assistance program as long as that program operates in accordance with the United States department of agriculture dietary guidelines for Americans promulgated under 7 U.S.C. § 5341, and as long as the program is not contained in a law or ordinance restricting any other entity.

New Sec. 3. (a) No city or county shall adopt, enforce or maintain a residential property licensing ordinance or resolution which includes a requirement for periodic interior inspections of privately owned residential property for city or county code violations unless the lawful occupant has consented to such interior inspections. This subsection shall not apply to inspections of mixed-use residential and commercial property. This subsection shall not prohibit a city or county from conducting plan reviews, periodic construction inspections or final occupancy inspections as required by building permits.

(b) Any lawful occupant residing in privately owned residential housing located within the corporate limits of a city may request an inspection at any time by the city or, if the property is located in the unincorporated area of the county, by the county to determine code violations.";

Also, on page 1, following line 24, by inserting:

"(d) No political subdivision shall require any owner of privately owned property to agree to any requirements that would have the effect of controlling the amount of rent charged or the purchase price agreed upon between the parties to the transaction for the lease or purchase of privately owned property, as a condition for consideration or approval of:

(1) Any building permit or plat; or

(2) any request for a zoning regulation, boundary, classification or a conditional use permit, or for a change or variance in a zoning regulation, boundary, classification or a conditional use permit.

Sec. 5. K.S.A. 2015 Supp. 12-16,130 is hereby amended to read as follows: 12-16,130. (a) No city, county or local government unit shall enact or administer any ordinance, resolution or law which requires an employer to:

(1) Provide to such employer's employees any leave from work, either with or without pay, unless such leave is required by state or federal law;

(2) pay compensation to such employer's employees for any leave from work unless payment of compensation for such leave is required by state or federal law;

(3) pay compensation or wages at any rate higher than the minimum wage unless the payment of higher compensation or wages is required by state or federal law; ~~or~~

(4) offer an employee benefit other than those required by state or federal law; or

(5) alter or adjust any employee scheduling unless the alteration or adjustment is required by state or federal law.

(b) Subsection (a) shall not impact, or apply to, requirements under state economic development incentive programs or city, county, local government or local economic development agency business attraction, retention or recruitment programs.";

Also on page 1, in line 25, by striking "is" and inserting "and K.S.A. 2015 Supp. 12-16,130 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "relating to economic development;"; also in line 1, after "concerning" by inserting "local governmental regulatory authority; relating to regulation of food labeling, food-related consumer incentive items, food

distribution and food production; inspection of residential property;"; in line 2, by striking all before "private"; also in line 2, after the semicolon by inserting "regulation of employers with regard to employee scheduling;"; in line 3, after "12-16,120" by inserting "and K.S.A. 2015 Supp. 12-16,130"; also in line 3, by striking "section" and inserting "sections";

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

MARK HUTTON
LES MASON
Conferees on part of House

JULIA LYNN
SUSAN WAGLE
Conferees on part of Senate

On motion of Rep. Hutton, the conference committee report on **SB 366** was adopted.

On roll call, the vote was: Yeas 76; Nays 45; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Bruchman, B. Carpenter, W. Carpenter, Claeys, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Dove, Esau, Estes, Finch, Garber, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, C. Smith, Suellentrop, Sutton, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Nays: Alcala, Ballard, Becker, Bollier, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Curtis, Doll, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Helgerson, Henderson, Henry, Highberger, Hill, Hineman, Houston, Kiegerl, Kuether, Lewis, Lusk, Lusker, Moxley, Ousley, Rooker, Ruiz, Sawyer, Scott, Sloan, S. Swanson, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Edmonds, Ewy, Goico, Kelley.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 280** submits the following report:

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

On page 1, in line 19, after "amended" by inserting ", shall be exempt from all property or ad valorem taxes levied under the laws of this state"; by striking lines 21 through 36;

By striking all on pages 2 through 7;

On page 8, by striking all in lines 1 through10;

On page 9, by striking all in lines 7 through 43;

By striking all on pages 10 through 14;

On page 15, by striking all in lines 1 through 28;

On page 16, in line 24, after "board" by inserting "relating to excise, income or estate taxes shall be to the court of appeals. Appeal of an order of the board relating to the valuation or assessment of property for ad valorem tax purposes or relating to the property tax protest"; in line 27, by striking all following "(A)"; by striking all in lines 28 and 29; in line 30, by striking "de novo"; in line 41, after "appeals" by inserting "relating to the valuation or assessment of property for ad valorem tax purposes or relating to the property tax protest";

On page 17, in line 5, after the first "the" by inserting "property"; in line 9, after "opinion" by inserting "relating to the valuation or assessment of property for ad valorem tax purposes or relating to the property tax protest";

On page 31, in line 26, before "prior" by inserting "at least 10 business days"; in line 29, by striking "or" and inserting "and"; also in line 29 after "website" by inserting ", if the county maintains a county website,";

On page 41, by striking all in lines 7 through 43;

By striking all on page 42;

On page 43, by striking all in lines 1 through 3; in line 4, by striking "exceeds the statewide average" and inserting "fails to meet the minimum appraisal standards for commercial real property established by the official Kansas appraisal/sales ratio study conducted for the preceding year by the division of property valuation of the department of revenue"; in line 10, by striking all following "selected"; in line 11, by striking all before the period and inserting "so to represent a sample of the commercial property types which failed to meet statistical compliance in the county"; by striking all in line 26 and inserting "74-2433f, 79-1448, 79-1609 or 79-"; in line 31, by striking all after "shall"; by striking all in lines 32 through 39; in line 40, by striking all before the period and inserting "review and consider such appraisal in the determination of valuation or classification of the taxpayer's property and mail a supplemental notice of final determination. If the final determination is not in favor of the taxpayer then the county appraiser shall notify the taxpayer that the county is required to perform its own, or commission a fee simple single property appraisal. The county appraiser shall then have 90 days to furnish that appraisal along with a new supplemental notice of determination and if not in favor of the taxpayer include an explanation of the reasons the county appraiser did not rely upon the taxpayer's fee simple single property appraisal. Whenever a taxpayer submits a fee simple single property appraisal the burden of proof shall be on the county appraiser to dispute the value of that appraisal. Any taxpayer aggrieved by the final determination of the county appraiser may appeal to the state board of tax appeals as provided in K.S.A. 79-1609, and amendments thereto, within 30 days subsequent to the date of mailing of the supplemental notice of final determination";

On page 44, by striking all in lines 6 through 8 and inserting:

"Sec. 25. K.S.A. 2015 Supp. 12-1927 is hereby amended to read as follows: 12-1927. (a) (1) The recreation commission shall prepare an annual budget for the operation of the recreation system. Prior to the certification of its budget to the city or school district, the recreation commission shall meet for the purpose of answering and hearing objections of taxpayers relating to the proposed budget and for the purpose of considering amendments to such proposed budget. The recreation commission shall

give at least 10 days' notice of the time and place of the meeting by publication in a weekly or daily newspaper having a general circulation in the taxing district. Such notice shall include the proposed budget and shall set out all essential items in the budget except such groupings as designated by the director of accounts and reports on a special publication form prescribed by the director of accounts and reports and furnished with the regular budget form. The public hearing required to be held herein shall be held not less than 10 days prior to the date on which the recreation commission is required to certify its budget to the city or school district.

(2) Except as provided in subsection (b), after such hearing the budget shall be adopted or amended and adopted by the recreation commission. In order to provide funds to carry out the provisions of this act and to pay a portion of the principal and interest on bonds issued pursuant to K.S.A. 12-1774, and amendments thereto, the recreation commission shall annually, not later than August 1 of any year, certify its budget to such city or school district which shall levy a tax sufficient to raise the amount required by such budget on all the taxable tangible property within the taxing district.

(3) Each year a copy of the budget adopted by the recreation commission shall be filed with the city clerk in the case of a city-established recreation system or with the clerk of the school district in the case of a school district-established recreation system or with the clerk of the taxing district in the case of a jointly established recreation system. A copy of such budget also shall be filed with the county clerk of the county in which the recreation system is located. If the recreation system is located in more than one county, a copy of the budget shall be filed with the clerk of the county in which the greater portion of the assessed valuation of the recreation system is located. The city or school district shall not be required to levy a tax in excess of the maximum tax levy set by the city or school district by current resolution. In the case of a new recreation commission established under the provisions of this act, such levy shall not be required to exceed one mill. Whenever the recreation commission determines that the tax currently being levied for the commission, as previously established by the city or school district, is insufficient to operate the recreation system and the commission desires to increase the mill levy above the current levy, the commission shall request that the city or school district authorize an increase by adopting a resolution declaring it necessary to increase the annual levy. The city or school district may authorize the increase by resolution, but such increase shall not exceed one mill per year. The maximum annual mill levy for the recreation commission general fund shall not exceed a total of four mills.

(b) Prior to adopting the budget pursuant to subsection (a)(2), the Blue Valley recreation commission appointed by the Blue Valley unified school district no. 229 shall submit its proposed budget to the board of education of the school district. The board either shall approve or modify and approve the proposed budget. The recreation commission shall adopt the budget as approved or modified and approved by the school district board.

(c) Any resolution adopted under subsection (a) shall state the total amount of the tax to be levied for the recreation system and shall be published once each week for two consecutive weeks in the official newspaper of the taxing district. Whereupon, such annual levy in an amount not to exceed the amount stated in the resolution may be made for the ensuing budget year and each successive budget year unless a petition requesting

an election upon the proposition to increase the tax levy in excess of the current tax levy, signed by at least 5% of the qualified voters of the taxing district, is filed with the county election officer within 30 days following the date of the last publication of the resolution. In the event a valid petition is filed, no such increased levy shall be made without such proposition having been submitted to and having been approved by a majority of the voters of the taxing district voting at an election called and held thereon. All such elections shall be called and held in the manner provided by the general bond law, and the cost of the election shall be borne by the recreation commission. Such taxes shall be levied and collected in like manner as other taxes, which levy the city or school district shall certify, on or before August 25 of each year, to the county clerk who is hereby authorized and required to place the same on the tax roll of the county to be collected by the county treasurer and paid over by the county treasurer to the ex officio treasurer of the recreation commission.

~~(c)~~(d) The tax levy provided in this section shall not be considered a levy of such city or school district under any of the statutes of this state, but shall be in addition to all other levies authorized by law and, with respect to any such levy made for the first time in 1989, shall not be subject to the provisions of K.S.A. 79-5021 et seq., and amendments thereto.

~~(d)~~(e) (1) At any time after the making of the first tax levy pursuant to this act, the amount of such tax levy may be reduced by a majority of the voters of the taxing district voting at an election called pursuant to a petition and conducted in the same manner as that prescribed by subsection ~~(b)~~ (c). The authority of any recreation commission in existence on the effective date of this act or any recreation commission established under the provisions of this act to operate and conduct its activities may be revoked in any year following the third year of its operation by a majority of the voters of the taxing district voting at an election called pursuant to a petition and conducted in the same manner as that prescribed by subsection ~~(b)~~ (c). If the petition submitted is for the purpose of reducing the mill levy, it shall state the mill levy reduction desired. Upon revocation, all property and money belonging to the recreation commission shall become the property of the taxing authority levying the tax for the commission, and the recreation commission shall be dissolved. In the event the authority of a recreation commission is revoked pursuant to this subsection, the taxing authority may continue to levy a tax in the manner prescribed by the petition language for the purpose of paying any outstanding obligations of the recreation commission which exist on the date such authority is revoked. The authority to levy a tax for this purpose shall continue only as long as such outstanding obligations exist.

(2) If the recreation district whose authority is revoked owns any real property at the time of such revocation, title to such real property shall revert to the taxing authority.

~~(e)~~ (f) All financial records of the recreation commission shall be audited as provided in K.S.A. 75-1122, and amendments thereto, and a copy of such annual audit report shall be filed with the governing body of the city or school district, or both, in the case of a jointly established recreation system. A copy of such audit also shall be filed with the county clerk of the county in which the recreation system is located. If the recreation system is located in more than one county, a copy of the budget shall be filed with the clerk of the county in which the greater portion of the assessed valuation of the recreation system is located. The cost of each audit shall be borne by the recreation

commission.";

Also on page 44, in line 10, following "Supp." by inserting "12-1927,";

And by renumbering sections accordingly;

On page 1, in the title, in line 7, by striking "3-114, 12-1688,"; also in line 7, by striking "19-3557,"; in line 8, by striking all before "79-504"; in line 9, by striking the first comma and inserting "and"; also in line 9, by striking ", 80-1520 and 80-1548"; in line 10, by striking ", 12-1928, 12-1936, 27-323";

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

MARVIN KLEEB
GENE SUELLENTROP
TOM SAWYER
Conferees on part of House

LES DONOVAN
CARYN TYSON
TOM HOLLAND
Conferees on part of Senate

On motion of Rep. Kleeb to adopt the conference committee report on **H Sub for SB 280**, Rep. Lunn offered a substitute motion to not adopt the conference report and that a new conference committee be appointed.

The substitute motion of Rep. Lunn did not prevail and the question reverted back to the original motion of Rep. Kleeb to adopt the conference committee report.

On motion of Rep. Kleeb, the conference committee report on **H Sub for SB 280** was adopted.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Edmonds, Ewy, Goico.

On motion of Rep. Vickrey, the House recessed until 10:15 p.m.

NIGHT SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

PERSONAL PRIVILEGE

Rep. Burroughs presented the members of the House with the original commemorative plaque recognizing the passage of HB 2576 in 1997. Passage of the bill initiated the ceiling, column and wall restoration of the House chamber. The plaque is to be displayed outside the main chamber doors.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **SB 449**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 449** submits the following report:

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

On page 1, by striking all in lines 18 through 32;

By striking all on pages 2 through 63;

On page 64, by striking all in lines 1 through 6; following line 6, by inserting:

"Section 1. The purpose of this act is the development, establishment and enforcement of standards:

(a) For the care, treatment, health, safety, welfare and comfort of individuals residing in or receiving treatment or services provided by residential care facilities, residential and day support facilities, private and public psychiatric hospitals, psychiatric residential treatment facilities, community mental health centers and providers of other disability services licensed by the secretary for aging and disability services; and

(b) for the construction, maintenance or operation, or any combination thereof, of facilities, hospitals, centers and providers of services that will promote safe and adequate accommodation, care and treatment of such individuals.

Sec. 2. As used in this act, the following terms shall have the meanings ascribed to them in this section:

(a) "Center" means a community mental health center.

(b) "Community mental health center" means a center organized pursuant to article 40 of chapter 19 of the Kansas Statutes Annotated, and amendments thereto, or a mental health clinic organized pursuant to article 2 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

(c) "Department" means the department for aging and disability services.

(d) "Facility" means any place other than a center or hospital that meets the

requirements as set forth by regulations created and adopted by the secretary, where individuals reside and receive treatment or services provided by a person or entity licensed under this act.

(e) "Hospital" means a psychiatric hospital.

(f) "Individual" means a person who is the recipient of behavioral health, intellectual disabilities, developmental disabilities or other disability services as set forth in this act.

(g) "Licensee" means one or more persons or entities licensed by the secretary under this act.

(h) "Licensing agency" means the secretary for aging and disability services.

(i) "Other disabilities" means any condition for which individuals receive home and community based waiver services.

(j) "Provider" means a person, partnership or corporation employing or contracting with appropriately credentialed persons that provide behavioral health, excluding substance use disorder services for purposes of this act, intellectual disability, developmental disability or other disability services in accordance with the requirements as set forth by rules and regulations created and adopted by the secretary.

(k) "Psychiatric hospital" means an institution, excluding state institutions as defined in K.S.A. 76-12a01, and amendments thereto, that is primarily engaged in providing services, by and under the supervision of qualified professionals, for the diagnosis and treatment of mentally ill individuals, and the institution meets the licensing requirements as set forth by rules and regulations created and adopted by the secretary.

(l) "Psychiatric residential treatment facility" means any non-hospital facility with a provider agreement with the licensing agency to provide the inpatient services for individuals under the age of 21 who will receive highly structured, intensive treatment for which the licensee meets the requirements as set forth by regulations created and adopted by the secretary.

(m) "Residential care facility" means any place or facility, or a contiguous portion of a place or facility, providing services for two or more individuals not related within the third degree of relationship to the administrator, provider or owner by blood or marriage and who, by choice or due to functional impairments, may need personal care and supervised nursing care to compensate for activities of daily living limitations, and which place or facility includes individual living units and provides or coordinates personal care or supervised nursing care available on a 24-hour, seven-days-a-week basis for the support of an individual's independence, including crisis residential care facilities.

(n) "Secretary" means the secretary for aging and disability services.

(o) "Services" means the following types of behavioral health, intellectual disability, developmental disability and other disability services, including, but not limited to: Residential supports, day supports, care coordination, case management, workshops, sheltered domiciles, education, therapeutic services, assessments and evaluations, diagnostic care, medicinal support and rehabilitative services.

Sec. 3. (a) In addition to the authority, powers and duties otherwise provided by law, the secretary shall have the following authority, powers and duties to:

(1) Enforce the laws relating to the hospitalization of mentally ill individuals of this state in a psychiatric hospital and the diagnosis, care, training or treatment of

individuals receiving services through community mental health centers, psychiatric residential treatment facilities for individuals with mental illness, residential care facilities or other facilities and services for individuals with mental illness, intellectual disabilities, developmental disabilities or other disabilities.

(2) Inspect, license, certify or accredit centers, facilities, hospitals and providers for individuals with mental illness, intellectual disabilities, developmental disabilities or other disabilities pursuant to federal legislation, and to deny, suspend or revoke a license granted for causes shown.

(3) Set standards for centers, facilities, hospitals and providers for individuals with mental illness, intellectual disabilities, developmental disabilities or other disabilities pursuant to federal legislation.

(4) Set standards for, inspect and license all providers and facilities for individuals with mental illness, intellectual disabilities, developmental disabilities or other disabilities receiving assistance through the Kansas department for aging and disability services which receive or have received after June 30, 1967, any state or federal funds, or facilities where individuals with mental illness, intellectual disabilities or developmental disabilities reside who require supervision or require limited assistance with the taking of medication. The secretary may adopt rules and regulations that allow the facility to assist an individual with the taking of medication when the medication is in a labeled container dispensed by a pharmacist.

(5) Enter into contracts necessary or incidental to the performance of the secretary's duties and the execution of the secretary's powers.

(6) Solicit and accept for use any gift of money or property, real or personal, made by will or otherwise, and any grant of money, services or property from the federal government, the state or any political subdivision thereof or any private source and do all things necessary to cooperate with the federal government or any of its agencies in making an application for any grant.

(7) Administer or supervise the administration of the provisions relating to individuals with mental illness, intellectual disabilities, developmental disabilities or other disabilities pursuant to federal legislation and regulations.

(8) Coordinate activities and cooperate with treatment providers or other facilities for those with mental illness, intellectual disabilities, developmental disabilities or other disabilities pursuant to federal legislation and regulations in this and other states for the treatment of such individuals and for the common advancement of these programs and facilities.

(9) Keep records, gather relevant statistics, and make and disseminate analyses of the same.

(10) Do other acts and things necessary to execute the authority expressly granted to the secretary.

(b) Notwithstanding the existence or pursuit of any other remedy, the secretary for aging and disability services, as the licensing agency, in the manner provided by the Kansas judicial review act, may maintain an action in the name of the state of Kansas for an injunction against any person or facility to restrain or prevent the operation of a residential care facility, crisis residential care facility, private or public psychiatric hospital, psychiatric residential treatment facility, provider of services, community mental health center or any other facility providing services to individuals without a license.

(c) Reports and information shall be furnished to the secretary by the superintendents, executive or other administrative officers of all psychiatric hospitals, community mental health centers or facilities serving individuals with intellectual disabilities or developmental disabilities and facilities serving other disabilities receiving assistance through the Kansas department for aging and disability services.

Sec. 4. (a) The secretary may adopt rules and regulations necessary to carry out the provisions of this act. Such rules and regulations may prescribe minimum standards and requirements relating to: The location, building, size of centers, facilities and hospitals; environmental standards; capacity; the individuals allowed; the types of services offered; the records to be kept; medication management; policies and procedures specific to centers, facilities, hospitals and providers; the kind and frequency of reports and inventories to be made; and may generally establish such requirements as may be deemed necessary to protect the health, safety, hygiene, welfare and comfort of the individuals.

(b) The authority granted to the secretary under this act is in addition to other statutory authority the secretary has to require the licensing and operation of centers, facilities, hospitals and providers and is not to be construed to limit any of the powers and duties of the secretary under article 59 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 5. All pertinent laws of this state and lawfully adopted ordinances and rules and regulations shall be strictly complied with in the operation of any center, facility, hospital or provision of services in this state. All centers, facilities, hospitals and providers shall comply with all the lawfully established requirements and rules and regulations of the secretary and the state fire marshal, and any other agency of government so far as pertinent and applicable to such centers, facilities, hospitals and providers, their buildings, staff, facilities, maintenance, operation, conduct and the care and treatment of individuals.

Sec. 6. It shall be unlawful for any person or entity to operate a center, facility, hospital or be a provider of services within this state, except upon obtaining a license for that purpose from the secretary as the licensing agency upon application made therefor as provided in this act, and complying with the requirements, standards, rules and regulations promulgated under its provisions.

Sec. 7. An application for a license to operate a center, facility, hospital or to be a provider of services shall be made in writing to the licensing agency on forms made available by the agency. The application shall contain all information required by the licensing agency, which may include affirmative evidence of the applicant's ability to comply with the standards and rules and regulations as adopted under the provisions of this act. The application shall be signed by the person or persons seeking the license or by a duly authorized agent.

Sec. 8. (a) Upon receipt of an initial or renewal application for a license, the licensing agency, with the approval of the state fire marshal, shall issue a license if the applicant is fit and qualified and if the center, facility, hospital or provider meets the requirements established under this act and such rules and regulations as are adopted under the provisions of this act. The licensing agency, the state fire marshal and the county, city-county or multi-county health departments or their designated representatives shall make such inspections and investigations as are necessary to determine the conditions existing in each case, and a written report of such inspections

and investigations and the recommendations of the state fire marshal and the county, city-county or multi-county health department or their authorized agents shall be filed with the licensing agency. A copy of any inspection report required by this section shall be furnished to the applicant.

(b) The initial application for licensure and renewal of licensure fees for a license shall be fixed by the secretary by rules and regulations. The initial application for licensure fee shall be paid to the secretary when the license is applied for and annually thereafter. The fee shall not be refundable. Fees in effect under this subsection immediately prior to the effective date of this act shall continue in effect on and after the effective date of this act until a different fee is established by the secretary by rules and regulations.

(c) Each license shall be issued only for the premises or providers named in the application, or both, and shall not be transferable or assignable. The license shall be posted in a conspicuous place in the center, facility, hospital or provider's principal location. If the annual report is not so filed and a renewal of licensure fee, if any, is not paid, such license shall be automatically denied or revoked. Any license granted under the provisions of this act shall state the type of facility or service for which the license is granted, the number of individuals for whom granted, the person or persons to whom granted, the date and such additional information and special limitations deemed appropriate by the licensing agency.

(d) A license, unless sooner suspended or revoked, shall remain in effect until the date of expiration specified by the secretary. Licensees seeking renewal shall file a renewal application containing such information in such form as the licensing agency prescribes together with payment of any required annual fee. Upon review and approval by the licensing agency and the state fire marshal or their duly authorized agents, a license shall be issued and effective until the date of expiration.

(e) (1) Programs and treatments provided by a community mental health center that have been previously licensed by the secretary for aging and disability services and that have also been accredited by the commission on accreditation of rehabilitation facilities or the joint commission, or another national accrediting body approved by the secretary for aging and disability services, shall be granted a license renewal based on such accreditation.

(2) The Kansas department for aging and disability services shall inspect accredited community mental health centers to determine compliance with state licensing standards and rules and regulations not covered by the accrediting entity's standards. Community mental health centers receiving accreditation shall continue to be subject to inspections and investigations by the Kansas department for aging and disability services resulting from complaints.

Sec. 9. (a) No licensee shall knowingly operate a center, facility, hospital or be a provider of services if any person who works in the center, facility, hospital or for a provider of services:

(1) (A) Has a felony conviction for a crime against persons;

(B) has a felony conviction under K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, or article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, or any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009;

(C) has a conviction of any act which is described in articles 34, 35 or 36 of chapter

21 of the Kansas Statutes Annotated, prior to their repeal, or article 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2015 Supp. 21-6104, 21-6325, 21-6326 or 21-6418 through 21-6421, and amendments thereto, or a conviction of an attempt under K.S.A. 21-3301, prior to its repeal, or K.S.A. 2015 Supp. 21-5301, and amendments thereto, to commit any such act or a conviction of conspiracy under K.S.A. 21-3302, prior to its repeal, or K.S.A. 2015 Supp. 21-5302, and amendments thereto, to commit such act, or similar statutes of other states or the federal government; or

(D) has been convicted of any act which is described in K.S.A. 21-4301 or 21-4301a, prior to their repeal, or K.S.A. 2015 Supp. 21-6401, and amendments thereto, or similar statutes of other states or the federal government;

(2) has been adjudicated a juvenile offender because of having committed an act which if committed by an adult would constitute the commission of a felony and which is a crime against persons, is any act described in articles 34, 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or articles 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2015 Supp. 21-6104, 21-6325, 21-6326 or 21-6418 through 21-6421, and amendments thereto, or similar statutes of other states or the federal government, or is any act described in K.S.A. 21-4301 or 21-4301a, prior to their repeal, or K.S.A. 2015 Supp. 21-6401, and amendments thereto, or similar statutes of other states or the federal government;

(3) has committed an act of physical, mental or emotional abuse or neglect or sexual abuse and who is listed in the child abuse and neglect registry maintained by the Kansas department for children and families pursuant to K.S.A. 2015 Supp. 38-2226, and amendments thereto, and:

(A) The person has failed to successfully complete a corrective action plan which had been deemed appropriate and approved by the Kansas department for children and families; or

(B) the record has not been expunged pursuant to rules and regulations adopted by the secretary for children and families;

(4) has had a child removed from home based on a court order pursuant to K.S.A. 2015 Supp. 38-2251, and amendments thereto, in this state, or a court order in any other state based upon a similar statute that finds the child to be deprived or a child in need of care based on a finding of physical, mental or emotional abuse or neglect or sexual abuse and the child has not been returned to the home or the child reaches majority before being returned to the home and the person has failed to satisfactorily complete a corrective action plan;

(5) has had parental rights terminated pursuant to the revised Kansas code for the care of children or a similar statute of another state; or

(6) has signed a diversion agreement pursuant to K.S.A. 22-2906 et seq., and amendments thereto, or an immediate intervention agreement pursuant to K.S.A. 2015 Supp. 38-2346, and amendments thereto, involving a charge of child abuse or a sexual offense.

(b) No licensee shall operate a center, facility, hospital or be a provider of services if such person has been found to be an adult with an impairment in need of a guardian or a conservator, or both, as provided in the act for obtaining a guardian or conservator, or both.

(c) The secretary shall notify the licensee, within 10 business days, when the result of the national criminal history record check or other appropriate review reveals

unfitness as specified in subsections (a)(1) through (6) with regard to the person who is the subject of the review.

(d) No licensee, its contractors or employees, shall be liable for civil damages to any person refused employment or discharged from employment by reason of such licensee's compliance with the provisions of this section if such licensee acts in good faith to comply with this section.

(e) Any licensee or member of the staff who receives information concerning the fitness or unfitness of any person shall keep such information confidential, except that the staff person may disclose such information to the person who is the subject of the request for information. A violation of this subsection shall be an unclassified misdemeanor punishable by a fine of $100.

(f) The licensing agency may require a person seeking licensure or applying to work in a facility to be fingerprinted and submit to a state and national criminal history record check. The fingerprints shall be used to identify the person and to determine whether the person has a record of criminal history in this state or other jurisdiction. The licensing agency is authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The licensing agency may use the information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the person and in the official determination of the qualifications and fitness of the person to be issued or to maintain a license, work with, or provide services to individuals as applicable under this act.

(g) The secretary shall have access to any criminal history record information in the possession of the Kansas bureau of investigation regarding any criminal history information, including adjudications of a juvenile offender which if committed by an adult would have been a felony conviction for the purposes specified in this act. The Kansas bureau of investigation may charge to the Kansas department for aging and disability services a reasonable fee for providing criminal history record information under this subsection.

(h) The secretary shall charge each person or licensee requesting information under this section a fee equal to cost for each person about which an information request has been submitted to the department under this section.

(i) For the purpose of complying with this section, the licensee operating a center, facility, hospital or a provider of services shall request from the Kansas department for aging and disability services information regarding any criminal history information relating to a person who works in the center, facility, hospital or for a provider of services, or who is being considered for employment or volunteer work in the facility, center, hospital or with the service provider, for the purpose of determining whether such person is subject to the provisions of this section. For the purpose of complying with this section, the licensee operating a center, facility, hospital or a provider of services shall report the dates of employment and separation of all persons working for the licensee operating a center, facility, hospital or a provider of services. For the purposes of complying with this section, any employment agency which provides employees to work in a center, facility, hospital or a provider of services shall request and receive an eligibility determination from the Kansas department for aging and disability services. Any licensee operating a center, facility, hospital or a provider of services will obtain written documentation that such employees are eligible to work. For

the purpose of complying with this section, a licensee may hire an applicant for employment on a conditional basis pending the results from the Kansas department for aging and disability services of an eligibility determination under this subsection. As required by the patient protection and affordable care act, 42 U.S.C. § 18001, a person disqualified from employment due to a valid background check may appeal in accordance with requirements, standards, rules and regulations to be promulgated by the secretary.

(j) No person who works for a center, facility or hospital and who is currently licensed or registered by an agency of this state to provide professional services in the state and who provides such services as part of the work which such person performs for the center, facility or hospital shall be subject to the provisions of this section.

(k) A licensee may request from the Kansas department for aging and disability services criminal history information on persons employed under subsection (j).

(l) The licensee operating a center, facility, hospital or a provider of services shall not require an applicant under this section to be fingerprinted, if the applicant has been the subject of a background check under this act within one year prior to the application for employment with the licensee operating a center, facility, hospital or a provider of services and has maintained a record of continuous employment, with no lapse of employment of over 90 days in any center, facility, hospital or a provider of services covered by this act.

(m) No person who is in the custody of the secretary of corrections and who provides services under direct supervision in non-patient areas on the grounds or other areas designated by the secretary of corrections shall be subject to the provisions of this section while providing such services.

Sec. 10. All licenses issued under the provisions of chapter 33 of article 75 of the Kansas Statutes Annotated, and amendments thereto, for centers, facilities, hospitals and providers prior to the effective date of this act shall continue in force until the license's date of expiration unless sooner suspended or revoked as provided in this act. All persons holding such licenses which are in force on the effective date of this act shall be permitted not more than four months from the effective date of this act to comply with the rules and regulations and standards promulgated under the authority of this act wherein those rules and regulations and standards differ in any substantial respect from those in force and effect immediately prior to the effective date of this act under the provisions of chapter 59 of article 75 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 11. (a) Inspections and investigations shall be made, announced or unannounced, and reported in writing by the authorized agents and representatives of the licensing agency and state fire marshal, and of the county, city-county and multi-county health departments as often and in the manner and form prescribed by the rules and regulations promulgated under the provisions of this act. Access shall be given to the premises of any center, facility, hospital or provider, depending on the type of service provided by the provider and locations at any time upon presenting adequate identification to carry out the requirements of this section and the provisions and purposes of this act. Access shall be given to the premises of a facility that is a private residence only for cause as prescribed by rules and regulations adopted under the provisions of this act. Failure to provide such access may constitute grounds for denial, suspension or revocation of the license. A copy of any inspection or investigation

reports required by this section shall be furnished to the applicant or licensee. An exit interview shall be conducted with the licensee.

(b) The secretary shall inspect any facility or provider of residential services which serves two or more residents who are not self-directing their services, and which is subject to licensure under this act.

(c) Every licensee shall post in a conspicuous place a notice indicating that the most recent inspection report and related documents may be examined upon request. If requested, the licensee shall provide the most recent inspection report and related documents, subject to the payment of a reasonable charge to cover copying costs.

Sec. 12. A provisional license may be issued to any center, facility, hospital or provider which is temporarily unable to conform to all the standards, requirements and rules and regulations established under the provisions of this act. The issuance of such provisional license shall be subject to approval by the state fire marshal. A provisional license may be issued for not more than six months to provide time to make necessary corrections. One additional successive six-month provisional license may be granted at the discretion of the licensing agency. A change of ownership during the provisional licensing period will not extend the time for the requirements to be met that were the basis for the provisional license, nor entitle the new owner to an additional provisional license.

Sec. 13. (a) Whenever the licensing agency finds a substantial failure to comply with the requirements, standards or rules and regulations established under this act, it shall make an order denying, suspending or revoking the license after notice and an opportunity for a hearing in accordance with the provisions of the Kansas administrative procedure act, K.S.A. 77-501 et seq., and amendments thereto. Any applicant or licensee may appeal such order in accordance with the provisions of the Kansas judicial review act, K.S.A. 77-601 et seq., and amendments thereto.

(b) Except as provided in subsection (c), whenever the licensing agency denies, suspends or revokes a license under this section, the applicant or licensee shall not be eligible to apply for a new license or reinstatement of a license for a period of two years from the date of denial, suspension or revocation.

(c) (1) Any applicant or licensee issued an emergency order by the licensing agency denying, suspending or revoking a license under this section may apply for a new license or reinstatement of a license at any time upon submission of a written waiver of any right conferred upon such applicant or licensee under the Kansas administrative procedure act, K.S.A. 77-501 et seq., and amendments thereto, and the Kansas judicial review act, K.S.A. 77-601 et seq., and amendments thereto, to the licensing agency in a settlement agreement or other manner as approved by the licensing agency.

(2) Any licensee issued a notice of intent to take action by the licensing agency under this section may enter into a settlement agreement, as approved by the licensing agency, with the licensing agency at any time upon submission of a written waiver of any right conferred upon such licensee under the Kansas administrative procedure act, K.S.A. 77-501 et seq., and amendments thereto, and the Kansas judicial review act, K.S.A.77-601 et seq., and amendments thereto.

(d) In the event that a community mental health center accredited by the commission on accreditation of rehabilitation facilities or the joint commission, or another national accrediting body approved by the secretary for aging and disability services, loses accreditation by such accrediting entity, the community mental health

center shall immediately notify the Kansas department for aging and disability services.

Sec. 14. (a) As used in this section, the term "person" means any person who is an applicant for a license or who is the licensee and who has any direct or indirect ownership interest of 25% or more in the center, facility or hospital; or who is the owner, in whole or in part, of any mortgage, deed of trust, note or other obligation secured, in whole or in part, by such center, facility or hospital; or any of the property or assets of such center, facility or hospital; or who, if the center, facility, hospital or provider is organized as a corporation, is an officer or director of the corporation, or who, if the facility is organized as a partnership, is a partner.

(b) The licensing agency may deny a license to any person and may suspend or revoke the license of any person who:

(1) Has willfully or repeatedly violated any provision of law or rules and regulations adopted pursuant to this act or to article 59 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto;

(2) has had a license to operate a center, facility or hospital denied, suspended, revoked or limited, has been censured or has had other disciplinary action taken, or an application for a license denied, by the proper licensing authority of another state, territory, District of Columbia or other country, a certified copy of the record of such action of the other jurisdiction being conclusive evidence thereof;

(3) has failed or refused to comply with the medicaid requirements of title XIX of the social security act, or medicaid regulations under chapter IV of title 42 of the code of federal regulations, a certified copy of the record of such action being conclusive evidence thereof;

(4) has failed or refused to comply with the medicare requirements of chapter 7 of title 42 of the United States code, or medicare regulations under chapter IV of title 42 of the code of federal regulations, a certified copy of the record of such action being conclusive evidence thereof;

(5) has been convicted of a felony;

(6) has failed to assure that nutrition, medication or treatment of individuals, including the use of restraints, are in accordance with acceptable medical practices; or

(7) has aided, abetted, sanctioned or condoned any violation of law or rules and regulations adopted pursuant to this act or to article 59 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 15. (a) Any person operating a center, facility, hospital or a provider of services in this state without a license under this law shall be guilty of a class B misdemeanor. Any person who shall violate any other provision of this act or the requirements of any rules and regulations promulgated hereunder shall be guilty of a class B misdemeanor.

(b) Notwithstanding the existence or pursuit of any other remedy, the secretary, as the licensing agency, in the manner provided by the Kansas judicial review act, may maintain an action in the name of the state of Kansas for injunction or other process against any person or agency to restrain or prevent the operation of a center, facility, hospital or provision of services without a license under this act.

Sec. 16. (a) A correction order may be issued by the secretary or the secretary's designee to a licensee whenever the state fire marshal or the marshal's representative or a duly authorized representative of the secretary inspects or investigates a center, facility, hospital or provider and determines that the center, facility, hospital or provider

is not in compliance with the provisions of this act or article 59 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto, or rules and regulations promulgated thereunder and such non-compliance is likely to adversely affect the health, safety, nutrition or sanitation of the individuals or the public. The correction order shall be served upon the licensee either personally or by certified mail, return receipt requested. The correction order shall be in writing, shall state the specific deficiency, cite the specific statutory provision or rule and regulation alleged to have been violated and shall specify the time allowed for correction.

(b) If upon re-inspection by the state fire marshal or the marshal's representative or a duly authorized representative of the secretary, it is found that the licensee has not corrected the deficiency or deficiencies specified in the correction order, the secretary may assess a civil penalty in an amount not to exceed $500 per day, per deficiency, against the licensee for each day subsequent to the day following the time allowed for correction of the deficiency as specified in the correction order, the maximum assessment shall not exceed $2,500. A written notice of assessment shall be served upon the licensee either personally or by certified mail, return receipt requested.

(c) Before the assessment of a civil penalty, the secretary shall consider the following factors in determining the amount of the civil penalty to be assessed:

(1) The severity of the violation;

(2) the good faith effort exercised by the center, facility, hospital or provider to correct the violation; and

(3) the history of compliance of the licensee of the center, facility, hospital or provider with the rules and regulations. If the secretary finds that some or all deficiencies cited in the correction order have also been cited against the center, facility, hospital or provider as a result of any inspection or investigation which occurred within 18 months prior to the inspection or investigation which resulted in such correction order, the secretary may double the civil penalty assessed against the licensee, the maximum not to exceed $5,000.

(d) All civil penalties assessed shall be due and payable within 10 days after written notice of assessment is served on the licensee, unless a longer period of time is granted by the secretary. If a civil penalty is not paid within the applicable time period, the secretary may file a certified copy of the notice of assessment with the clerk of the district court in the county where the center, facility, hospital or provider is located. The notice of assessment shall be enforced in the same manner as a judgment of the district court.

(e) All civil penalties collected pursuant to the provisions of this act shall be deposited in the state general fund.

Sec. 17. If any provision of this act or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or application and, to this end, the provisions of this act are severable.

Sec. 18. (a) Notwithstanding any other provision of law, the Kansas department for aging and disability services, solely or in consultation or cooperation with any other state agency, shall not enter into any agreement or take any action to outsource or privatize any operations or facilities of the Larned state hospital or Osawatomie state hospital without prior specific authorization by an act of the legislature or an appropriation act of the legislature.

(b) Nothing in this section shall prevent the Kansas department for aging and disability services from renewing, in substantially the same form as an existing agreement, any agreement in existence prior to March 4, 2016, for services at the Larned state hospital or the Osawatomie state hospital.

(c) Nothing in this section shall prevent the Kansas department for aging and disability services from entering into an agreement for services at the Larned state hospital or the Osawatomie state hospital with a different provider if such agreement is substantially similar to an agreement for services in existence prior to March 4, 2016.

Sec. 19. K.S.A. 2015 Supp. 39-968 is hereby amended to read as follows: 39-968. (a) To achieve a quality of life for Kansans with long-term care needs in an environment of choice that maximizes independent living capabilities and recognizes diversity, this act establishes a program which is intended to encourage a wide array of quality, cost-effective and affordable long-term care choices. This program shall be known as client assessment, referral and evaluation (CARE). The purposes of CARE is for data collection and individual assessment and referral to community-based services and appropriate placement in long-term care facilities.

(b) As used in this section:

(1) "Assessment services" means evaluation of an individual's health and functional status to determine the need for long-term care services and to identify appropriate service options which meet these needs utilizing the client assessment, referral and evaluation (CARE) form.

(2) "Health care data governing board" means the board abolished by K.S.A. 65-6803, and amendments thereto.

(3) "Medical care facility" shall have the meaning ascribed to such term under K.S.A. 65-425, and amendments thereto.

(4) "Nursing facility" shall have the meaning ascribed to such term under K.S.A. 39-923, and amendments thereto.

(5) "Secretary" means the secretary for aging and disability services.

(c) There is hereby established the client assessment, referral and evaluation (CARE) program. The CARE program shall be administered by the secretary for aging and disability services and shall be implemented on a phased-in basis in accordance with the provisions of this section.

(d) All rules and regulations adopted by the health care data governing board relating to client assessment, referral and evaluation (CARE) data entry form shall be deemed to be the rules and regulations of the Kansas department of health and environment until revised, revoked or nullified pursuant to law. The purpose of this form is for data collection and referral services. Such form shall be concise and questions shall be limited to those necessary to carry out the stated purposes. The client assessment, referral and evaluation (CARE) data entry form shall include, but not be limited to, the preadmission screening and annual resident review (PASARR) questions. ~~Prior to the adoption of the client assessment, referral and evaluation (CARE) data entry form by the health care data governing board,~~ The secretary for aging and disability services shall approve the client assessment, referral and evaluation (CARE) data entry form. The client assessment, referral and evaluation (CARE) data entry form shall be used by all persons providing assessment services.

(e) (1) Each individual prior to admission to a nursing facility as a resident of the facility shall receive assessment services to be provided by the secretary for aging and

disability services, with the assistance of area agencies on aging, except: (A) Such assessment services shall be provided by a medical care facility to a patient of the medical care facility who is considering becoming a resident of a nursing facility upon discharge from the medical care facility; and (B) as authorized by rules and regulations adopted by the secretary for aging and disability services pursuant to subsection (i).

(2) The provisions of this subsection ~~(c)~~ shall not apply to any individual exempted from preadmission screening and annual resident review under 42 ~~code of federal regulations~~ C.F.R. 483.106.

(f) The secretary for aging and disability services shall cooperate with the area agencies on aging providing assessment services under this section.

(g) The secretary for aging and disability services shall assure that each area agency on aging shall compile comprehensive resource information for use by individuals and agencies related to long-term care resources including all area offices of the Kansas department for children and families and local health departments. This information shall include, but not be limited to, resources available to assist persons to choose alternatives to institutional care.

(h) Nursing facilities and medical care facilities shall make available information referenced in subsection (g) to each person seeking admission or upon discharge as appropriate. Any person licensed to practice the healing arts as defined in K.S.A. 65-2802, and amendments thereto, shall make the same resource information available to any person identified as seeking or needing long-term care. Each senior center and each area agency on aging shall make available such information.

(i) The secretary shall adopt rules and regulations to govern such matters as the secretary deems necessary for the administration of this act.

(j) (1) There is hereby established an eleven-member voluntary oversight council which shall meet monthly for the purpose of assisting the secretary for aging and disability services in restructuring the assessment and referral program in a manner consistent with this act and shall meet quarterly thereafter for the purpose of monitoring and advising the secretary regarding the CARE program. The council shall be advisory only, except that the secretary for aging and disability services shall file with the council each six months the secretary's response to council comments or recommendations.

(2) The secretary for aging and disability services shall appoint two representatives of hospitals, two representatives of nursing facilities, two consumers and two representatives of providers of home and community-based services. The secretary of health and environment and the secretary for children and families, or their designees, shall be members of the council in addition to the eight appointed members. The secretary for aging and disability services shall serve as chairperson of the council. The appointive members of the council shall serve at the pleasure of their appointing authority. Members of the voluntary oversight council shall not be paid compensation, subsistence allowances, mileage or other expenses as otherwise may be authorized by law for attending meetings, or subcommittee meetings, of the council.

(k) The secretary for aging and disability services shall report to the governor and to the legislature on or before December 31, 1995, and each year thereafter on or before such date, an analysis of the information collected under this section. In addition, the secretary for aging and disability services shall provide data from the CARE data forms to the Kansas department of health and environment. Such data shall be provided in such a manner so as not to identify individuals.

Sec. 20. K.S.A. 39-1807 and 75-3307c and K.S.A. 2015 Supp. 39-968 and 75-3307b are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "ACT"; by striking all in lines 2 through 15 and inserting "concerning the Kansas department for aging and disability services; relating to powers, duties and functions; licensure of facilities; standards of treatment of certain individuals; prohibiting the privatization of state psychiatric hospitals; client assessment, referral and evaluation program; amending K.S.A. 2015 Supp. 39-968 and repealing the existing section; also repealing K.S.A. 39-1807 and 79-3307c and K.S.A. 2015 Supp. 75-3307b.";

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

DANIEL R. HAWKINS
WILLIE O. DOVE
JIM WARD
Conferees on part of House

MICHAEL O'DONNELL, II
ELAINE BOWERS
LAURA KELLY
Conferees on part of Senate

On motion of Rep. Hawkins, the conference committee report on **SB 449** was adopted.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Edmonds, Ewy, Goico.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 128** submits the following report:

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

On page 1, following line 6, by inserting:

"Section 1. K.S.A. 2015 Supp. 7-127 is hereby amended to read as follows: 7-127. (a) Each applicant for admission to practice law in this state, in submitting the application, shall provide to the clerk of the supreme court the information enumerated in K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto. Whenever any person whose application for admission to practice law in this state is pending shall move from the residential address listed on such person's application, or when the name of any such person is changed by marriage or otherwise, such person, within 10 days thereafter, shall notify the clerk of the supreme court in writing of such person's old and new residential addresses or of such person's former and new names.

(b) Any person whose application to practice law in Kansas is pending as of the effective date of this act, and for whom the information enumerated in K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto, is not correct on such application as of the effective date of this act, shall provide the information enumerated in K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto, in writing to the clerk of the supreme court within 60 days after the effective date of this act. The clerk of the supreme court, within 30 days after the effective date of this act, shall send notice to all persons whose applications to practice law in Kansas are pending as of the effective date of this act, that such persons are required by law to provide the information enumerated in K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto, in writing to the clerk of the supreme court within 60 days after the effective date of this act.

(c) The supreme court may require an applicant for admission to practice law in this state to be fingerprinted and submit to a national criminal history record check. The fingerprints shall be used to identify the applicant and to determine whether the applicant has a record of criminal arrests and convictions in this state or other jurisdictions. The supreme court and the state board of law examiners are authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The state board of law examiners and the supreme court may use the information obtained from fingerprinting and the applicant's criminal history only for purposes of verifying the identification of any applicant and in the official determination of character and fitness of the applicant for admission to practice law in this state.

~~(b)~~ (d) Local and state law enforcement officers and agencies shall assist the supreme court in taking and processing of fingerprints of applicants seeking admission to practice law in this state and shall release all records of an applicant's arrests and convictions to the supreme court and the state board of law examiners.

New Sec. 2. (a) The clerk of the supreme court shall maintain in the clerk's office a roster of attorneys licensed to practice law in Kansas. Such roster shall include the information enumerated in K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto, the congressional district of residence and the judicial district of residence for each person licensed to practice law in Kansas. Whenever any person licensed to practice law in Kansas moves from the residential address listed for such person on such roster, or when the name of any such person is changed by marriage or

otherwise, such person, within 10 days thereafter, shall notify the clerk of the supreme court in writing of such person's old and new residential addresses or of such person's former and new names.

(b) Each person on the roster of attorneys licensed to practice law in Kansas on the effective date of this act, and for whom the information enumerated in K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto, is not correct on such roster on the effective date of this act, shall provide the information enumerated in K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto, in writing to the clerk of the supreme court within 60 days after the effective date of this act. The clerk of the supreme court, within 30 days after the effective date of this act, shall send notice to all persons listed on the roster of attorneys licensed to practice law in Kansas on the effective date of this act, that such persons are required by law to provide the information enumerated in K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto, in writing to the clerk of the supreme court within 60 days of the effective date of this act.

(c) Only attorneys licensed to practice law in Kansas and residing in Kansas on or before the 15th day of February preceding the selection of the chairperson of the supreme court nominating commission as provided in K.S.A. 20-119, and amendments thereto, and only attorneys so licensed and residing in the congressional district on or before the 15th day of February preceding the selection of the members of the supreme court nominating commission to be chosen from among the members of the bar of such congressional district as provided in K.S.A. 20-120, and amendments thereto, and, in either event, only attorneys for whom the roster of attorneys licensed to practice law in Kansas contains the information enumerated in K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto, shall be entitled to make nominations or receive and cast ballots in such selections.

(d) (1) On or before the 20th day of February preceding the selection of a chairperson of the supreme court nominating commission, the clerk of the supreme court shall transmit a certified copy of the roster of attorneys licensed to practice law in Kansas to the secretary of state. Such certified copy shall include the information enumerated in K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto, for each person listed on the roster and having a residential address within Kansas as of the preceding 15th day of February.

(2) On or before the 20th day of February preceding the selection of a member of the supreme court nominating commission to be chosen from among the members of the bar of a congressional district, the clerk of the supreme court shall transmit a certified copy of the roster of attorneys licensed to practice law in Kansas to the secretary of state. Such certified copy shall include the information enumerated in K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto, for each person listed on the roster and having a residential address within the congressional district as of the preceding 15th day of February.

(3) The certified copy of the roster shall be transmitted in a format prescribed by the secretary of state. Upon receipt of such certified roster, the secretary of state shall append thereto the unique voter identification number for each person listed on the roster having such a number, as contained in the centralized voter registration database described in K.S.A. 2015 Supp. 25-2304, and amendments thereto.

(e) Notwithstanding any other provision of law, the names, residential addresses,

dates of birth, unique voter identification numbers and dates of licensure to practice law in Kansas of all persons listed on the certified roster of attorneys licensed to practice law in Kansas created pursuant to subsection (d), including the information as appended to the roster pursuant to subsection (d), shall be disclosed upon proper request submitted to the clerk of the supreme court or to the secretary of state pursuant to the open records act, K.S.A. 45-215 et seq., and amendments thereto.

Sec. 3. K.S.A. 2015 Supp. 12-4516 is hereby amended to read as follows: 12-4516. (a) (1) Except as provided in subsections (b), (c), (d), (e) and (f), any person who has been convicted of a violation of a city ordinance of this state may petition the convicting court for the expungement of such conviction and related arrest records if three or more years have elapsed since the person:

(A) Satisfied the sentence imposed; or

(B) was discharged from probation, parole or a suspended sentence.

(2) Except as provided in subsections (b), (c), (d), (e) and (f), any person who has fulfilled the terms of a diversion agreement based on a violation of a city ordinance of this state may petition the court for the expungement of such diversion agreement and related arrest records if three or more years have elapsed since the terms of the diversion agreement were fulfilled.

(b) Any person convicted of a violation of any ordinance that is prohibited by either K.S.A. 2015 Supp. 12-16,134(a) or (b), and amendments thereto, and which was adopted prior to July 1, 2014, or who entered into a diversion agreement in lieu of further criminal proceedings for such violation, may petition the convicting court for the expungement of such conviction or diversion agreement and related arrest records.

(c) Any person convicted of the violation of a city ordinance which would also constitute a violation of K.S.A. 21-3512, prior to its repeal, or a violation of K.S.A. 2015 Supp. 21-6419, and amendments thereto, or who entered into a diversion agreement in lieu of further criminal proceedings for such violation, may petition the convicting court for the expungement of such conviction or diversion agreement and related arrest records if:

(1) One or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, parole, conditional release or a suspended sentence; and

(2) such person can prove they were acting under coercion caused by the act of another. For purposes of this subsection, "coercion" means: Threats of harm or physical restraint against any person; a scheme, plan or pattern intended to cause a person to believe that failure to perform an act would result in bodily harm or physical restraint against any person; or the abuse or threatened abuse of the legal process.

(d) No person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, parole, conditional release or a suspended sentence, if such person was convicted of the violation of a city ordinance which would also constitute:

(1) Vehicular homicide, as defined by K.S.A. 21-3405, prior to its repeal, or K.S.A. 2015 Supp. 21-5406, and amendments thereto;

(2) driving while the privilege to operate a motor vehicle on the public highways of this state has been canceled, suspended or revoked, as prohibited by K.S.A. 8-262, and amendments thereto;

(3) perjury resulting from a violation of K.S.A. 8-261a, and amendments thereto;

(4) a violation of the provisions of K.S.A. 8-142 *Fifth*, and amendments thereto, relating to fraudulent applications;

(5) any crime punishable as a felony wherein a motor vehicle was used in the perpetration of such crime;

(6) failing to stop at the scene of an accident and perform the duties required by K.S.A. 8-1602, 8-1603, prior to its repeal, or 8-1604, and amendments thereto;

(7) a violation of the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage; or

(8) a violation of K.S.A. 21-3405b, prior to its repeal.

(e) (1) No person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, parole, conditional release or a suspended sentence, if such person was convicted of a first violation of a city ordinance which would also constitute a first violation of K.S.A. 8-1567 or K.S.A. 2015 Supp. 8-1025, and amendments thereto.

(2) No person may petition for expungement until 10 or more years have elapsed since the person satisfied the sentence imposed or was discharged from probation, parole, conditional release or a suspended sentence, if such person was convicted of a second or subsequent violation of a city ordinance which would also constitute a second or subsequent violation of K.S.A. 8-1567 or K.S.A. 2015 Supp. 8-1025, and amendments thereto.

(f) There shall be no expungement of convictions or diversions for a violation of a city ordinance which would also constitute a violation of K.S.A. 8-2,144, and amendments thereto.

(g) (1) When a petition for expungement is filed, the court shall set a date for a hearing of such petition and shall cause notice of such hearing to be given to the prosecuting attorney and the arresting law enforcement agency. The petition shall state the:

(A) Defendant's full name;

(B) full name of the defendant at the time of arrest, conviction or diversion, if different than the defendant's current name;

(C) defendant's sex, race and date of birth;

(D) crime for which the defendant was arrested, convicted or diverted;

(E) date of the defendant's arrest, conviction or diversion; and

(F) identity of the convicting court, arresting law enforcement agency or diverting authority.

(2) A municipal court may prescribe a fee to be charged as costs for a person petitioning for an order of expungement pursuant to this section.

(3) Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner and shall have access to any reports or records relating to the petitioner that are on file with the secretary of corrections or the prisoner review board.

(h) At the hearing on the petition, the court shall order the petitioner's arrest record, conviction or diversion expunged if the court finds that:

(1) The petitioner has not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against the

petitioner;

(2) the circumstances and behavior of the petitioner warrant the expungement; and

(3) the expungement is consistent with the public welfare.

(i) When the court has ordered an arrest record, conviction or diversion expunged, the order of expungement shall state the information required to be contained in the petition. The clerk of the court shall send a certified copy of the order of expungement to the Kansas bureau of investigation which shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest, conviction or diversion. If the case was appealed from municipal court, the clerk of the district court shall send a certified copy of the order of expungement to the municipal court. The municipal court shall order the case expunged once the certified copy of the order of expungement is received. After the order of expungement is entered, the petitioner shall be treated as not having been arrested, convicted or diverted of the crime, except that:

(1) Upon conviction for any subsequent crime, the conviction that was expunged may be considered as a prior conviction in determining the sentence to be imposed;

(2) the petitioner shall disclose that the arrest, conviction or diversion occurred if asked about previous arrests, convictions or diversions:

(A) In any application for licensure as a private detective, private detective agency, certification as a firearms trainer pursuant to K.S.A. 2015 Supp. 75-7b21, and amendments thereto, or employment as a detective with a private detective agency, as defined by K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services;

(B) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(C) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(D) to aid in determining the petitioner's qualifications for executive director of the Kansas racing and gaming commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(E) to aid in determining the petitioner's qualifications for the following under the Kansas expanded lottery act: (i) Lottery gaming facility manager or prospective manager, racetrack gaming facility manager or prospective manager, licensee or certificate holder; or (ii) an officer, director, employee, owner, agent or contractor thereof;

(F) upon application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(G) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(H) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;

(I) in any application for registration as a broker-dealer, agent, investment adviser or investment adviser representative all as defined in K.S.A. 17-12a102, and amendments thereto;

(J) in any application for employment as a law enforcement officer, as defined in K.S.A. 22-2202 or 74-5602, and amendments thereto; or

(K) for applications received on and after July 1, 2006, to aid in determining the petitioner's qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act, K.S.A. 2015 Supp. 75-7c01 et seq., and amendments thereto;

(3) the court, in the order of expungement, may specify other circumstances under which the arrest, conviction or diversion is to be disclosed; and

(4) the conviction may be disclosed in a subsequent prosecution for an offense which requires as an element of such offense a prior conviction of the type expunged.

(j) Whenever a person is convicted of an ordinance violation, pleads guilty and pays a fine for such a violation, is placed on parole or probation or is granted a suspended sentence for such a violation, the person shall be informed of the ability to expunge the arrest records or conviction. Whenever a person enters into a diversion agreement, the person shall be informed of the ability to expunge the diversion.

(k) Subject to the disclosures required pursuant to subsection (i), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records, conviction or diversion of an offense has been expunged under this statute may state that such person has never been arrested, convicted or diverted of such offense.

(l) Whenever the record of any arrest, conviction or diversion has been expunged under the provisions of this section or under the provisions of any other existing or former statute, the custodian of the records of arrest, conviction, diversion and incarceration relating to that crime shall not disclose the existence of such records, except when requested by:

(1) The person whose record was expunged;

(2) a private detective agency or a private patrol operator, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with such agency or operator by the person whose record has been expunged;

(3) a court, upon a showing of a subsequent conviction of the person whose record has been expunged;

(4) the secretary for aging and disability services, or a designee of the secretary, for the purpose of obtaining information relating to employment in an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services of any person whose record has been expunged;

(5) a person entitled to such information pursuant to the terms of the expungement order;

(6) a prosecuting attorney, and such request is accompanied by a statement that the request is being made in conjunction with a prosecution of an offense that requires a prior conviction as one of the elements of such offense;

(7) the supreme court, the clerk or disciplinary administrator thereof, the state board for admission of attorneys or the state board for discipline of attorneys, and the request is accompanied by a statement that the request is being made in conjunction

with an application for admission, or for an order of reinstatement, to the practice of law in this state by the person whose record has been expunged;

(8) the Kansas lottery, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(9) the governor or the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for executive director of the commission, for employment with the commission, for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission or for licensure, renewal of licensure or continued licensure by the commission;

(10) the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications of the following under the Kansas expanded lottery act:

(A) Lottery gaming facility managers and prospective managers, racetrack gaming facility managers and prospective managers, licensees and certificate holders; and

(B) their officers, directors, employees, owners, agents and contractors;

(11) the state gaming agency, and the request is accompanied by a statement that the request is being made to aid in determining qualifications:

(A) To be an employee of the state gaming agency; or

(B) to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;

(12) the Kansas securities commissioner, or a designee of the commissioner, and the request is accompanied by a statement that the request is being made in conjunction with an application for registration as a broker-dealer, agent, investment adviser or investment adviser representative by such agency and the application was submitted by the person whose record has been expunged;

(13) the attorney general, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act;

(14) the Kansas sentencing commission;

(15) the Kansas commission on peace officers' standards and training and the request is accompanied by a statement that the request is being made to aid in determining certification eligibility as a law enforcement officer pursuant to K.S.A. 74-5601 et seq., and amendments thereto; or

(16) a law enforcement agency and the request is accompanied by a statement that the request is being made to aid in determining eligibility for employment as a law enforcement officer as defined by K.S.A. 22-2202, and amendments thereto.

Sec. 4. K.S.A. 20-122 is hereby amended to read as follows: 20-122. (a) The clerk of the supreme court ~~may~~ shall use the certified roster of attorneys ~~in the clerk's office~~ licensed to practice law in Kansas, as provided to the secretary of state pursuant to section 2, and amendments thereto, for ascertaining the names and places of residence of those entitled to receive ballots and for ascertaining the qualifications of those nominated for membership on the commission. The clerk shall supply with each ballot distributed a certificate to be signed and returned by the member of the bar voting such ballot, evidencing the qualifications of such member of the bar to vote, including the

name and residential address of such member of the bar, and certifying that the ballot was voted by the certifying voter.

(b) ~~To the end~~ In order to ensure that the vote cast may be secret, the clerk shall provide a separate envelope ~~shall be provided~~ for the ballot, in which the voted ballot only shall be placed, and the envelope containing the voted ballot shall be ~~returned in an~~ placed in another envelope, also to be supplied by the clerk, together with the signed certificate. ~~No~~ A ballot not accompanied by the signed certificate of the voter shall not be counted. When the voted ballots are received by the clerk they shall be separated from the certificates by the canvassers, and after the ballots are counted and the results certified ~~both~~, the ballots ~~and the certificates~~ shall be preserved by the clerk for a period of six months and the certificates shall be preserved by the clerk for a period of five years. No one shall be permitted to inspect ~~them~~ the ballots received pursuant to this section except on order of the supreme court. Unless otherwise ordered by the supreme court, at the end of such ~~six months~~ six-month period the clerk ~~, unless otherwise ordered by the supreme court,~~ shall destroy ~~them~~ the ballots received pursuant to this section, and at the end of such five-year period, the clerk shall destroy the certificates received pursuant to this section.

(c) Within 14 days after the results of a selection are certified pursuant to this section, the clerk of the supreme court shall: (1) Create a list designating the position and year for which the selection was held and containing the names and residential addresses of all persons who returned a ballot with a signed certificate as described in subsection (b); and (2) transmit a certified copy of the list to the secretary of state. The list described in this subsection shall be transmitted in a format prescribed by the secretary of state. Upon receipt of the list described in this subsection, the secretary of state shall append the information contained therein to the roster for such selection as described in section 2, and amendments thereto.

(d) Notwithstanding any other provision of law, the certificates received for a selection pursuant to this section shall be disclosed upon proper request submitted to the clerk of the supreme court pursuant to the open records act, K.S.A. 45-215 et seq., and amendments thereto.

(e) Notwithstanding any other provision of law, the lists described in subsection (c) shall be disclosed upon proper request submitted to the clerk of the supreme court or to the secretary of state pursuant to the open records act, K.S.A. 45-215 et seq., and amendments thereto.

(f) The provisions of this section shall apply to all selections held under K.S.A. 20-119 and 20-120, and amendments thereto, which have not been canvassed pursuant to K.S.A. 20-130, and amendments thereto, regardless of whether such selections are scheduled, upcoming or pending as on the effective date of this act.

Sec. 5. K.S.A. 20-123 is hereby amended to read as follows: 20-123. (a) When the chairperson and other members of the commission chosen by the members of the bar have been elected, and after the names of the nonlawyer members appointed by the governor have been certified to the clerk of the supreme court as provided in this act, the clerk shall make a record thereof in the clerk's office and shall notify the members of the commission of their election and appointment. The commission shall meet from time to time as may be necessary to discharge the responsibilities of the commission. Such meetings shall be held at such place as the clerk of the supreme court may arrange. Such meeting shall be held upon the call of the chairperson, or in the event of the

chairperson's failure to call a meeting when a meeting is necessary, upon the call of any four members of the commission. The commission shall act only at a meeting, and may act only by the concurrence of a majority of its members. The commission shall have power to adopt such reasonable and proper rules and regulations for the conduct of its proceedings and the discharge of its duties as are consistent with this act and the constitution of the state of Kansas.

(b) (1) The supreme court nominating commission shall be and is hereby deemed to be a public body and shall be subject to the open meetings act, K.S.A. 75-4317 et seq., and amendments thereto.

(2) Except as provided further, the commission shall not recess for a closed or executive meeting for any purpose. The commission, in accordance with K.S.A. 75-4319, and amendments thereto, may recess for a closed or executive meeting only for the purpose of discussing sensitive financial information contained within the personal financial records or official background check of a candidate for judicial nomination.

(3) Nothing in this subsection shall be construed to supersede the commission's discretion to close a record or portion of a record submitted to the commission pursuant to any applicable exception to public disclosure under the open records act.

Sec. 6. K.S.A. 20-130 is hereby amended to read as follows: 20-130. The canvassers at any election held pursuant to this act shall consist of the clerk of the supreme court~~ and two (2) or more persons who are members of the bar residing in Kansas, either practicing lawyers, justices or judges, designated to act as such by the chief justice~~, the secretary of state or the secretary of state's designee and the attorney general or the attorney general's designee. The canvassers shall open and canvass the ballots and shall tabulate and sign the results as a record in the office of the clerk.

Sec. 7. K.S.A. 20-132 is hereby amended to read as follows: 20-132. When a vacancy occurs in the supreme court, the clerk of such court shall promptly notify the chairman of the commission of such vacancy, and the commission shall make nominations of three persons to fill such vacancy and certify the names of the nominees to the governor. When it is known that a vacancy will occur at a definite future date, but the vacancy has not yet occurred, the clerk shall notify the chairman of the commission thereof, and the commission may, within~~ sixty (~~60~~)~~ days prior to the occurrence of such vacancy, make its nominations and submit to the governor the names of three~~ (3)~~ persons nominated for such forthcoming vacancy. To the end that the administration of justice may be facilitated and that no vacancy on the supreme court may be permitted to exist unduly, the commission shall make its nominations for each vacancy and certify them to the governor as promptly as possible, and in any event not later than~~ sixty~~ (60~~)~~ days from the time such vacancy occurs.

New Sec. 8. (a) Only attorneys licensed to practice law in Kansas and residing in the judicial district on or before the 15th day of November preceding the election of a lawyer member of the district judicial nominating commission, and for whom the roster of attorneys licensed to practice law in Kansas contains the information enumerated in K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto, shall be entitled to make nominations or receive and cast ballots in such elections.

(b) On or before the 20th day of November preceding the election of a lawyer member of the district judicial nominating commission, the clerk of the supreme court shall transmit a certified copy of the roster of attorneys licensed to practice law in Kansas to the secretary of state. Such certified copy shall include the information

enumerated in K.S.A. 2015 Supp. 25-2309(b)(1) through (5), and amendments thereto, for each person listed on the roster and having a residential address within the judicial district as of the preceding 15th day of November. The certified copy of the roster shall be transmitted in a format prescribed by the secretary of state. Upon receipt of such certified roster, the secretary of state shall append thereto the unique voter identification number for each person listed on the roster having such a number, as contained in the centralized voter registration database described in K.S.A. 2015 Supp. 25-2304, and amendments thereto.

(c) Notwithstanding any other provision of law, the names, residential addresses, dates of birth, unique voter identification numbers and dates of licensure to practice law in Kansas of all persons listed on the certified roster of attorneys licensed to practice law in Kansas created pursuant to subsection (b), including the information as appended to the roster pursuant to subsection (b), shall be disclosed upon proper request submitted to the clerk of the supreme court or to the secretary of state pursuant to the open records act, K.S.A. 45-215 et seq., and amendments thereto.

Sec. 9. K.S.A. 20-2904 is hereby amended to read as follows: 20-2904. (a) Lawyer members of the district judicial nominating commission shall be elected ~~by the lawyers who are qualified electors of the judicial district and who are registered with the clerk of the supreme court pursuant to rule 208 of such court. Each lawyer member of a district judicial nominating commission shall be a qualified elector of such judicial district~~ pursuant to this section. The clerk of the supreme court shall use the certified roster of attorneys licensed to practice law in Kansas, as provided to the secretary of state pursuant to section 8, and amendments thereto, for ascertaining the names and places of residence of those entitled to receive ballots and for ascertaining the qualifications of those nominated for membership on the district judicial nominating commission.

(b) The number of lawyer members to be elected to the district judicial nominating commission of a judicial district shall be as follows:

(1) In a judicial district consisting of a single county, the number of members elected shall be equal to the number of nonlawyer members appointed pursuant to ~~subsection (a)(1) of~~ K.S.A. 20-2905(a)(1), and amendments thereto.

(2) In a judicial district consisting of two counties, four members shall be elected.

(3) In a judicial district consisting of three or more counties, the number of members elected shall equal the number of counties in such judicial district.

~~(b)~~ (c) (1) Between December 1 and December 15 of the year in which nonpartisan selection of judges of the district court is approved by the electors of the judicial district as provided in K.S.A. 20-2901, and amendments thereto, the clerk of the supreme court shall send to each lawyer by ordinary first class mail a form for nominating one lawyer for election to the commission. Any such nomination shall be received in the office of the clerk of the supreme court on or before January 1 of the following year, together with the written consent of the nominee. After receipt of all nominations which are timely submitted, the clerk shall prepare a ballot containing the names of all lawyers so nominated and shall mail one such ballot and instructions for voting such ballot to each registered lawyer in the judicial district. Ballots shall be prepared in such manner that each lawyer receiving the same shall be instructed to vote for not more than the number of positions to be filled. Each such ballot shall be accompanied by a certificate to be signed and returned by the lawyer voting such ballot, evidencing the qualifications of such lawyer to vote, including the name and residential address of such lawyer, and

certifying that the ballot was voted by such person. In any judicial district in which the number of nominees does not exceed the number of positions to be filled, the clerk shall declare those nominees to be elected without preparation of a ballot.

(2) In order to insure that the election of lawyer members is by secret ballot, the clerk shall provide a separate envelope for the ballot, in which the voted ballot only shall be placed, and the envelope containing the voted ballot shall be placed in another envelope, also to be supplied by the clerk, together with the signed certificate, and received in the office of the clerk of the supreme court on or before February 15 of such year. A ballot not accompanied by the signed certificate of the voter shall not be counted. The ballots returned as provided in this section shall be canvassed within ~~five~~ 10 days thereafter. The canvassers shall consist of the clerk of the supreme court ~~and two or more persons who are registered members of the bar residing in Kansas, either practicing lawyers, justices or judges, designated to act as such by the chief justice~~, the secretary of state or the secretary of state's designee and the attorney general or the attorney general's designee. The canvassers shall open and canvass the ballots and shall tabulate and sign the results as a record in the office of the clerk. After the ballots are counted and the results certified, the ballots shall be preserved by the clerk for a period of six months, and the certificates shall be preserved by the clerk for a period of five years. No one shall be permitted to inspect the ballots received pursuant to this section except upon order by the supreme court. Unless otherwise ordered by the supreme court, at the end of such six-month period, the clerk shall destroy the ballots received pursuant to this section, and at the end of such five-year period, the clerk shall destroy the certificates received pursuant to this section.

(c) Within 14 days after the results of an election are certified pursuant to this section, the clerk of the supreme court shall: (1) Create a list designating the positions and year for which the selection was held and containing the names and residential addresses of all persons who returned a ballot with a signed certificate as described in subsection (b); and (2) transmit a certified copy of the list to the secretary of state. The list described in this subsection shall be transmitted in a format prescribed by the secretary of state. Upon receipt of the list described in this subsection, the secretary of state shall append the information contained therein to the roster for such election as described in section 8, and amendments thereto.

(d) Notwithstanding any other provision of law, the certificates received for an election pursuant to this section shall be disclosed upon proper request submitted to the clerk of the supreme court pursuant to the open records act, K.S.A. 45-215 et seq., and amendments thereto.

(e) Notwithstanding any other provision of law, the lists described in subsection (c) shall be disclosed upon proper request submitted to the clerk of the supreme court or to the secretary of state pursuant to the open records act, K.S.A. 45-215 et seq., and amendments thereto.

~~(c)~~ (f) After the ballots are counted and tabulated in descending order from the nominee receiving the highest number of votes the canvassers shall declare to be elected those nominees who are equal in number to the number of lawyers to be elected and who have the greatest number of votes. In the event of a tie creating more nominees to be elected than there are positions to be filled, the canvassers shall determine the person or persons to be elected by lot. In the event that less than the required number of lawyers is elected, the positions for which lawyers have not been elected shall be

declared vacant and the vacancies filled in the manner prescribed by ~~subsection (c) of~~ K.S.A. 20-2906(e), and amendments thereto.

~~(d)~~ (g) The procedure provided in this section for election of lawyers to serve as members of the first district judicial nominating commission established in a judicial district shall apply to the election of lawyers to succeed lawyer members of the commission whose terms of office expire, except that the form for submitting a nomination shall be sent between December 1 and December 15 of the year preceding the year in which such terms of office expire, and the dates prescribed for submission of nominations and the mailing, returning and canvassing of ballots shall apply in the year in which such terms of office expire.

Sec. 10. K.S.A. 20-2907 is hereby amended to read as follows: 20-2907. (a) Prior to taking office, each member of a district judicial nominating commission shall take and subscribe an oath of office as provided by law for public officers, and shall file the same with the clerk of the supreme court. After the members of the first commission established in a judicial district have commenced their terms of office, the chairman shall call a meeting of the commission to be held within the judicial district at a time and place designated by the chairman. At such meeting, the commission shall determine a regular meeting place or places, and the commission shall have the power to adopt such reasonable and proper rules and regulations as are necessary for the conduct of its proceedings and the discharge of its duties, consistent with the provisions of this act and the constitution and laws of this state.

(b) The commission shall meet only upon call of the chairman, and the commission shall not take any final action except at such meeting. A majority of the members of the commission shall constitute a quorum to do business, but no final action shall be taken except upon a vote of the majority of the members of the commission.

(c) Members of the commission shall receive no compensation, but shall be reimbursed for their actual and necessary expenses incurred in performing their official duties, as provided in ~~subsections (b), (c) and (d) of~~ K.S.A. 75-3223 (b), (c) and (d), and amendments thereto. Such expenses shall be paid from the judicial nominating commission fund as provided in K.S.A. 20-138, ~~as amended~~ and amendments thereto.

(d) The board of county commissioners of each county in a judicial district shall cooperate with the district judicial nominating commission of such judicial district, and shall make available to the commission wherever possible the facilities and services of such county, in order to expedite the business of the commission.

(e) (1) A district judicial nominating commission shall be and is hereby deemed to be a public body and shall be subject to the open meetings act, K.S.A. 75-4317 et seq., and amendments thereto.

(2) Except as provided further, the commission shall not recess for a closed or executive meeting for any purpose. The commission, in accordance with K.S.A. 75-4319, and amendments thereto, may recess for a closed or executive meeting only for the purpose of discussing sensitive financial information contained within the personal financial records or official background check of a candidate for judicial nomination.

(3) Nothing in this subsection shall be construed to supersede the commission's discretion to close a record or portion of a record submitted to the commission pursuant to any applicable exception to public disclosure under the open records act.";

Also on page 1, in line 17, by striking "The"; by striking all in lines 18 through 20; in line 21, by striking all before "It";

On page 2, in line 9, by striking all after "(b)"; by striking all in lines 10 through 20; in line 21, by striking "(c)";

Also, on page 2, following line 30, by inserting:

"Sec. 12. K.S.A. 2015 Supp. 20-3020 is hereby amended to read as follows: 20-3020. (a) (1) On and after July 1, 2013, any vacancy occurring in the office of any judge of the court of appeals and any position to be open on the court of appeals as a result of enlargement of such court, or the retirement or failure of an incumbent to file such judge's declaration of candidacy to be retained in office as hereinafter required, or failure of a judge to be elected to be retained in office, shall be filled by appointment by the governor, with the consent of the senate, of a person possessing the qualifications of office.

(2) Whenever a vacancy occurs, will occur or position opens on the court of appeals, the clerk of the supreme court shall promptly give notice to the governor.

(3) If the governor is making an appointment to the court of appeals, the governor shall make each applicant's name and city of residence available to the public whenever the governor stops accepting applications for such appointment, but not less than 10 days prior to making such appointment.

(4) In event of the failure of the governor to make the appointment within 60 days from the date such vacancy occurred or position became open, the chief justice of the supreme court, with the consent of the senate, shall make the appointment of a person possessing the qualifications of office.

(5) If the chief justice of the supreme court is making an appointment to the court of appeals, the chief justice shall make each applicant's name and city of residence available to the public whenever the chief justice stops accepting applications for such appointment, but not less than 10 days prior to making such appointment.

~~(4)~~ (6) Whenever a vacancy in the office of judge of the court of appeals exists at the time the appointment to fill such vacancy is made pursuant to this section, the appointment shall be effective at the time it is made, but where an appointment is made pursuant to this section to fill a vacancy which will occur at a future date, such appointment shall not take effect until such date.

(b) No person appointed pursuant to subsection (a) shall assume the office of judge of the court of appeals until the senate, by an affirmative vote of the majority of all members of the senate then elected or appointed and qualified, consents to such appointment. The senate shall vote to consent to any such appointment not later than 60 days after such appointment is received by the senate. If the senate is not in session and will not be in session within the 60-day time limitation, the senate shall vote to consent to any such appointment not later than 20 days after the senate begins its next session. In the event a majority of the senate does not vote to consent to the appointment, the governor, within 60 days after the senate vote on the previous appointee, shall appoint another person possessing the qualifications of office and such subsequent appointment shall be considered by the senate in the same procedure as provided in this section. The same appointment and consent procedure shall be followed until a valid appointment has been made. No person who has been previously appointed but did not receive the consent of the senate shall be appointed again for the same vacancy. If the senate fails to vote on an appointment within the time limitation imposed by this subsection, the senate shall be deemed to have given consent to such appointment.

(c) Persons who are appointed as judges of the court of appeals pursuant to K.S.A.

20-3005, prior to its repeal, and this section, shall commence the duties of office upon appointment and consent, and each judge shall have all the rights, privileges, powers and duties prescribed by law for the office of judge of the court of appeals.

(d) Judges of the court of appeals shall possess the qualifications prescribed by law for justices of the supreme court.

Sec. 13. K.S.A. 2015 Supp. 21-6614 is hereby amended to read as follows: 21-6614. (a) (1) Except as provided in subsections (b), (c), (d), (e) and (f), any person convicted in this state of a traffic infraction, cigarette or tobacco infraction, misdemeanor or a class D or E felony, or for crimes committed on or after July 1, 1993, any nongrid felony or felony ranked in severity levels 6 through 10 of the nondrug grid, or for crimes committed on or after July 1, 1993, but prior to July 1, 2012, any felony ranked in severity level 4 of the drug grid, or for crimes committed on or after July 1, 2012, any felony ranked in severity level 5 of the drug grid may petition the convicting court for the expungement of such conviction or related arrest records if three or more years have elapsed since the person: (A) Satisfied the sentence imposed; or (B) was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence.

(2) Except as provided in subsections (b), (c), (d), (e) and (f), any person who has fulfilled the terms of a diversion agreement may petition the district court for the expungement of such diversion agreement and related arrest records if three or more years have elapsed since the terms of the diversion agreement were fulfilled.

(b) Any person convicted of prostitution, as defined in K.S.A. 21-3512, prior to its repeal, convicted of a violation of K.S.A. 2015 Supp. 21-6419, and amendments thereto, or who entered into a diversion agreement in lieu of further criminal proceedings for such violation, may petition the convicting court for the expungement of such conviction or diversion agreement and related arrest records if:

(1) One or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence; and

(2) such person can prove they were acting under coercion caused by the act of another. For purposes of this subsection, "coercion" means: Threats of harm or physical restraint against any person; a scheme, plan or pattern intended to cause a person to believe that failure to perform an act would result in bodily harm or physical restraint against any person; or the abuse or threatened abuse of the legal process.

(c) Except as provided in subsections (e) and (f), no person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a class A, B or C felony, or for crimes committed on or after July 1, 1993, if convicted of an off-grid felony or any felony ranked in severity levels 1 through 5 of the nondrug grid, or for crimes committed on or after July 1, 1993, but prior to July 1, 2012, any felony ranked in severity levels 1 through 3 of the drug grid, or for crimes committed on or after July 1, 2012, any felony ranked in severity levels 1 through 4 of the drug grid, or:

(1) Vehicular homicide, as defined in K.S.A. 21-3405, prior to its repeal, or K.S.A. 2015 Supp. 21-5406, and amendments thereto, or as prohibited by any law of another

state which is in substantial conformity with that statute;

(2) driving while the privilege to operate a motor vehicle on the public highways of this state has been canceled, suspended or revoked, as prohibited by K.S.A. 8-262, and amendments thereto, or as prohibited by any law of another state which is in substantial conformity with that statute;

(3) perjury resulting from a violation of K.S.A. 8-261a, and amendments thereto, or resulting from the violation of a law of another state which is in substantial conformity with that statute;

(4) violating the provisions of K.S.A. 8-142 *Fifth*, and amendments thereto, relating to fraudulent applications or violating the provisions of a law of another state which is in substantial conformity with that statute;

(5) any crime punishable as a felony wherein a motor vehicle was used in the perpetration of such crime;

(6) failing to stop at the scene of an accident and perform the duties required by K.S.A. 8-1602, 8-1603, prior to its repeal, or 8-1604, and amendments thereto, or required by a law of another state which is in substantial conformity with those statutes;

(7) violating the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage; or

(8) a violation of K.S.A. 21-3405b, prior to its repeal.

(d) (1) No person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a first violation of K.S.A. 8-1567 or K.S.A. 2015 Supp. 8-1025, and amendments thereto, including any diversion for such violation.

(2) No person may petition for expungement until 10 or more years have elapsed since the person satisfied the sentence imposed or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a second or subsequent violation of K.S.A. 8-1567 or K.S.A. 2015 Supp. 8-1025, and amendments thereto.

(e) There shall be no expungement of convictions for the following offenses or of convictions for an attempt to commit any of the following offenses:

(1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2015 Supp. 21-5503, and amendments thereto;

(2) indecent liberties with a child or aggravated indecent liberties with a child, as defined in K.S.A. 21-3503 or 21-3504, prior to their repeal, or K.S.A. 2015 Supp. 21-5506, and amendments thereto;

(3) criminal sodomy, as defined in K.S.A. 21-3505(a)(2) or (a)(3), prior to its repeal, or K.S.A. 2015 Supp. 21-5504(a)(3) or (a)(4), and amendments thereto;

(4) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior to its repeal, or K.S.A. 2015 Supp. 21-5504, and amendments thereto;

(5) indecent solicitation of a child or aggravated indecent solicitation of a child, as defined in K.S.A. 21-3510 or 21-3511, prior to their repeal, or K.S.A. 2015 Supp. 21-5508, and amendments thereto;

(6) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2015 Supp. 21-5510, and amendments thereto;

(7) aggravated incest, as defined in K.S.A. 21-3603, prior to its repeal, or K.S.A.

2015 Supp. 21-5604, and amendments thereto;

(8) endangering a child or aggravated endangering a child, as defined in K.S.A. 21-3608 or 21-3608a, prior to their repeal, or K.S.A. 2015 Supp. 21-5601, and amendments thereto;

(9) abuse of a child, as defined in K.S.A. 21-3609, prior to its repeal, or K.S.A. 2015 Supp. 21-5602, and amendments thereto;

(10) capital murder, as defined in K.S.A. 21-3439, prior to its repeal, or K.S.A. 2015 Supp. 21-5401, and amendments thereto;

(11) murder in the first degree, as defined in K.S.A. 21-3401, prior to its repeal, or K.S.A. 2015 Supp. 21-5402, and amendments thereto;

(12) murder in the second degree, as defined in K.S.A. 21-3402, prior to its repeal, or K.S.A. 2015 Supp. 21-5403, and amendments thereto;

(13) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to its repeal, or K.S.A. 2015 Supp. 21-5404, and amendments thereto;

(14) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to its repeal, or K.S.A. 2015 Supp. 21-5405, and amendments thereto;

(15) sexual battery, as defined in K.S.A. 21-3517, prior to its repeal, or K.S.A. 2015 Supp. 21-5505, and amendments thereto, when the victim was less than 18 years of age at the time the crime was committed;

(16) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to its repeal, or K.S.A. 2015 Supp. 21-5505, and amendments thereto;

(17) a violation of K.S.A. 8-2,144, and amendments thereto, including any diversion for such violation; or

(18) any conviction for any offense in effect at any time prior to July 1, 2011, that is comparable to any offense as provided in this subsection.

(f) Notwithstanding any other law to the contrary, for any offender who is required to register as provided in the Kansas offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, there shall be no expungement of any conviction or any part of the offender's criminal record while the offender is required to register as provided in the Kansas offender registration act.

(g) (1) When a petition for expungement is filed, the court shall set a date for a hearing of such petition and shall cause notice of such hearing to be given to the prosecutor and the arresting law enforcement agency. The petition shall state the:

(A) Defendant's full name;

(B) full name of the defendant at the time of arrest, conviction or diversion, if different than the defendant's current name;

(C) defendant's sex, race and date of birth;

(D) crime for which the defendant was arrested, convicted or diverted;

(E) date of the defendant's arrest, conviction or diversion; and

(F) identity of the convicting court, arresting law enforcement authority or diverting authority.

(2) Except as otherwise provided by law, a petition for expungement shall be accompanied by a docket fee in the amount of $176. On and after July 1, ~~2013~~ 2015, through ~~July 1, 2015~~ June 30, 2017, the supreme court may impose a charge, not to exceed $19 per case, to fund the costs of non-judicial personnel. The charge established in this section shall be the only fee collected or moneys in the nature of a fee collected for the case. Such charge shall only be established by an act of the legislature and no

other authority is established by law or otherwise to collect a fee.

(3) All petitions for expungement shall be docketed in the original criminal action. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner and shall have access to any reports or records relating to the petitioner that are on file with the secretary of corrections or the prisoner review board.

(h) At the hearing on the petition, the court shall order the petitioner's arrest record, conviction or diversion expunged if the court finds that:

(1) The petitioner has not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against the petitioner;

(2) the circumstances and behavior of the petitioner warrant the expungement; and

(3) the expungement is consistent with the public welfare.

(i) When the court has ordered an arrest record, conviction or diversion expunged, the order of expungement shall state the information required to be contained in the petition. The clerk of the court shall send a certified copy of the order of expungement to the Kansas bureau of investigation which shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest, conviction or diversion. <u>If the case was appealed from municipal court, the clerk of the district court shall send a certified copy of the order of expungement to the municipal court. The municipal court shall order the case expunged once the certified copy of the order of expungement is received.</u> After the order of expungement is entered, the petitioner shall be treated as not having been arrested, convicted or diverted of the crime, except that:

(1) Upon conviction for any subsequent crime, the conviction that was expunged may be considered as a prior conviction in determining the sentence to be imposed;

(2) the petitioner shall disclose that the arrest, conviction or diversion occurred if asked about previous arrests, convictions or diversions:

(A) In any application for licensure as a private detective, private detective agency, certification as a firearms trainer pursuant to K.S.A. 2015 Supp. 75-7b21, and amendments thereto, or employment as a detective with a private detective agency, as defined by K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services;

(B) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(C) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(D) to aid in determining the petitioner's qualifications for executive director of the Kansas racing and gaming commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(E) to aid in determining the petitioner's qualifications for the following under the Kansas expanded lottery act: (i) Lottery gaming facility manager or prospective

manager, racetrack gaming facility manager or prospective manager, licensee or certificate holder; or (ii) an officer, director, employee, owner, agent or contractor thereof;

(F) upon application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(G) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(H) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;

(I) in any application for registration as a broker-dealer, agent, investment adviser or investment adviser representative all as defined in K.S.A. 17-12a102, and amendments thereto;

(J) in any application for employment as a law enforcement officer as defined in K.S.A. 22-2202 or 74-5602, and amendments thereto; or

(K) for applications received on and after July 1, 2006, to aid in determining the petitioner's qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act, K.S.A. 2015 Supp. 75-7c01 et seq., and amendments thereto;

(3) the court, in the order of expungement, may specify other circumstances under which the conviction is to be disclosed;

(4) the conviction may be disclosed in a subsequent prosecution for an offense which requires as an element of such offense a prior conviction of the type expunged; and

(5) upon commitment to the custody of the secretary of corrections, any previously expunged record in the possession of the secretary of corrections may be reinstated and the expungement disregarded, and the record continued for the purpose of the new commitment.

(j) Whenever a person is convicted of a crime, pleads guilty and pays a fine for a crime, is placed on parole, postrelease supervision or probation, is assigned to a community correctional services program, is granted a suspended sentence or is released on conditional release, the person shall be informed of the ability to expunge the arrest records or conviction. Whenever a person enters into a diversion agreement, the person shall be informed of the ability to expunge the diversion.

(k) (1) Subject to the disclosures required pursuant to subsection (i), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records, conviction or diversion of a crime has been expunged under this statute may state that such person has never been arrested, convicted or diverted of such crime.

(2) Notwithstanding the provisions of subsection (k)(1), and except as provided in K.S.A. 2015 Supp. 21-6304(a)(3)(A), and amendments thereto, the expungement of a prior felony conviction does not relieve the individual of complying with any state or federal law relating to the use, shipment, transportation, receipt or possession of firearms by persons previously convicted of a felony.

(l) Whenever the record of any arrest, conviction or diversion has been expunged under the provisions of this section or under the provisions of any other existing or former statute, the custodian of the records of arrest, conviction, diversion and

incarceration relating to that crime shall not disclose the existence of such records, except when requested by:

(1) The person whose record was expunged;

(2) a private detective agency or a private patrol operator, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with such agency or operator by the person whose record has been expunged;

(3) a court, upon a showing of a subsequent conviction of the person whose record has been expunged;

(4) the secretary for aging and disability services, or a designee of the secretary, for the purpose of obtaining information relating to employment in an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services of any person whose record has been expunged;

(5) a person entitled to such information pursuant to the terms of the expungement order;

(6) a prosecutor, and such request is accompanied by a statement that the request is being made in conjunction with a prosecution of an offense that requires a prior conviction as one of the elements of such offense;

(7) the supreme court, the clerk or disciplinary administrator thereof, the state board for admission of attorneys or the state board for discipline of attorneys, and the request is accompanied by a statement that the request is being made in conjunction with an application for admission, or for an order of reinstatement, to the practice of law in this state by the person whose record has been expunged;

(8) the Kansas lottery, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(9) the governor or the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for executive director of the commission, for employment with the commission, for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission or for licensure, renewal of licensure or continued licensure by the commission;

(10) the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications of the following under the Kansas expanded lottery act: (A) Lottery gaming facility managers and prospective managers, racetrack gaming facility managers and prospective managers, licensees and certificate holders; and (B) their officers, directors, employees, owners, agents and contractors;

(11) the Kansas sentencing commission;

(12) the state gaming agency, and the request is accompanied by a statement that the request is being made to aid in determining qualifications: (A) To be an employee of the state gaming agency; or (B) to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-gaming compact;

(13) the Kansas securities commissioner or a designee of the commissioner, and the request is accompanied by a statement that the request is being made in conjunction with an application for registration as a broker-dealer, agent, investment adviser or

investment adviser representative by such agency and the application was submitted by the person whose record has been expunged;

(14) the Kansas commission on peace officers' standards and training and the request is accompanied by a statement that the request is being made to aid in determining certification eligibility as a law enforcement officer pursuant to K.S.A. 74-5601 et seq., and amendments thereto;

(15) a law enforcement agency and the request is accompanied by a statement that the request is being made to aid in determining eligibility for employment as a law enforcement officer as defined by K.S.A. 22-2202, and amendments thereto;

(16) the attorney general and the request is accompanied by a statement that the request is being made to aid in determining qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act; or

(17) the Kansas bureau of investigation for the purposes of:

(A) Completing a person's criminal history record information within the central repository, in accordance with K.S.A. 22-4701 et seq., and amendments thereto; or

(B) providing information or documentation to the federal bureau of investigation, in connection with the national instant criminal background check system, to determine a person's qualification to possess a firearm.

(m) The provisions of subsection (l)(17) shall apply to records created prior to, on and after July 1, 2011.

Sec. 14. K.S.A. 2015 Supp. 22-2410 is hereby amended to read as follows: 22-2410. (a) Any person who has been arrested in this state may petition the district court for the expungement of such arrest record.

(b) When a petition for expungement is filed, the court shall set a date for hearing on such petition and shall cause notice of such hearing to be given to the prosecuting attorney and the arresting law enforcement agency. When a petition for expungement is filed, the official court file shall be separated from the other records of the court, and shall be disclosed only to a judge of the court and members of the staff of the court designated by a judge of the district court, the prosecuting attorney, the arresting law enforcement agency, or any other person when authorized by a court order, subject to any conditions imposed by the order. Except as otherwise provided by law, a petition for expungement shall be accompanied by a docket fee in the amount of $176. Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, 2015, through June 30, 2017, the supreme court may impose an additional charge, not to exceed $19 per docket fee, to fund the costs of non-judicial personnel. The petition shall state:

(1) The petitioner's full name;

(2) the full name of the petitioner at the time of arrest, if different than the petitioner's current name;

(3) the petitioner's sex, race and date of birth;

(4) the crime for which the petitioner was arrested;

(5) the date of the petitioner's arrest; and

(6) the identity of the arresting law enforcement agency.

No surcharge or fee shall be imposed to any person filing a petition pursuant to this section, who was arrested as a result of being a victim of identity theft under K.S.A. 21-

4018, prior to its repeal, or K.S.A. 2015 Supp. 21-6107(a), and amendments thereto, or who has had criminal charges dismissed because a court has found that there was no probable cause for the arrest, the petitioner was found not guilty in court proceedings or the charges have been dismissed. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner.

(c) At the hearing on a petition for expungement, the court shall order the arrest record and subsequent court proceedings, if any, expunged upon finding: (1) The arrest occurred because of mistaken identity;

(2) a court has found that there was no probable cause for the arrest;

(3) the petitioner was found not guilty in court proceedings; or

(4) the expungement would be in the best interests of justice and: (A) Charges have been dismissed; or (B) no charges have been or are likely to be filed.

(d) When the court has ordered expungement of an arrest record and subsequent court proceedings, if any, the order shall state the information required to be stated in the petition and shall state the grounds for expungement under subsection (c). The clerk of the court shall send a certified copy of the order to the Kansas bureau of investigation which shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest. <u>If the case was appealed from municipal court, the clerk of the district court shall send a certified copy of the order of expungement to the municipal court. The municipal court shall order the case expunged once the certified copy of the order of expungement is received.</u> If an order of expungement is entered, the petitioner shall be treated as not having been arrested.

(e) If the ground for expungement is as provided in subsection (c)(4), the court shall determine whether, in the interests of public welfare, the records should be available for any of the following purposes: (1) In any application for employment as a detective with a private detective agency, as defined in K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services;

(2) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(3) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(4) to aid in determining the petitioner's qualifications for executive director of the Kansas racing commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(5) in any application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(6) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(7) to aid in determining the petitioner's qualifications to be an employee of a tribal

gaming commission or to hold a license issued pursuant to a tribal-state gaming compact; or

(8) in any other circumstances which the court deems appropriate.

(f) The court shall make all expunged records and related information in such court's possession, created prior to, on and after July 1, 2011, available to the Kansas bureau of investigation for the purposes of:

(1) Completing a person's criminal history record information within the central repository in accordance with K.S.A. 22-4701 et seq., and amendments thereto; or

(2) providing information or documentation to the federal bureau of investigation, in connection with the national instant criminal background check system, to determine a person's qualification to possess a firearm.

(g) Subject to any disclosures required under subsection (e), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records have been expunged as provided in this section may state that such person has never been arrested.

(h) Whenever a petitioner's arrest records have been expunged as provided in this section, the custodian of the records of arrest, incarceration due to arrest or court proceedings related to the arrest, shall not disclose the arrest or any information related to the arrest, except as directed by the order of expungement or when requested by the person whose arrest record was expunged.

(i) The docket fee collected at the time the petition for expungement is filed shall be disbursed in accordance with K.S.A. 20-362, and amendments thereto.

Sec. 15. K.S.A. 2015 Supp. 22-3609 is hereby amended to read as follows: 22-3609. ~~(1)~~ (a) The defendant shall have the right to appeal to the district court of the county from any judgment of a municipal court which adjudges the defendant guilty of a violation of the ordinances of any municipality of Kansas or any findings of contempt. The appeal shall be assigned by the chief judge to a district judge. The appeal shall stay all further proceedings upon the judgment appealed from.

~~(2)~~ (b) An appeal to the district court shall be taken by filing, in the district court of the county in which the municipal court is located, a notice of appeal and any appearance bond required by the municipal court. Municipal court clerks are hereby authorized to accept notices of appeal and appearance bonds under this subsection and shall forward such notices and bonds to the district court. No appeal shall be filed until after the sentence has been imposed. No appeal shall be taken more than 14 days after the date the sentence is imposed.

~~(3)~~ (c) The notice of appeal shall designate the judgment or part of the judgment appealed from. The defendant shall cause notice of the appeal to be served upon the city attorney prosecuting the case. The judge whose judgment is appealed from or the clerk of the court, if there is one, shall certify the complaint and warrant to the district court of the county, but failure to do so shall not affect the validity of the appeal.

~~(4)~~ (d) Except as provided herein, the trial of municipal appeal cases shall be to the court unless a jury trial is requested in writing by the defendant not later than seven days after first notice of trial assignment is given to the defendant or such defendant's counsel. The time requirement provided in this subsection regarding when a jury trial shall be requested may be waived in the discretion of the court upon a finding that imposing such time requirement would cause undue hardship or prejudice to the defendant. A jury in a municipal appeal case shall consist of six members. All appeals

taken by a defendant from a municipal judge in contempt findings, cigarette or tobacco infraction or traffic infraction cases shall be tried by the court.

~~(5)~~ (e) Notwithstanding the other provisions of this section, appeal from a conviction rendered pursuant to ~~subsection (b) of~~ K.S.A. 12-4416(b), and amendments thereto, shall be conducted only on the record of the stipulation of facts relating to the complaint.

(f) At the conclusion of the case, the district court shall send notice of dismissal, conviction or acquittal to the municipal court clerk.

New Sec. 16. If any provision of this bill or the application thereof to any person or circumstances is held unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect other provisions or applications of the bill which can be given effect without the unconstitutional or invalid portion or application, and, to this end, the provisions of this bill are severable.";

Also on page 2, in line 31, before "K.S.A" by inserting "K.S.A. 20-122, 20-123, 20-130, 20-132, 20-2904 and 20-2907 and"; also in line 31, after "Supp." by inserting "7-127, 12-4516, 12-4516d,"; also in line 31, by striking "is" and inserting ", 20-3020, 21-6614, 21-6614f, 22-2410 and 22-3609 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking lines 2 and 3; in line 4, by striking all before the period and inserting "courts; relating to attorney licensure; selection and appointment of judges and justices; supreme court nominating commission and district judicial nominating commissions; applicability of open meetings act and open records act; amending K.S.A. 20-122, 20-123, 20-130, 20-132, 20-2904 and 20-2907 and K.S.A. 2015 Supp. 7-127, 12-4516, 20-2909, 20-3020, 21-6614, 22-2410 and 22-3609 and repealing the existing sections; also repealing K.S.A. 2015 Supp. 12-4516d and 21-6614f";

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

John E. Barker
Charles Macheers
Conferees on part of House

Jeff King
Greg Smith
Conferees on part of Senate

On motion of Rep. Barker, the conference committee report on **H Sub for SB 128** was adopted.

On roll call, the vote was: Yeas 72; Nays 50; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Anthimides, Barker, Barton, Bradford, Bruchman, B. Carpenter, W. Carpenter, Claeys, Corbet, E. Davis, DeGraaf, Dove, Esau, Estes, Francis, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, F. Patton, Pauls, Peck, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schwab, Schwartz, Seiwert, C. Smith, Suellentrop, Sutton, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C.,

Whitmer, K. Williams.

Nays: Alcala, Ballard, Becker, Billinger, Boldra, Bollier, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, Dierks, Doll, Finch, Finney, Frownfelter, Gallagher, Helgerson, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Kuether, Lewis, Lusk, Lusker, Moxley, Ousley, Phillips, Rooker, Ruiz, Sawyer, Schroeder, Scott, Sloan, S. Swanson, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Edmonds, Ewy, Goico.

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

LATE NIGHT SESSION

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

REPORT ON ENGROSSED BILLS

Sub HB 2062, HB 2436, Sub HB 2473 reported correctly engrossed April 30, 2016.

HB 2164, HB 2446, HB 2545, reported correctly re-engrossed April 30, 2016.

REPORT ON ENROLLED RESOLUTIONS

HR 6058, HR 6059, HR 6060 reported correctly enrolled and properly signed on April 30, 2016.

On motion of Rep. Vickrey, the House adjourned until 12:30 p.m., Sunday, May 1, 2016.

Journal of the House

FIFTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Sunday, May 1, 2016, 12:30 p.m.

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

The roll was called with 118 members present.

Reps. Ewy, Goico, Hemsley, Kahrs, Kelley, Kiegerl and Schroeder were excused on excused absence by the Speaker.

Present later: Reps. Goico, Hemsley, Kahrs, Kelley, Kiegerl and Schroeder.

Excused later: Rep. Edmonds.

Prayer by Rep. Powell:

Heavenly Father,

> Man's kingdoms, they come and go, but You are always the same. We thank you that your mercies are new every morning. Thank you that while we're resting at night, you're still active. We know it's in your heart to work both within us and through us, for the good of Kansans and to Your glory.
>
> We ask that we would not run our own race, but the race you set before us, for it's the only race, at the end of the day, that really matters.
>
> We humble ourselves today, and ask for Your wisdom, Your grace, Your goodness to overshadow us as we work together in solving problems and establishing solutions. In this process, may we honor one another, considering others as more important than ourselves.
>
> Jesus, you modeled, and still model, a new way to rule, through serving. May we have the same heart and motive today as we serve.
>
> To quote the late Oswald Chambers, may we live out what he so did. “My worth to God in public is what I am in private.”
>
> Let it be so! Amen.

The Pledge of Allegiance was led by Rep. Finch.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **H Sub for SB 149**.
The Senate adopts the Conference Committee report on **H Sub for SB 193**.
The Senate adopts the Conference Committee report on **SB 325**.
The Senate adopts the Conference Committee report on **SB 418**.
The Senate adopts the Conference Committee report on **S Sub for HB 2365**.
The Senate adopts the Conference Committee report on **S Sub for HB 2509**.
The Senate adopts the Conference Committee report on **HB 2696**.
The Senate adopts the Conference Committee report on **HB 2739**.

The Senate not adopts the Conference Committee report on **HB 2615**, requests a conference and appoints Senators O'Donnell, Bowers and Kelly as fourth conferees on the part of the Senate.

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

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **HB 2615**.

Speaker pro tem Mast thereupon appointed Reps. Hawkins, Dove and Ward as conferees on the part of the House.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for HB 2365, S Sub for HB 2509, HB 2696**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2365** 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 70 and inserting:

"New Section 1. On and after July 1, 2016, notwithstanding the provisions of section 109 of chapter 104 of the 2015 Session Laws of Kansas, the provisions of K.S.A. 2015 Supp. 75-5958, and amendments thereto, shall be in full force and effect.

Sec. 2. K.S.A. 2015 Supp. 75-7435 is hereby amended to read as follows: 75-7435. (a) As used in this section unless the context requires otherwise:

(1) Words and phrases have the meanings respectively ascribed thereto by K.S.A.

39-923, and amendments thereto.

(2) "Skilled nursing care facility" means a licensed nursing facility, nursing facility for mental health as defined in K.S.A. 39-923, and amendments thereto, or a hospital long-term care unit licensed by the department of health and environment, providing skilled nursing care, but shall not include the Kansas soldiers' home or the Kansas veterans' home.

(3) "Licensed bed" means those beds within a skilled nursing care facility which the facility is licensed to operate.

(4) "Agent" means the Kansas department for aging and disability services.

(5) "Continuing care retirement facility" means a facility holding a certificate of registration issued by the commissioner of insurance pursuant to K.S.A. 40-2235, and amendments thereto.

(b) (1) Except as otherwise provided in this section and in subsection (f), there is hereby imposed and the secretary of health and environment shall assess an annual assessment per licensed bed, hereinafter called a quality care assessment, on each skilled nursing care facility. The assessment on all facilities in the aggregate shall be an amount fixed by rules and regulations of the secretary of health and environment, shall not exceed ~~$1,950~~ $4,908 annually per licensed bed, shall be imposed as an amount per licensed bed and shall be imposed uniformly on all skilled nursing care facilities except that the assessment rate for skilled nursing care facilities that are part of a continuing care retirement facility, small skilled nursing care facilities and high medicaid volume skilled nursing care facilities shall not exceed $^{1}/_{6}$ of the actual amount assessed all other skilled nursing care facilities. No rules and regulations of the secretary of health and environment shall grant any exception to or exemption from the quality care assessment. The assessment shall be paid quarterly, with one fourth of the annual amount due by the 30th day after the end of the month of each calendar quarter. The secretary of health and environment is authorized to establish delayed payment schedules for skilled nursing care facilities which are unable to make quarterly payments when due under this section due to financial difficulties, as determined by the secretary of health and environment. As used in this ~~subsection (b)(1)~~ paragraph, the terms "small skilled nursing care facilities" and "high medicaid volume skilled nursing care facilities" shall have the meanings ascribed thereto by the secretary of health and environment by rules and regulations, except that the definition of small skilled nursing care facility shall not be lower than 40 beds.

(2) Beds licensed after July 1 each year shall pay a prorated amount of the applicable annual assessment so that the assessment applies only for the days such new beds are licensed. The proration shall be calculated by multiplying the applicable assessment by the percentage of days the beds are licensed during the year. Any change which reduces the number of licensed beds in a facility shall not result in a refund being issued to the skilled nursing care facility.

(3) If an entity conducts, operates or maintains more than one licensed skilled nursing care facility, the entity shall pay the nursing facility assessment for each facility separately. No skilled nursing care facility shall create a separate line-item charge for the purpose of passing through the quality care assessment to residents. No skilled nursing care facility shall be guaranteed, expressly or otherwise, that any additional moneys paid to the facility under this section will equal or exceed the amount of its quality care assessment.

(4) The payment of the quality care assessment to the secretary of health and environment shall be an allowable cost for medicaid reimbursement purposes. A rate adjustment pursuant to ~~paragraph (5) of~~ subsection (d)(5) shall be made effective on the date of imposition of the assessment, to reimburse the portion of this cost imposed on medicaid days.

(5) The secretary of health and environment shall seek a waiver from the United States department of health and human services to allow the state to impose varying levels of assessments on skilled nursing care facilities based on specified criteria. It is the intent of the legislature that the waiver sought by the secretary of health and environment be structured to minimize the negative fiscal impact on certain classes of skilled nursing care facilities.

(c) Each skilled nursing care facility shall prepare and submit to the secretary of health and environment any additional information required and requested by the secretary of health and environment to implement or administer the provisions of this section. Each skilled nursing care facility shall prepare and submit quarterly to the secretary for aging and disability services the rate the facility charges to private pay residents, and the secretary shall cause this information to be posted on the web site of the department for aging and disability services.

(d) (1) There is hereby created in the state treasury the quality care fund, which shall be administered by the secretary of health and environment. All moneys received for the assessments imposed pursuant to subsection (b), including any penalty assessments imposed thereon pursuant to subsection (e), shall be remitted to the state treasurer in accordance with K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the quality care fund. All expenditures from the quality care fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of health and environment or the secretary's agent.

(2) All moneys in the quality care fund shall be used to finance initiatives to maintain or improve the quantity and quality of skilled nursing care in skilled nursing care facilities in Kansas. No moneys credited to the quality care fund shall be transferred to or otherwise revert to the state general fund at any time. Notwithstanding the provisions of any other law to the contrary, if any moneys credited to the quality care fund are transferred or otherwise revert to the state general fund, 30 days following the transfer or reversion the quality care assessment shall terminate and the secretary of health and environment shall discontinue the imposition, assessment and collection of the assessment. Upon termination of the assessment, all collected assessment revenues, including the moneys inappropriately transferred or reverting to the state general fund, less any amounts expended by the secretary of health and environment, shall be returned on a pro rata basis to skilled nursing care facilities that paid the assessment.

(3) Any moneys received by the state of Kansas from the federal government as a result of federal financial participation in the state medicaid program that are derived from the quality care assessment shall be deposited in the quality care fund and used to finance actions to maintain or increase healthcare in skilled nursing care facilities.

(4) Moneys in the fund shall be used exclusively for the following purposes:

(A) To pay administrative expenses incurred by the secretary of health and environment or the agent in performing the activities authorized by this section, except

that such expenses shall not exceed a total of 1% of the aggregate assessment funds collected pursuant to subsection (b) for the prior fiscal year;

(B) to increase nursing facility payments to fund covered services to medicaid beneficiaries within medicare upper payment limits, as may be negotiated;

(C) to reimburse the medicaid share of the quality care assessment as a pass-through medicaid allowable cost;

(D) to restore the medicaid rate reductions implemented January 1, 2010;

(E) to restore funding for fiscal year 2010, including rebasing and inflation to be applied to rates in fiscal year 2011;

(F) the remaining amount, if any, shall be expended first to increase the direct health care costs center limitation up to 150% of the case mix adjusted median, and then, if there are remaining amounts, for other quality care enhancement of skilled nursing care facilities as approved by the quality care improvement panel but shall not be used directly or indirectly to replace existing state expenditures for payments to skilled nursing care facilities for providing services pursuant to the state medicaid program.

(5) Any moneys received by a skilled nursing care facility from the quality care fund shall not be expended by any skilled nursing care facility to provide for bonuses or profit-sharing for any officer, employee or parent corporation but may be used to pay to employees who are providing direct care to a resident of such facility.

(6) Adjustment payments may be paid quarterly or within the daily medicaid rate to reimburse covered medicaid expenditures in the aggregate within the upper payment limits.

(7) On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the quality care fund interest earnings based on:

(A) The average daily balance of moneys in the quality care fund for the preceding month; and

(B) the net earnings rate of the pooled money investment portfolio for the preceding month.

(e) If a skilled nursing care facility fails to pay the full amount of the quality care assessment imposed pursuant to subsection (b), when due and payable, including any extensions of time granted under that subsection, the secretary of health and environment shall assess a penalty in the amount of the lesser of $500 per day or 2% of the quality care assessment owed for each day the assessment is delinquent. The secretary of health and environment is authorized to establish delayed payment schedules for skilled nursing care facilities that are unable to make installment payments when due under this section because of financial difficulties, as determined by the secretary of health and environment.

(f) (1) The secretary of health and environment shall assess and collect quality care assessments imposed pursuant to subsection (b), including any penalty assessments imposed thereon pursuant to subsection (e), from skilled nursing care facilities on and after July 1, 2010, except that no assessments or penalties shall be assessed under subsections (a) through (h) until:

(A) An amendment to the state plan for medicaid, which increases the rates of payments made to skilled nursing care facilities for providing services pursuant to the federal medicaid program and which is proposed for approval for purposes of

subsections (a) through (h) is approved by the federal government in which case the initial assessment is due no earlier than 60 days after state plan approval; and

(B) the skilled nursing care facilities have been compensated retroactively within 60 days after state plan approval at the increased rate for services provided pursuant to the federal medicaid program for the period commencing on and after July 1, 2010.

(2) The secretary of health and environment shall implement and administer the provisions of subsections (a) through (h) in a manner consistent with applicable federal medicaid laws and regulations. The secretary of health and environment shall seek any necessary approvals by the federal government that are required for the implementation of subsections (a) through (h).

(3) The provisions of subsections (a) through (h) shall be null and void and shall have no force and effect if one of the following occur:

(A) The medicaid plan amendment, which increases the rates of payments made to skilled nursing care facilities for providing services pursuant to the federal medicaid program and which is proposed for approval for purposes of subsections (a) through (h) is not approved by the federal centers for medicare and medicaid services;

(B) the rates of payments made to skilled nursing care facilities for providing services pursuant to the federal medicaid program are reduced below the rates calculated on December 31, 2009, increased by revenues in the quality care fund and matched by federal financial participation and rebasing as provided for in K.S.A. 2015 Supp. 75-5958, and amendments thereto;

(C) any funds are utilized to supplant funding for skilled nursing care facilities as required by subsection (g);

(D) any funds are diverted from those purposes set forth in subsection (d)(4); or

(E) upon the governor signing, or allowing to become law without signature, legislation which by proviso or otherwise directs any funds from those purposes set forth in subsection (d)(4) or which would propose to suspend the operation of this section.

(g) On and after July 1, 2010, reimbursement rates for skilled nursing care facilities shall be restored to those in effect during December 2009. No funds generated by the assessments or federal funds generated therefrom shall be utilized for such restoration, but such funds may be used to restore the rate reduction in effect from January 1, 2010, to June 30, 2010.

(h) Rates of reimbursement shall not be limited by private pay charges.

(i) If the provisions of subsections (a) through (h) are repealed, expire or become null and void and have no further force and effect, all moneys in the quality care fund which were paid under the provisions of subsections (a) through (h) shall be returned to the skilled nursing care facilities which paid such moneys on the basis on which such payments were assessed and paid pursuant to subsections (a) through (h).

(j) The department of health and environment may adopt rules and regulations necessary to implement the provisions of this section.

(k) For purposes of administering and selecting the reimbursements of moneys in the quality care assessment fund, the quality care improvement panel is hereby established. The panel shall consist of the following members: Two persons appointed by leadingage Kansas ~~homes and services for the aging~~; two persons appointed by the Kansas health care association; one person appointed by Kansas advocates for better care; one person appointed by the Kansas hospital association; one person appointed by

the governor who is a member of the Kansas adult care executives association; one person appointed by the governor who is a skilled nursing care facility resident or the family member of such a resident; one person appointed by the Kansas foundation for medical care; one person appointed by the governor from the department for aging and disability services; ~~and~~ one person appointed by the governor from the department of health and environment; one person appointed by the president of the senate who is affiliated with an organization representing and advocating the interests of retired persons in Kansas; and one person appointed by the speaker of the house of representatives who is a volunteer with the office of the state long-term care ombudsman established by the long-term care ombudsman act. The person appointed by the governor from the department for aging and disability services and the person appointed by the governor from the department of health and environment shall be nonvoting members of the panel. The panel shall meet as soon as possible subsequent to the effective date of this act and shall elect a chairperson from among the members appointed by the trade organizations specified in this subsection. The members of the quality care improvement panel shall serve without compensation or expenses. The quality care improvement panel shall report annually on or before January 10 to the ~~legislature~~ senate committees on public health and welfare and ways and means, the house committees on appropriations and health and human services and the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight concerning the progress to reduce the incidence of antipsychotic drug use in elders with dementia, participation in the nursing facility quality and efficiency outcome incentive factor, participation in the culture change and person-centered care incentive program, annual resident satisfaction ratings for Kansas skilled nursing care facilities and the activities of the panel during the preceding calendar year and any recommendations which the panel may have concerning the administration of and expenditures from the quality care assessment fund.

(l) The provisions of this section shall expire on July 1, ~~2016~~ 2020.

Sec. 3. K.S.A. 2015 Supp. 75-7435 is hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.";

On page 1, in the title, in line 1, by striking all after "ACT"; by striking all in lines 2 through 9 and inserting "concerning skilled nursing care facilities; relating to the quality care assessment; rate and sunset thereof; quality care improvement panel membership; reporting requirements; amending K.S.A. 2015 Supp. 75-7435 and repealing the existing section."

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

TY MASTERSON
JIM DENNING
LAURA KELLY
Conferees on part of Senate

RONALD RYCKMAN
SHARON SCHWARTZ
JERRY HENRY
Conferees on part of House

On motion of Rep. Ryckman, the conference committee report on **S Sub for HB 2365** was adopted.

On roll call, the vote was: Yeas 109; Nays 7; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, Dierks, Doll, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barton, DeGraaf, D. Jones, K. Jones, McPherson, Peck, Schwab.

Present but not voting: None.

Absent or not voting: Dove, Edmonds, Ewy, Goico, Hemsley, Kahrs, Kelley, Kiegerl, Schroeder.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2509** submits the following report:

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

On page 3, in line 5, after "1%" by inserting ", not to exceed $200,000,"; in line 7, after the period by inserting "The secretary may also recover any actual costs incurred by the secretary in excess of the fee."; also in line 7, after "fee" by inserting ", and any actual costs incurred by the secretary in excess of the fee,";

On page 5, in line 24, after "1%" by inserting ", not to exceed $200,000,"; in line 25, after the period by inserting "The secretary may also recover any actual costs incurred by the secretary in excess of the fee."; also in line 25, after "fee" by inserting ", and any actual costs incurred by the secretary in excess of the fee,"; in line 27, by striking all before "assessed"; in line 28, by striking "fee" and inserting "amount"; in line 31, after "fee" by inserting "and any actual costs in excess of the fee assessed by the secretary"; in line 35, after "fees" by inserting ", and any actual costs incurred by the secretary in excess of the fee,";

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

JULIA LYNN
SUSAN WAGLE
TOM HOLLAND
Conferees on part of Senate

LARRY CAMPBELL
TOM SLOAN
PAM CURTIS
Conferees on part of House

On motion of Rep. Campbell, the conference committee report on **S Sub for HB 2509** was adopted.

On roll call, the vote was: Yeas 86; Nays 30; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, Dierks, Esau, Estes, Finch, Finney, Francis, Gallagher, Gonzalez, Hawkins, Hedke, Helgerson, Henderson, Hibbard, Highland, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, D. Jones, Kelly, Kleeb, Lewis, Lunn, Lusker, Mason, Mast, Merrick, Moxley, Osterman, F. Patton, Pauls, Phillips, Proehl, Rahjes, Read, Rooker, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, K. Williams, Wilson, Winn.

Nays: Alcala, Barton, Carlin, Carmichael, B. Carpenter, DeGraaf, Doll, Frownfelter, Garber, Grosserode, Henry, Highberger, Hildabrand, K. Jones, Kuether, Lusk, Macheers, McPherson, O'Brien, Ousley, Peck, R. Powell, Rhoades, Rubin, Ruiz, Scapa, Tietze, Ward, Whitmer, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Dove, Edmonds, Ewy, Goico, Hemsley, Johnson, Kahrs, Kelley, Kiegerl.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2696** submits the following report:

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

On page 1, following line 5, by inserting:

"New Section 1. (a) There is hereby created in the state treasury, the Kansas highway patrol staffing and training fund. Moneys credited to the Kansas highway patrol staffing and training fund shall be used by the highway patrol for increasing employment and retaining personnel at the highway patrol and for no other purpose. All expenditures from the Kansas highway patrol staffing and training fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and

reports issued pursuant to vouchers approved by the superintendent of the highway patrol.

(b) The moneys credited to the fund created in subsection (a) shall be used for the purposes set forth in this section and for no other governmental purposes. It is the intent of the legislature that the moneys deposited in this fund shall remain intact and inviolate for the purposes set forth in this section.

New Sec. 2. In addition to any registration fee prescribed under article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto, all applicants for vehicle registration shall pay at the time of registration a nonrefundable Kansas highway patrol staffing and training surcharge in the amount of $2 for each vehicle being registered.

New Sec. 3. In addition to any registration fee prescribed under article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto, all applicants for vehicle registration shall pay, at the time of registration, a nonrefundable law enforcement training center surcharge in the amount of $1.25 for each vehicle being registered.

Sec. 4. K.S.A. 2015 Supp. 8-145 is hereby amended to read as follows: 8-145. (a) All registration and certificates of title fees shall be paid to the county treasurer of the county in which the applicant for registration resides or has an office or principal place of business within this state, and the county treasurer shall issue a receipt in triplicate, on blanks furnished by the division of vehicles, one copy of which shall be filed in the county treasurer's office, one copy shall be delivered to the applicant and the original copy shall be forwarded to the director of vehicles.

(b) The county treasurer shall deposit $.75 of each license application, $.75 out of each application for transfer of license plate and $2 out of each application for a certificate of title, collected by such treasurer under this act, in a special fund, which fund is hereby appropriated for the use of the county treasurer in paying for necessary help and expenses incidental to the administration of duties in accordance with the provisions of this law and extra compensation to the county treasurer for the services performed in administering the provisions of this act, which compensation shall be in addition to any other compensation provided by any other law, except that the county treasurer shall receive as additional compensation for administering the motor vehicle title and registration laws and fees, a sum computed as follows: The county treasurer, during the month of December, shall determine the amount to be retained for extra compensation not to exceed the following amounts each year for calendar year 2006 or any calendar year thereafter: The sum of $110 per hundred registrations for the first 5,000 registrations; the sum of $90 per hundred registrations for the second 5,000 registrations; the sum of $5 per hundred for the third 5,000 registrations; and the sum of $2 per hundred registrations for all registrations thereafter. In no event, however, shall any county treasurer be entitled to receive more than $15,000 additional annual compensation.

If more than one person shall hold the office of county treasurer during any one calendar year, such compensation shall be prorated among such persons in proportion to the number of weeks served. The total amount of compensation paid the treasurer together with the amounts expended in paying for other necessary help and expenses incidental to the administration of the duties of the county treasurer in accordance with the provisions of this act, shall not exceed the amount deposited in such special fund. Any balance remaining in such fund at the close of any calendar year shall be withdrawn and credited to the general fund of the county prior to June 1 of the

following calendar year.

(c) The county treasurer shall remit the remainder of all such fees collected, together with the original copy of all applications, to the secretary of revenue. The secretary of revenue shall remit all such fees remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state highway fund, except as provided in subsection (d).

(d) (1) Three dollars and fifty cents of each certificate of title fee collected and remitted to the secretary of revenue, shall be remitted to the state treasurer who shall credit such $3.50 to the Kansas highway patrol motor vehicle fund. Three dollars of each certificate of title fee collected and remitted to the secretary of revenue, shall be remitted to the state treasurer who shall credit such $3 to the VIPS/CAMA technology hardware fund.

(2) For repossessed vehicles, $3 of each certificate of title fee collected and remitted to the secretary of revenue, shall be remitted to the state treasurer who shall credit such $3 to the repossessed certificates of title fee fund.

(3) Three dollars and fifty cents of each reassignment form fee collected and remitted to the secretary of revenue, shall be remitted to the state treasurer who shall credit such $3.50 to the Kansas highway patrol motor vehicle fund. Three dollars of each reassignment form fee collected and remitted to the secretary of revenue, shall be remitted to the state treasurer who shall credit such $3 to the VIPS/CAMA technology hardware fund.

(4) Until January 1, 2013, $4 of each division of vehicles modernization surcharge collected and remitted to the secretary of revenue, shall be remitted to the state treasurer who shall credit such $4 to the division of vehicles modernization fund, on and after January 1, 2013, the state treasurer shall credit such $4 to the state highway fund.

(5) Two dollars of each Kansas highway patrol staffing and training surcharge collected and remitted to the secretary of revenue, shall be remitted to the state treasurer who shall credit such $2 to the Kansas highway patrol staffing and training fund.

(6) One dollar and twenty-five cents of each law enforcement training center surcharge collected and remitted to the secretary of revenue, shall be remitted to the state treasurer who shall credit such $1.25 to the law enforcement training center fund.

Sec. 5. K.S.A. 2015 Supp. 74-5619 is hereby amended to read as follows: 74-5619. (a) (1) There is hereby created in the state treasury the law enforcement training center fund. All moneys credited to such fund under the provisions of this act or any other law shall be expended only for the purpose and in the manner prescribed by law.

(2) All moneys received for assessments as provided pursuant to K.S.A. 74-5607, and amendments thereto, shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the law enforcement training center fund.

(b) There is hereby created in the state treasury the Kansas commission on peace officers' standards and training fund. All moneys credited to such fund under the provisions of this act or any other law shall be expended only for the purpose of the operation of the commission to carry out its powers and duties as mandated by law. The director may apply for and receive public or private grants, gifts and donations of

money for the commission. All moneys received from grants, gifts and donations shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the Kansas commission on peace officers' standards and training fund.

(c) The moneys credited to the funds created in subsections (a) and (b) shall be used for the purposes set forth in this section and for no other governmental purposes. It is the intent of the legislature that the moneys deposited in these funds shall remain intact and inviolate for the purposes set forth in this section.

(d) This section shall be part of and supplemental to the Kansas law enforcement training act.

Sec. 6. K.S.A. 12-4112 is hereby amended to read as follows: 12-4112. No person shall be assessed costs for the administration of justice in any municipal court case, except for:

(a) Witness fees and mileage as set forth in K.S.A. 12-4411, and amendments thereto;

(b) ~~for~~ the assessment required by K.S.A. ~~2001 Supp. 20-1a11~~ 12-4116, and amendments thereto; ~~for the judicial branch education fund;~~

(c) ~~for~~ the assessment required by K.S.A. 12-4117, and amendments thereto~~, for the law enforcement training center fund established pursuant to K.S.A. 74-5619, and amendments thereto, the local law enforcement training reimbursement fund established pursuant to K.S.A. 74-5620, and amendments thereto, and the juvenile detention facilities fund as provided in K.S.A. 12-4117, and amendments thereto~~; and

(d) ~~for~~ the assessment required by K.S.A. 12-16,119, and amendments thereto~~, for the detention facility processing fee~~.

Sec. 7. K.S.A. 2015 Supp. 12-4117 is hereby amended to read as follows: 12-4117. (a) In each case filed in municipal court other than a nonmoving traffic violation, where there is a finding of guilty or a plea of guilty, a plea of no contest, forfeiture of bond or a diversion, a sum in an amount of ~~$20~~ $22.50 shall be assessed and such assessment shall be credited as follows:

One dollar to the local law enforcement training reimbursement fund established pursuant to K.S.A. 74-5620, and amendments thereto, $11.50 to the law enforcement training center fund established pursuant to K.S.A. 74-5619, and amendments thereto, ~~$2.50~~ $5 to the Kansas commission on peace officers' standards and training fund established by K.S.A. 74-5619, and amendments thereto, $2 to the juvenile detention facilities fund established pursuant to K.S.A. 79-4803, and amendments thereto, to be expended for operational costs of facilities for the detention of juveniles, $.50 to the protection from abuse fund established pursuant to K.S.A. 74-7325, and amendments thereto, $.50 to the crime victims assistance fund established pursuant to K.S.A. 74-7334, and amendments thereto, $1 to the trauma fund established pursuant to K.S.A. 2015 Supp. 75-5670, and amendments thereto, and $1 to the department of corrections forensic psychologist fund established pursuant to K.S.A. 2015 Supp. 75-52,151, and amendments thereto.

(b) The judge or clerk of the municipal court shall remit the appropriate assessments received pursuant to this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such

remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the local law enforcement training reimbursement fund, the law enforcement training center fund, the Kansas commission on peace officers' standards and training fund, the juvenile detention facilities fund, the crime victims assistance fund, the trauma fund and the department of corrections forensic psychologist fund as provided in this section.

(c) For the purpose of determining the amount to be assessed according to this section, if more than one complaint is filed in the municipal court against one individual arising out of the same incident, all such complaints shall be considered as one case.";

On page 8, in line 25, before the first "K.S.A." by inserting "K.S.A. 12-4112 and"; also in line 25, after "Supp." by inserting "8-145, 12-4117,"; also in line 25, after "22-2401a" by inserting ", 74-5619"; in line 27, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "enforcement;" by inserting "creating the Kansas highway patrol staffing and training fund; relating to the law enforcement training center fund and the commission on peace officers' standards and training fund; vehicle registration fees; municipal court assessments;" in line 2, after "amending" by inserting "K.S.A. 12-4112 and"; also in line 2, after "Supp." by inserting "8-145, 12-4117,"; also in line 2, after "22-2401a" by inserting ", 74-5619";

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

JEFF KING
GREG SMITH
DAVID HALEY
Conferees on part of Senate

JOHN E. BARKER
CHARLES MACHEERS
JOHN CARMICHAEL
Conferees on part of House

On motion of Rep. Barker to adopt the conference committee report on **HB 2696**, Rep. Peck offered a substitute motion to not adopt a conference committee report and that a new conference committee be appointed.

The substitute motion of Rep. Peck did not prevail, and the question reverted back to the original motion of Rep. Barker to adopt the conference committee report.

On motion of Rep. Barker, the conference committee report on **HB 2696** was adopted.

On roll call, the vote was: Yeas 92; Nays 27; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, Dierks, Doll, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Hawkins, Hedke, Helgerson, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Hoffman, Houston, Huebert, Hutton, Jennings, Johnson, D. Jones, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lusk, Lusker, Macheers,

Mason, Mast, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Scott, Seiwert, Sloan, C. Smith, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Victors, Waymaster, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barton, Boldra, B. Carpenter, W. Carpenter, DeGraaf, Dove, Garber, Grosserode, Highland, Hildabrand, Houser, Hutchins, K. Jones, Lunn, McPherson, Merrick, Peck, R. Powell, Rhoades, Scapa, Schwab, Schwartz, Suellentrop, Sutton, Vickrey, Ward, Weber, C..

Present but not voting: None.

Absent or not voting: Edmonds, Ewy, Goico, Hemsley, Kahrs, Kelley.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2739** 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 6, before "Section" by inserting "New"; following line 34, by inserting:

"New Sec. 2. (a) On July 1, 2017, the budget stabilization fund is hereby established in the state treasury.

(b) On or before the 10th day of each month commencing July 1, 2017, the director of accounts and reports shall transfer from the state general fund to the budget stabilization fund interest earnings based on:

(1) The average daily balance of moneys in the budget stabilization fund, for the preceding month; and

(2) the net earnings rate of the pooled money investment portfolio for the preceding month.

(c) On and after July 1, 2017, no moneys in the budget stabilization fund shall be expended pursuant to this subsection unless the expenditure either has been approved by an appropriation or other act of the legislature or has been approved by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711(c), and amendments thereto.

(d) (1) During the 2016 interim between regular sessions of the legislature, the legislative budget committee shall study and review the policy concerning the balance of, transfers to and expenditures from the budget stabilization fund. The legislative budget committee study and review shall include, but not be limited to, the following:

(A) Risk-based budget stabilization fund practices utilized in other states.

(B) The appropriate number of years to review the state general fund:

(i) Revenue variances from projections; and

(ii) expenditure variances from budgets.

(C) The entity to certify the amount necessary in the budget stabilization fund to maintain the appropriate risk-based balance.

(D) Plan to fund the budget stabilization fund.

(E) Process and circumstances to reach the appropriate risk-based balance, including the amount of risk that is acceptable.

(F) Circumstances under which expenditures may be made from the fund.

(2) The legislative budget committee may make recommendations and introduce legislation as it deems necessary to implement such recommendations.

(3) Notwithstanding the provisions of sections 52 and 53 of chapter 104 of the 2015 Session Laws of the Kansas, section 18 of 2016 House Substitute for Senate Bill No. 161, this or any other appropriation act of the 2016 regular session of the legislature, the legislative budget committee may meet not more than 10 days to study and review such policies as determined by the chairperson of the committee.

Sec. 3. K.S.A. 2015 Supp. 75-3721 is hereby amended to read as follows: 75-3721. (a) On or before the eighth calendar day of each regular legislative session, the governor shall submit the budget report to the legislature, except that in the case of the regular legislative session immediately following the election of a governor who was elected to the office of governor for the first time, that governor shall submit the budget report to the legislature on or before the 21st calendar day of that regular legislative session.

(b) The budget report of the governor shall be set up in three parts, the nature and contents of which shall include the following:

(1) Part one shall consist of a budget message by such governor, including the governor's recommendations with reference to the fiscal policy of the state government for the current fiscal year and the ensuing fiscal year, describing the important features of the budget plan for each of the fiscal years included, embracing a general budget summary setting forth the aggregate figures of the budget so as to show the balanced relation between the total proposed expenditures and the total anticipated income for the current fiscal year and the ensuing fiscal year, with the basis and factors upon which the estimates were made, and the means of financing the budget plan for the each of the fiscal years included, compared with the corresponding figures for at least the last completed fiscal year, and the director of the budget shall prepare the figures for the governor for such comparisons.

(A) The budget plan shall not include: (i) Any proposed expenditures of anticipated income attributable to proposed legislation that would provide additional revenues from either current or new sources of revenue; or (ii) any proposed expenditures of moneys in the ending balance in the state general fund required by K.S.A. 75-6702, and amendments thereto.

(B) The general budget summary may be supported by explanatory schedules or statements, classifying the expenditures contained therein by state agencies, objects, and funds, and the income by state agencies, funds, sources and types. The general budget summary shall include all special or fee funds as well as the state general fund, and shall include the estimated amounts of federal aids, for whatever purpose provided, together with estimated expenditures therefrom.

(2) Part two shall embrace the detailed budget estimates for each of the fiscal years included, both of expenditures and revenues, showing the requests of the state agencies, if any, and the governor's recommendations thereon, which shall include amounts for payments by the state board of regents pursuant to K.S.A. 75-4364, and amendments thereto. It shall also include statements of the bonded indebtedness of the state, showing the actual amount of the debt service for at least the last completed fiscal year, and the estimated amount for the current fiscal year and for each of the ensuing fiscal years included, the debt authorized and unissued, and the condition of the sinking funds.

(3) Part three shall consist of a draft of a legislative measure or measures reflecting

the governor's budget for all of the fiscal years included in the budget report.

(c) The division of the budget shall compile a children's budget document consisting of the information contained in agency budget estimates regarding programs that provide services for children and their families. Such document shall be provided to the Kansas children's cabinet established by K.S.A. 38-1901, and amendments thereto, and other persons or entities on request.

(d) The division of the budget, upon request, shall furnish the governor or the legislature with any further information required concerning the budget.

(e) Nothing in this section shall be construed to restrict or limit the privilege of the governor to present supplemental budget messages or amendments to previous budget messages, which may include proposals for expenditure of new or increased sources of revenue derived from proposed legislation.

(f) The budget estimate for the judicial branch of state government as submitted to the director of the budget pursuant to K.S.A. 20-158, and amendments thereto, shall be included in the governor's budget report.

(g) The division of the budget shall compile a Kansas homeland security budget document consisting of the information contained in agency budget estimates under ~~subsection (a)(3) of~~ K.S.A. 75-3717(a)(3), and amendments thereto. Such document shall be provided to the house of representatives committee on appropriations, the senate committee on ways and means and such other committees upon request.

(h) Commencing with fiscal year 2018, the ending balance in the state general fund in any fiscal year shall include the unexpended and unencumbered balances in the:

(1) State general fund; and

(2) budget stabilization fund, established in section 2, and amendments thereto.

Sec. 4. K.S.A. 75-3722, as amended by section 61 of 2016 Senate Bill No. 367, is hereby amended to read as follows: 75-3722. (a) An allotment system will be applicable to the expenditure of the resources of any state agency, under rules and regulations established as provided in K.S.A. 75-3706, and amendments thereto, only if in the opinion of the secretary of administration on the advice of the director of the budget, the use of an allotment plan is necessary or beneficial to the state. In making this determination the secretary of administration shall take into consideration all pertinent factors including:

(1) Available resources;

(2) current spending rates;

(3) work loads;

(4) new activities, especially any proposed activities not covered in the agency's request to the governor and the legislature for appropriations;

(5) the minimum current needs of each agency;

(6) requests for deficiency appropriations in prior fiscal years;

(7) unexpended and unencumbered balances; and

(8) revenue collection rates and prospects.

(b) Whenever for any fiscal year it appears that the resources of the general fund or any special revenue fund are likely to be insufficient to cover the appropriations made against such general fund or special revenue fund, the secretary of administration, on the advice of the director of the budget, shall, in such manner as ~~he or she~~ the secretary may determine, inaugurate the allotment system so as to assure that expenditures for any particular fiscal year will not exceed the available resources of the general fund or

any special revenue fund for that fiscal year. When reviewing the resources of the general fund or any special revenue fund for the purposes of issuing an allotment, the secretary shall not take into consideration the balance in the budget stabilization fund.

(c) (1) The allotment system shall not apply to the legislature or to the courts or their officers and employees, or to payments made from the juvenile justice improvement fund, established in section 13, of 2016 Senate Bill No. 367, and amendments thereto, for the development and implementation of evidence-based community programs and practices for juvenile offenders and their families. During the fiscal year ending June 30, 2017, the allotment system provided by this section shall not apply to any item of appropriation for employer contributions for the state of Kansas and participating employers who are eligible employers as specified in K.S.A. 74-4931(1), (2) and (3), and amendments thereto, under the Kansas public employees retirement system pursuant to K.S.A. 74-4939, and amendments thereto.

(2) Agencies affected by decisions of the secretary of administration under this section shall be notified in writing at least 30 days before such decisions may become effective and any affected agency may, by written request addressed to the governor within 10 days after such notice, ask for a review of the decision by the finance council. The finance council shall hear appeals and render a decision within 20 days after the governor receives requests for such ~~hearings~~ review.

Sec. 5. K.S.A. 75-6704, as amended by section 62 of 2016 Senate Bill No. 367, is hereby amended to read as follows: 75-6704. (a) The director of the budget shall continuously monitor the status of the state general fund with regard to estimated and actual revenues and approved and actual expenditures and demand transfers. Periodically, the director of the budget shall estimate the amount of the unencumbered ending balance of moneys in the state general fund for the current fiscal year and the total amount of anticipated expenditures, demand transfers and encumbrances of moneys in the state general fund for the current fiscal year. If the amount of such unencumbered ending balance in the state general fund is less than $100,000,000, the director of the budget shall certify to the governor the difference between $100,000,000 and the amount of such unencumbered ending balance in the state general fund, after adjusting the estimates of the amounts of such demand transfers with regard to new estimates of revenues to the state general fund, where appropriate. When estimating the amount of the unencumbered ending balance of moneys in the state general fund for the purposes of such certification, the director of the budget shall not take into consideration the balance in the budget stabilization fund.

(b) Upon receipt of any such certification and subject to approval of the state finance council acting on this matter which is hereby declared to be a matter of legislative delegation and subject to the guidelines prescribed by K.S.A. 75-3711c(c), and amendments thereto, the governor may issue an executive order reducing, by applying a percentage reduction determined by the governor in accordance with this section: (1) The amount authorized to be expended from each appropriation from the state general fund for the current fiscal year, other than any item of appropriation for debt service for payments pursuant to contractual bond obligations or any item of appropriation for employer contributions for the employers who are eligible employers as specified in K.S.A. 74-4931(1), (2) and (3), and amendments thereto, under the Kansas public employees retirement system pursuant to K.S.A. 74-4939, and amendments thereto, or for payments made from the juvenile justice improvement fund

for the development and implementation of evidence-based community programs and practices for juvenile offender and their families; and (2) the amount of each demand transfer from the state general fund for the current fiscal year, other than any demand transfer to the school district capital improvements fund for distribution to school districts pursuant to K.S.A. 75-2319, and amendments thereto.

(c) The reduction imposed by an executive order issued under this section shall be determined by the governor and may be equal to or less than the amount certified under subsection (a). Except as otherwise specifically provided by this section, the percentage reduction applied under subsection (b) shall be the same for each item of appropriation and each demand transfer and shall be imposed equally on all such items of appropriation and demand transfers without exception. No such percentage reduction and no provisions of any such executive order under this section shall apply or be construed to reduce any item of appropriation for debt service for payments pursuant to contractual bond obligations or any item of appropriation for employer contributions for the employers who are eligible employers as specified in K.S.A. 74-4931(1), (2) and (3), and amendments thereto, under the Kansas public employees retirement system pursuant to K.S.A. 74-4939, and amendments thereto, or any demand transfer to the school district capital improvements fund for distribution to school districts pursuant to K.S.A. 75-2319, and amendments thereto. The provisions of such executive order shall be effective for all state agencies of the executive, legislative and judicial branches of state government.

(d) If the governor issues an executive order under this section, the director of accounts and reports shall not issue any warrant for the payment of moneys in the state general fund or make any demand transfer of moneys in the state general fund for any state agency unless such warrant or demand transfer is in accordance with such executive order and such warrant or demand transfer does not exceed the amount of money permitted to be expended or transferred from the state general fund.

(e) Nothing in this section shall be construed to: (1) Require the governor to issue an executive order under this section upon receipt of any such certification by the director of the budget; or (2) restrict the number of times that the director of the budget may make a certification under this section or that the governor may issue an executive order under this section.

Sec. 6. K.S.A. 75-3722, as amended by section 61 of 2016 Senate Bill No. 367, and 75-6704, as amended by section 62 of 2016 Senate Bill No. 367, and K.S.A. 2015 Supp. 75-3721 and 76-12a25 are hereby repealed.";

And by renumbering sections accordingly;

Also on page 1, in line 1, by striking "the budget process" and inserting "state finances"; in line 3, after "process" by inserting "; creating a budget stabilization fund; relating to state general fund revenue and expenditures; review of risk-based practices by the legislative budget committee; amending K.S.A. 75-3722, as amended by section 61 of 2016 Senate Bill No. 367, and 75-6704, as amended by section 62 of 2016 Senate Bill No. 367, and K.S.A. 2015 Supp.75-3721 and repealing the existing sections; also repealing K.S.A. 2015 Supp. 76-12a25";

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

TY MASTERSON
JIM DENNING
LAURA KELLY
Conferees on part of Senate

RONALD RYCKMAN
SHARON SCHWARTZ
JERRY HENRY
Conferees on part of House

On motion of Rep. Ryckman, the conference committee report on **HB 2739** was adopted.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Edmonds, Ewy, Goico, Hemsley, Kahrs, Kelley.

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

MID-AFTERNOON SESSION

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

The House stood at ease until the sound of the gavel.

Speaker Merrick called the House to order.

On motion of Rep. Vickrey, the House recessed until 5:15 p.m.

LATE AFTERNOON SESSION

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

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **S Sub for HB 2049**.
The Senate adopts the Conference Committee report on **HB 2632**.
The Senate adopts the Conference Committee report on **SB 366**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for HB 2049, HB 2632**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2049** 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 7 through 36;

By striking all on pages 2 through 11;

On page 12, by striking all in lines 1 through 31 and inserting:

"Section 1. K.S.A. 2015 Supp. 76-12b01 is hereby amended to read as follows: 76-12b01. When used in this act:

(a) "Adaptive behavior" means the effectiveness or degree with which an individual meets the standards of personal independence and social responsibility expected of that person's age, cultural group and community.

(b) "Care" means supportive services, including, but not limited to, provision of room and board, supervision, protection, assistance in bathing, dressing, grooming, eating and other activities of daily living.

(c) "Institution" means a state institution for people with intellectual disability including the following institutions: Kansas neurological institute and Parsons state hospital.

(d) "Intellectual disability" means significantly subaverage general intellectual functioning existing concurrently with deficits in adaptive behavior~~ and manifested during the period from birth to age 18~~.

(e) "Respite care" means temporary, short-term care not exceeding 90 days per calendar year to provide relief from the daily pressures involved in caring for a person with intellectual disability.

(f) "Restraint" means the use of a totally enclosed crib or any material to restrict or inhibit the free movement of one or more limbs of a person except medical devices which limit movement for examination, treatment or to insure the healing process.

(g) "Seclusion" means being placed alone in a locked room where the individual's freedom to leave is thereby restricted and where such placement is not under continuous

observation.

(h) "Secretary" means the secretary for aging and disability services or the designee of the secretary.

(i) "Significantly subaverage general intellectual functioning" ~~means~~ may be established by performance which is two or more standard deviations from the mean score on a standardized intelligence test specified by the secretary. Such standardized intelligence test shall take into account the standard error of measurement, and subaverage general intellectual functioning may be established by means in addition to standardized intellectual testing. The amendments made to this subsection by this act shall be construed and applied retroactively.

(j) "Superintendent" means the chief administrative officer of the institution or the designee of the chief administrative officer.

(k) "Training" means the provision of specific environmental, physical, mental, social and educational interventions and therapies for the purpose of halting, controlling or reversing processes that cause, aggravate or complicate malfunctions or dysfunctions of development.

Sec. 2. K.S.A. 2015 Supp. 76-12b01 is hereby repealed.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking all after "concerning"; by striking lines 2 and 3; in line 4, by striking all before the period and inserting "intellectual disability; relating to the definition of significantly subaverage general intellectual functioning; amending K.S.A. 2015 Supp. 76-12b01 and repealing the existing section";

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

GREG SMITH
FORREST J. KNOX
PAT PETTEY
Conferees on part of Senate

RAMON C. GONZALEZ
JAN PAULS
DENNIS "BOOG" HIGHBERGER
Conferees on part of House

On motion of Rep. Finch, the conference committee report on **S Sub for HB 2049** was adopted.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck,

Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Edmonds, Ewy, Goico, Kahrs.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2632** 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 8 through 36;

On page 2, by striking all in lines 1 through 33 and inserting:

"Section 1. K.S.A. 2015 Supp. 12-1770a is hereby amended to read as follows: 12-1770a. As used in this act~~, and amendments thereto~~, the following words and phrases shall have the following meanings unless a different meaning clearly appears from the content:

(a) "Auto race track facility" means: (1) An auto race track facility and facilities directly related and necessary to the operation of an auto race track facility, including, but not limited to, grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor and retail centers, signage and temporary hospitality facilities, but excluding (2) hotels, motels, restaurants and retail facilities, not directly related to or necessary to the operation of such facility.

(b) "Base year assessed valuation" means the assessed valuation of all real property within the boundaries of a redevelopment district on the date the redevelopment district was established.

(c) "Blighted area" means an area which:

(1) Because of the presence of a majority of the following factors, substantially impairs or arrests the development and growth of the municipality or constitutes an economic or social liability or is a menace to the public health, safety, morals or welfare in its present condition and use:

(A) A substantial number of deteriorated or deteriorating structures;

(B) predominance of defective or inadequate street layout;

(C) unsanitary or unsafe conditions;

(D) deterioration of site improvements;

(E) tax or special assessment delinquency exceeding the fair market value of the real property;

(F) defective or unusual conditions of title including, but not limited to, cloudy or defective titles, multiple or unknown ownership interests to the property;

(G) improper subdivision or obsolete platting or land uses;

(H) the existence of conditions which endanger life or property by fire or other causes; or

(I) conditions which create economic obsolescence; ~~or~~

(2) has been identified by any state or federal environmental agency as being environmentally contaminated to an extent that requires a remedial investigation; feasibility study and remediation or other similar state or federal action; ~~or~~

(3) a majority of the property is a 100-year floodplain area; or

(4) previously was found by resolution of the governing body to be a slum or a blighted area under K.S.A. 17-4742 et seq., and amendments thereto.

(d) "Conservation area" means any improved area comprising 15% or less of the land area within the corporate limits of a city in which 50% or more of the structures in the area have an age of 35 years or more, which area is not yet blighted, but may become a blighted area due to the existence of a combination of two or more of the following factors:

(1) Dilapidation, obsolescence or deterioration of the structures;

(2) illegal use of individual structures;

(3) the presence of structures below minimum code standards;

(4) building abandonment;

(5) excessive vacancies;

(6) overcrowding of structures and community facilities; or

(7) inadequate utilities and infrastructure.

(e) "De minimus" means an amount less than 15% of the land area within a redevelopment district.

(f) "Developer" means any person, firm, corporation, partnership or limited liability company, other than a city and other than an agency, political subdivision or instrumentality of the state or a county when relating to a bioscience development district.

(g) "Eligible area" means a blighted area, conservation area, enterprise zone, intermodal transportation area, major tourism area or a major commercial entertainment and tourism area ~~or~~, bioscience development area or a building or buildings which are 65 years of age or older and any contiguous vacant or condemned lots.

(h) "Enterprise zone" means an area within a city that was designated as an enterprise zone prior to July 1, 1992, pursuant to K.S.A. 12-17,107 through 12-17,113, and amendments thereto, prior to its repeal and the conservation, development or redevelopment of the area is necessary to promote the general and economic welfare of such city.

(i) "Environmental increment" means the increment determined pursuant to K.S.A. 12-1771a(b), and amendments thereto.

(j) "Environmentally contaminated area" means an area of land having contaminated groundwater or soil which is deemed environmentally contaminated by the department of health and environment or the United States environmental protection agency.

(k) (1) "Feasibility study" means:

(A) A study which shows whether a redevelopment project's or bioscience development project's benefits and tax increment revenue and other available revenues under K.S.A. 12-1774(a)(1), and amendments thereto, are expected to exceed or be sufficient to pay for the redevelopment or bioscience development project costs; and

(B) the effect, if any, the redevelopment project costs or bioscience development project will have on any outstanding special obligation bonds payable from the

revenues described in K.S.A. 12-1774(a)(1)(D), and amendments thereto.

(2) For a redevelopment project or bioscience project financed by bonds payable from revenues described in K.S.A. 12-1774(a)(1)(D), and amendments thereto, the feasibility study must also include:

(A) A statement of how the taxes obtained from the project will contribute significantly to the economic development of the jurisdiction in which the project is located;

(B) a statement concerning whether a portion of the local sales and use taxes are pledged to other uses and are unavailable as revenue for the redevelopment project. If a portion of local sales and use taxes is so committed, the applicant shall describe the following:

(i) The percentage of sales and use taxes collected that are so committed; and

(ii) the date or dates on which the local sales and use taxes pledged to other uses can be pledged for repayment of special obligation bonds;

(C) an anticipated principal and interest payment schedule on the bonds;

(D) following approval of the redevelopment plan, the feasibility study shall be supplemented to include a copy of the minutes of the governing body meeting or meetings of any city whose bonding authority will be utilized in the project, evidencing that a redevelopment plan has been created, discussed, and adopted by the city in a regularly scheduled open public meeting; and

(E) the failure to include all information enumerated in this subsection in the feasibility study for a redevelopment or bioscience project shall not affect the validity of bonds issued pursuant to this act.

(l) "Major tourism area" means an area for which the secretary has made a finding the capital improvements costing not less than $100,000,000 will be built in the state to construct an auto race track facility.

(m) "Real property taxes" means all taxes levied on an ad valorem basis upon land and improvements thereon, except that when relating to a bioscience development district, as defined in this section, "real property taxes" does not include property taxes levied for schools, pursuant to K.S.A. 2015 Supp. 72-6470, and amendments thereto.

(n) "Redevelopment project area" means an area designated by a city within a redevelopment district or, if the redevelopment district is established for an intermodal transportation area, an area designated by a city within or outside of the redevelopment district.

(o) "Redevelopment project costs" means: (1) Those costs necessary to implement a redevelopment project plan or a bioscience development project plan, including costs incurred for:

(A) Acquisition of property within the redevelopment project area;

(B) payment of relocation assistance pursuant to a relocation assistance plan as provided in K.S.A. 12-1777, and amendments thereto;

(C) site preparation including utility relocations;

(D) sanitary and storm sewers and lift stations;

(E) drainage conduits, channels, levees and river walk canal facilities;

(F) street grading, paving, graveling, macadamizing, curbing, guttering and surfacing;

(G) street light fixtures, connection and facilities;

(H) underground gas, water, heating and electrical services and connections located

within the public right-of-way;

(I) sidewalks and pedestrian underpasses or overpasses;

(J) drives and driveway approaches located within the public right-of-way;

(K) water mains and extensions;

(L) plazas and arcades;

(M) major multi-sport athletic complex;

(N) museum facility;

(O) parking facilities including multilevel parking facilities;

(P) landscaping and plantings, fountains, shelters, benches, sculptures, lighting, decorations and similar amenities;

(Q) related expenses to redevelop and finance the redevelopment project;

(R) for purposes of an incubator project, such costs shall also include wet lab equipment including hoods, lab tables, heavy water equipment and all such other equipment found to be necessary or appropriate for a commercial incubator wet lab facility by the city in its resolution establishing such redevelopment district or a bioscience development district;

(S) costs for the acquisition of land for and the construction and installation of publicly-owned infrastructure improvements which serve an intermodal transportation area and are located outside of a redevelopment district; and

(T) costs for infrastructure located outside the redevelopment district but contiguous to any portion of the redevelopment district and such infrastructure is necessary for the implementation of the redevelopment plan as determined by the city.

(2) Redevelopment project costs shall not include: (A) Costs incurred in connection with the construction of buildings or other structures to be owned by or leased to a developer, however, the "redevelopment project costs" shall include costs incurred in connection with the construction of buildings or other structures to be owned or leased to a developer which includes an auto race track facility or a multilevel parking facility.

(B) In addition, for a redevelopment project financed with special obligation bonds payable from the revenues described in K.S.A. 12-1774(a)(1)(D), and amendments thereto, redevelopment project costs shall not include:

(i) Fees and commissions paid to developers, real estate agents, financial advisors or any other consultants who represent the developers or any other businesses considering locating in or located in a redevelopment district;

(ii) salaries for local government employees;

(iii) moving expenses for employees of the businesses locating within the redevelopment district;

(iv) property taxes for businesses that locate in the redevelopment district;

(v) lobbying costs;

(vi) a bond origination fee charged by the city pursuant to K.S.A. 12-1742, and amendments thereto;

(vii) any personal property, as defined in K.S.A. 79-102, and amendments thereto; and

(viii) travel, entertainment and hospitality.

(p) "Redevelopment district" means the specific area declared to be an eligible area in which the city may develop one or more redevelopment projects.

(q) "Redevelopment district plan" or "district plan" means the preliminary plan that identifies all of the proposed redevelopment project areas and identifies in a general

manner all of the buildings, facilities and improvements in each that are proposed to be constructed or improved in each redevelopment project area or, if the redevelopment district is established for an intermodal transportation area, in or outside of the redevelopment district.

(r) "Redevelopment project" means the approved project to implement a project plan for the development of the established redevelopment district.

(s) "Redevelopment project plan" means the plan adopted by a municipality for the development of a redevelopment project or projects which conforms with K.S.A. 12-1772, and amendments thereto, in a redevelopment district.

(t) "Substantial change" means, as applicable, a change wherein the proposed plan or plans differ substantially from the intended purpose for which the district plan or project plan was approved.

(u) "Tax increment" means that amount of real property taxes collected from real property located within the redevelopment district that is in excess of the amount of real property taxes which is collected from the base year assessed valuation.

(v) "Taxing subdivision" means the county, city, unified school district and any other taxing subdivision levying real property taxes, the territory or jurisdiction of which includes any currently existing or subsequently created redevelopment district including a bioscience development district.

(w) "River walk canal facilities" means a canal and related water features which flows through a redevelopment district and facilities related or contiguous thereto, including, but not limited to pedestrian walkways and promenades, landscaping and parking facilities.

(x) "Major commercial entertainment and tourism area" may include, but not be limited to, a major multi-sport athletic complex.

(y) "Major multi-sport athletic complex" means an athletic complex that is utilized for the training of athletes, the practice of athletic teams, the playing of athletic games or the hosting of events. Such project may include playing fields, parking lots and other developments including grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor centers, signage and temporary hospitality facilities, but excluding hotels, motels, restaurants and retail facilities, not directly related to or necessary to the operation of such facility.

(z) "Bioscience" means the use of compositions, methods and organisms in cellular and molecular research, development and manufacturing processes for such diverse areas as pharmaceuticals, medical therapeutics, medical diagnostics, medical devices, medical instruments, biochemistry, microbiology, veterinary medicine, plant biology, agriculture, industrial environmental and homeland security applications of bioscience and future developments in the biosciences. Bioscience includes biotechnology and life sciences.

(aa) "Bioscience development area" means an area that:

(1) Is or shall be owned, operated, or leased by, or otherwise under the control of the Kansas bioscience authority;

(2) is or shall be used and maintained by a bioscience company; or

(3) includes a bioscience facility.

(bb) "Bioscience development district" means the specific area, created under K.S.A. 12-1771, and amendments thereto, where one or more bioscience development projects may be undertaken.

(cc) "Bioscience development project" means an approved project to implement a project plan in a bioscience development district.

(dd) "Bioscience development project plan" means the plan adopted by the authority for a bioscience development project pursuant to K.S.A. 12-1772, and amendments thereto, in a bioscience development district.

(ee) "Bioscience facility" means real property and all improvements thereof used to conduct bioscience research, including, without limitation, laboratory space, incubator space, office space and any and all facilities directly related and necessary to the operation of a bioscience facility.

(ff) "Bioscience project area" means an area designated by the authority within a bioscience development district.

(gg) "Biotechnology" means those fields focusing on technological developments in such areas as molecular biology, genetic engineering, genomics, proteomics, physiomics, nanotechnology, biodefense, biocomputing, bioinformatics and future developments associated with biotechnology.

(hh) "Board" means the board of directors of the Kansas bioscience authority.

(ii) "Life sciences" means the areas of medical sciences, pharmaceutical sciences, biological sciences, zoology, botany, horticulture, ecology, toxicology, organic chemistry, physical chemistry, physiology and any future advances associated with life sciences.

(jj) "Revenue increase" means that amount of real property taxes collected from real property located within the bioscience development district that is in excess of the amount of real property taxes which is collected from the base year assessed valuation.

(kk) "Taxpayer" means a person, corporation, limited liability company, S corporation, partnership, registered limited liability partnership, foundation, association, nonprofit entity, sole proprietorship, business trust, group or other entity that is subject to the Kansas income tax act, K.S.A. 79-3201 et seq., and amendments thereto.

(ll) "Floodplain increment" means the increment determined pursuant to K.S.A. 2015 Supp. 12-1771e(b), and amendments thereto.

(mm) "100-year floodplain area" means an area of land existing in a 100-year floodplain as determined by either an engineering study of a Kansas certified engineer or by the United States federal emergency management agency.

(nn) "Major motorsports complex" means a complex in Shawnee county that is utilized for the hosting of competitions involving motor vehicles, including, but not limited to, automobiles, motorcycles or other self-propelled vehicles other than a motorized bicycle or motorized wheelchair. Such project may include racetracks, all facilities directly related and necessary to the operation of a motorsports complex, including, but not limited to, parking lots, grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor and retail centers, signage and temporary hospitality facilities, but excluding hotels, motels, restaurants and retail facilities not directly related to or necessary to the operation of such facility.

(oo) "Intermodal transportation area" means an area of not less than 800 acres to be developed primarily to handle the transfer, storage and distribution of freight through railway and trucking operations.

(pp) "Museum facility" means a separate newly-constructed museum building and facilities directly related and necessary to the operation thereof, including gift shops and restaurant facilities, but excluding hotels, motels, restaurants and retail facilities not

directly related to or necessary to the operation of such facility. The museum facility shall be owned by the state, a city, county, other political subdivision of the state or a non-profit corporation, shall be managed by the state, a city, county, other political subdivision of the state or a non-profit corporation and may not be leased to any developer and shall not be located within any retail or commercial building.

Sec. 2. K.S.A. 2015 Supp. 12-17,162 is hereby amended to read as follows: 12-17,162. As used in ~~this~~ the STAR bond financing act~~, and amendments thereto~~, the following words and phrases shall have the following meanings unless a different meaning clearly appears from the context:

(a) "Auto race track facility" means: (1) An auto race track facility and facilities directly related and necessary to the operation of an auto race track facility, including, but not limited to, grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor and retail centers, signage and temporary hospitality facilities, but excluding (2) hotels, motels, restaurants and retail facilities, not directly related to or necessary to the operation of such facility.

(b) "Commence work" means the manifest commencement of actual operations on the development site, such as, erecting a building, excavating the ground to lay a foundation or a basement or work of like description which a person with reasonable diligence can see and recognize as being done with the intention and purpose to continue work until the project is completed.

(c) "De minimus" means an amount less than 15% of the land area within a STAR bond project district.

(d) "Developer" means any person, firm, corporation, partnership or limited liability company other than a city and other than an agency, political subdivision or instrumentality of the state.

(e) "Economic impact study" means a study to project the financial benefit of the project to the local, regional and state economies.

(f) "Eligible area" means a historic theater, major tourism area, major motorsports complex, auto race track facility, river walk canal facility, major multi-sport athletic complex, or a major commercial entertainment and tourism area as determined by the secretary.

(g) "Feasibility study" means a feasibility study as defined in ~~subsection (b) of~~ K.S.A. 2015 Supp. 12-17,166(b), and amendments thereto.

(h) "Historic theater" means a building constructed prior to 1940 which was constructed for the purpose of staging entertainment, including motion pictures, vaudeville shows or operas, that is operated by a nonprofit corporation and is designated by the state historic preservation officer as eligible to be on the Kansas register of historic places or is a member of the Kansas historic theatre association.

(i) "Historic theater sales tax increment" means the amount of state and local sales tax revenue imposed pursuant to K.S.A. 12-187 et seq., 79-3601 et seq. and 79-3701 et seq., and amendments thereto, collected from taxpayers doing business within the historic theater that is in excess of the amount of such taxes collected prior to the designation of the building as a historic theater for purposes of this act.

(j) "Major commercial entertainment and tourism area" means an area that may include, but not be limited to, a major multi-sport athletic complex.

(k) "Major motorsports complex" means a complex in Shawnee county that is utilized for the hosting of competitions involving motor vehicles, including, but not

limited to, automobiles, motorcycles or other self-propelled vehicles other than a motorized bicycle or motorized wheelchair. Such project may include racetracks, all facilities directly related and necessary to the operation of a motorsports complex, including, but not limited to, parking lots, grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor and retail centers, signage and temporary hospitality facilities, but excluding hotels, motels, restaurants and retail facilities not directly related to or necessary to the operation of such facility.

(l) "Major tourism area" means an area for which the secretary has made a finding the capital improvements costing not less than $100,000,000 will be built in the state to construct an auto race track facility.

(m) "Major multi-sport athletic complex" means an athletic complex that is utilized for the training of athletes, the practice of athletic teams, the playing of athletic games or the hosting of events. Such project may include playing fields, parking lots and other developments including grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor centers, signage and temporary hospitality facilities, but excluding hotels, motels, restaurants and retail facilities, not directly related to or necessary to the operation of such facility.

(n) "Market study" means a study to determine the ability of the project to gain market share locally, regionally and nationally and the ability of the project to gain sufficient market share to:

(1) Remain profitable past the term of repayment; and

(2) maintain status as a significant factor for travel decisions.

(o) "Market impact study" means a study to measure the impact of the proposed project on similar businesses in the project's market area.

(p) "Museum facility" means a separate newly-constructed museum building and facilities directly related and necessary to the operation thereof, including gift shops and restaurant facilities, but excluding hotels, motels, restaurants and retail facilities not directly related to or necessary to the operation of such facility. The museum facility shall be owned by the state, a city, county, other political subdivision of the state or a non-profit corporation, shall be managed by the state, a city, county, other political subdivision of the state or a non-profit corporation and may not be leased to any developer and shall not be located within any retail or commercial building.

(q) "Project" means a STAR bond project.

(r) "Project costs" means those costs necessary to implement a STAR bond project plan, including costs incurred for:

(1) Acquisition of real property within the STAR bond project area;

(2) payment of relocation assistance pursuant to a relocation assistance plan as provided in K.S.A. 2015 Supp. 12-17,173, and amendments thereto;

(3) site preparation including utility relocations;

(4) sanitary and storm sewers and lift stations;

(5) drainage conduits, channels, levees and river walk canal facilities;

(6) street grading, paving, graveling, macadamizing, curbing, guttering and surfacing;

(7) street light fixtures, connection and facilities;

(8) underground gas, water, heating and electrical services and connections located within the public right-of-way;

(9) sidewalks and pedestrian underpasses or overpasses;

(10) drives and driveway approaches located within the public right-of-way;

(11) water mains and extensions;

(12) plazas and arcades;

(13) parking facilities and multilevel parking structures devoted to parking only;

(14) landscaping and plantings, fountains, shelters, benches, sculptures, lighting, decorations and similar amenities;

(15) auto race track facility;

(16) major multi-sport athletic complex;

(17) museum facility;

(18) major motorsports complex;

(19) related expenses to redevelop and finance the project, except that for a STAR bond project financed with special obligation bonds payable from the revenues described in ~~subsection (a)(1) of~~ K.S.A. 2015 Supp. 12-17,169(a)(1), and amendments thereto, such expenses shall require prior approval by the secretary of commerce; and

(20) except as specified in ~~subsections~~ paragraphs (1) through (19) above, project costs shall not include:

(A) Costs incurred in connection with the construction of buildings or other structures;

(B) fees and commissions paid to developers, real estate agents, financial advisors or any other consultants who represent the developers or any other businesses considering locating in or located in a STAR bond project district;

(C) salaries for local government employees;

(D) moving expenses for employees of the businesses locating within the STAR bond project district;

(E) property taxes for businesses that locate in the STAR bond project district;

(F) lobbying costs;

(G) any bond origination fee charged by the city or county;

(H) any personal property as defined in K.S.A. 79-102, and amendments thereto; and

(I) travel, entertainment and hospitality.

(s) "Projected market area" means any area within the state in which the project is projected to have a substantial fiscal or market impact upon businesses in such area.

(t) "River walk canal facilities" means a canal and related water features which flow through a major commercial entertainment and tourism area and facilities related or contiguous thereto, including, but not limited to, pedestrian walkways and promenades, landscaping and parking facilities.

(u) "Sales tax and revenue" are those revenues available to finance the issuance of special obligation bonds as identified in K.S.A. 2015 Supp. 12-17,168, and amendments thereto.

(v) "STAR bond" means a sales tax and revenue bond.

(w) "STAR bond project" means an approved project to implement a project plan for the development of the established STAR bond project district with:

(1) At least a $50,000,000 capital investment and $50,000,000 in projected gross annual sales; or

(2) for areas outside of metropolitan statistical areas, as defined by the federal office of management and budget, the secretary finds:

(A) The project is an eligible area as defined in subsection (f), and amendments

thereto; and

(B) would be of regional or statewide importance; or

(3) is a major tourism area as defined in subsection (l), and amendments thereto; or

(4) is a major motorsports complex, as defined in subsection (k)~~, and amendments thereto~~.

(x) "STAR bond project area" means the geographic area within the STAR bond project district in which there may be one or more projects.

(y) "STAR bond project district" means the specific area declared to be an eligible area as determined by the secretary in which the city or county may develop one or more STAR bond projects. A STAR bond project district includes a redevelopment district, as defined in K.S.A. 12-1770a, and amendments thereto, created prior to the effective date of this act for the Wichita Waterwalk project in Wichita, Kansas, provided, the city creating such redevelopment district submits an application for approval for STAR bond financing to the secretary on or before July 31, 2007, and receives a final letter of determination from the secretary approving or disapproving the request for STAR bond financing on or before November 1, 2007. No STAR bond project district shall include real property which has been part of another STAR bond project district unless such STAR bond project and STAR bond project district have been approved by the secretary of commerce pursuant to K.S.A. 2015 Supp. 12-17,164 and 12-17,165, and amendments thereto, prior to March 1, 2016. A STAR bond project district shall be limited to those areas being developed by the STAR bond project and any area of real property reasonably anticipated to directly benefit from the redevelopment project.

(z) "STAR bond project district plan" means the preliminary plan that identifies all of the proposed STAR bond project areas and identifies in a general manner all of the buildings, facilities and improvements in each that are proposed to be constructed or improved in each STAR bond project area.

(aa) "STAR bond project plan" means the plan adopted by a city or county for the development of a STAR bond project or projects in a STAR bond project district.

(bb) "Secretary" means the secretary of commerce.

(cc) "Substantial change" means, as applicable, a change wherein the proposed plan or plans differ substantially from the intended purpose for which the STAR bond project district plan was approved.

(dd) "Tax increment" means that portion of the revenue derived from state and local sales, use and transient guest tax imposed pursuant to K.S.A. 12-187 et seq., 12-1692 et seq., 79-3601 et seq. and 79-3701 et seq., and amendments thereto, collected from taxpayers doing business within that portion of a STAR bond project district occupied by a project that is in excess of the amount of base year revenue. For purposes of this subsection, the base year shall be the 12-month period immediately prior to the month in which the STAR bond project district is established. The department of revenue shall determine base year revenue by reference to the revenue collected during the base year from taxpayers doing business within the specific area in which a STAR bond project district is subsequently established. The base year of a STAR bond project district, following the addition of area to the STAR bond project district, shall be the base year for the original area, and with respect to the additional area, the base year shall be any 12-month period immediately prior to the month in which additional area is added to the STAR bond project district. For purposes of this subsection, revenue collected from

taxpayers doing business within a STAR bond project district, or within a specific area in which a STAR bond project district is subsequently established shall not include local sales and use tax revenue that is sourced to jurisdictions other than those in which the project is located. The secretary of revenue and the secretary of commerce shall certify the appropriate amount of base year revenue for taxpayers relocating from within the state into a STAR bond district.

(ee) "Taxpayer" means a person, corporation, limited liability company, S corporation, partnership, registered limited liability partnership, foundation, association, nonprofit entity, sole proprietorship, business trust, group or other entity that is subject to the Kansas income tax act, K.S.A. 79-3201 et seq., and amendments thereto.

Sec. 3. K.S.A. 2015 Supp. 12-17,169 is hereby amended to read as follows: 12-17,169. (a) (1) Any city or county shall have the power to issue special obligation bonds in one or more series to finance the undertaking of any STAR bond project in accordance with the provisions of this act. Such special obligation bonds shall be made payable, both as to principal and interest:

(A) From revenues of the city or county derived from or held in connection with the undertaking and carrying out of any STAR bond project or projects under this act including historic theater sales tax increments;

(B) from any private sources, contributions or other financial assistance from the state or federal government;

(C) from a pledge of 100% of the tax increment revenue received by the city from any local sales and use taxes, including the city's share of any county sales tax, which are collected from taxpayers doing business within that portion of the city's STAR bond project district established pursuant to K.S.A. 2015 Supp. 12-17,165, and amendments thereto, occupied by a STAR bond project, except for amounts committed to other uses by election of voters or pledged to bond repayment prior to the approval of the STAR bond project;

(D) at the option of the county in a city STAR bond project district, from a pledge of all of the tax increment revenues received by the county from any local sales and use taxes which are collected from taxpayers doing business within that portion of the city's STAR bond project district established pursuant to K.S.A. 2015 Supp. 12-17,165, and amendments thereto, except for amounts committed to other uses by election of voters or pledged to bond repayment prior to the approval of a STAR bond project;

(E) in a county STAR bond project district, from a pledge of 100% of the tax increment revenue received by the county from any county sales and use tax, but excluding any portions of such taxes that are allocated to the cities in such county pursuant to K.S.A. 12-192, and amendments thereto, which are collected from taxpayers doing business within that portion of the county's STAR bond project district established pursuant to K.S.A. 2015 Supp. 12-17,165, and amendments thereto, occupied by a STAR bond project;

(F) from a pledge of all or a portion of the tax increment revenue received from any state sales taxes which are collected from taxpayers doing business within that portion of the city's or county's STAR bond project district occupied by a STAR bond project, except that for any STAR bond project district established and approved by the secretary on or after January 1, 2017, such tax increment shall not include any sales tax revenue from retail automobile dealers;

(G) at the option of the city or county and with approval of the secretary, from all

or a portion of the transient guest tax of such city or county;

(H) at the option of the city or county and with approval of the secretary, (i) from a pledge of all or a portion of increased revenue received by the city or county from franchise fees collected from utilities and other businesses using public right-of-way within the STAR bond project district; or (ii) from a pledge of all or a portion of the revenue received by a city or county from local sales taxes or local transient guest and local use taxes; or

(I) by any combination of these methods.

The city or county may pledge such revenue to the repayment of such special obligation bonds prior to, simultaneously with, or subsequent to the issuance of such special obligation bonds.

(2) Bonds issued under ~~paragraph (1) of this~~ subsection (a)(1) shall not be general obligations of the city or the county, nor in any event shall they give rise to a charge against its general credit or taxing powers, or be payable out of any funds or properties other than any of those set forth in ~~paragraph (1) of this~~ subsection (a)(1) and such bonds shall so state on their face.

(3) Bonds issued under the provisions of ~~paragraph (1) of this~~ subsection (a)(1) shall be special obligations of the city or county and are declared to be negotiable instruments. Such bonds shall be executed by the mayor and clerk of the city or the chairperson of the board of county commissioners and the county clerk and sealed with the corporate seal of the city or county. All details pertaining to the issuance of such special obligation bonds and terms and conditions thereof shall be determined by ordinance of the city or by resolution of the county.

All special obligation bonds issued pursuant to this act and all income or interest therefrom shall be exempt from all state taxes. Such special obligation bonds shall contain none of the recitals set forth in K.S.A. 10-112, and amendments thereto. Such special obligation bonds shall, however, contain the following recitals: (i) The authority under which such special obligation bonds are issued; (ii) such bonds are in conformity with the provisions, restrictions and limitations thereof; and (iii) that such special obligation bonds and the interest thereon are to be paid from the money and revenue received as provided in ~~paragraph (1) of this~~ subsection (a)(1).

(4) Any city or county issuing special obligation bonds under the provisions of this act may refund all or part of such issue pursuant to the provisions of K.S.A. 10-116a, and amendments thereto.

(b) (1) Subject to the provisions of ~~paragraph (2) of this~~ subsection (b)(2), any city shall have the power to issue full faith and credit tax increment bonds to finance the undertaking, establishment or redevelopment of any major motorsports complex, as defined in ~~subsection (k) of~~ K.S.A. 2015 Supp. 12-17,162(k), and amendments thereto. Such full faith and credit tax increment bonds shall be made payable, both as to principal and interest: (A) From the revenue sources identified in ~~paragraph (1) of~~ subsection (a)(1) or by any combination of these sources; and (B) subject to the provisions of ~~paragraph (2) of this~~ subsection (b)(2), from a pledge of the city's full faith and credit to use its ad valorem taxing authority for repayment thereof in the event all other authorized sources of revenue are not sufficient.

(2) Except as provided in ~~paragraph (3) of this~~ subsection (b)(3), before the governing body of any city proposes to issue full faith and credit tax increment bonds as

authorized by this subsection, the feasibility study required by ~~subsection (b) of~~ K.S.A. 2015 Supp. 12-17,166(b), and amendments thereto, shall demonstrate that the benefits derived from the project will exceed the cost and that the income therefrom will be sufficient to pay the costs of the project. No full faith and credit tax increment bonds shall be issued unless the governing body states in the resolution required by ~~subsection (e) of~~ K.S.A. 2015 Supp. 12-17,166(e), and amendments thereto, that it may issue such bonds to finance the proposed STAR bond project. The governing body may issue the bonds unless within 60 days following the conclusion of the public hearing on the proposed STAR bond project plan a protest petition signed by 3% of the qualified voters of the city is filed with the city clerk in accordance with the provisions of K.S.A. 25-3601 et seq., and amendments thereto. If a sufficient petition is filed, no full faith and credit tax increment bonds shall be issued until the issuance of the bonds is approved by a majority of the voters voting at an election thereon. Such election shall be called and held in the manner provided by the general bond law. The failure of the voters to approve the issuance of full faith and credit tax increment bonds shall not prevent the city from issuing special obligation bonds in accordance with this section. No such election shall be held in the event the board of county commissioners or the board of education determines, as provided in K.S.A. 2015 Supp. 12-17,165, and amendments thereto, that the proposed STAR bond project district will have an adverse effect on the county or school district.

(3) As an alternative to ~~paragraph (2) of this~~ subsection (b)(2), any city which adopts a STAR bond project plan for a major motorsports complex, but does not state its intent to issue full faith and credit tax increment bonds in the resolution required by ~~subsection (e) of~~ K.S.A. 2015 Supp. 12-17,166(e), and amendments thereto, and has not acquired property in the STAR bond project area may issue full faith and credit tax increment bonds if the governing body of the city adopts a resolution stating its intent to issue the bonds and the issuance of the bonds is approved by a majority of the voters voting at an election thereon. Such election shall be called and held in the manner provided by the general bond law. The failure of the voters to approve the issuance of full faith and credit tax increment bonds shall not prevent the city from issuing special obligation bonds pursuant to ~~paragraph (1) of~~ subsection (a)(1). Any project plan adopted by a city prior to the effective date of this act in accordance with K.S.A. 12-1772, and amendments thereto, shall not be invalidated by any requirements of this act.

(4) During the progress of any major motorsports complex project in which the project costs will be financed, in whole or in part, with the proceeds of full faith and credit tax increment bonds, the city may issue temporary notes in the manner provided in K.S.A. 10-123, and amendments thereto, to pay the project costs for the major motorsports complex project. Such temporary notes shall not be issued and the city shall not acquire property in the STAR bond project area until the requirements of ~~paragraph (2) or (3) of this~~ subsection (b)(2) or (b)(3), whichever is applicable, have been met.

(5) Full faith and credit tax increment bonds issued under this subsection shall be general obligations of the city and are declared to be negotiable instruments. Such bonds shall be issued in accordance with the general bond law. All such bonds and all income or interest therefrom shall be exempt from all state taxes. The amount of the full faith and credit tax increment bonds issued and outstanding which exceeds 3% of the assessed valuation of the city shall be within the bonded debt limit applicable to such

city.

(6) Any city issuing full faith and credit tax increment bonds under the provisions of this subsection may refund all or part of such issue pursuant to the provisions of K.S.A. 10-116a, and amendments thereto.

(c) (1) For each project financed with special obligation bonds payable from the revenues described in subsection (a)(1), the city or county shall prepare and submit to the secretary by October 1 of each year, a report describing the status of any projects within such STAR bond project area, any expenditures of the proceeds of special obligation bonds that have occurred since the last annual report and any expenditures of the proceeds of such bonds expected to occur in the future, including the amount of sales tax revenue, how such revenue has been spent, the projected amount of such revenue and the anticipated use of such revenue. The department of commerce shall compile this information and submit a report annually to the governor and the legislature by February 1 of each year.

(2) (A) In addition to the report referenced in paragraph (1), the department of commerce, in cooperation with the department of revenue, shall submit a report to the senate commerce committee and the house commerce, labor and economic development committee by January 31 of each session. The report shall include the following information for the last three calendar years and the most current year-to-date information available with respect to each star bond district:

(i) The amount of sales tax collected, and the amount of any "base" sales taxes being allocated to the district;

(ii) the total amount of bond payments and other expenses incurred;

(iii) the total amount of bonds issued and the balance of the bonds, by district and by project in the district;

(iv) the remaining cash balance in the project to pay future debt service and other expenses;

(v) any new income producing properties being brought into a district and the base revenue going to the state general fund and incremental sales tax increases going to the district with respect to such properties;

(vi) the amount of bonds issued to repay private investors in the project with calculations showing the private and state share of indebtedness;

(vii) the percentage of local effort sales tax actually committed to the district compared to the state's share of sales tax percentage committed to the district;

(viii) the number of out-of-state visitors to a project, a discussion of the visitor attraction properties of projects in the districts, and a comparison of the number of out-of-state visitors with the number of in-state visitors; and

(ix) if any information or data is not available, an explanation as to why it is not available.

(B) Either the senate commerce committee or the house committee on commerce, labor and economic development may amend the information required in the report with additional requests and clarification on a going forward basis.

(d) A city or county may use the proceeds of special obligation bonds or any uncommitted funds derived from sources set forth in this section to pay the bond project costs as defined in K.S.A. 2015 Supp. 12-17,162, and amendments thereto, to implement the STAR bond project plan.

(e) With respect to a STAR bond project district established prior to January 1,

2003, for which, prior to January 1, 2003, the secretary made a finding as provided in subsection (a)~~ of this section~~ that a STAR bond project would create a major tourism area for the state, such special obligation bonds shall be payable both as to principal and interest, from a pledge of all of the revenue from any transient guest, state and local sales and use taxes collected from taxpayers as provided in subsection (a)~~ of this section~~ whether or not revenues from such taxes are received by the city.

Sec. 4. K.S.A. 2015 Supp. 12-17,171 is hereby amended to read as follows: 12-17,171. (a) Any addition of area to the STAR bond project district, or any substantial change as defined in K.S.A. 2015 Supp. 12-17,162, and amendments thereto, to the STAR bond project district plan shall be subject to the same procedure for public notice and hearing as is required for the establishment of the STAR bond project district. Any such addition of area shall be limited to real property which has not been part of another STAR bond project district. The base year of a STAR bond project district, following the addition of area to the STAR bond project district, shall be the base year for the original area, and with respect to the additional area, the base year shall be any 12-month period immediately prior to the month in which additional area is added to the STAR bond project district.

(b) A city or county may remove real property from a STAR bond project district by an ordinance or resolution of the governing body respectively.

(c) A city or county may divide the real property in a STAR bond project district, including real property in different project areas within a STAR bond project district, into separate STAR bond project districts. Any division of real property within a STAR bond project district into more than one STAR bond project district shall be subject to the same procedure of public notice and hearing as is required for the establishment of the STAR bond project district.

(d) Subject to the provisions of subsection (a), if a city or county has undertaken a STAR bond project within a STAR bond project district, and either the city or county wishes to subsequently remove more than a de minimus amount of real property from the STAR bond project district, or the city or county wishes to subsequently divide the real property in the STAR bond project district into more than one STAR bond project district, then prior to any such removal or division the city or county must provide a feasibility study which shows that the tax revenue from the resulting STAR bond project district within which the STAR bond project is located is expected to be sufficient to pay the project costs.

(e) Removal of real property from one STAR bond project district and addition of all or a portion of that real property to another STAR bond project district may be accomplished by the adoption of an ordinance or resolution, and in such event the determination of the existence or nonexistence of an adverse effect on the county or school district under ~~subsection (f) of~~ K.S.A. 2015 Supp. 12-17,165(f), and amendments thereto, shall apply to both such removal and such addition of real property to a STAR bond project district.

Sec. 5. K.S.A. 2015 Supp. 12-17,176 is hereby amended to read as follows: 12-17,176. (a) STAR bond projects using state sales tax financing pursuant to K.S.A. 2015 Supp. 12-17,169, and amendments thereto, shall be audited by an independent certified public accountant annually at the expense of the city or county. The audit report shall supplement the annual report required pursuant to K.S.A. 2015 Supp. 12-17,169, and amendments thereto.

(b) Such audits shall determine whether bond financing obtained under K.S.A. 2015 Supp. 12-17,169, and amendments thereto, is being used only for authorized purposes. Audit results shall be reported to the house commerce, labor and economic development ~~and tourism~~ committee, the senate commerce committee, or successor committees, the governor and the secretaries of commerce and revenue during the legislative session immediately following the audit.

(c) If audit findings indicate that bond funds have been used for unauthorized or ineligible purposes, the city or county shall repay to the bond fund all such unauthorized or ineligible expenditures. Such city or county shall enter into a repayment agreement with the secretary of revenue specifying the terms of such repayment obligation.

Sec. 6. K.S.A. 2015 Supp. 74-99b15 is hereby amended to read as follows: 74-99b15. Nothing in this act should be construed as allowing the board to sell the authority or substantially all of the assets of the authority, or to merge the authority with another institution, without prior legislative authorization by statute. This authorization may be provided by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session.

Sec. 7. K.S.A. 2015 Supp. 12-1770a, 12-17,162, 12-17,169, 12-17,171, 12-17,176 and 74-99b15 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking lines 2 through 4; in line 5, by striking "section" and inserting "economic development; relating to tax increment financing, eligible areas; the STAR bond financing act; base year assessed valuation, business relocations; reports to the legislature; concerning the Kansas bioscience authority; delegating authority to the state finance council to oversee any sale of the Kansas bioscience authority or substantially all of the authority's assets; amending K.S.A. 2015 Supp. 12-1770a, 12-17,162, 12-17,169, 12-17,171, 12-17,176 and 74-99b15 and repealing the existing sections";

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

TY MASTERSON
JIM DENNING
LAURA KELLY
Conferees on part of Senate

MARVIN KLEEB
GENE SUELLENTROP
TOM SAWYER
Conferees on part of House

On motion of Rep. Kleeb, the conference committee report on **HB 2632** was adopted.

On roll call, the vote was: Yeas 89; Nays 32; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Finch, Francis,

Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelley, Kelly, Kleeb, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Nays: Alcala, Ballard, Burroughs, Carlin, Carmichael, Curtis, Finney, Frownfelter, Helgerson, Henderson, Henry, Highberger, Houston, Kiegerl, Kuether, Lusk, Lusker, Moxley, Ousley, Ruiz, Sawyer, Scott, Sloan, C. Smith, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Edmonds, Ewy, Goico, Kahrs.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 402** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 402 as follows:

On page 1, by striking all in lines 6 through 36;

By striking all in pages 2 through 7;

On page 8, by striking all in lines 1 through 5; following line 5, by inserting:

"Section 1. K.S.A. 2015 Supp. 39-702 is hereby amended to read as follows: 39-702. The following words and phrases when used in this act shall, for the purposes of this act, have the meanings respectively ascribed to them in this section:

(a) "Secretary" means the secretary for children and families, unless otherwise specified.

(b) "Applicants" means all persons who, as individuals, or in whose behalf requests are made of the secretary for aid or assistance.

(c) "Social welfare service" may include such functions as giving assistance, the prevention of public dependency, and promoting the rehabilitation of dependent persons or those who are approaching public dependency.

(d) "Assistance" includes such items or functions as the giving or providing of money, food assistance, food, clothing, shelter, medicine or other materials, the giving of any service, including instructive or scientific. The definitions of social welfare service and assistance in this section shall be deemed as partially descriptive and not limiting.

(e) "Temporary assistance to needy families" means financial assistance with respect to or on behalf of a dependent child or dependent children and includes financial assistance for any month to meet the needs of the relative or qualifying caretaker with whom any dependent child is living.

(f) "Medical assistance" means the payment of all or part of the cost of necessary: (1) Medical, remedial, rehabilitative or preventive care and services ~~which~~ that are within the scope of services to be provided under a medical care plan developed by the secretary pursuant to this act and furnished by health care providers who have a current

approved provider agreement with the secretary; and (2) transportation to obtain care and services ~~which~~ that are within the scope of services to be provided under a medical care plan developed by the secretary pursuant to this act.

(g) "Dependent children" means needy children under the age of 18, or who are under the age of 19 and are full-time students in secondary schools or the equivalent educational program who are in the care of a biological or adoptive parent, court appointed guardian, conservator or legal custodian and who are living with any relative, including first cousins, uncles, aunts, and persons of preceding generations are denoted by prefixes of grand, great, or great-great, and including the spouses or former spouses of any persons named in the above groups, in a place of residence maintained by one or more of such relatives as their own home.

(h) "The blind" means not only those who are totally and permanently devoid of vision, but also those persons whose vision is so defective as to prevent the performance of ordinary activities for which eyesight is essential.

(i) "Recipient" means a person who has received assistance under the terms of this act.

(j) "Intake office" means the place where the secretary shall maintain an office for receiving applications.

(k) "Adequate consideration" means consideration equal, or reasonably proportioned to the value of that for which it is given.

(l) "Title IV-D" means part D of title IV of the federal social security act, ~~(~~42 U.S.C. § 651 et seq.~~)~~, as in effect on May 1, 1997.

(m) "TANF diversion assistance" means a one-time voluntary payment option in lieu of ongoing TANF assistance. The diversion payment is available to applicants who have not received TANF assistance as an adult, and is designed to meet a crisis or emergency hardship that would endanger such applicants' ability to remain employed or to accept an offer of employment. Any household that includes such recipient accepting the diversion payment is ineligible to receive on-going TANF assistance for 12 months after receipt of the diversion payment. Any recipient who receives a diversion payment is limited to ~~42~~ 18 months of TANF cash assistance in a lifetime, unless such recipient shall meet a hardship criteria as defined by the secretary.

(n) "Non-cooperation" means the failure of the applicant or recipient to comply with all requirements provided in state and federal law, rules and regulations and agency policy.

Sec. 2. K.S.A. 2015 Supp. 39-709 is hereby amended to read as follows: 39-709. (a) *General eligibility requirements for assistance for which federal moneys are expended.* Subject to the additional requirements below, assistance in accordance with plans under which federal moneys are expended may be granted to any needy person who:

(1) Has insufficient income or resources to provide a reasonable subsistence compatible with decency and health. Where a husband and wife or cohabiting partners are living together, the combined income or resources of both shall be considered in determining the eligibility of either or both for such assistance unless otherwise prohibited by law. The secretary, in determining need of any applicant for or recipient of assistance shall not take into account the financial responsibility of any individual for any applicant or recipient of assistance unless such applicant or recipient is such individual's spouse, cohabiting partner or such individual's minor child or minor

stepchild if the stepchild is living with such individual. The secretary in determining need of an individual may provide such income and resource exemptions as may be permitted by federal law. For purposes of eligibility for temporary assistance for needy families, for food assistance and for any other assistance provided through the Kansas department for children and families under which federal moneys are expended, the secretary for children and families shall consider one motor vehicle owned by the applicant for assistance, regardless of the value of such vehicle, as exempt personal property and shall consider any equity in any boat, personal water craft, recreational vehicle, recreational off-highway vehicle or all-terrain vehicle, as defined by K.S.A. 8-126, and amendments thereto, or any additional motor vehicle owned by the applicant for assistance to be a nonexempt resource of the applicant for assistance except that any additional motor vehicle used by the applicant, the applicant's spouse or the applicant's cohabiting partner for the primary purpose of earning income may be considered as exempt personal property in the secretary's discretion.

(2) Is a citizen of the United States or is an alien lawfully admitted to the United States and who is residing in the state of Kansas.

(b) *Temporary assistance for needy families.* Assistance may be granted under this act to any dependent child, or relative, subject to the general eligibility requirements as set out in subsection (a), who resides in the state of Kansas or whose parent or other relative with whom the child is living resides in the state of Kansas. Such assistance shall be known as temporary assistance for needy families. ~~On and after January 1, 2017, the department shall conduct an electronic check for any false information provided on an application for TANF and other benefits programs administered by the department.~~ Where the husband and wife or cohabiting partners are living together, both shall register for work under the program requirements for temporary assistance for needy families in accordance with criteria and guidelines prescribed by rules and regulations of the secretary.

(1) As used in this subsection, "family group" or "household" means the applicant or recipient for TANF, child care subsidy or employment services and all individuals living together in which there is a relationship of legal responsibility or a qualifying caretaker relationship. This will include a cohabiting boyfriend or girlfriend living with the person legally responsible for the child. The family group shall not be eligible for TANF if the family group contains at least one adult member who has received TANF, including the federal TANF assistance received in any other state, for ~~36~~ 24 calendar months beginning on and after October 1, 1996, unless the secretary determines a hardship exists and grants an extension allowing receipt of TANF until the ~~48-month~~ 36-month limit is reached. No extension beyond ~~48~~ 36 months shall be granted. Hardship provisions for a recipient include:

(A) Is a caretaker of a disabled family member living in the household;

(B) has a disability which precludes employment on a long-term basis or requires substantial rehabilitation;

(C) needs a time limit extension to overcome the effects of domestic violence/sexual assault;

(D) is involved with prevention and protection services (PPS) and has an open social service plan; or

(E) is determined by the ~~36th~~ 24th month to have an extreme hardship other than what is designated in criteria listed in subparagraphs (A) through ~~(E)~~ (D). This

determination will be made by the executive review team.

(2) All adults applying for TANF shall be required to complete a work program assessment as specified by the Kansas department for children and families, including those who have been disqualified for or denied TANF due to non-cooperation, drug testing requirements or fraud. Adults who are not otherwise eligible for TANF, such as ineligible aliens, relative/non-relative caretakers and adults receiving supplemental security income are not required to complete the assessment process. During the application processing period, applicants must complete at least one module or its equivalent of the work program assessment to be considered eligible for TANF benefits, unless good cause is found to be exempt from the requirements. Good cause exemptions shall only include:

(A) The applicant can document an existing certification verifying completion of the work program assessment;

(B) the applicant has a valid offer of employment or is employed a minimum of 20 hours a week;

(C) the applicant is a parenting teen without a GED or high school diploma;

(D) the applicant is enrolled in job corps;

(E) the applicant is working with a refugee social services agency; or

(F) the applicant has completed the work program assessment within the last 12 months.

(3) The department for children and families shall maintain a sufficient level of dedicated work program staff to enable the agency to conduct work program case management services to TANF recipients in a timely manner and in full accordance with state law and agency policy.

(4) TANF mandatory work program applicants and recipients shall participate in work components that lead to competitive, integrated employment. Components are defined by the federal government as being either primary or secondary. In order to meet federal work participation requirements, households need to meet at least 30 hours of participation per week, at least 20 hours of which need to be primary and at least 10 hours may be secondary components in one parent households where the youngest child is six years of age or older. Participation hours shall be 55 hours in two parent households (35 hours per week if child care is not used). The maximum assignment is 40 hours per week per individual. For two parent families to meet the federal work participation rate both parents must participate in a combined total of 55 hours per week, 50 hours of which must be in primary components, or one or both parents could be assigned a combined total of 35 hours per week (30 hours of which must be primary components) if department for children and families paid child care is not received by the family. Single parent families with a child under age six meet the federal participation requirement if the parent is engaged in work or work activities for at least 20 hours per week in a primary work component. The following components meet federal definitions of primary hours of participation: Full or part-time employment, apprenticeship, work study, self-employment, job corps, subsidized employment, work experience sites, on-the-job training, supervised community service, vocational education, job search and job readiness. Secondary components include: Job skills training, education directly related to employment such as adult basic education and English as a second language, and completion of a high school diploma or GED.

(5) A parent or other adult caretaker personally providing care for a child under the

age of three months in their TANF household is exempt from work participation activities until the month the child turns three months of age. Such three-month limitation shall not apply to a parent or other adult caretaker who is personally providing care for a child born significantly premature, with serious medical conditions or with a disability as defined by the secretary, in consultation with the secretary of health and environment, and adopted in the rules and regulations. The three-month period is defined as two consecutive months starting with the month after childbirth. The exemption for caring for a child under three months cannot be claimed:

(A) By either parent when two parents are in the home and the household meets the two-parent definition for federal reporting purposes;

(B) by one parent or caretaker when the other parent or caretaker is in the home, and available, capable and suitable to provide care and the household does not meet the two-parent definition for federal reporting purposes;

(C) by a person age 19 or younger when such person is pregnant or a parent of a child in the home and the person does not possess a high school diploma or its equivalent. Such person shall become exempt the month such person turns age 20; or

(D) ~~by any adult in the TANF assistance plan when at least one adult has reached the 36 months of TANF cash assistance; or~~

~~(E)~~ by any person assigned to a work participation activity for substance use disorders.

(6) TANF work experience placements shall be reviewed after 90 days and are limited to six months per ~~48-month~~ 24-month lifetime limit. A client's progress shall be reviewed prior to each new placement regardless of the length of time they are at the work experience site.

(7) TANF participants with disabilities shall engage in required employment activities to the maximum extent consistent with their abilities. TANF participants shall provide current documentation by a qualified medical practitioner that details the abilities to engage in employment and any limitations in work activities along with the expected duration of such limitations. Disability is defined as a physical or mental impairment constituting or resulting in a substantial impediment to employment for such individual.

(8) Non-cooperation is the failure of the applicant or recipient to comply with all requirements provided in state and federal law, federal and state rules and regulations and agency policy. The period of ineligibility for TANF benefits based on non-cooperation with work programs shall be as follows:

(A) For a first penalty, three months and full cooperation with work program activities;

(B) for a second penalty, six months and full cooperation with work program activities;

(C) for a third penalty, one year and full cooperation with work program activities; and

(D) for a fourth or subsequent penalty, 10 years.

(9) Individuals that have not cooperated with TANF work programs shall be ineligible to participate in the food assistance program. The comparable penalty shall be applied to only the individual in the food assistance program who failed to comply with the TANF work requirement. The agency shall impose the same penalty to the member of the household who failed to comply with TANF requirements. The penalty periods

are three months, six months, one year, or 10 years.

(10) Non-cooperation is the failure of the applicant or recipient to comply with all requirements provided in state and federal law, federal and state rules and regulations and agency policy. The period of ineligibility for child care subsidy or TANF benefits based on parents' non-cooperation with child support services shall be as follows:

(A) For the first penalty, three months and cooperation with child support services prior to regaining eligibility;

(B) for a second penalty, six months and cooperation with child support services prior to regaining eligibility;

(C) for a third penalty, one year and cooperation with child support services prior to regaining eligibility; and

(D) for a fourth penalty, 10 years.

(11) Individuals that have not cooperated without good cause with child support services shall be ineligible to participate in the food assistance program. The period of disqualification ends once it has been determined that such individual is cooperating with child support services.

(12) (A) Any individual who is found to have committed fraud or is found guilty of the crime of theft pursuant to K.S.A. 39-720 and K.S.A. 2015 Supp. 21-5801, and amendments thereto, in either the TANF or child care program shall render all adults in the family unit ineligible for TANF assistance. Adults in the household who were determined to have committed fraud or were convicted of the crime of theft pursuant to K.S.A. 39-720 and K.S.A. 2015 Supp. 21-5801, and amendments thereto, shall render themselves and all adult household members ineligible for their lifetime for TANF, even if fraud was committed in only one program. Households who have been determined to have committed fraud or were convicted of the crime of theft pursuant to K.S.A. 39-720 and K.S.A. 2015 Supp. 21-5801, and amendments thereto, shall be required to name a protective payee as approved by the secretary or the secretary's designee to administer TANF benefits or food assistance on behalf of the children. No adult in a household may have access to the TANF cash assistance benefit.

(B) Any individual that has failed to cooperate with a fraud investigation shall be ineligible to participate in the TANF cash assistance program and the child care subsidy program until the department for children and families determines that such individual is cooperating with the fraud investigation. The department for children and families shall maintain a sufficient level of fraud investigative staff to enable the department to conduct fraud investigations in a timely manner and in full accordance with state law and department rules and regulations or policies.

(13) (A) Food assistance shall not be provided to any person convicted of a felony offense occurring on or after July 1, 2015, which includes as an element of such offense the manufacture, cultivation, distribution, possession or use of a controlled substance or controlled substance analog. For food assistance, the individual shall be permanently disqualified if they have been convicted of a state or federal felony offense occurring on or after July 1, 2015, involving possession or use of a controlled substance or controlled substance analog.

(B) Notwithstanding the provisions of subparagraph (A), an individual shall be eligible for food assistance if the individual enrolls in and participates in a drug treatment program approved by the secretary, submits to and passes a drug test and agrees to submit to drug testing if requested by the department pursuant to a drug

testing plan.

An individual's failure to submit to testing or failure to successfully pass a drug test shall result in ineligibility for food assistance until a drug test is successfully passed. Failure to successfully complete a drug treatment program shall result in ineligibility for food assistance until a drug treatment plan approved by the secretary is successfully completed, the individual passes a drug test and agrees to submit to drug testing if requested by the department pursuant to a drug testing plan.

(C) The provisions of subparagraph (B) shall not apply to any individual who has been convicted for a second or subsequent felony offense as provided in subparagraph (A).

(14) No TANF cash assistance shall be used to purchase alcohol, cigarettes, tobacco products, lottery tickets, concert tickets, professional or collegiate sporting event tickets or tickets for other entertainment events intended for the general public or sexually oriented adult materials. No TANF cash assistance shall be used in any retail liquor store, casino, gaming establishment, jewelry store, tattoo parlor, massage parlor, body piercing parlor, spa, nail salon, lingerie shop, tobacco paraphernalia store, vapor cigarette store, psychic or fortune telling business, bail bond company, video arcade, movie theater, swimming pool, cruise ship, theme park, dog or horse racing facility, parimutuel facility, or sexually oriented business or any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment, or in any business or retail establishment where minors under age 18 are not permitted. ~~TANF cash assistance transactions for cash withdrawals from automated teller machines shall be limited to $25, per transaction and to one transaction per day.~~ No TANF cash assistance shall be used for purchases at points of sale outside the state of Kansas. ~~The secretary for children and families is authorized to raise or rescind the automated teller machine withdrawal limit established by this section in order to ensure continued appropriation of the TANF block grant through compliance with the provisions of the middle class tax relief and job creation act of 2012 which govern adequate access to cash assistance.~~

(15) (A) The secretary for children and families shall place a photograph of the recipient, if agreed to by such recipient of public assistance, on any Kansas benefits card issued by the Kansas department for children and families that the recipient uses in obtaining food, cash or any other services. When a recipient of public assistance is a minor or otherwise incapacitated individual, a parent or legal guardian of such recipient may have a photograph of such parent or legal guardian placed on the card.

(B) Any Kansas benefits card with a photograph of a recipient shall be valid for voting purposes as a public assistance identification card in accordance with the provisions of K.S.A. 25-2908, and amendments thereto.

(C) As used in this paragraph and its subparagraphs, "Kansas benefits card" means any card issued to provide food assistance, cash assistance or child care assistance, including, but not limited to, the vision card, EBT card and Kansas benefits card.

(D) The Kansas department for children and families shall monitor all recipient requests for a Kansas benefits card replacement and, upon the fourth such request in a 12-month period, send a notice alerting the recipient that the recipient's account is being monitored for potential suspicious activity. If a recipient makes an additional request for replacement subsequent to such notice, the department shall refer the investigation to the department's fraud investigation unit.

(16) The secretary for children and families shall adopt rules and regulations:

(A) In determining eligibility for the child care subsidy program, including an income of a cohabiting partner in a child care household; and

(B) in determining and maintaining eligibility for non-TANF child care, requiring that all included adults shall be employed a minimum of 20 hours per week or more as defined by the secretary or meet the following specific qualifying exemptions:

(i) Adults who are not capable of meeting the requirement due to a documented physical or mental condition;

(ii) adults who are former TANF recipients who need child care for employment after their TANF case has closed and earned income is a factor in the closure in the two months immediately following TANF closure;

(iii) adult parents included in a case in which the only child receiving benefits is the child of a minor parent who is working on completion of high school or obtaining a GED; ~~or~~

(iv) adults who are participants in a ~~mandatory~~ food assistance ~~education~~ employment and training program; or

(v) adults who are participants in an early head start child care partnership program and are working or in school or training.

The department for children and families shall provide child care for the pursuit of any degree or certification if the occupation has at least an average job outlook listed in the occupational outlook of the U.S. department of labor, bureau of labor statistics. For occupations with less than an average job outlook, educational plans shall require approval of the secretary or secretary's designee. Child care may also be approved if the student provides verification of a specific job offer that will be available to such student upon completion of the program. Child care for post-secondary education shall be allowed for a lifetime maximum of 24 months per adult. The 24 months may not have to be consecutive. Students shall be engaged in paid employment for a minimum of 15 hours per week. In a two-parent adult household, child care would not be allowed if both parents are adults and attending a formal education or training program at the same time. The household may choose which one of the parents is participating as a post-secondary student. The other parent shall meet another approvable criteria for child care subsidy.

(17) (A) The secretary for children and families is prohibited from requesting or implementing a waiver or program from the U.S. department of agriculture for the time limited assistance provisions for able-bodied adults aged 18 through 49 without dependents in a household under the food assistance program. The time on food assistance for able-bodied adults aged 18 through 49 without dependents in the household shall be limited to three months in a 36-month period if such adults are not meeting the requirements imposed by the U.S. department of agriculture that they must work for at least 20 hours per week or participate in a federally approved work program or its equivalent.

(B) Each food assistance household member who is not otherwise exempt from the following work requirements shall: Register for work; participate in an employment and training program, if assigned to such a program by the department; accept a suitable employment offer; and not voluntarily quit a job of at least 30 hours per week.

(C) Any recipient who has not complied with the work requirements under subparagraph (B) shall be ineligible to participate in the food assistance program for the

following time period and until the recipient complies with such work requirements:

(i) For a first penalty, three months;

(ii) for a second penalty, six months; and

(iii) for a third penalty and any subsequent penalty, one year.

(18) Eligibility for the food assistance program shall be limited to those individuals who are citizens or who meet qualified non-citizen status as determined by U.S. department of agriculture. Non-citizen individuals who are unable or unwilling to provide qualifying immigrant documentation, as defined by the U.S. department of agriculture, residing within a household shall not be included when determining the household's size for the purposes of assigning a benefit level to the household for food assistance or comparing the household's monthly income with the income eligibility standards. The gross non-exempt earned and unearned income and resources of disqualified individuals shall be counted in its entirety as available to the remaining household members.

(19) The secretary for children and families shall not enact the state option from the U.S. department of agriculture for broad-based categorical eligibility for households applying for food assistance according to the provisions of 7 C.F.R. § 273.2(j)(2)(ii).

(20) No federal or state funds shall be used for television, radio or billboard advertisements that are designed to promote food assistance benefits and enrollment. No federal or state funding shall be used for any agreements with foreign governments designed to promote food assistance.

(21) (A) The secretary for children and families shall not apply gross income standards for food assistance higher than the standards specified in 7 U.S.C. § 2015(c) unless expressly required by federal law. Categorical eligibility exempting households from such gross income standards requirements shall not be granted for any non-cash, in-kind or other benefit unless expressly required by federal law.

(B) The secretary for children and families shall not apply resource limits standards for food assistance that are higher than the standards specified in 7 U.S.C. § 2015(g)(1) unless expressly required by federal law. Categorical eligibility exempting households from such resource limits shall not be granted for any non-cash, in-kind or other benefit unless expressly required by federal law.

(c) (1) On and after January 1, 2017, the department for children and families shall conduct an electronic check for any false information provided on an application for TANF and other benefits programs administered by the department. For TANF cash assistance, food assistance and the child care subsidy program, the department shall verify the identity of all adults in the assistance household.

(2) The department of administration shall provide monthly to the Kansas department for children and families the social security numbers or alternate taxpayer identification numbers of all persons who claim a Kansas lottery prize in excess of $5,000 during the reported month. The Kansas department for children and families shall verify if individuals with such winnings are receiving TANF cash assistance, food assistance or assistance under the child care subsidy program and take appropriate action. The Kansas department for children and families shall use data received under this subsection solely, and for no other purpose, to determine if any recipient's eligibility for benefits has been affected by lottery prize winnings. The Kansas department for children and families shall not publicly disclose the identity of any lottery prize winner, including recipients who are determined to have illegally received benefits.

(d) *Temporary assistance for needy families; assignment of support rights and limited power of attorney.* By applying for or receiving temporary assistance for needy families such applicant or recipient shall be deemed to have assigned to the secretary on behalf of the state any accrued, present or future rights to support from any other person such applicant may have in such person's own behalf or in behalf of any other family member for whom the applicant is applying for or receiving aid. In any case in which an order for child support has been established and the legal custodian and obligee under the order surrenders physical custody of the child to a caretaker relative without obtaining a modification of legal custody and support rights on behalf of the child are assigned pursuant to this section, the surrender of physical custody and the assignment shall transfer, by operation of law, the child's support rights under the order to the secretary on behalf of the state. Such assignment shall be of all accrued, present or future rights to support of the child surrendered to the caretaker relative. The assignment of support rights shall automatically become effective upon the date of approval for or receipt of such aid without the requirement that any document be signed by the applicant, recipient or obligee. By applying for or receiving temporary assistance for needy families, or by surrendering physical custody of a child to a caretaker relative who is an applicant or recipient of such assistance on the child's behalf, the applicant, recipient or obligee is also deemed to have appointed the secretary, or the secretary's designee, as an attorney-in-fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments representing support payments received by the secretary in behalf of any person applying for, receiving or having received such assistance. This limited power of attorney shall be effective from the date the secretary approves the application for aid and shall remain in effect until the assignment of support rights has been terminated in full.

~~(d)~~ (e) *Requirements for medical assistance for which federal moneys or state moneys or both are expended.* (1) When the secretary has adopted a medical care plan under which federal moneys or state moneys or both are expended, medical assistance in accordance with such plan shall be granted to any person who is a citizen of the United States or who is an alien lawfully admitted to the United States and who is residing in the state of Kansas, whose resources and income do not exceed the levels prescribed by the secretary. In determining the need of an individual, the secretary may provide for income and resource exemptions and protected income and resource levels. Resources from inheritance shall be counted. A disclaimer of an inheritance pursuant to K.S.A. 59-2291, and amendments thereto, shall constitute a transfer of resources. The secretary shall exempt principal and interest held in irrevocable trust pursuant to K.S.A. 16-303(c), and amendments thereto, from the eligibility requirements of applicants for and recipients of medical assistance. Such assistance shall be known as medical assistance.

(2) For the purposes of medical assistance eligibility determinations on or after July 1, 2004, if an applicant or recipient owns property in joint tenancy with some other party and the applicant or recipient of medical assistance has restricted or conditioned their interest in such property to a specific and discrete property interest less than 100%, then such designation will cause the full value of the property to be considered an available resource to the applicant or recipient. Medical assistance eligibility for receipt of benefits under the title XIX of the social security act, commonly known as medicaid, shall not be expanded, as provided for in the patient protection and affordable care act,

public law 111-148, 124 stat. 119, and the health care and education reconciliation act of 2010, public law 111-152, 124 stat. 1029, unless the legislature expressly consents to, and approves of, the expansion of medicaid services by an act of the legislature.

(3) (A) Resources from trusts shall be considered when determining eligibility of a trust beneficiary for medical assistance. Medical assistance is to be secondary to all resources, including trusts, that may be available to an applicant or recipient of medical assistance.

(B) If a trust has discretionary language, the trust shall be considered to be an available resource to the extent, using the full extent of discretion, the trustee may make any of the income or principal available to the applicant or recipient of medical assistance. Any such discretionary trust shall be considered an available resource unless: (i) At the time of creation or amendment of the trust, the trust states a clear intent that the trust is supplemental to public assistance; and (ii) the trust: (a) Is funded from resources of a person who, at the time of such funding, owed no duty of support to the applicant or recipient of medical assistance; or (b) is funded not more than nominally from resources of a person while that person owed a duty of support to the applicant or recipient of medical assistance.

(C) For the purposes of this paragraph, "public assistance" includes, but is not limited to, medicaid, medical assistance or title XIX of the social security act.

(4) (A) When an applicant or recipient of medical assistance is a party to a contract, agreement or accord for personal services being provided by a nonlicensed individual or provider and such contract, agreement or accord involves health and welfare monitoring, pharmacy assistance, case management, communication with medical, health or other professionals, or other activities related to home health care, long term care, medical assistance benefits, or other related issues, any moneys paid under such contract, agreement or accord shall be considered to be an available resource unless the following restrictions are met: (i) The contract, agreement or accord must be in writing and executed prior to any services being provided; (ii) the moneys paid are in direct relationship with the fair market value of such services being provided by similarly situated and trained nonlicensed individuals; (iii) if no similarly situated nonlicensed individuals or situations can be found, the value of services will be based on federal hourly minimum wage standards; (iv) such individual providing the services will report all receipts of moneys as income to the appropriate state and federal governmental revenue agencies; (v) any amounts due under such contract, agreement or accord shall be paid after the services are rendered; (vi) the applicant or recipient shall have the power to revoke the contract, agreement or accord; and (vii) upon the death of the applicant or recipient, the contract, agreement or accord ceases.

(B) When an applicant or recipient of medical assistance is a party to a written contract for personal services being provided by a licensed health professional or facility and such contract involves health and welfare monitoring, pharmacy assistance, case management, communication with medical, health or other professionals, or other activities related to home health care, long term care, medical assistance benefits or other related issues, any moneys paid in advance of receipt of services for such contracts shall be considered to be an available resource.

(5) Any trust may be amended if such amendment is permitted by the Kansas uniform trust code.

~~(e)~~ (f) *Eligibility for medical assistance of resident receiving medical care outside*

state. A person who is receiving medical care including long-term care outside of Kansas whose health would be endangered by the postponement of medical care until return to the state or by travel to return to Kansas, may be determined eligible for medical assistance if such individual is a resident of Kansas and all other eligibility factors are met. Persons who are receiving medical care on an ongoing basis in a long-term medical care facility in a state other than Kansas and who do not return to a care facility in Kansas when they are able to do so, shall no longer be eligible to receive assistance in Kansas unless such medical care is not available in a comparable facility or program providing such medical care in Kansas. For persons who are minors or who are under guardianship, the actions of the parent or guardian shall be deemed to be the actions of the child or ward in determining whether or not the person is remaining outside the state voluntarily.

~~(f)~~ (g) *Medical assistance; assignment of rights to medical support and limited power of attorney; recovery from estates of deceased recipients.* (1) (A) Except as otherwise provided in K.S.A. 39-786 and 39-787, and amendments thereto, or as otherwise authorized on and after September 30, 1989, under section 303 of the federal medicare catastrophic coverage act of 1988, whichever is applicable, by applying for or receiving medical assistance under a medical care plan in which federal funds are expended, any accrued, present or future rights to support and any rights to payment for medical care from a third party of an applicant or recipient and any other family member for whom the applicant is applying shall be deemed to have been assigned to the secretary on behalf of the state. The assignment shall automatically become effective upon the date of approval for such assistance without the requirement that any document be signed by the applicant or recipient. By applying for or receiving medical assistance the applicant or recipient is also deemed to have appointed the secretary, or the secretary's designee, as an attorney in fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments, representing payments received by the secretary in on behalf of any person applying for, receiving or having received such assistance. This limited power of attorney shall be effective from the date the secretary approves the application for assistance and shall remain in effect until the assignment has been terminated in full. The assignment of any rights to payment for medical care from a third party under this subsection shall not prohibit a health care provider from directly billing an insurance carrier for services rendered if the provider has not submitted a claim covering such services to the secretary for payment. Support amounts collected on behalf of persons whose rights to support are assigned to the secretary only under this subsection and no other shall be distributed pursuant to K.S.A. 39-756(d), and amendments thereto, except that any amounts designated as medical support shall be retained by the secretary for repayment of the unreimbursed portion of assistance. Amounts collected pursuant to the assignment of rights to payment for medical care from a third party shall also be retained by the secretary for repayment of the unreimbursed portion of assistance.

(B) Notwithstanding the provisions of subparagraph (A), the secretary of health and environment, or the secretary's designee, is hereby authorized to and shall exercise any of the powers specified in subparagraph (A) in relation to performance of such secretary's duties pertaining to medical subrogation, estate recovery or any other duties assigned to such secretary in article 74 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

(2) The amount of any medical assistance paid after June 30, 1992, under the provisions of subsection ~~(d)~~ (e) is: (A) A claim against the property or any interest therein belonging to and a part of the estate of any deceased recipient or, if there is no estate, the estate of the surviving spouse, if any, shall be charged for such medical assistance paid to either or both; and (B) a claim against any funds of such recipient or spouse in any account under K.S.A. 9-1215, 17-2263, 17-2264, 17-5828 or 17-5829, and amendments thereto. There shall be no recovery of medical assistance correctly paid to or on behalf of an individual under subsection ~~(d)~~ (e) except after the death of the surviving spouse of the individual, if any, and only at a time when the individual has no surviving child who is under 21 years of age or is blind or permanently and totally disabled. Transfers of real or personal property by recipients of medical assistance without adequate consideration are voidable and may be set aside. Except where there is a surviving spouse, or a surviving child who is under 21 years of age or is blind or permanently and totally disabled, the amount of any medical assistance paid under subsection ~~(d)~~ (e) is a claim against the estate in any guardianship or conservatorship proceeding. The monetary value of any benefits received by the recipient of such medical assistance under long-term care insurance, as defined by K.S.A. 40-2227, and amendments thereto, shall be a credit against the amount of the claim provided for such medical assistance under this subsection. The secretary of health and environment is authorized to enforce each claim provided for under this subsection. The secretary of health and environment shall not be required to pursue every claim, but is granted discretion to determine which claims to pursue. All moneys received by the secretary of health and environment from claims under this subsection shall be deposited in the social welfare fund. The secretary of health and environment may adopt rules and regulations for the implementation and administration of the medical assistance recovery program under this subsection.

(3) By applying for or receiving medical assistance under the provisions of article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, such individual or such individual's agent, fiduciary, guardian, conservator, representative payee or other person acting on behalf of the individual consents to the following definitions of estate and the results therefrom:

(A) If an individual receives any medical assistance before July 1, 2004, pursuant to article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, which forms the basis for a claim under paragraph (2), such claim is limited to the individual's probatable estate as defined by applicable law; and

(B) if an individual receives any medical assistance on or after July 1, 2004, pursuant to article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, which forms the basis for a claim under paragraph (2), such claim shall apply to the individual's medical assistance estate. The medical assistance estate is defined as including all real and personal property and other assets in which the deceased individual had any legal title or interest immediately before or at the time of death to the extent of that interest or title. The medical assistance estate includes, without limitation assets conveyed to a survivor, heir or assign of the deceased recipient through joint tenancy, tenancy in common, survivorship, transfer-on-death deed, payable-on-death contract, life estate, trust, annuities or similar arrangement.

(4) The secretary of health and environment or the secretary's designee is authorized to file and enforce a lien against the real property of a recipient of medical

assistance in certain situations, subject to all prior liens of record and transfers for value to a bona fide purchaser of record. The lien must be filed in the office of the register of deeds of the county where the real property is located within one year from the date of death of the recipient and must contain the legal description of all real property in the county subject to the lien.

(A) After the death of a recipient of medical assistance, the secretary of health and environment or the secretary's designee may place a lien on any interest in real property owned by such recipient.

(B) The secretary of health and environment or the secretary's designee may place a lien on any interest in real property owned by a recipient of medical assistance during the lifetime of such recipient. Such lien may be filed only after notice and an opportunity for a hearing has been given. Such lien may be enforced only upon competent medical testimony that the recipient cannot reasonably be expected to be discharged and returned home. A six-month period of compensated inpatient care at a nursing home or other medical institution shall constitute a determination by the department of health and environment that the recipient cannot reasonably be expected to be discharged and returned home. To return home means the recipient leaves the nursing or medical facility and resides in the home on which the lien has been placed for a continuous period of at least 90 days without being readmitted as an inpatient to a nursing or medical facility. The amount of the lien shall be for the amount of assistance paid by the department of health and environment until the time of the filing of the lien and for any amount paid thereafter for such medical assistance to the recipient. After the lien is filed against any real property owned by the recipient, such lien will be dissolved if the recipient is discharged, returns home and resides upon the real property to which the lien is attached for a continuous period of at least 90 days without being readmitted as an inpatient to a nursing or medical facility. If the recipient is readmitted as an inpatient to a nursing or medical facility for a continuous period of less than 90 days, another continuous period of at least 90 days shall be completed prior to dissolution of the lien.

(5) The lien filed by the secretary of health and environment or the secretary's designee for medical assistance correctly received may be enforced before or after the death of the recipient by the filing of an action to foreclose such lien in the Kansas district court or through an estate probate court action in the county where the real property of the recipient is located. However, it may be enforced only:

(A) After the death of the surviving spouse of the recipient;

(B) when there is no child of the recipient, natural or adopted, who is 20 years of age or less residing in the home;

(C) when there is no adult child of the recipient, natural or adopted, who is blind or disabled residing in the home; or

(D) when no brother or sister of the recipient is lawfully residing in the home, who has resided there for at least one year immediately before the date of the recipient's admission to the nursing or medical facility, and has resided there on a continuous basis since that time.

(6) The lien remains on the property even after a transfer of the title by conveyance, sale, succession, inheritance or will unless one of the following events occur:

(A) The lien is satisfied. The recipient, the heirs, personal representative or assigns of the recipient may discharge such lien at any time by paying the amount of the lien to

the secretary of health and environment or the secretary's designee;

(B) the lien is terminated by foreclosure of prior lien of record or settlement action taken in lieu of foreclosure; or

(C) the value of the real property is consumed by the lien, at which time the secretary of health and environment or the secretary's designee may force the sale for the real property to satisfy the lien.

(7) If the secretary for aging and disability services or the secretary of health and environment, or both, or such secretary's designee has not filed an action to foreclose the lien in the Kansas district court in the county where the real property is located within 10 years from the date of the filing of the lien, then the lien shall become dormant, and shall cease to operate as a lien on the real estate of the recipient. Such dormant lien may be revived in the same manner as a dormant judgment lien is revived under K.S.A. 60-2403 et seq., and amendments thereto.

(8) Within seven days of receipt of notice by the secretary for children and families or the secretary's designee of the death of a recipient of medical assistance under this subsection, the secretary for children and families or the secretary's designee shall give notice of such recipient's death to the secretary of health and environment or the secretary's designee.

(9) All rules and regulations adopted on and after July 1, 2013, and prior to July 1, 2014, to implement this subsection shall continue to be effective and shall be deemed to be duly adopted rules and regulations of the secretary of health and environment until revised, amended, revoked or nullified pursuant to law.

~~(g)~~ (h) *Placement under the revised Kansas code for care of children or revised Kansas juvenile justice code; assignment of support rights and limited power of attorney.* In any case in which the secretary for children and families pays for the expenses of care and custody of a child pursuant to K.S.A. 2015 Supp. 38-2201 et seq. or 38-2301 et seq., and amendments thereto, including the expenses of any foster care placement, an assignment of all past, present and future support rights of the child in custody possessed by either parent or other person entitled to receive support payments for the child is, by operation of law, conveyed to the secretary. Such assignment shall become effective upon placement of a child in the custody of the secretary or upon payment of the expenses of care and custody of a child by the secretary without the requirement that any document be signed by the parent or other person entitled to receive support payments for the child. When the secretary pays for the expenses of care and custody of a child or a child is placed in the custody of the secretary, the parent or other person entitled to receive support payments for the child is also deemed to have appointed the secretary, or the secretary's designee, as attorney in fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments representing support payments received by the secretary on behalf of the child. This limited power of attorney shall be effective from the date the assignment to support rights becomes effective and shall remain in effect until the assignment of support rights has been terminated in full.

~~(h)~~ (i) No person who voluntarily quits employment or who is fired from employment due to gross misconduct as defined by rules and regulations of the secretary or who is a fugitive from justice by reason of a felony conviction or charge or violation of a condition of probation or parole imposed under federal or state law shall be eligible to receive public assistance benefits in this state. Any recipient of public

assistance who fails to timely comply with monthly reporting requirements under criteria and guidelines prescribed by rules and regulations of the secretary shall be subject to a penalty established by the secretary by rules and regulations.

~~(i)~~ (j) If the applicant or recipient of temporary assistance for needy families is a mother of the dependent child, as a condition of the mother's eligibility for temporary assistance for needy families the mother shall identify by name and, if known, by current address the father of the dependent child except that the secretary may adopt by rules and regulations exceptions to this requirement in cases of undue hardship. Any recipient of temporary assistance for needy families who fails to cooperate with requirements relating to child support services under criteria and guidelines prescribed by rules and regulations of the secretary shall be subject to a penalty established by the secretary.

~~(j)~~ (k) By applying for or receiving child care benefits or food assistance, the applicant or recipient shall be deemed to have assigned, pursuant to K.S.A. 39-756, and amendments thereto, to the secretary on behalf of the state only accrued, present or future rights to support from any other person such applicant may have in such person's own behalf or in behalf of any other family member for whom the applicant is applying for or receiving aid. The assignment of support rights shall automatically become effective upon the date of approval for or receipt of such aid without the requirement that any document be signed by the applicant or recipient. By applying for or receiving child care benefits or food assistance, the applicant or recipient is also deemed to have appointed the secretary, or the secretary's designee, as an attorney in fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments representing support payments received by the secretary in behalf of any person applying for, receiving or having received such assistance. This limited power of attorney shall be effective from the date the secretary approves the application for aid and shall remain in effect until the assignment of support rights has been terminated in full. An applicant or recipient who has assigned support rights to the secretary pursuant to this subsection shall cooperate in establishing and enforcing support obligations to the same extent required of applicants for or recipients of temporary assistance for needy families.

~~(k)~~ (l) (1) A program of drug screening for applicants for cash assistance as a condition of eligibility for cash assistance and persons receiving cash assistance as a condition of continued receipt of cash assistance shall be established, subject to applicable federal law, by the secretary for children and families on and before January 1, 2014. Under such program of drug screening, the secretary for children and families shall order a drug screening of an applicant for or a recipient of cash assistance at any time when reasonable suspicion exists that such applicant for or recipient of cash assistance is unlawfully using a controlled substance or controlled substance analog. The secretary for children and families may use any information obtained by the secretary for children and families to determine whether such reasonable suspicion exists, including, but not limited to, an applicant's or recipient's demeanor, missed appointments and arrest or other police records, previous employment or application for employment in an occupation or industry that regularly conducts drug screening, termination from previous employment due to unlawful use of a controlled substance or controlled substance analog or prior drug screening records of the applicant or recipient indicating unlawful use of a controlled substance or controlled substance analog.

(2) Any applicant for or recipient of cash assistance whose drug screening results in a positive test may request that the drug screening specimen be sent to a different drug testing facility for an additional drug screening. Any applicant for or recipient of cash assistance who requests an additional drug screening at a different drug testing facility shall be required to pay the cost of drug screening. Such applicant or recipient who took the additional drug screening and who tested negative for unlawful use of a controlled substance and controlled substance analog shall be reimbursed for the cost of such additional drug screening.

(3) Any applicant for or recipient of cash assistance who tests positive for unlawful use of a controlled substance or controlled substance analog shall be required to complete a substance abuse treatment program approved by the secretary for children and families, secretary of labor or secretary of commerce, and a job skills program approved by the secretary for children and families, secretary of labor or secretary of commerce. Subject to applicable federal laws, any applicant for or recipient of cash assistance who fails to complete or refuses to participate in the substance abuse treatment program or job skills program as required under this subsection shall be ineligible to receive cash assistance until completion of such substance abuse treatment and job skills programs. Upon completion of both substance abuse treatment and job skills programs, such applicant for or recipient of cash assistance may be subject to periodic drug screening, as determined by the secretary for children and families. Upon a second positive test for unlawful use of a controlled substance or controlled substance analog, a recipient of cash assistance shall be ordered to complete again a substance abuse treatment program and job skills program, and shall be terminated from cash assistance for a period of 12 months, or until such recipient of cash assistance completes both substance abuse treatment and job skills programs, whichever is later. Upon a third positive test for unlawful use of a controlled substance or controlled substance analog, a recipient of cash assistance shall be terminated from cash assistance, subject to applicable federal law.

(4) If an applicant for or recipient of cash assistance is ineligible for or terminated from cash assistance as a result of a positive test for unlawful use of a controlled substance or controlled substance analog, and such applicant for or recipient of cash assistance is the parent or legal guardian of a minor child, an appropriate protective payee shall be designated to receive cash assistance on behalf of such child. Such parent or legal guardian of the minor child may choose to designate an individual to receive cash assistance for such parent's or legal guardian's minor child, as approved by the secretary for children and families. Prior to the designated individual receiving any cash assistance, the secretary for children and families shall review whether reasonable suspicion exists that such designated individual is unlawfully using a controlled substance or controlled substance analog.

(A) In addition, any individual designated to receive cash assistance on behalf of an eligible minor child shall be subject to drug screening at any time when reasonable suspicion exists that such designated individual is unlawfully using a controlled substance or controlled substance analog. The secretary for children and families may use any information obtained by the secretary for children and families to determine whether such reasonable suspicion exists, including, but not limited to, the designated individual's demeanor, missed appointments and arrest or other police records, previous employment or application for employment in an occupation or industry that regularly

conducts drug screening, termination from previous employment due to unlawful use of a controlled substance or controlled substance analog or prior drug screening records of the designated individual indicating unlawful use of a controlled substance or controlled substance analog.

(B) Any designated individual whose drug screening results in a positive test may request that the drug screening specimen be sent to a different drug testing facility for an additional drug screening. Any designated individual who requests an additional drug screening at a different drug testing facility shall be required to pay the cost of drug screening. Such designated individual who took the additional drug screening and who tested negative for unlawful use of a controlled substance and controlled substance analog shall be reimbursed for the cost of such additional drug screening.

(C) Upon any positive test for unlawful use of a controlled substance or controlled substance analog, the designated individual shall not receive cash assistance on behalf of the parent's or legal guardian's minor child, and another designated individual shall be selected by the secretary for children and families to receive cash assistance on behalf of such parent's or legal guardian's minor child.

(5) If a person has been convicted under federal or state law of any offense which is classified as a felony by the law of the jurisdiction and which has as an element of such offense the manufacture, cultivation, distribution, possession or use of a controlled substance or controlled substance analog, and the date of conviction is on or after July 1, 2013, such person shall thereby become forever ineligible to receive any cash assistance under this subsection unless such conviction is the person's first conviction. First-time offenders convicted under federal or state law of any offense which is classified as a felony by the law of the jurisdiction and which has as an element of such offense the manufacture, cultivation, distribution, possession or use of a controlled substance or controlled substance analog, and the date of conviction is on or after July 1, 2013, such person shall become ineligible to receive cash assistance for five years from the date of conviction.

(6) Except for hearings before the Kansas department for children and families or, the results of any drug screening administered as part of the drug screening program authorized by this subsection shall be confidential and shall not be disclosed publicly.

(7) The secretary for children and families may adopt such rules and regulations as are necessary to carry out the provisions of this subsection.

(8) Any authority granted to the secretary for children and families under this subsection shall be in addition to any other penalties prescribed by law.

(9) As used in this subsection:

(A) "Cash assistance" means cash assistance provided to individuals under the provisions of article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, and any rules and regulations adopted pursuant to such statutes.

(B) "Controlled substance" means the same as in K.S.A. 2015 Supp. 21-5701, and amendments thereto, and 21 U.S.C. § 802.

(C) "Controlled substance analog" means the same as in K.S.A. 2015 Supp. 21-5701, and amendments thereto.

Sec. 3. K.S.A. 39-719b is hereby amended to read as follows: 39- 719b. (a) If at any time during the continuance of assistance to any person, the recipient thereof becomes possessed of any property or income in excess of the amount ascertained at the time of granting assistance, or if any of the recipient's circumstances which affect

eligibility to receive assistance change from the time of determination of eligibility, it shall be the duty of the recipient to notify the secretary immediately of the receipt or possession of such property, income, or of such change in circumstances affecting eligibility and ~~said~~ the secretary may, after investigation, cancel or modify the assistance payment in accordance with the circumstances.

(b) Any assistance paid shall be recoverable by the secretary as a debt due to the state. If during the life or on the death of any person receiving assistance, it is found that the recipient was possessed of income or property in excess of the amount reported or ascertained at the time of granting assistance, and if it be shown that such assistance was obtained by an ineligible recipient, the total amount of the assistance may be recovered by the secretary as a fourth class claim from the estate of the recipient or in an action brought against the recipient while living.

(c) The total amount of any assistance that is sold, transferred or otherwise disposed of to others by a recipient or any other person, or the total amount of any assistance that is knowingly purchased, acquired or possessed by any person, except as authorized in state and federal law, rules and regulations and agency policy of the department for children and families or the department of health and environment is a debt due to the state and the total amount of such assistance that was improperly sold, transferred, disposed, purchased, acquired or possessed shall be recoverable by the secretary for children and families or the secretary of health and environment. Such debt may be recovered during the life or upon the death of any recipient or person who sold, transferred, disposed, purchased, acquired or possessed such assistance and may be recovered as a fourth class claim from the estate of the person or in an action brought against the recipient or person while living.

Sec. 4. K.S.A. 2015 Supp. 39-7,121 is hereby amended to read as follows: 39-7,121. (a) The department of health and environment shall establish and implement an electronic pharmacy claims management system in order to provide for the on-line adjudication of claims and for electronic prospective drug utilization review.

(b) The system shall provide for electronic point-of-sale review of drug therapy using predetermined standards to screen for potential drug therapy problems including incorrect drug dosage, adverse drug-drug interactions, drug-disease contraindications, therapeutic duplication, incorrect duration of drug treatment, drug-allergy interactions and clinical abuse or misuse.

(c) The department of health and environment shall not utilize ~~this~~ the system established under this section, or any other system or program, to require that a recipient has utilized or failed with a drug usage or drug therapy prior to allowing the recipient to receive the product or therapy recommended by the recipient's physician if such recommended drug usage or drug therapy commenced on or before July 1, 2016.

(d) If the department of health and environment utilizes the system established under this section, or any other system or program, to require that a recipient has utilized or failed with a drug usage or drug therapy prior to allowing the recipient to receive any product or therapy recommended by the recipient's physician, the department shall provide access for prescribing physicians to a clear and convenient process to request an override of such requirement. The department shall expeditiously grant such request for an override if:

(1) The required drug usage or drug therapy is contraindicated for the patient or will likely cause an adverse reaction by or physical or mental harm to the patient;

(2) the required drug usage or drug therapy is expected to be ineffective based on the known relevant clinical characteristics of the patient and the known characteristics of the required drug usage or drug therapy;

(3) the patient has tried the required drug usage or drug therapy while under the patient's current or previous health insurance or health benefit plan, and such use was discontinued due to lack of efficacy or effectiveness, diminished effect or an adverse event. For purposes of this paragraph, use of pharmacy drug samples shall not constitute use and failure of such drug usage or drug therapy; or

(4) the patient has previously been found to be stable on a different drug usage or drug therapy selected by such patient's physician for treatment of the medical condition under consideration.

(e) (1) Any proposed department of health and environment policy or rule and regulation related to any use of the system established under this section, or any other system or program, to require that a recipient has utilized or failed with a drug usage or drug therapy prior to allowing the recipient to receive any product or therapy recommended by the recipient's physician, shall be reviewed and approved by the medicaid drug utilization review board established by K.S.A. 2015 Supp. 39-7,119, and amendments thereto, prior to implementation by the department.

(2) Any proposed policy or rule and regulation related to use of any such system related to any medication used to treat mental illness shall be reviewed and approved by the mental health medication advisory committee established by K.S.A. 2015 Supp. 39-7,121b, and amendments thereto, and the medicaid drug utilization review board established by K.S.A. 2015 Supp. 39-7,119, and amendments thereto, prior to implementation by the department.

(f) The secretary of health and environment shall study and review the use of the program established under this section and prepare a report detailing the exact amount of money saved by using such program that requires that a recipient utilized or failed a drug usage or drug therapy prior to allowing the recipient to receive any product or therapy recommended by the recipient's physician and the percentage and amount of such savings that are returned to the state of Kansas. The secretary shall submit such report to the senate committee on public health and welfare, the senate committee on ways and means, the house committee on appropriations and the house committee on health and human services on or before January 9, 2017 and on or before the first day of the regular session of the legislature each year thereafter.

Sec. 5. K.S.A. 39-719b and K.S.A. 2015 Supp. 39-702, 39-709 and 39-7,121 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "ACT"; by striking all in lines 2 and 3 and inserting "concerning public assistance; relating to cash assistance, food assistance, medical assistance and child care subsidies; eligibility; recovery of assistance debt; verification of identity and income; fraud investigations; work requirements; lifetime benefit limits; removing certain limitations under the electronic claims management system; amending K.S.A. 39-719b and K.S.A. 2015 Supp. 39-702, 39-709 and 39-7,121 and repealing the existing sections.";

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

Daniel R. Hawkins
Willie O. Dove
Conferees on part of House

Michael O'Donnell, II
Jim Denning
Conferees on part of Senate

The motion of Rep. Hawkins to adopt the conference committee report on **H Sub for SB 402** did not prevail. The bill was killed. (See further action HJ p. 2933.)

On roll call, the vote was: Yeas 52; Nays 69; Present but not voting: 0; Absent or not voting: 4.

Yeas: Anthimides, Barton, Bradford, B. Carpenter, W. Carpenter, Claeys, Corbet, E. Davis, DeGraaf, Dove, Esau, Estes, Finch, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, D. Jones, K. Jones, Kelley, Kelly, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Peck, R. Powell, Proehl, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Seiwert, Suellentrop, Sutton, Thimesch, Vickrey, Weber, C., Whitmer, K. Williams.

Nays: Alcala, Alford, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bruchman, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, Dierks, Doll, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Helgerson, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Hutchins, Hutton, Jennings, Johnson, Kuether, Lewis, Lusk, Lusker, Moxley, Osterman, Ousley, F. Patton, Pauls, Phillips, Rahjes, Rooker, Ruiz, Sawyer, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, S. Swanson, Thompson, Tietze, Todd, Trimmer, Victors, Ward, Waymaster, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Edmonds, Ewy, Goico, Kahrs.

MESSAGES FROM THE SENATE

The Senate not adopts the Conference Committee report on **H Sub for SB 280**, requests a conference and appoints Senators Donovan, Tyson and Holland as second conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, pursuant to House Rule 2303, Rep. Ward moved that the House reconsider its adverse action in not adopting the conference committee report on **H Sub for SB 402**. (See previous action HJ p. 2933.) The motion prevailed.

Rep. Hawkins offered a substitute motion to not adopt the conference committee report on **H Sub for SB 402** and that a new conference committee be appointed. The motion prevailed.

Speaker Merrick thereupon appointed Reps. Hawkins, Dove and Ward as third conferees on the part of the House.

On motion of Rep. Vickrey, the House recessed until 7:10 p.m.

EARLY EVENING SESSION

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

MESSAGES FROM THE SENATE

The Senate not adopts the Conference Committee report on **S Sub for HB 2059**, requests a conference and appoints Senators Powell, Kerschen and Francisco as third conferees on the part of the Senate.

Also, the Senate adopts the Conference Committee report on **H Sub for SB 128**.
The Senate adopts the Conference Committee report on **SB 449**.
The Senate adopts the Conference Committee report on **HB 2502**.

The Senate concurs in House amendments to **SB 224**, and requests return of the bill.

INTRODUCTION OF ORIGINAL MOTIONS

Rep. Vickrey 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.

On motion of Rep. Vickrey, the House recessed until 9:15 p.m.

EVENING SESSION

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

MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **H Sub for SB 402** and has appointed Senators O'Donnell, Denning and Kelly as third conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **H Sub for SB 280**.
Speaker Merrick thereupon appointed Reps. Kleeb, Suellentrop and Sawyer as conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2502** submits the following report:

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

On page 1, by striking all in lines 6 through 34;

By striking all on page 2 and inserting:

"New Section 1. (a) No school district shall adopt a policy that prohibits an organization from conducting activities on school property solely because such activities include the possession and use of air guns by the participants. Any policy adopted pursuant to K.S.A. 72-89a02, and amendments thereto, shall not prohibit the possession of an air gun by a pupil on school property if such pupil is a participant in the activities of an organization.

(b) A policy adopted pursuant to K.S.A. 72-89a02, and amendments thereto, may prohibit the possession of air guns by pupils at school, on school property or at a school supervised activity, except when a pupil is participating in activities conducted by an organization, or is in transit to or from such activities.

(c) Any individual desiring to participate in activities conducted by an organization may be required to sign, or have a parent or legal guardian sign, a liability waiver. The liability waiver shall be in such form as prescribed by the chief administrative officer of the school and shall contain the appropriate language so as to relieve the school district, the school and all school personnel from liability for any claims arising out of the acts or omissions of any individual or any school personnel relating to activities conducted by an organization.

(d) The provisions of this section shall be a part of and supplemental to K.S.A. 72-89a01 et seq., and amendments thereto.

Sec. 2. K.S.A. 72-89a01 is hereby amended to read as follows: 72-89a01. As used in this act:

(a) "Board of education" means the board of education of a unified school district or the governing authority of an accredited nonpublic school.

(b) "School" means a public school or an accredited nonpublic school.

(c) "Public school" means a school operated by a unified school district organized under the laws of this state.

(d) "Accredited nonpublic school" means a nonpublic school participating in the quality performance accreditation system.

(e) "Chief administrative officer of a school" means, in the case of a public school, the superintendent of schools and, in the case of an accredited nonpublic school, the person designated as chief administrative officer by the governing authority of the school.

(f) "Federal law" means the individuals with disabilities education act, section 504 of the rehabilitation act, the gun-free schools act of 1994, and regulations adopted pursuant to such acts.

(g) "Secretary of education" means the secretary of the United States department of education.

(h) (1) "Weapon" means ~~(1)~~; (A) Any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; ~~(2)~~ (B) the frame or receiver of any weapon described in the preceding example; ~~(3)~~ (C) any firearm muffler or firearm silencer; ~~(4)~~ (D) any explosive, incendiary, or poison gas ~~(A)~~; (i) Bomb~~, (B)~~; (ii) grenade~~, (C)~~; (iii) rocket having a propellant charge of more than

four ounces~~, (D)~~; (iv) missile having an explosive or incendiary charge of more than $^1/_4$ ounce~~, (E)~~; (v) mine~~,~~; or~~ (F)~~ (vi) similar device;~~ (5)~~ (E) any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than $^1/_2$ inch in diameter; ~~(6)~~ (F) any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled;~~ (7)~~ (G) any bludgeon, sandclub, metal knuckles or throwing star;~~ (8)~~ (H) any knife, commonly referred to as a switch-blade, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward or centrifugal thrust or movement;~~ (9)~~ or (I) any electronic device designed to discharge immobilizing levels of electricity, commonly known as a stun gun.

(2) The term "weapon" does not include within its meaning~~ (1)~~; (A) An antique firearm;~~ (2)~~ (B) an air gun; (C) any device which is neither designed nor redesigned for use as a weapon;~~ (3)~~ (D) any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing, safety~~,~~ or similar device;~~ (4)~~ (E) surplus ordinance sold, loaned~~,~~ or given by the secretary of the army pursuant to the provisions of section 4684(2), 4685~~,~~ or 4686 of title 10 of the United States Code;~~ (5)~~ or (F) class C common fireworks.

(i) "Air gun" means any device which will or is designed to or may be readily converted to, expel a projectile by the release of compressed air or gas, and which is of 0.18 caliber or less and has a muzzle velocity that does not exceed 700 feet per second.

(j) "Organization" means any profit or nonprofit association, whether school-sponsored or community-based, whose primary purpose is to provide youth development by engaging individuals under the age of 18 in activities designed to promote and encourage self-confidence, teamwork and a sense of community.

Sec. 3. K.S.A. 2015 Supp. 75-7c04 is hereby amended to read as follows: 75-7c04. (a) The attorney general shall not issue a license pursuant to this act if the applicant:

(1) Is not a resident of the county where application for licensure is made or is not a resident of the state;

(2) is prohibited from shipping, transporting, possessing or receiving a firearm or ammunition under 18 U.S.C. § 922(g) or (n), and amendments thereto, or K.S.A. 21-4204, prior to its repeal, or K.S.A. 2015 Supp. 21-6301(a)(10) through (a)(13) or K.S.A. 2015 Supp. 21-6304(a)(1) through (a)(3), and amendments thereto; or

(3) is less than 21 years of age.

(b) (1) The attorney general shall adopt rules and regulations establishing procedures and standards as authorized by this act for an eight-hour handgun safety and training course required by this section. Such standards shall include: (A) A requirement that trainees receive training in the safe storage of handguns, actual firing of handguns and instruction in the laws of this state governing the carrying of concealed handguns and the use of deadly force; (B) general guidelines for courses which are compatible with the industry standard for basic handgun training for civilians; (C) qualifications of instructors; and (D) a requirement that the course be: (i) A handgun course certified or sponsored by the attorney general; or (ii) a handgun course certified or sponsored by the national rifle association or by a law enforcement agency, college, private or public

institution or organization or handgun training school, if the attorney general determines that such course meets or exceeds the standards required by rules and regulations adopted by the attorney general and is taught by instructors certified by the attorney general or by the national rifle association, if the attorney general determines that the requirements for certification of instructors by such association meet or exceed the standards required by rules and regulations adopted by the attorney general. Any person wanting to be certified by the attorney general as an instructor shall submit to the attorney general an application in the form required by the attorney general and a fee not to exceed $150.

(2) The cost of the handgun safety and training course required by this section shall be paid by the applicant. The following shall constitute satisfactory evidence of satisfactory completion of an approved handgun safety and training course:

(A) Evidence of completion of ~~the~~ a course that satisfies the requirements of subsection (b)(1), in the form provided by rules and regulations adopted by the attorney general;

(B) an affidavit from the instructor, school, club, organization or group that conducted or taught such course attesting to the completion of the course by the applicant; ~~or~~

(C) evidence of completion of a course offered in another jurisdiction which is determined by the attorney general to have training requirements that are equal to or greater than those required by this act; or

(D) a determination by the attorney general pursuant to subsection (c).

(c) The attorney general may:

(1) Create a list of concealed carry handgun licenses or permits issued by other jurisdictions which the attorney general finds have training requirements that are equal to or greater than those of this state; and

(2) review each application received pursuant to K.S.A. 2015 Supp. 75-7c05, and amendments thereto, to determine if the applicant's previous training qualifications were equal to or greater than those of this state.

(d) For the purposes of this section:

(1) "Equal to or greater than" means the applicant's prior training meets or exceeds the training established in this section by having required, at a minimum, the applicant to: (A) Receive instruction on the laws of self-defense; and (B) demonstrate training and competency in the safe handling, storage and actual firing of handguns.

(2) "Jurisdiction" means another state or the District of Columbia.

(3) "License or permit" means a concealed carry handgun license or permit from another jurisdiction which has not expired and, except for any residency requirement of the issuing jurisdiction, is currently in good standing.

Sec. 4. K.S.A. 2015 Supp. 75-7c05 is hereby amended to read as follows: 75-7c05. (a) The application for a license pursuant to this act shall be completed, under oath, on a form prescribed by the attorney general and shall only include:

(1) (A) Subject to the provisions of subsection (a)(1)(B), the name, address, social security number, Kansas driver's license number or Kansas nondriver's license identification number, place and date of birth, a photocopy of the applicant's driver's license or nondriver's identification card and a photocopy of the applicant's certificate of training course completion; (B) in the case of an applicant who presents proof that such person is on active duty with any branch of the armed forces of the United States, or is

the dependent of such a person, and who does not possess a Kansas driver's license or Kansas nondriver's license identification, the number of such license or identification shall not be required;

(2) a statement that the applicant is in compliance with criteria contained within K.S.A. 2015 Supp. 75-7c04, and amendments thereto;

(3) a statement that the applicant has been furnished a copy of this act and is knowledgeable of its provisions;

(4) a conspicuous warning that the application is executed under oath and that a false answer to any question, or the submission of any false document by the applicant, subjects the applicant to criminal prosecution under K.S.A. 2015 Supp. 21-5903, and amendments thereto; and

(5) a statement that the applicant desires a concealed handgun license as a means of lawful self-defense.

(b) Except as otherwise provided in subsection (i), the applicant shall submit to the sheriff of the county where the applicant resides, during any normal business hours:

(1) A completed application described in subsection (a);

(2) a nonrefundable license fee of $132.50, if the applicant has not previously been issued a statewide license or if the applicant's license has permanently expired, which fee shall be in the form of two cashier's checks, personal checks or money orders of $32.50 payable to the sheriff of the county where the applicant resides and $100 payable to the attorney general;

(3) if applicable, a photocopy of the proof of training required by K.S.A. 2015 Supp. 75-7c04(b)(1), and amendments thereto; and

(4) a full frontal view photograph of the applicant taken within the preceding 30 days.

(c) (1) Except as otherwise provided in subsection (i), the sheriff, upon receipt of the items listed in subsection (b), shall provide for the full set of fingerprints of the applicant to be taken and forwarded to the attorney general for purposes of a criminal history records check as provided by subsection (d). In addition, the sheriff shall forward to the attorney general the application and the portion of the original license fee which is payable to the attorney general. The cost of taking such fingerprints shall be included in the portion of the fee retained by the sheriff. Notwithstanding anything in this section to the contrary, an applicant shall not be required to submit fingerprints for a renewal application under K.S.A. 2015 Supp. 75-7c08, and amendments thereto.

(2) The sheriff of the applicant's county of residence or the chief law enforcement officer of any law enforcement agency, at the sheriff's or chief law enforcement officer's discretion, may participate in the process by submitting a voluntary report to the attorney general containing readily discoverable information, corroborated through public records, which, when combined with another enumerated factor, establishes that the applicant poses a significantly greater threat to law enforcement or the public at large than the average citizen. Any such voluntary reporting shall be made within 45 days after the date the sheriff receives the application. Any sheriff or chief law enforcement officer submitting a voluntary report shall not incur any civil or criminal liability as the result of the good faith submission of such report.

(3) All funds retained by the sheriff pursuant to the provisions of this section shall be credited to a special fund of the sheriff's office which shall be used solely for the purpose of administering this act.

(d) Each applicant shall be subject to a state and national criminal history records check which conforms to applicable federal standards, including an inquiry of the national instant criminal background check system for the purpose of verifying the identity of the applicant and whether the applicant has been convicted of any crime or has been the subject of any restraining order or any mental health related finding that would disqualify the applicant from holding a license under this act. The attorney general is authorized to use the information obtained from the state or national criminal history record check to determine the applicant's eligibility for such license.

(e) Within 90 days after the date of receipt of the items listed in subsection (b), the attorney general shall:

(1) Issue the license and certify the issuance to the department of revenue; or

(2) deny the application based solely on: (A) The report submitted by the sheriff or other chief law enforcement officer under subsection (c)(2) for good cause shown therein; or (B) the ground that the applicant is disqualified under the criteria listed in K.S.A. 2015 Supp. 75-7c04, and amendments thereto. If the attorney general denies the application, the attorney general shall notify the applicant in writing, stating the ground for denial and informing the applicant the opportunity for a hearing pursuant to the Kansas administrative procedure act.

(f) Each person issued a license shall pay to the department of revenue a fee for the cost of the license which shall be in amounts equal to the fee required pursuant to K.S.A. 8-243 and 8-246, and amendments thereto, for replacement of a driver's license.

(g) (1) A person who is a retired law enforcement officer, as defined in K.S.A. 2015 Supp. 21-5111, and amendments thereto, shall be: (A) Required to pay an original license fee as provided in subsection (b)(2), to be forwarded by the sheriff to the attorney general; (B) exempt from the required completion of a handgun safety and training course if such person was certified by the Kansas commission on peace officer's standards and training, or similar body from another jurisdiction, not more than eight years prior to submission of the application; (C) required to pay the license renewal fee; (D) required to pay to the department of revenue the fees required by subsection (f); and (E) required to comply with the criminal history records check requirement of this section.

(2) Proof of retirement as a law enforcement officer shall be required and provided to the attorney general in the form of a letter from the agency head, or their designee, of the officer's retiring agency that attests to the officer having retired in good standing from that agency as a law enforcement officer for reasons other than mental instability and that the officer has a nonforfeitable right to benefits under a retirement plan of the agency.

(h) A person who is a corrections officer, a parole officer or a corrections officer employed by the federal bureau of prisons, as defined by K.S.A. 75-5202, and amendments thereto, shall be: (1) Required to pay an original license fee as provided in subsection (b)(2); (2) exempt from the required completion of a handgun safety and training course if such person was issued a certificate of firearms training by the department of corrections or the federal bureau of prisons or similar body not more than one year prior to submission of the application; (3) required to pay the license renewal fee; (4) required to pay to the department of revenue the fees required by subsection (f); and (5) required to comply with the criminal history records check requirement of this section.

(i) A person who presents proof that such person is on active duty with any branch of the armed forces of the United States and is stationed at a United States military installation located outside this state, may submit by mail an application described in subsection (a) and the other materials required by subsection (b) to the sheriff of the county where the applicant resides. Provided the applicant is fingerprinted at a United States military installation, the applicant may submit a full set of fingerprints of such applicant along with the application. Upon receipt of such items, the sheriff shall forward to the attorney general the application and the portion of the original license fee which is payable to the attorney general.

Sec. 5. K.S.A. 2015 Supp. 75-7c10 is hereby amended to read as follows: 75-7c10. Subject to the provisions of K.S.A. 2015 Supp. 75-7c20, and amendments thereto:

(a) The carrying of a concealed handgun shall not be prohibited in any building unless such building is conspicuously posted in accordance with rules and regulations adopted by the attorney general.

(b) Nothing in this act shall be construed to prevent~~:~~

~~(1)~~ any ~~public or~~ private employer from restricting or prohibiting by personnel policies persons from carrying a concealed handgun while on the premises of the employer's business or while engaged in the duties of the person's employment by the employer, except that no employer may prohibit possession of a handgun in a private means of conveyance, even if parked on the employer's premises~~; or~~

~~(2) any private business or city, county or political subdivision from restricting or prohibiting persons from carrying a concealed handgun within a building or buildings of such entity, provided that the building is posted in accordance with rules and regulations adopted by the attorney general pursuant to subsection (i), as a building where carrying a concealed handgun is prohibited~~.

(c) (1) Any private entity which provides adequate security measures in a private building and which conspicuously posts signage in accordance with this section prohibiting the carrying of a concealed handgun in such building shall not be liable for any wrongful act or omission relating to actions of persons carrying a concealed handgun concerning acts or omissions regarding such handguns.

(2) Any private entity which does not provide adequate security measures in a private building and which allows the carrying of a concealed handgun shall not be liable for any wrongful act or omission relating to actions of persons carrying a concealed handgun concerning acts or omissions regarding such handguns.

(3) Nothing in this act shall be deemed to increase the liability of any private entity where liability would have existed under the personal and family protection act prior to the effective date of this act.

(d) The governing body or the chief administrative officer, if no governing body exists, of any of the following institutions may permit any employee, who is legally qualified, to carry a concealed handgun in any building of such institution, if the employee meets such institution's own policy requirements regardless of whether such building is conspicuously posted in accordance with the provisions of this section:

(1) A unified school district;

(2) a postsecondary educational institution, as defined in K.S.A. 74-3201b, and amendments thereto;

(3) a state or municipal-owned medical care facility, as defined in K.S.A. 65-425, and amendments thereto;

(4) a state or municipal-owned adult care home, as defined in K.S.A. 39-923, and amendments thereto;

(5) a community mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto; or

(6) an indigent health care clinic, as defined by K.S.A. 2015 Supp. 65-7402, and amendments thereto.

(e) No public employer shall restrict or otherwise prohibit by personnel policies any employee, who is legally qualified, from carrying any concealed handgun while engaged in the duties of such employee's employment outside of such employer's place of business, including while in a means of conveyance.

~~(e)~~ (f) (1) It shall be a violation of this section to carry a concealed handgun in violation of any restriction or prohibition allowed by subsection (a) or (b) if the building is posted in accordance with rules and regulations adopted by the attorney general pursuant to subsection ~~(i)~~ (j). Any person who violates this section shall not be subject to a criminal penalty but may be subject to denial to such premises or removal from such premises.

(2) Notwithstanding the provisions of subsection (a) or (b), it is not a violation of this section for the United States attorney for the district of Kansas, the attorney general, any district attorney or county attorney, any assistant United States attorney if authorized by the United States attorney for the district of Kansas, any assistant attorney general if authorized by the attorney general, or any assistant district attorney or assistant county attorney if authorized by the district attorney or county attorney by whom such assistant is employed, to possess a handgun within any of the buildings described in subsection (a) or (b), subject to any restrictions or prohibitions imposed in any courtroom by the chief judge of the judicial district.

(3) Notwithstanding the provisions of subsection (a) or (b), it is not a violation of this section for a law enforcement officer, as that term is defined in K.S.A. 2015 Supp. 75-7c22, and amendments thereto, who satisfies the requirements of either K.S.A. 2015 Supp. 75-7c22(a) or (b), and amendments thereto, to possess a handgun within any of the buildings described in subsection (a) or (b), subject to any restrictions or prohibitions imposed in any courtroom by the chief judge of the judicial district.

~~(f)~~ (g) ~~On and after July 1, 2014,~~ The provisions of this section shall not apply to the carrying of a concealed handgun in the state capitol.

~~(g)~~ (h) For the purposes of this section:

(1) "Adequate security measures" shall have the same meaning as the term is defined in K.S.A. 2015 Supp. 75-7c20, and amendments thereto;

(2) "building" shall not include any structure, or any area of any structure, designated for the parking of motor vehicles; and

(3) "public employer" means the state and any municipality as those terms are defined in K.S.A. 75-6102, and amendments thereto, except the term "public employer" shall not include school districts.

~~(h)~~ (i) Nothing in this act shall be construed to authorize the carrying or possession of a handgun where prohibited by federal law.

~~(i)~~ (j) The attorney general shall adopt rules and regulations prescribing the location, content, size and other characteristics of signs to be posted on a building where carrying a concealed handgun is prohibited pursuant to subsections (a) and (b). Such regulations shall prescribe, at a minimum, that:

(1) The signs be posted at all exterior entrances to the prohibited buildings;

(2) the signs be posted at eye level of adults using the entrance and not more than 12 inches to the right or left of such entrance;

(3) the signs not be obstructed or altered in any way; and

(4) signs which become illegible for any reason be immediately replaced.

Sec. 6. K.S.A. 2015 Supp. 75-7c20 is hereby amended to read as follows: 75-7c20. (a) The carrying of a concealed handgun shall not be prohibited in any public area of any state or municipal building unless such ~~building~~ public area has adequate security measures to ensure that no weapons are permitted to be carried into such ~~building~~ public area and the ~~building~~ public area is conspicuously posted with either permanent or temporary signage approved by the governing body, or the chief administrative officer, if no governing body exists, in accordance with K.S.A. 2015 Supp. 75-7c10, and amendments thereto.

(b) The carrying of a concealed handgun shall not be prohibited throughout any state or municipal building ~~which contains both public access entrances and restricted access entrances shall provide adequate security measures at the public access entrances in order to prohibit the carrying of any weapons into such building~~ in its entirety unless such building has adequate security measures at all public access entrances to ensure that no weapons are permitted to be carried into such building and the building is conspicuously posted in accordance with K.S.A. 2015 Supp. 75-7c10, and amendments thereto.

(c) No state agency or municipality shall prohibit an employee from carrying a concealed handgun at the employee's work place unless the building has adequate security measures at all public access entrances to ensure that no weapons are permitted to be carried into such building and the building is conspicuously posted in accordance with K.S.A. 2015 Supp. 75-7c10, and amendments thereto.

(d) (1) It shall not be a violation of the personal and family protection act for a person to carry a concealed handgun into a state or municipal building, or any public area thereof, so long as that person has authority to enter through a restricted access entrance into such building, or public area thereof, which provides adequate security measures at all public access entrances and the building, or public area thereof, is conspicuously posted in accordance with K.S.A. 2015 Supp. 75-7c10, and amendments thereto.

(2) Any person, who is not an employee of the state or a municipality and is not otherwise authorized to enter a state or municipal building through a restricted access entrance, shall be authorized to enter through a restricted access entrance, provided such person:

(A) Is authorized by the chief law enforcement officer, governing body, or the chief administrative officer, if no governing body exists, to enter such state or municipal building through a restricted access entrance;

(B) is issued an identification card by the chief law enforcement officer, governing body, or the chief administrative officer, if no governing body exists, which includes such person's photograph, name and any other identifying information deemed necessary by the issuing entity, and which states on the identification card that such person is authorized to enter such building through a restricted access entrance; and

(C) executes an affidavit or other notarized statement that such person acknowledges that certain firearms and weapons may be prohibited in such building and

that violating any such regulations may result in the revocation of such person's authority to enter such building through a restricted access entrance.

The chief law enforcement officer, governing body, or the chief administrative officer, if no governing body exists, shall develop criteria for approval of individuals subject to this paragraph to enter the state or municipal building through a restricted access entrance. Such criteria may include the requirement that the individual submit to a state and national criminal history records check before issuance and renewal of such authorization and pay a fee to cover the costs of such background checks. An individual who has been issued a concealed carry permit by the state of Kansas shall not be required to submit to another state and national criminal records check before issuance and renewal of such authorization. Notwithstanding any authorization granted under this paragraph, an individual may be subjected to additional security screening measures upon reasonable suspicion or in circumstances where heightened security measures are warranted. Such authorization does not permit the individual to carry a concealed weapon into a public building, which has adequate security measures, as defined by this act, and which is conspicuously posted in accordance with K.S.A. 2015 Supp. 75-7c10, and amendments thereto.

(e) A state agency or municipality which provides adequate security measures in a state or municipal building and which conspicuously posts signage in accordance with K.S.A. 2015 Supp. 75-7c10, and amendments thereto, prohibiting the carrying of a concealed handgun in such building shall not be liable for any wrongful act or omission relating to actions of persons carrying a concealed handgun concerning acts or omissions regarding such handguns.

(f) A state agency or municipality which does not provide adequate security measures in a state or municipal building and which allows the carrying of a concealed handgun shall not be liable for any wrongful act or omission relating to actions of persons carrying a concealed handgun concerning acts or omissions regarding such handguns.

(g) Nothing in this act shall limit the ability of a corrections facility, a jail facility or a law enforcement agency to prohibit the carrying of a handgun or other firearm concealed or unconcealed by any person into any secure area of a building located on such premises, except those areas of such building outside of a secure area and readily accessible to the public shall be subject to the provisions of subsection ~~(b)~~ (a).

(h) Nothing in this section shall limit the ability of the chief judge of each judicial district to prohibit the carrying of a concealed handgun by any person into courtrooms or ancillary courtrooms within the district provided ~~that other means of security are employed such as armed law enforcement or armed security officers~~ the public area has adequate security measures to ensure that no weapons are permitted to be carried into such public area and the public area is conspicuously posted in accordance with K.S.A. 2015 Supp. 75-7c10, and amendments thereto.

(i) The governing body or the chief administrative officer, if no governing body exists, of a state or municipal building, may exempt the building, or any public area thereof, from this section ~~until January 1, 2014, by notifying the Kansas attorney general and the law enforcement agency of the local jurisdiction by letter of such exemption. Thereafter, such governing body or chief administrative officer may exempt a state or municipal building for a period of only four years~~ until July 1, 2017, by adopting a resolution, or drafting a letter, listing the legal description of such building,

listing the reasons for such exemption, and including the following statement: "A security plan has been developed for the building being exempted which supplies adequate security to the occupants of the building and merits the prohibition of the carrying of a concealed handgun." A copy of the security plan for the building shall be maintained on file and shall be made available, upon request, to the Kansas attorney general and the law enforcement agency of local jurisdiction. Notice of this exemption, together with the resolution adopted or the letter drafted, shall be sent to the Kansas attorney general and to the law enforcement agency of local jurisdiction. The security plan shall not be subject to disclosure under the Kansas open records act.

(j) The governing body or the chief administrative officer, if no governing body exists, of any of the following institutions may exempt any building of such institution, or any public area thereof, from this section ~~for a period of only four years~~ until July 1, 2017, by stating the reasons for such exemption and sending notice of such exemption to the Kansas attorney general:

(1) A state or municipal-owned medical care facility, as defined in K.S.A. 65-425, and amendments thereto;

(2) a state or municipal-owned adult care home, as defined in K.S.A. 39-923, and amendments thereto;

(3) a community mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto;

(4) an indigent health care clinic, as defined by K.S.A. 2015 Supp. 65-7402, and amendments thereto; or

(5) a postsecondary educational institution, as defined in K.S.A. 74-3201b, and amendments thereto, including any buildings located on the grounds of such institution and any buildings leased by such institution.

(k) The provisions of this section shall not apply to any building located on the grounds of the Kansas state school for the deaf or the Kansas state school for the blind.

(l) Nothing in this section shall be construed to prohibit any law enforcement officer, as defined in K.S.A. 2015 Supp. 75-7c22, and amendments thereto, who satisfies the requirements of either K.S.A. 2015 Supp. 75-7c22(a) or (b), and amendments thereto, from carrying a concealed handgun into any state or municipal building, or any public area thereof, in accordance with the provisions of K.S.A. 2015 Supp. 75-7c22, and amendments thereto, subject to any restrictions or prohibitions imposed in any courtroom by the chief judge of the judicial district.

(m) For purposes of this section:

(1) "Adequate security measures" means the use of electronic equipment and armed personnel at public entrances to detect and restrict the carrying of any weapons into the state or municipal building, or any public area thereof, including, but not limited to, metal detectors, metal detector wands or any other equipment used for similar purposes to ensure that weapons are not permitted to be carried into such building or public area by members of the public. Adequate security measures for storing and securing lawfully carried weapons, including, but not limited to, the use of gun lockers or other similar storage options may be provided at public entrances.

(2) "Authorized personnel" means employees of a state agency or municipality and any person granted authorization pursuant to subsection (d)(2), who are authorized to enter a state or municipal building through a restricted access entrance.

~~(2)~~ (3) The terms "municipality" and "municipal" are interchangeable and have the

same meaning as the term "municipality" is defined in K.S.A. 75-6102, and amendments thereto, but does not include school districts.

~~(3)~~ (4) "Public area" means any portion of a state or municipal building that is open to and accessible by the public or which is otherwise designated as a public area by the governing body or the chief administrative officer, if no governing body exists, of such building.

(5) "Restricted access entrance" means an entrance that is restricted to the public and requires a key, keycard, code, or similar device to allow entry to authorized personnel.

~~(4)~~ (6) "State" means the same as the term is defined in K.S.A. 75-6102, and amendments thereto.

~~(5)~~ (7) (A) "State or municipal building" means a building owned or leased by such public entity. It does not include a building owned by the state or a municipality which is leased by a private entity whether for profit or not-for-profit or a building held in title by the state or a municipality solely for reasons of revenue bond financing.

(B) ~~On and after July 1, 2014,~~ The term "state and municipal building" shall not include the state capitol.

~~(6)~~ (8) "Weapon" means a weapon described in K.S.A. 2015 Supp. 21-6301, and amendments thereto, except the term "weapon" shall not include any cutting instrument that has a sharpened or pointed blade.

(n) This section shall be a part of and supplemental to the personal and family protection act.

Sec. 7. K.S.A. 72-89a01 and K.S.A. 2015 Supp. 75-7c04, 75-7c05, 75-7c10 and 75-7c20 are hereby repealed.

Sec. 8. This act shall take effect and be in force from and after its publication in the statute book.";

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in line 2; in line 3, by striking all before the period and inserting "firearms; relating to the possession thereof; relating to the personal and family protection act; relating to weapons in schools; amending K.S.A. 72-89a01 and K.S.A. 2015 Supp. 75-7c04, 75-7c05, 75-7c10 and 75-7c20 and repealing the existing sections";

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

Ralph Ostmeyer
Jake LaTurner
Conferees on part of Senate

Jan Pauls
James Eric Todd
Conferees on part of House

On motion of Rep. Pauls, the conference committee report on **HB 2502** was adopted.

On roll call, the vote was: Yeas 92; Nays 28; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Finch, Francis, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henry, Hibbard, Highland, Hildabrand, Hill,

Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schwab, Schwartz, Scott, Seiwert, Sloan, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C., Whipple, Whitmer, K. Williams.

Nays: Alcala, Ballard, Bollier, Burroughs, Carlin, Carmichael, Clayton, Curtis, Finney, Frownfelter, Gallagher, Helgerson, Henderson, Highberger, Houston, Kuether, Lusk, Ousley, Rooker, Ruiz, C. Smith, Tietze, Trimmer, Victors, Ward, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Edmonds, Ewy, Goico, Kelley, Schroeder.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 248** submits the following report:

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

On page 1, by striking all in line 5 and inserting:

"Section 1. (a) As used in this section:

(1) "Federally qualified health center" means the same as defined in K.S.A. 2015 Supp. 65-1669, and amendments thereto; and

(2) "hospital" means the same as defined in K.S.A. 65-425, and amendments thereto.

(b) Any expenditures or grants of money by the division of public health of the Kansas department of health and environment for family planning services financed in whole or in part from federal title X moneys shall be made subject to the following priorities:

(1) To public entities, including state, county and local health departments and health clinics; and

(2) if any moneys remain, to non-public entities which are hospitals or federally qualified health centers that provide comprehensive primary and preventative care in addition to family planning services.";

On page 1, in the title, by striking all after "ACT"; by striking all in line 2 and inserting "concerning public health; relating to funding of entities that provide family planning services.";

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

RONALD RYCKMAN
SHARON SCHWARTZ
JERRY HENRY
Conferees on part of House

TY MASTERSON
JIM DENNING
LAURA KELLY
Conferees on part of Senate

On motion of Rep. Ryckman, the conference committee report on **SB 248** was adopted.

On roll call, the vote was: Yeas 87; Nays 34; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, B. Carpenter, W. Carpenter, Claeys, Corbet, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Finch, Francis, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henry, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schwab, Schwartz, Seiwert, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Nays: Alcala, Ballard, Bollier, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, Finney, Frownfelter, Gallagher, Helgerson, Henderson, Highberger, Hill, Houston, Kuether, Lusk, Ousley, Rooker, Ruiz, Sawyer, Scott, Sloan, Tietze, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Edmonds, Ewy, Goico, Schroeder.

The House stood at ease until the sound of the gavel.

Speaker Merrick called the House to order.

PERSONAL PRIVILEGE

Rep. Ballard requested unanimous consent of the House to have her vote changed from Aye to Nay on **HB 2502**. There was no objection.

PERSONAL PRIVILEGE

Rep. Lewis requested unanimous consent of the House to have his vote changed from Nay to Aye on **SB 248**. There was no objection.

MESSAGES FROM THE SENATE

The Senate concurs in House amendments to **H Sub for SB 255**, and requests return of the bill.

The Senate adopts the Conference Committee report on **S Sub for HB 2112**.

The Senate adopts the Conference Committee report on **HB 2615**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for HB 2112**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2112** 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. 2112, as follows:

On page 1, by striking all in lines 5 through 36;

By striking all on pages 2 and 3;

On page 4, by striking all in lines 1 through 9 and inserting:

"New Section 1. (a) Any civil action to interpret, apply, enforce or determine the validity of the provisions of the following may be brought in the district court, except to the extent that a statute confers exclusive jurisdiction on a court, agency or tribunal other than the district court:

(1) The articles of incorporation or the bylaws of a corporation;

(2) any instrument, document or agreement by which a corporation creates or sells, or offers to create or sell, any of its stock, or any rights or options respecting its stock;

(3) any written restrictions on the transfer, registration of transfer or ownership of securities under K.S.A. 17-6426, and amendments thereto;

(4) any proxy under K.S.A. 17-6502 or 17-6505, and amendments thereto;

(5) any voting trust or other voting agreement under K.S.A. 17-6508, and amendments thereto;

(6) any agreement, certificate of merger or consolidation, or certificate of ownership and merger governed by K.S.A. 17-6701 through 17-6703 or 17-6705 through 17-6708, and amendments thereto;

(7) any certificate of conversion under K.S.A. 17-6713, and amendments thereto; or

(8) any other instrument, document, agreement or certificate required by any provision of this code.

(b) Any civil action to interpret, apply or enforce any provision of this code may be brought in the district court.

(c) This section shall be part of and supplemental to article 60 of chapter 17 of the Kansas Statutes Annotated, and amendments thereto.

New Sec. 2. (a) The bylaws may provide that if the corporation solicits proxies with respect to an election of directors, it may be required, to the extent and subject to such procedures or conditions as may be provided in the bylaws, to include in its proxy solicitation materials, including any form of proxy it distributes, in addition to individuals nominated by the board of directors, one or more individuals nominated by a stockholder. Such procedures or conditions may include any of the following:

(1) A provision requiring a minimum record or beneficial ownership, or duration of ownership, of shares of the corporation's capital stock, by the nominating stockholder, and defining beneficial ownership to take into account options or other rights in respect of or related to such stock;

(2) a provision requiring the nominating stockholder to submit specified information concerning the stockholder and the stockholder's nominees, including information concerning ownership by such persons of shares of the corporation's capital stock, or options or other rights in respect of or related to such stock;

(3) a provision conditioning eligibility to require inclusion in the corporation's proxy solicitation materials upon the number or proportion of directors nominated by stockholders or whether the stockholder previously sought to require such inclusion;

(4) a provision precluding nominations by any person if such person, any nominee of such person, or any affiliate or associate of such person or nominee, has acquired or publicly proposed to acquire shares constituting a specified percentage of the voting power of the corporation's outstanding voting stock within a specified period before the election of directors;

(5) a provision requiring that the nominating stockholder undertake to indemnify the corporation in respect of any loss arising as a result of any false or misleading information or statement submitted by the nominating stockholder in connection with a nomination; and

(6) any other lawful condition.

(b) This section shall be part of and supplemental to article 60 of chapter 17 of the Kansas Statutes Annotated, and amendments thereto.

New Sec. 3. (a) The bylaws may provide for the reimbursement by the corporation of expenses incurred by a stockholder in soliciting proxies in connection with an election of directors, subject to such procedures or conditions as the bylaws may prescribe, including:

(1) Conditioning eligibility for reimbursement upon the number or proportion of persons nominated by the stockholder seeking reimbursement or whether such stockholder previously sought reimbursement for similar expenses;

(2) limitations on the amount of reimbursement based upon the proportion of votes cast in favor of one or more of the persons nominated by the stockholder seeking reimbursement, or upon the amount spent by the corporation in soliciting proxies in connection with the election;

(3) limitations concerning elections of directors by cumulative voting pursuant to K.S.A. 17-6504, and amendments thereto; or

(4) any other lawful condition.

(b) No bylaw so adopted shall apply to elections for which any record date precedes its adoption.

(c) This section shall be part of and supplemental to article 60 of chapter 17 of the Kansas Statutes Annotated, and amendments thereto.

New Sec. 4. (a) Except as otherwise provided in subsections (b) and (c), the provisions of the Kansas general corporation code shall apply to nonstock corporations in the manner specified in this subsection:

(1) All references to stockholders of the corporation shall be deemed to refer to members of the corporation;

(2) all references to the board of directors of the corporation shall be deemed to refer to the governing body of the corporation;

(3) all references to directors or to members of the board of directors of the corporation shall be deemed to refer to members of the governing body of the corporation; and

(4) all references to stock, capital stock, or shares thereof of a corporation authorized to issue capital stock shall be deemed to refer to memberships of a nonprofit nonstock corporation and to membership interests of any other nonstock corporation.

(b) Subsection (a) shall not apply to:

(1) K.S.A. 17-6002(a)(4), (b)(1) and (b)(2), 17-6009(a), 17-6301, 17-6404, 17-6505, 17 6518, 17-6520(b), 17-6601, 17-6602, 17-6703, 17-6705, 17-6706, 17-6707, 17-6708, 17-6801, 17-6805, 17-6805a, 17-7001, 17-7002, 17-7503(a)(4) and (b)(4), 17-7504, 17-7505(a)(4) and (b)(4) and 17-7514(c) and section 4, and amendments thereto, which apply to nonstock corporations by their terms;

(2) K.S.A. 17-6002(e), the last sentence of 17-6009(b), 17-6401, 17-6402, 17-6403, 17-6405, 17-6406, 17-6407(d), 17-6408, 17-6411, 17-6412, 17-6413, 17-6414, 17-6415, 17-6416, 17-6417, 17-6418, 17-6501, 17-6502, 17-6503, 17-6504, 17-6506, 17-6509, 17-6512, 17-6521, 17-6603, 17-6604, 17-6701, 17-6702, 17-6803 and 17-6804 and sections 7, 8 and 9, and amendments thereto; and

(3) article 72 and article 73 of chapter 17 of the Kansas Statutes Annotated, and amendments thereto.

(c) In the case of a nonprofit nonstock corporation, subsection (a) shall not apply to:

(1) The sections and articles listed in subsection (b);

(2) K.S.A. 17-6002(b)(3), 17-6304(a)(2), 17-6507, 17-6508, 17-6712, 17-7503, 17-7505, 17-7509, 17-7511 and 17-7514 and section 1(a)(2) and (a)(3), and amendments thereto; and

(3) article 64 of chapter 17 of the Kansas Statutes Annotated, and amendments thereto.

(d) For purposes of the Kansas general corporation code:

(1) A "charitable nonstock corporation" is any nonprofit nonstock corporation that is exempt from taxation under § 501(c)(3) of the federal internal revenue code of 1986, 26 U.S.C. § 501(c)(3);

(2) a "membership interest" is, unless otherwise provided in a nonstock corporation's articles of incorporation, a member's share of the profits and losses of a nonstock corporation, or a member's right to receive distributions of the nonstock corporation's assets, or both;

(3) a "nonprofit nonstock corporation" is a nonstock corporation that does not have membership interests; and

(4) a "nonstock corporation" is any corporation organized under the Kansas general corporation code that is not authorized to issue capital stock.

(e) This section shall be part of and supplemental to article 60 of chapter 17 of the Kansas Statutes Annotated, and amendments thereto.

New Sec. 5. (a) The articles of incorporation or the bylaws may require, consistent with applicable jurisdictional requirements, that any or all internal corporate claims shall be brought solely and exclusively in any or all of the courts in this state, and no provision of the articles of incorporation or the bylaws may prohibit bringing such claims in the courts of this state. "Internal corporate claims" means claims, including claims in the right of the corporation: (1) That are based upon a violation of a duty by a current or former director or officer or stockholder in such capacity; or (2) as to which this title confers jurisdiction upon the district court.

(b) This section shall be part of and supplemental to article 60 of chapter 17 of the Kansas Statutes Annotated, and amendments thereto.

New Sec. 6. (a) (1) After a corporation has been dissolved in accordance with the procedures set forth in this code, the corporation or any successor entity may give notice of the dissolution, requiring all persons having a claim against the corporation

other than a claim against the corporation in a pending action, suit or proceeding to which the corporation is a party, to present their claims against the corporation in accordance with such notice. Such notice shall state:

(A) That all such claims must be presented in writing and must contain sufficient information reasonably to inform the corporation or successor entity of the identity of the claimant and the substance of the claim;

(B) the mailing address to which such a claim must be sent;

(C) the date by which such a claim must be received by the corporation or successor entity, which date shall be no earlier than 60 days from the date thereof;

(D) that such claim will be barred if not received by the date referred to in subsection (a)(1)(C);

(E) that the corporation or a successor entity may make distributions to other claimants and the corporation's stockholders or persons interested as having been such without further notice to the claimant; and

(F) the aggregate amount, on an annual basis, of all distributions made by the corporation to its stockholders for each of the three years prior to the date the corporation dissolved.

(2) Such notice shall also be published at least once a week for two consecutive weeks in a newspaper of general circulation in the county in which the office of the corporation's last resident agent in this state is located and in the corporation's principal place of business and, in the case of a corporation having $10,000,000 or more in total assets at the time of its dissolution, at least once in all editions of a daily newspaper with a national circulation. On or before the date of the first publication of such notice, the corporation or successor entity shall mail a copy of such notice by certified or registered mail, return receipt requested, to each known claimant of the corporation, including persons with claims asserted against the corporation in a pending action, suit or proceeding to which the corporation is a party.

(3) Any claim against the corporation required to be presented pursuant to this subsection is barred if a claimant who was given actual notice under this subsection does not present the claim to the dissolved corporation or successor entity by the date referred to in subsection (a)(1)(C).

(4) A corporation or successor entity may reject, in whole or in part, any claim made by a claimant pursuant to this subsection by mailing notice of such rejection by certified or registered mail, return receipt requested, to the claimant within 90 days after receipt of such claim and, in all events, at least 150 days before the expiration of the period described in K.S.A. 17-6807, and amendments thereto, except that in the case of a claim filed pursuant to K.S.A. 17-6905, and amendments thereto, against a corporation or successor entity for which a receiver or trustee has been appointed by the district court, the time period shall be as provided in K.S.A. 17-6906, and amendments thereto, and the 30-day appeal period provided for in K.S.A. 17-6906 shall be applicable. A notice sent by a corporation or successor entity pursuant to this subsection shall state that any claim rejected therein will be barred if an action, suit or proceeding with respect to the claim is not commenced within 120 days of the date thereof, and shall be accompanied by a copy of K.S.A. 17-6807 through 17-6809 and section 6, and amendments thereto, and, in the case of a notice sent by a court-appointed receiver or trustee and as to which a claim has been filed pursuant to K.S.A. 17-6905, and amendments thereto, copies of K.S.A. 17-6905 and 17-6906, and amendments thereto.

(5) A claim against a corporation is barred if a claimant whose claim is rejected pursuant to subsection (a)(4) does not commence an action, suit or proceeding with respect to the claim no later than 120 days after the mailing of the rejection notice.

(b) (1) A corporation or successor entity electing to follow the procedures described in subsection (a) shall also give notice of the dissolution of the corporation to persons with contractual claims contingent upon the occurrence or nonoccurrence of future events or otherwise conditional or unmatured, and request that such persons present such claims in accordance with the terms of such notice. As used in this section and in K.S.A. 17-6810, and amendments thereto, the term "contractual claims" shall not include any implied warranty as to any product manufactured, sold, distributed or handled by the dissolved corporation. Such notice shall be in substantially the form, and sent and published in the same manner, as described in subsection (a)(1).

(2) The corporation or successor entity shall offer any claimant on a contract whose claim is contingent, conditional or unmatured such security as the corporation or successor entity determines is sufficient to provide compensation to the claimant if the claim matures. The corporation or successor entity shall mail such offer to the claimant by certified or registered mail, return receipt requested, within 90 days of receipt of such claim and, in all events, at least 150 days before the expiration of the period described in K.S.A. 17-6807, and amendments thereto. If the claimant offered such security does not deliver in writing to the corporation or successor entity a notice rejecting the offer within 120 days after receipt of such offer for security, the claimant shall be deemed to have accepted such security as the sole source from which to satisfy the claim against the corporation.

(c) (1) A corporation or successor entity which has given notice in accordance with subsection (a) shall petition the district court to determine the amount and form of security that will be reasonably likely to be sufficient to provide compensation for any claim against the corporation which is the subject of a pending action, suit or proceeding to which the corporation is a party other than a claim barred pursuant to subsection (a).

(2) A corporation or successor entity which has given notice in accordance with subsections (a) and (b) shall petition the district court to determine the amount and form of security that will be sufficient to provide compensation to any claimant who has rejected the offer for security made pursuant to subsection (b)(2).

(3) A corporation or successor entity which has given notice in accordance with subsection (a) shall petition the district court to determine the amount and form of security which will be reasonably likely to be sufficient to provide compensation for claims that have not been made known to the corporation or that have not arisen but that, based on facts known to the corporation or successor entity, are likely to arise or to become known to the corporation or successor entity within five years after the date of dissolution or such longer period of time as the district court may determine, not to exceed 10 years after the date of dissolution. The district court may appoint a guardian ad litem in respect of any such proceeding brought under this subsection. The reasonable fees and expenses of such guardian, including all reasonable expert witness fees, shall be paid by the petitioner in such proceeding.

(d) The giving of any notice or making of any offer pursuant to this section shall not revive any claim then barred or constitute acknowledgment by the corporation or successor entity that any person to whom such notice is sent is a proper claimant and

shall not operate as a waiver of any defense or counterclaim in respect of any claim asserted by any person to whom such notice is sent.

(e) As used in this section, the term "successor entity" shall include any trust, receivership or other legal entity governed by the laws of this state to which the remaining assets and liabilities of a dissolved corporation are transferred and which exists solely for the purposes of prosecuting and defending suits, by or against the dissolved corporation, enabling the dissolved corporation to settle and close the business of the dissolved corporation, to dispose of and convey the property of the dissolved corporation, to discharge the liabilities of the dissolved corporation and to distribute to the dissolved corporation's stockholders any remaining assets, but not for the purpose of continuing the business for which the dissolved corporation was organized.

(f) The time periods and notice requirements of this section shall, in the case of a corporation or successor entity for which a receiver or trustee has been appointed by the district court, be subject to variation by, or in the manner provided in, the rules of the district court.

(g) In the case of a nonstock corporation, any notice referred to in the last sentence of subsection (a)(4) shall include a copy of section 4, and amendments thereto. In the case of a nonprofit nonstock corporation, the provisions of this section regarding distributions to members shall not apply to the extent that those provisions conflict with any other applicable law or with that corporation's articles of incorporation or bylaws.

(h) This section shall be part of and supplemental to article 68 of chapter 17 of the Kansas Statutes Annotated, and amendments thereto.

New Sec. 7. (a) Notwithstanding any other provisions of this chapter, a corporation shall not engage in any business combination with any interested stockholder for a period of three years following the time that such stockholder became an interested stockholder, unless:

(1) Prior to such time the board of directors of the corporation approved either the business combination or the transaction which resulted in the stockholder becoming an interested stockholder;

(2) upon consummation of the transaction which resulted in the stockholder becoming an interested stockholder, the interested stockholder owned at least 85% of the voting stock of the corporation outstanding at the time the transaction commenced, excluding for purposes of determining the voting stock outstanding, but not the outstanding voting stock owned by the interested stockholder, those shares owned: (A) By persons who are directors and also officers; and (B) employee stock plans in which employee participants do not have the right to determine confidentially whether shares held subject to the plan will be tendered in a tender or exchange offer; or

(3) at or subsequent to such time the business combination is approved by the board of directors and authorized at an annual or special meeting of stockholders, and not by written consent, by the affirmative vote of at least 66 $^{2}/_{3}$% of the outstanding voting stock which is not owned by the interested stockholder.

(b) The restrictions contained in this section shall not apply if:

(1) The corporation's original articles of incorporation contain a provision expressly electing not to be governed by this section or the Kansas business combinations with interested shareholders act;

(2) the corporation, by action of its board of directors, adopts an amendment to its

bylaws on or before July 1, 1990, expressly electing not to be governed by this section or the Kansas business combinations with interested shareholders act, which amendment shall not be further amended by the board of directors;

(3) the corporation, by action of its stockholders, adopts an amendment to its articles of incorporation or bylaws expressly electing not to be governed by this section, except that, in addition to any other vote required by law, such amendment to the articles of incorporation or bylaws must be approved by the affirmative vote of a majority of the shares entitled to vote. An amendment adopted pursuant to this paragraph shall be effective immediately in the case of a corporation that both: (A) Has never had a class of voting stock that falls within any of the two categories set out in subsection (b)(4); and (B) has not elected by a provision in its original articles of incorporation, or any amendment thereto, to be governed by this section. In all other cases, an amendment adopted pursuant to this paragraph shall not be effective until 12 months after the adoption of such amendment and shall not apply to any business combination between such corporation and any person who became an interested stockholder of such corporation on or prior to such adoption. A bylaw amendment adopted pursuant to this paragraph shall not be further amended by the board of directors;

(4) the corporation does not have a class of voting stock that is: (A) Listed on a national securities exchange; or (B) held of record by more than 2,000 stockholders, unless any of the foregoing results from action taken, directly or indirectly, by an interested stockholder or from a transaction in which a person becomes an interested stockholder;

(5) a stockholder becomes an interested stockholder inadvertently and: (A) As soon as practicable divests itself of ownership of sufficient shares so that the stockholder ceases to be an interested stockholder; and (B) would not, at any time within the three-year period immediately prior to a business combination between the corporation and such stockholder, have been an interested stockholder but for the inadvertent acquisition of ownership;

(6) (A) the business combination is proposed prior to the consummation or abandonment of and subsequent to the earlier of the public announcement or the notice required by this subsection of a proposed transaction which: (i) Constitutes one of the transactions described in the second sentence of this paragraph; (ii) is with or by a person who either was not an interested stockholder during the previous three years or who became an interested stockholder with the approval of the corporation's board of directors or during the period described in paragraph (7); and (iii) is approved or not opposed by a majority of the members of the board of directors then in office, but not less than one, who were directors prior to any person becoming an interested stockholder during the previous three years or were recommended for election or elected to succeed such directors by a majority of such directors.

(B) The proposed transactions referred to in subsection (b)(6)(A) are limited to: (i) A merger or consolidation of the corporation, except for a merger in respect of which, pursuant to K.S.A. 17-6701(f), and amendments thereto, no vote of the stockholders of the corporation is required; (ii) a sale, lease, exchange, mortgage, pledge, transfer or other disposition, in one transaction or a series of transactions, whether as part of a dissolution or otherwise, of assets of the corporation or of any direct or indirect majority-owned subsidiary of the corporation, other than to any direct or indirect

wholly-owned subsidiary or to the corporation, having an aggregate market value equal to 50% or more of either that aggregate market value of all of the assets of the corporation determined on a consolidated basis or the aggregate market value of all the outstanding stock of the corporation; or (iii) a proposed tender or exchange offer for 50% or more of the outstanding voting stock of the corporation. The corporation shall give not less than 20 days' notice to all interested stockholders prior to the consummation of any of the transactions described in subparagraph (B)(i) or (ii); or

(7) the business combination is with an interested stockholder who became an interested stockholder at a time when the restrictions contained in this section did not apply by reason of any of subsections (b)(1) through (b)(4), except that this paragraph shall not apply if, at the time such interested stockholder became an interested stockholder, the corporation's articles of incorporation contained a provision authorized by the last sentence of this subsection.

Notwithstanding subsections (b)(1) through (b)(4), a corporation may elect by a provision of its original articles of incorporation, or any amendment thereto, to be governed by this section, except that any such amendment to the articles of incorporation shall not apply to restrict a business combination between the corporation and an interested stockholder of the corporation if the interested stockholder became such prior to the effective date of the amendment.

(c) As used in this section only:

(1) "Affiliate" means a person that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, another person.

(2) "Associate," when used to indicate a relationship with any person, means: (A) Any corporation, partnership, unincorporated association or other entity of which such person is a director, officer or partner or is, directly or indirectly, the owner of 20% or more of any class of voting stock; (B) any trust or other estate in which such person has at least a 20% beneficial interest or as to which such person serves as trustee or in a similar fiduciary capacity; and (C) any relative or spouse of such person, or any relative of such spouse, who has the same residence as such person.

(3) "Business combination," when used in reference to any corporation and any interested stockholder of such corporation, means:

(A) Any merger or consolidation of the corporation or any direct or indirect majority-owned subsidiary of the corporation with:

(i) The interested stockholder; or

(ii) with any other corporation, partnership, unincorporated association or other entity if the merger or consolidation is caused by the interested stockholder and as a result of such merger or consolidation subsection (a) is not applicable to the surviving entity;

(B) any sale, lease, exchange, mortgage, pledge, transfer or other disposition, in one transaction or a series of transactions, except proportionately as a stockholder of such corporation, to or with the interested stockholder, whether as part of a dissolution or otherwise, of assets of the corporation or of any direct or indirect majority-owned subsidiary of the corporation which assets have an aggregate market value equal to 10% or more of either the aggregate market value of all the assets of the corporation determined on a consolidated basis or the aggregate market value of all the outstanding stock of the corporation;

(C) any transaction which results in the issuance or transfer by the corporation or by any direct or indirect majority-owned subsidiary of the corporation of any stock of the corporation or of such subsidiary to the interested stockholder, except:

(i) Pursuant to the exercise, exchange or conversion of securities exercisable for, exchangeable for or convertible into stock of such corporation or any such subsidiary which securities were outstanding prior to the time that the interested stockholder became such;

(ii) pursuant to a merger under K.S.A. 17-6701(g), and amendments thereto;

(iii) pursuant to a dividend or distribution paid or made, or the exercise, exchange or conversion of securities exercisable for, exchangeable for or convertible into stock of such corporation or any such subsidiary which security is distributed, pro rata to all holders of a class or series of stock of such corporation subsequent to the time the interested stockholder became such;

(iv) pursuant to an exchange offer by the corporation to purchase stock made on the same terms to all holders of such stock; or

(v) any issuance or transfer of stock by the corporation; provided however, that in no case under subparagraph (C)(iii) through (v) shall there be an increase in the interested stockholder's proportionate share of the stock of any class or series of the corporation or of the voting stock of the corporation;

(D) any transaction involving the corporation or any direct or indirect majority-owned subsidiary of the corporation which has the effect, directly or indirectly, of increasing the proportionate share of the stock of any class or series, or securities convertible into the stock of any class or series, of the corporation or of any such subsidiary which is owned by the interested stockholder, except as a result of immaterial changes due to fractional share adjustments or as a result of any purchase or redemption of any shares of stock not caused, directly or indirectly, by the interested stockholder; or

(E) any receipt by the interested stockholder of the benefit, directly or indirectly, except proportionately as a stockholder of such corporation, of any loans, advances, guarantees, pledges or other financial benefits, other than those expressly permitted in subparagraphs (A) through (D), provided by or through the corporation or any direct or indirect majority-owned subsidiary.

(4) "Control," including the terms "controlling," "controlled by" and "under common control with," means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting stock, by contract or otherwise. A person who is the owner of 20% or more of the outstanding voting stock of any corporation, partnership, unincorporated association or other entity shall be presumed to have control of such entity, in the absence of proof by a preponderance of the evidence to the contrary, except that a presumption of control shall not apply where such person holds voting stock, in good faith and not for the purpose of circumventing this section, as an agent, bank, broker, nominee, custodian or trustee for one or more owners who do not individually or as a group have control of such entity.

(5) (A) "Interested stockholder" means any person, other than the corporation and any direct or indirect majority-owned subsidiary of the corporation, that:

(i) Is the owner of 15% or more of the outstanding voting stock of the corporation; or

(ii) is an affiliate or associate of the corporation and was the owner of 15% or more of the outstanding voting stock of the corporation at any time within the three-year period immediately prior to the date on which it is sought to be determined whether such person is an interested stockholder, and the affiliates and associates of such person.

(B) The term "interested stockholder" shall not include:

(i) Any person who: (a) Owned shares in excess of the 15% limitation set forth herein as of, or acquired such shares pursuant to a tender offer commenced prior to July 1, 1989, or pursuant to an exchange offer announced prior to such date and commenced within 90 days thereafter and either: (1) Continued to own shares in excess of such 15% limitation or would have but for action by the corporation; or (2) is an affiliate or associate of the corporation and so continued, or so would have continued but for action by the corporation, to be the owner of 15% or more of the outstanding voting stock of the corporation at any time within the three-year period immediately prior to the date on which it is sought to be determined whether such a person is an interested stockholder; or (b) acquired such shares from a person described in subparagraph (B)(i)(a) by gift, inheritance or in a transaction in which no consideration was exchanged; or

(ii) any person whose ownership of shares in excess of the 15% limitation set forth herein is the result of action taken solely by the corporation; provided that such person shall be an interested stockholder if thereafter such person acquires additional shares of voting stock of the corporation, except as a result of further corporate action not caused, directly or indirectly, by such person.

(C) For the purpose of determining whether a person is an interested stockholder, the voting stock of the corporation deemed to be outstanding shall include stock deemed to be owned by the person through application of paragraph (9), but shall not include any other unissued stock of such corporation which may be issuable pursuant to any agreement, arrangement or understanding, or upon exercise of conversion rights, warrants or options, or otherwise.

(6) "Person" means any individual, corporation, partnership, unincorporated association or other entity.

(7) "Stock" means, with respect to any corporation, capital stock and, with respect to any other entity, any equity interest.

(8) "Voting stock" means, with respect to any corporation, stock of any class or series entitled to vote generally in the election of directors and, with respect to any entity that is not a corporation, any equity interest entitled to vote generally in the election of the governing body of such entity. Every reference to a percentage of voting stock shall refer to such percentage of the votes of such voting stock.

(9) "Owner," including the terms "own" and "owned," when used with respect to any stock, means a person that individually or with or through any of its affiliates or associates:

(A) Beneficially owns such stock, directly or indirectly;

(B) has: (i) The right to acquire such stock, whether such right is exercisable immediately or only after the passage of time, pursuant to any agreement, arrangement or understanding, or upon the exercise of conversion rights, exchange rights, warrants or options, or otherwise, except that a person shall not be deemed the owner of stock tendered pursuant to a tender or exchange offer made by such person or any of such person's affiliates or associates until such tendered stock is accepted for purchase or exchange; or (ii) the right to vote such stock pursuant to any agreement, arrangement or

understanding, except that a person shall not be deemed the owner of any stock because of such person's right to vote such stock if the agreement, arrangement or understanding to vote such stock arises solely from a revocable proxy or consent given in response to a proxy or consent solicitation made to 10 or more persons; or

(C) has any agreement, arrangement or understanding for the purpose of acquiring, holding, voting, except voting pursuant to a revocable proxy or consent as described in subparagraph (B)(ii), or disposing of such stock with any other person that beneficially owns, or whose affiliates or associates beneficially own, directly or indirectly, such stock.

(d) No provision of an articles of incorporation or bylaw shall require, for any vote of stockholders required by this section, a greater vote of stockholders than that specified in this section.

(e) This section amends and recodifies the Kansas business combinations with interested shareholders act. Any reference in a corporation's articles of incorporation or bylaws to the Kansas business combinations with interested shareholders act shall be deemed to refer to this section.

(f) This section shall be part of and supplemental to article 64 of chapter 17 of the Kansas Statutes Annotated, and amendments thereto.

New Sec. 8. (a) Subject to subsection (f), no defective corporate act or putative stock shall be void or voidable solely as a result of a failure of authorization if ratified as provided in this section or validated by the district court in a proceeding brought under section 9, and amendments thereto.

(b) (1) In order to ratify one or more defective corporate acts pursuant to this section, other than the ratification of an election of the initial board of directors pursuant to subsection (b)(2), the board of directors of the corporation shall adopt resolutions stating:

(A) The defective corporate act or acts to be ratified;

(B) the date of each defective corporate act or acts;

(C) if such defective corporate act or acts involved the issuance of shares of putative stock, the number and type of shares of putative stock issued and the date or dates upon which such putative shares were purported to have been issued;

(D) the nature of the failure of authorization in respect of each defective corporate act to be ratified; and

(E) that the board of directors approves the ratification of the defective corporate act or acts.

Such resolutions may also provide that, at any time before the validation effective time in respect to any defective corporate act set forth therein, notwithstanding the approval of the ratification of such defective corporate act by stockholders, the board of directors may abandon the ratification of such defective corporate act without further action of the stockholders. The quorum and voting requirements applicable to the ratification by the board of directors of any defective corporate act shall be the quorum and voting requirements applicable to the type of defective corporate act proposed to be ratified at the time the board adopts the resolutions ratifying the defective corporate act, except that if the articles of incorporation or bylaws of the corporation, any plan or agreement to which the corporation was a party or any provision of the Kansas general corporation code, in each case as in effect as of the time of the defective corporate act, would have required a larger number or portion of directors or of specified directors for

a quorum to be present or to approve the defective corporate act, such larger number or portion of such directors or such specified directors shall be required for a quorum to be present or to adopt the resolutions to ratify the defective corporate act, as applicable, except that the presence or approval of any director elected, appointed or nominated by holders of any class or series of which no shares are then outstanding, or by any person that is no longer a stockholder, shall not be required.

(2) In order to ratify a defective corporate act in respect of the election of the initial board of directors of the corporation pursuant to K.S.A. 17-6008, and amendments thereto, a majority of the persons who, at the time the resolutions required by this paragraph are adopted, are exercising the powers of directors under claim and color of an election or appointment as such may adopt resolutions stating:

(A) The name of the person or persons who first took action in the name of the corporation as the initial board of directors of the corporation;

(B) the earlier of the date on which such persons first took such action or were purported to have been elected as the initial board of directors; and

(C) that the ratification of the election of such person or persons as the initial board of directors is approved.

(c) Each defective corporate act ratified pursuant to subsection (b)(1) shall be submitted to stockholders for approval as provided in subsection (d), unless:

(1) No other provision of the Kansas general corporation code, and no provision of the articles of incorporation or bylaws of the corporation, or of any plan or agreement to which the corporation is a party, would have required stockholder approval of such defective corporate act to be ratified, either at the time of such defective corporate act or at the time the board of directors adopts the resolutions ratifying such defective corporate act pursuant to subsection (b)(1); and

(2) such defective corporate act did not result from a failure to comply with section 7, and amendments thereto.

(d) If the ratification of a defective corporate act is required to be submitted to stockholders for approval pursuant to subsection (c), due notice of the time, place, if any, and purpose of the meeting shall be given at least 20 days before the date of the meeting to each holder of valid stock and putative stock, whether voting or nonvoting, at the address of such holder as it appears or most recently appeared, as appropriate, on the records of the corporation. The notice also shall be given to the holders of record of valid stock and putative stock, whether voting or nonvoting, as of the time of the defective corporate act, other than holders whose identities or addresses cannot be determined from the records of the corporation. The notice shall contain a copy of the resolutions adopted by the board of directors pursuant to subsection (b)(1) or the information required by subsection (b)(1)(A) through (E) and a statement that any claim that the defective corporate act or putative stock ratified hereunder is void or voidable due to the failure of authorization, or that the district court should declare in its discretion that a ratification in accordance with this section not be effective or be effective only on certain conditions must be brought within 120 days from the applicable validation effective time. At such meeting, the quorum and voting requirements applicable to the ratification of such defective corporate act shall be the quorum and voting requirements applicable to the type of defective corporate act proposed to be ratified at the time of the approval of the ratification, except that:

(1) If the articles of incorporation or bylaws of the corporation, any plan or

agreement to which the corporation was a party or any provision of the Kansas general corporation code in effect as of the time of the defective corporate act would have required a larger number or portion of stock or of any class or series thereof or of specified stockholders for a quorum to be present or to approve the defective corporate act, the presence or approval of such larger number or portion of stock or of such class or series thereof or of such specified stockholders shall be required for a quorum to be present or to approve the ratification of the defective corporate act, as applicable, except that the presence or approval of shares of any class or series of which no shares are then outstanding, or of any person that is no longer a stockholder, shall not be required;

(2) the approval by stockholders of the ratification of the election of a director shall require the affirmative vote of the majority of shares present at the meeting and entitled to vote on the election of such director, except that if the articles of incorporation or bylaws of the corporation then in effect or in effect at the time of the defective election require or required a larger number or portion of stock or of any class or series thereof or of specified stockholders to elect such director, the affirmative vote of such larger number or portion of stock or of any class or series thereof or of such specified stockholders shall be required to ratify the election of such director, except that the presence or approval of shares of any class or series of which no shares are then outstanding, or of any person that is no longer a stockholder, shall not be required; and

(3) in the event of a failure of authorization resulting from failure to comply with the provisions of section 7, and amendments thereto, the ratification of the defective corporate act shall require the vote set forth in section 7(a)(3), and amendments thereto, regardless of whether such vote would have otherwise been required.

Shares of putative stock on the record date for determining stockholders entitled to vote on any matter submitted to stockholders pursuant to subsection (c), and without giving effect to any ratification that becomes effective after such record date, shall neither be entitled to vote nor counted for quorum purposes in any vote to ratify any defective corporate act.

(e) If a defective corporate act ratified pursuant to this section would have required under any other section of the Kansas general corporation code the filing of a document in accordance with K.S.A. 2015 Supp. 17-7910, and amendments thereto, then, whether or not a document was previously filed in respect to such defective corporate act and in lieu of filing the document otherwise required by provisions of the Kansas general corporation code, the corporation shall file a certificate of validation with respect to such defective corporate act in accordance with K.S.A. 2015 Supp. 17-7910, and amendments thereto. A separate certificate of validation shall be required for each defective corporate act requiring the filing of a certificate of validation under this section, except that two or more defective corporate acts may be included in a single certificate of validation if the corporation filed, or to comply with provisions of the Kansas general corporation code, would have filed, a single document under another provision of the Kansas general corporation code to effect such acts, and two or more overissues of shares of any class, classes or series of stock may be included in a single certificate of validation, provided that the increase in the number of authorized shares of each such class or series set forth in the certificate of validation shall be effective as of the date of the first such overissue. The certificate of validation shall set forth:

(1) Each defective corporate act that is the subject of the certificate of validation, including, in the case of any defective corporate act involving the issuance of shares of

putative stock, the number and type of shares of putative stock issued and the date or dates upon which such putative shares were purported to have been issued, the date of such defective corporate act, and the nature of the failure of authorization in respect to such defective corporate act;

(2) a statement that such defective corporate act was ratified in accordance with this section, including the date on which the board of directors ratified such defective corporate act and the date, if any, on which the stockholders approved the ratification of such defective corporate act; and

(3) the information required by one of the following subparagraphs:

(A) If a document was previously filed under K.S.A. 2015 Supp. 17-7910, and amendments thereto, in respect to such defective corporate act and no changes to such document are required to give effect to such defective corporate act in accordance with this section, the certificate of validation shall set forth: (i) The name, title and filing date of the document previously filed and of any certificate of correction thereto; and (ii) a statement that a copy of the document previously filed, together with any certificate of correction thereto, is attached as an exhibit to the certificate of validation;

(B) if a document was previously filed under K.S.A. 2015 Supp. 17-7910, and amendments thereto, in respect to the defective corporate act and such document requires any change to give effect to the defective corporate act in accordance with this section, including a change to the date and time of the effectiveness of such certificate, the certificate of validation shall set forth: (i) The name, title and filing date of the document so previously filed and of any certificate of correction thereto; (ii) a statement that a document containing all of the information required to be included under the applicable section or sections of the Kansas general corporation code to give effect to the defective corporate act is attached as an exhibit to the certificate of validation; and (iii) the date that such certificate shall be deemed to have become effective pursuant to this section; or

(C) if a document was not previously filed under K.S.A. 2015 Supp. 17-7910, and amendments thereto, in respect to the defective corporate act and the defective corporate act ratified pursuant to this section would have required under any other section of the Kansas general corporation code the filing of a document in accordance with K.S.A. 2015 Supp. 17-7910, and amendments thereto, the certificate of validation shall set forth: (i) A statement that a document containing all of the information required to be included under the applicable section or sections of the Kansas general corporation code to give effect to the defective corporate act is attached as an exhibit to the certificate of validation; and (ii) the date and time that such certificate shall be deemed to have become effective pursuant to this section.

(4) A document attached to a certificate of validation pursuant to paragraph (3)(B) or (C) need not be separately executed and acknowledged and need not include any statement required by any other section of the Kansas general corporation code that such document has been approved and adopted in accordance with the provisions of such other section.

(f) From and after the validation effective time, unless otherwise determined in an action brought pursuant to section 9, and amendments thereto:

(1) Subject to the last sentence of subsection (d), each defective corporate act ratified in accordance with this section shall no longer be deemed void or voidable as a result of a the failure of authorization described in the resolutions adopted pursuant to

subsection (b) and such effect shall be retroactive to the time of the defective corporate act; and

(2) subject to the last sentence of subsection (d), each share or fraction of a share of putative stock issued or purportedly issued pursuant to any such defective corporate act shall no longer be deemed void or voidable and shall be deemed to be an identical share or fraction of a share of outstanding stock as of the time it was purportedly issued.

(g) (1) In respect of each defective corporate act ratified by the board of directors pursuant to subsection (b), prompt notice of the ratification shall be given to all holders of valid stock and putative stock, whether voting or nonvoting, as of the date the board of directors adopts the resolutions approving such defective corporate act, or as of a date within 60 days after such date of adoption, as established by the board of directors, at the address of such holder as it appears or most recently appeared, as appropriate, on the records of the corporation. The notice also shall be given to the holders of record of valid stock and putative stock, whether voting or nonvoting, as of the time of the defective corporate act, other than holders whose identities or addresses cannot be determined from the records of the corporation. The notice shall contain a copy of the resolutions adopted pursuant to subsection (b) or the information specified in subsection (b)(1)(A) through (E) or subsection (b)(2)(A) through (C), as applicable, and a statement that any claim that the defective corporate act or putative stock ratified hereunder is void or voidable due to the failure of authorization, or that the district court should declare in its discretion that a ratification in accordance with this section not be effective or be effective only on certain conditions must be brought within 120 days from the later of the validation effective time or the time at which the notice required by this subsection is given.

(2) Notwithstanding the provisions of paragraph (1): (A) No such notice shall be required if notice of the ratification of the defective corporate act is to be given in accordance with subsection (d); and (B) in the case of a corporation that has a class of stock listed on a national securities exchange, the notice required by this subsection may be deemed given if disclosed in a document publicly filed by the corporation with the securities and exchange commission pursuant to section 13, 14 or 15(d) of the securities exchange act of 1934, as amended, and the rules and regulations promulgated thereunder, or the corresponding provisions of any subsequent federal securities laws, rules or regulations.

(3) If any defective corporate act has been approved by stockholders acting pursuant to K.S.A. 17-6518, and amendments thereto, the notice required by this subsection may be included in any notice required to be given pursuant to K.S.A. 17-6518(e), and amendments thereto, and, if so given, shall be sent to the stockholders entitled thereto under K.S.A. 17-6518(e), and amendments thereto, and to all holders of valid and putative stock to whom notice would be required under this subsection if the defective corporate act had been approved at a meeting other than any stockholder who approved the action by consent in lieu of a meeting pursuant to K.S.A. 17-6518, and amendments thereto, or any holder of putative stock who otherwise consented thereto in writing. Solely for purposes of subsection (d) and this subsection, notice to holders of putative stock, and notice to holders of valid stock and putative stock as of the time of the defective corporate act, shall be treated as notice to holders of valid stock for purposes of K.S.A. 17-6512, 17-6518, 17 6519, 17-6520, 17-6522 and 17-6523, and amendments thereto.

(h) As used in this section and in section 9, and amendments thereto, only, the terms:

(1) "Defective corporate act" means an overissue, an election or appointment of directors that is void or voidable due to a failure of authorization, or any act or transaction purportedly taken by or on behalf of the corporation that is, and at the time such act or transaction was purportedly taken would have been, within the power of a corporation under the provisions of article 61 of chapter 17 of the Kansas Statutes Annotated, and amendments thereto, but is void or voidable due to a failure of authorization.

(2) "Failure of authorization" means: (A) The failure to authorize or effect an act or transaction in compliance with the provisions of this code, the articles of incorporation or bylaws of the corporation, or any plan or agreement to which the corporation is a party, if and to the extent such failure would render such act or transaction void or voidable; or (B) the failure of the board of directors or any officer of the corporation to authorize or approve any act or transaction taken by or on behalf of the corporation that would have required for its due authorization the approval of the board of directors or such officer.

(3) "Overissue" means the purported issuance of:

(A) Shares of capital stock of a class or series in excess of the number of shares of such class or series the corporation has the power to issue under K.S.A. 17-6411, and amendments thereto, at the time of such issuance; or

(B) shares of any class or series of capital stock that is not then authorized for issuance by the articles of incorporation of the corporation.

(4) "Putative stock" means the shares of any class or series of capital stock of the corporation, including shares issued upon exercise of options, rights, warrants or other securities convertible into shares of capital stock of the corporation, or interests with respect thereto that were created or issued pursuant to a defective corporate act, that:

(A) But for any failure of authorization, would constitute valid stock; or

(B) cannot be determined by the board of directors to be valid stock.

(5) "Time of the defective corporate act" means the date and time the defective corporate act was purported to have been taken.

(6) "Validation effective time" with respect to any defective corporate act ratified pursuant to this section means the latest of:

(A) The time at which the defective corporate act submitted to the stockholders for approval pursuant to subsection (c) is approved by such stockholders, or if no such vote of stockholders is required to approve the ratification of the defective corporate act, the time at which the board of directors adopts the resolutions required by subsection (b)(1) or (b)(2);

(B) where no certificate of validation is required to be filed pursuant to subsection (e), the time, if any, specified by the board of directors in the resolutions adopted pursuant to subsection (b)(1) or (b)(2), which time shall not precede the time at which such resolutions are adopted; and

(C) the time at which any certificate of validation filed pursuant to subsection (e) shall become effective in accordance with K.S.A. 2015 Supp. 17-7911, and amendments thereto.

(7) "Valid stock" means the shares of any class or series of capital stock of the corporation that have been duly authorized and validly issued in accordance with the

Kansas general corporation code.

In the absence of actual fraud in the transaction, the judgment of the board of directors that shares of stock are valid stock or putative stock shall be conclusive, unless otherwise determined by the district court in a proceeding brought pursuant to section 9, and amendments thereto.

(i) Ratification under this section or validation under section 9, and amendments thereto, shall not be deemed to be the exclusive means of ratifying or validating any act or transaction taken by or on behalf of the corporation, including any defective corporate act, or any issuance of stock, including any putative stock, or of adopting or endorsing any act or transaction taken by or in the name of the corporation prior to the commencement of its existence, and the absence or failure of ratification in accordance with either this section or validation under section 9, and amendments thereto, shall not, of itself, affect the validity or effectiveness of any act or transaction or the issuance of any stock properly ratified under common law or otherwise, nor shall it create a presumption that any such act or transaction is or was a defective corporate act or that such stock is void or voidable.

(j) This section shall be part of and supplemental to article 64 of chapter 17 of the Kansas Statutes Annotated, and amendments thereto.

New Sec. 9. (a) Subject to subsection (e), upon application by the corporation, any successor entity to the corporation, any member of the board of directors, any record or beneficial holder of valid stock or putative stock, any record or beneficial holder of valid or putative stock as of the time of a defective corporate act ratified pursuant to section 8, and amendments thereto, or any other person claiming to be substantially and adversely affected by a ratification pursuant to section 8, and amendments thereto, the district court may:

(1) Determine the validity and effectiveness of any defective corporate act ratified pursuant to section 8, and amendments thereto;

(2) determine the validity and effectiveness of the ratification of any defective corporate act pursuant to section 8, and amendments thereto;

(3) determine the validity and effectiveness of any defective corporate act not ratified or not ratified effectively pursuant to section 8, and amendments thereto;

(4) determine the validity of any corporate act or transaction and any stock, rights or options to acquire stock; and

(5) modify or waive any of the procedures set forth in section 8, and amendments thereto, to ratify a defective corporate act.

(b) In connection with an action under this section, the district court may:

(1) Declare that a ratification in accordance with and pursuant to section 8, and amendments thereto, is not effective or shall only be effective at a time or upon conditions established by the court;

(2) validate and declare effective any defective corporate act or putative stock and impose conditions upon such validation by the court;

(3) require measures to remedy or avoid harm to any person substantially and adversely affected by a ratification pursuant to section 8, and amendments thereto, or from any order of the court pursuant to this section, excluding any harm that would have resulted if the defective corporate act had been valid when approved or effectuated;

(4) order the secretary of state to accept an instrument for filing with an effective

time specified by the court, which effective time may be prior or subsequent to the time of such order, provided that the filing date of such instrument shall be determined in accordance with K.S.A. 2015 Supp. 17-7911, and amendments thereto;

(5) approve a stock ledger for the corporation that includes any stock ratified or validated in accordance with this section or with section 8, and amendments thereto;

(6) declare that shares of putative stock are shares of valid stock or require a corporation to issue and deliver shares of valid stock in place of any shares of putative stock;

(7) order that a meeting of holders of valid stock or putative stock be held and exercise the powers provided to the court under K.S.A. 17-6517, and amendments thereto, with respect to such a meeting;

(8) declare that a defective corporate act validated by the court shall be effective as of the time of the defective corporate act or at such other time as the court shall determine;

(9) declare that putative stock validated by the court shall be deemed to be an identical share or fraction of a share of valid stock as of the time originally issued or purportedly issued or at such other time as the court shall determine; and

(10) make such other orders regarding such matters as it deems proper under the circumstances.

(c) Service of the application under subsection (a) upon the resident agent of the corporation shall be deemed to be service upon the corporation, and no other party need be joined in order for the district court to adjudicate the matter. In an action filed by the corporation, the court may require notice of the action be provided to other persons specified by the court and permit such other persons to intervene in the action.

(d) In connection with the resolution of matters pursuant to subsections (a) and (b), the district court may consider the following:

(1) Whether the defective corporate act was originally approved or effectuated with the belief that the approval or effectuation was in compliance with the provisions of the Kansas general corporation code, the articles of incorporation or bylaws of the corporation;

(2) whether the corporation and board of directors has treated the defective corporate act as a valid act or transaction and whether any person has acted in reliance on the public record that such defective corporate act was valid;

(3) whether any person will be or was harmed by the ratification or validation of the defective corporate act, excluding any harm that would have resulted if the defective corporate act had been valid when approved or effectuated;

(4) whether any person will be harmed by the failure to ratify or validate the defective corporate act; and

(5) any other factors or considerations the court deems just and equitable.

(e) Notwithstanding any other provision of this section, no action asserting:

(1) That a defective corporate act or putative stock ratified in accordance with section 8, and amendments thereto, is void or voidable due to a failure of authorization identified in the resolution adopted in accordance with section 8(b), and amendments thereto; or

(2) that the district court should declare in its discretion that a ratification in accordance with section 8, and amendments thereto, not be effective or be effective only on certain conditions, may be brought after the expiration of 120 days from the

later of the validation effective time and the time notice, if any, that is required to be given pursuant to section 8(g), and amendments thereto, is given with respect to such ratification, except that this subsection shall not apply to an action asserting that a ratification was not accomplished in accordance with section 8, and amendments thereto, or to any person to whom notice of the ratification was required to have been given pursuant to section 8(d) or (g), and amendments thereto, but to whom such notice was not given.

(f) This section shall be part of and supplemental to article 64 of chapter 17 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 10. K.S.A. 17-1289 is hereby amended to read as follows: 17-1289. (a) An "issuing public corporation" means a corporation organized under the laws of the state of Kansas that has:

(1) One hundred or more shareholders;

(2) its principal place of business~~;~~ or its principal office in Kansas, or ~~substantial~~ that owns or controls assets within Kansas having a fair market value of more than $1,000,000; and

(3) either:

(A) More than 10% of its shareholders resident in Kansas;

(B) more than 10% of its shares owned of record or beneficially by Kansas residents; or

(C) ~~two~~ one thousand ~~five hundred~~ shareholders resident in Kansas.

(b) The residence of a shareholder is presumed to be the address appearing in the records of the corporation.

~~(c) Shares held by banks, except as trustee or guardian, brokers or nominees shall be disregarded for purposes of calculating the percentages or numbers described in this section.~~

Sec. 11. K.S.A. 17-2036 is hereby amended to read as follows: 17-2036. (a) Every business trust shall make an annual report in writing to the secretary of state, stating the prescribed information concerning the business trust at the close of business on the last day of its tax period under the Kansas income tax act next preceding the date of filing, but if a business trust's tax period is other than the calendar year, it shall give notice thereof to the secretary of state prior to December 31 of the year it commences such tax period. The reports shall be made on forms provided by the secretary of state and shall be filed at the time prescribed by law for filing the business trust's annual Kansas income tax return. The report shall be ~~dated,~~ signed by a trustee or other authorized officer under penalty of perjury~~,~~ and contain the following:

(1) Executed copies of all amendments to the instrument by which the business trust was created, or to prior amendments thereto, which have been adopted and have not theretofore been filed under K.S.A. 17-2033, and amendments thereto, and accompanied by the fee prescribed therein for each such amendment; and

(2) a verified list of the names and addresses of its trustees as of the end of its tax period.

(b) (1) At the time of filing its annual report, the business trust shall pay to the secretary of state an annual report fee in an amount equal to $40.

(2) The failure of any domestic or foreign business trust to file its annual report and pay its annual report fee within 90 days from the date on which they are due, as ~~aforesaid~~ described in subsection (a), or, in the case of an annual report filing and fee

received by mail, postmarked within 90 days from the date on which they are due, as described in subsection (a), shall work a forfeiture of its authority to transact business in this state and all of the remedies, procedures~~,~~ and penalties specified in K.S.A. 17-7509 and 17-7510, and amendments thereto, with respect to a corporation which fails to file its annual report or pay its annual report fee within 90 days after they are due, shall be applicable to such business trust.

(c) All copies of applications for extension of the time for filing income tax returns submitted to the secretary of state pursuant to law shall be maintained by the secretary of state in a confidential file and shall not be disclosed to any person except as authorized pursuant to the provisions of K.S.A. 79-3234, and amendments thereto, a proper judicial order and subsection (d). All copies of such applications shall be preserved for one year and until the secretary of state orders that the copies are to be destroyed.

(d) A copy of such application shall be open to inspection by or disclosure to any person designated by resolution of the trustees of the business trust.

Sec. 12. K.S.A. 17-2718 is hereby amended to read as follows: 17-2718. (a) Each professional corporation organized under the laws of this state shall file with the secretary of state an annual report in writing stating the prescribed information concerning the corporation at the close of business on the last day of its tax period next preceding the date of filing, but if any such corporation's tax period is other than the calendar year it shall give notice thereof to the secretary of state prior to December 31 of the year it commences such tax period. The report shall be filed at the time prescribed by law for filing the corporation's annual Kansas income tax return. The report shall be made on a form provided by the secretary of state, containing the following information:

(1) The names and addresses of all officers, directors and shareholders of the professional corporation;

(2) a statement that each officer, director and shareholder is or is not a qualified person as defined in K.S.A. 17-2707, and amendments thereto, and setting forth the date on which any shares of the corporation were no longer owned by a qualified person; and

(3) the amount of capital stock issued.

(b) The report shall be signed by its president, secretary, treasurer or other officer duly authorized so to act, or by any two of its directors, or by an incorporator in the event its board of directors shall not have been elected. The fact that an individual's name is signed on such report shall be prima facie evidence that such individual is authorized to sign the report on behalf of the corporation; however, the official title or position of the individual signing the report shall be designated. This report shall be ~~dated and~~ subscribed by the person as true, under penalty of perjury. Upon request by the regulatory board which licenses the shareholders described in the report, a copy of the annual report shall be forwarded to the regulatory board. At the time of filing its annual report, each professional corporation shall pay the annual report fee prescribed by K.S.A. 17-7503, and amendments thereto.

Sec. 13. K.S.A. 17-4634 is hereby amended to read as follows: 17-4634. (a) Every corporation organized under the electric cooperative act of this state shall make an annual report in writing to the secretary of state, stating the prescribed information concerning the corporation at the close of business on the last day of its tax period next preceding the date of filing, but if any such corporation's tax period is other than the

calendar year, it shall give notice thereof to the secretary of state prior to December 31 of the year it commences such tax period. The report shall be filed on or before the ~~fifteenth~~ 15th day of the ~~fourth~~ 4th month following the close of the tax year of the electric cooperative. The report shall be made on a form provided by the secretary of state, containing the following information:

(1) The name of the corporation;

(2) the location of the principal office;

(3) the names and addresses of the president, secretary, treasurer and all directors;

(4) the number of memberships issued; and

(5) the change or changes, if any, in the particulars made since the last annual report.

(b) Such reports shall be ~~dated,~~ signed by the president, vice-president or secretary of the corporation under penalty of perjury and forwarded to the secretary of state. At the time of filing such annual report, each such corporation shall pay an annual report fee in an amount equal to $40.

Sec. 14. K.S.A. 17-6001 is hereby amended to read as follows: 17-6001. (a) Any person, partnership, association or corporation, singly or jointly with others, and without regard to such person's or entity's residence, domicile or state of incorporation, may incorporate or organize a corporation under this ~~act~~ code by filing with the secretary of state articles of incorporation which shall be executed and filed in accordance with K.S.A. ~~17-6003~~ 2015 Supp. 17-7908 through 17-7910, and amendments thereto.

(b) Except as otherwise provided by law, a corporation may be incorporated or organized under this ~~act~~ code to conduct or promote any lawful business or purposes.

(c) Corporations subject to special statutory regulation may be organized under this ~~act~~ code if required by or otherwise consistent with such other statutory regulation, but such corporations shall be subject to the special provisions and requirements applicable to such corporations. Where the provisions and requirements of this ~~act~~ code are not inconsistent, they shall be construed as supplemental to such other statutes and not in derogation or limitation thereof, and such corporations shall be governed thereby. Subject to the foregoing provisions of this subsection, any corporation organized under the laws of this state or authorized to do business in this state shall be governed by the applicable provisions of this code.

Sec. 15. K.S.A. 2015 Supp. 17-6002 is hereby amended to read as follows: 17-6002. (a) The articles of incorporation shall set forth:

(1) The name of the corporation pursuant to K.S.A. 2015 Supp. 17-7918 and 17-7919, and amendments thereto, of the business entity standard treatment act;

(2) the address~~, which shall include the street, number, city and zip code~~ of the corporation's registered office in this state, which shall be stated in accordance with K.S.A. 2015 Supp. 17-7924, and amendments thereto, and the name of its resident agent at such address;

(3) the nature of the business or purposes to be conducted or promoted. It shall be sufficient to state, either alone or with other businesses or purposes, that the purpose of the corporation is to engage in any lawful act or activity for which corporations may be organized under the Kansas general corporation code, and by such statement all lawful acts and activities shall be within the purposes of the corporation, except for express limitations, if any;

(4) (A) if the corporation is to be authorized to issue only one class of stock, the total number of shares of stock which the corporation shall have authority to issue and the par value of each of such shares, or a statement that all such shares are to be without par value. If the corporation is to be authorized to issue more than one class of stock, the articles of incorporation shall set forth the total number of shares of all classes of stock which the corporation shall have authority to issue and the number of shares of each class, and shall specify each class the shares of which are to be without par value, and each class the shares of which are to have a par value and the par value of the shares of each such class. The articles of incorporation shall also set forth a statement of the designations and the powers, preferences and rights, and the qualifications, limitations or restrictions thereof, which are permitted by K.S.A. 17-6401, and amendments thereto, in respect to any class or classes of stock or any series of any class of stock of the corporation and the fixing of which by the articles of incorporation is desired, and an express grant of such authority as it may then be desired to grant to the board of directors to fix by resolution or resolutions any thereof that may be desired but which shall not be fixed by the articles of incorporation.

(B) (i) The foregoing provisions of this subsection shall not apply to nonstock corporations ~~which are not organized for profit and which are not to have authority to issue capital stock~~. In the case of ~~such~~ nonstock corporations, the fact that they are not ~~to have authority~~ authorized to issue capital stock shall be stated in the articles of incorporation ~~and unless otherwise provided in the articles of incorporation or bylaws, the directors of such corporation shall be members for all purposes under the Kansas general corporation code~~. The conditions of membership ~~of such~~ , or other criteria for identifying members, of nonstock corporations shall likewise be stated in the articles of incorporation or the ~~articles may provide that the conditions of membership shall be stated in the bylaws, and if a corporation not organized for profit is to have authority to issue capital stock, such fact shall be stated in the articles of incorporation~~ bylaws. Nonstock corporations shall have members, but failure to have members shall not affect otherwise valid corporate acts or work a forfeiture or dissolution of the corporation.

(ii) Nonstock corporations may provide for classes or groups of members having relative rights, powers and duties, and may make provision for the future creation of additional classes or groups of members having such relative rights, powers and duties as may from time to time be established, including rights, powers and duties senior to existing classes and groups of members. Except as otherwise provided in this code, nonstock corporations may also provide that any member or class or group of members shall have full, limited or no voting rights or powers, including that any member or class or group of members shall have the right to vote on a specified transaction even if that member or class or group of members does not have the right to vote for the election of the members of the governing body of the corporation. Voting by members of a nonstock corporation may be on a per capita, number, financial interest, class, group or any other basis set forth.

(iii) The provisions referred to in paragraph (4)(B)(ii) may be set forth in the articles of incorporation or the bylaws. If neither the articles of incorporation nor the bylaws of a nonstock corporation state the conditions of membership, or other criteria for identifying members, the members of the corporation shall be deemed to be those entitled to vote for the election of the members of the governing body pursuant to the articles of incorporation or bylaws of such corporation or otherwise until thereafter

otherwise provided by the articles of incorporation or the bylaws;

(5) the name and mailing address of the incorporator or incorporators; and

(6) if the powers of the incorporator or incorporators are to terminate upon the filing of the articles of incorporation, the names and mailing addresses of the persons who are to serve as directors until the first annual meeting of stockholders or until their successors are elected and qualify.

(b) In addition to the matters required to be set forth in the articles of incorporation by subsection (a), the articles of incorporation may also contain any or all of the following matters:

(1) Any provision for the management of the business and for the conduct of the affairs of the corporation, and any provision creating, defining, limiting and regulating the sale or other disposition of stock and the powers of the corporation, the directors and the stockholders, or any class of the stockholders, or the governing body, members or any class or group of members of a nonstock corporation, if such provisions are not contrary to the laws of this state. Any provision which is required or permitted by any section of this ~~act~~ code to be stated in the bylaws may be stated instead in the articles of incorporation;

(2) the following provisions, in these words:

(A) For a corporation other than a nonstock corporation: "Whenever a compromise or arrangement is proposed between this corporation and its creditors or any class of them or between this corporation and its stockholders or any class of them, any court of competent jurisdiction within the state of Kansas, on the application in a summary way of this corporation or of any creditor or stockholder thereof or on the application of any receiver or receivers appointed for this corporation under K.S.A. 17-6901, and amendments thereto, or on the application of trustees in dissolution or of any receiver or receivers appointed for this corporation under the provisions of K.S.A. 17-6808 and 17-6901, and amendments thereto, may order a meeting of the creditors or class of creditors, or of the stockholders or class of stockholders of this corporation, as the case may be, to be summoned in such manner as the court directs. If a majority in number representing $^3/_4$ in value of the creditors or class of creditors, or of the stockholders or class of stockholders of this corporation, as the case may be, agree to any compromise or arrangement and to any reorganization of this corporation as consequence of such compromise or arrangement, such compromise or arrangement and such reorganization shall, if sanctioned by the court to which the application has been made, be binding on all the creditors or class of creditors, or on all the stockholders or class of stockholders of this corporation, as the case may be, and also on this corporation"; or

(B) for a nonstock corporation: "Whenever a compromise or arrangement is proposed between this corporation and its creditors or any class of them or between this corporation and its members or any class of them, any court of competent jurisdiction within the state of Kansas may, on the application in a summary way of this corporation or of any creditor or member thereof or on the application of any receiver or receivers appointed for this corporation under K.S.A. 17-6901, and amendments thereto, or on the application of trustees in dissolution or of any receiver or receivers appointed for this corporation under the provisions of K.S.A. 17-6808 and 17-6901, and amendments thereto, order a meeting of the creditors or class or creditors, or of the members of class of members of this corporation, as the case may be, to be summoned in such manner as the court directs. If a majority in number representing $^3/_4$ in value of the creditors or

class of creditors, or of the members or class of members of this corporation, as the case may be, agree to any compromise or arrangement and to any reorganization of this corporation as consequence of such compromise or arrangement, such compromise or arrangement and ~~the~~ such reorganization shall, if sanctioned by the court to which the application has been made, ~~shall~~ be binding on all the creditors or class of creditors, or on all the ~~stockholders~~ members or class of ~~stockholders~~ members, of this corporation, as the case may be, and also on this corporation";

(3) such provisions as may be desired granting to the holders of the stock of the corporation, or the holders of any class or series of a class thereof, the preemptive right to subscribe to any or all additional issues of stock of the corporation of any or all classes or series thereof, or to any securities of the corporation convertible into such stock. No stockholder shall have any preemptive right to subscribe to an additional issue of stock or to any security convertible into such stock unless, and except to the extent that, such right is expressly granted to such stockholder in the articles of incorporation. All such rights in existence on July 1, 1972, shall remain in existence unaffected by this paragraph ~~(3)~~ unless and until changed or terminated by appropriate action which expressly provides for such change or termination;

(4) provisions requiring for any corporate action, the vote of a larger portion of the stock or of any class or series thereof, or of any other securities having voting power, or a larger number of the directors, than is required by this ~~act~~ code;

(5) a provision limiting the duration of the corporation's existence to a specified date; otherwise, the corporation shall have perpetual existence;

(6) a provision imposing personal liability for the debts of the corporation on its stockholders ~~or members~~ to a specified extent and upon specified conditions; otherwise, the stockholders ~~or members~~ of a corporation shall not be personally liable for the payment of the corporation's debts except as they may be liable by reason of their own conduct or acts;

(7) the manner of adoption, alteration and repeal of bylaws; and

(8) a provision eliminating or limiting the personal liability of a director to the corporation or its stockholders ~~, policyholders or members~~ for monetary damages for breach of fiduciary duty as a director, provided that such provision shall not eliminate or limit the liability of a director: (A) For any breach of the director's duty of loyalty to the corporation or its stockholders ~~, policyholders or members~~; (B) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law; (C) under the provisions of K.S.A. 17-6424, and amendments thereto; or (D) for any transaction from which the director derived an improper personal benefit. No such provision shall eliminate or limit the liability of a director for any act or omission occurring prior to the date when such provision becomes effective. All references in this subsection to a director also shall be deemed ~~also~~ to refer to ~~a member of the governing body of a corporation which is not authorized to issue capital stock~~ such other person or persons, if any, who, pursuant to a provision of the articles of incorporation in accordance with K.S.A. 17-6301(a), and amendments thereto, exercise or perform any of the powers or duties otherwise conferred or imposed upon the board of directors by this code.

(c) It shall not be necessary to set forth in the articles of incorporation any of the powers conferred on corporations by this ~~act~~ code.

(d) Except for provisions included pursuant to subsections (a)(1), (a)(2), (a)(5), (a)

(6), (b)(2), (b)(5), (b)(7) and (b)(8), and provisions included pursuant to subsection (a)(4) specifying the classes, number of shares and par value of shares a corporation, other than a nonstock corporation, is authorized to issue, any provision of the articles of incorporation may be made dependent upon facts ascertainable outside such instrument, provided that the manner in which such facts shall operate upon the provision is clearly and explicitly set forth in the provision. As used in this subsection, the term "facts" includes, but is not limited to, the occurrence of any event, including a determination or action by any person or body, including the corporation.

(e) The articles of incorporation may not contain any provision that would impose liability on a stockholder for the attorney fees or expenses of the corporation or any other party in connection with an internal corporate claim, as defined in section 5, and amendments thereto.

Sec. 16. K.S.A. 17-6004 is hereby amended to read as follows: 17-6004. The term "articles of incorporation," as used in this ~~act~~ code, unless the context requires otherwise, includes not only the original articles of incorporation filed to create a corporation, which includes the charter, articles of association and any other instrument by whatever name known which a corporation has been or may be lawfully formed, but it also includes all other certificates, agreements of merger or consolidation, plans of reorganization or other instruments, howsoever designated, which are filed pursuant to K.S.A. ~~17-6002, 17-6203 to 17-6206, inclusive, 17-6401, 17-6601 to 17-6605, inclusive, 17-6701 to 17-6708, inclusive, and 17-6913~~ 2015 Supp. 17-7910, and amendments thereto, or any other section of this ~~act~~ code, and which have the effect of amending or supplementing in some respect a corporation's original articles of incorporation.

Sec. 17. K.S.A. 17-6006 is hereby amended to read as follows: 17-6006. Upon the filing with the secretary of state of the articles of incorporation, executed and filed in accordance with K.S.A. ~~17-6003~~ 2015 Supp. 17-7908 through 17-7910, and amendments thereto, the incorporator or incorporators who signed the certificate, and such incorporator's successors and assigns, shall be and constitute a body corporate from the date of such filing by the name set forth in the articles, subject to the provisions of ~~subsection (d) of K.S.A. 17-6003~~ K.S.A. 2015 Supp. 17-7911, and amendments thereto, and subject to dissolution or other termination of its existence as provided in this ~~act~~ code.

Sec. 18. K.S.A. 17-6007 is hereby amended to read as follows: 17-6007. If the persons who are to serve as directors until the first annual meeting of stockholders have not been named in the articles of incorporation, the incorporator or incorporators, until the directors are elected, shall manage the affairs of the corporation and may do whatever is necessary and proper ~~to obtain the necessary subscriptions for stock and~~ to perfect the organization of the corporation, including the adoption of the original bylaws of the corporation and the election of directors.

Sec. 19. K.S.A. 17-6008 is hereby amended to read as follows: 17-6008. (a) After the filing of the articles of incorporation an organization meeting of the incorporator or incorporators, or of the board of directors if the initial directors were named in the articles of incorporation, shall be held, either within or without this state, at the call of a majority of the incorporators or directors, as the case may be, for the purposes of: (1) Adopting bylaws, unless a different provision is made in the articles of incorporation for the adoption thereof; (2) electing directors, if the meeting is of the incorporators, to

serve or hold office until the first annual meeting of stockholders or until their successors are elected and qualify; (3) electing officers if the meeting is of the directors; (4) doing any other or further acts to perfect the organization of the corporation; and (5) transacting such other business as may come before the meeting.

(b) The persons calling the meeting shall give to each other incorporator or director, as the case may be, at least two ~~(2)~~ days' written notice thereof by any usual means of communication, which notice shall state the time, place and purposes of the meeting as fixed by the persons calling it. Notice of the meeting need not be given to anyone who attends the meeting or who signs a waiver of notice either before or after the meeting.

(c) Any action permitted to be taken at the organization meeting of the incorporators or directors, as the case may be, may be taken without a meeting if each incorporator or director, where there is more than one, or the sole incorporator or director where there is only one, signs an instrument which states the action so taken.

(d) If any incorporator is not available to act, then any person for whom or on whose behalf the incorporator was acting directly or indirectly as employee or agent, may take action that such incorporator would have been authorized to take under this section or K.S.A. 17-6007, and amendments thereto, except that any instrument signed by such other person, or any record of the proceedings of a meeting in which such person participated, shall state that: (1) Such incorporator is not available and the reason therefor; (2) such incorporator was acting directly or indirectly as employee or agent for or on behalf of such person; and (3) such person's signature on such instrument or participation in such meeting is otherwise authorized and not wrongful.

Sec. 20. K.S.A. 17-6009 is hereby amended to read as follows: 17-6009. (a) The right to adopt, amend or repeal bylaws of any corporation in existence on July 1, 1972, shall be vested in the corporation's board of directors, unless otherwise provided in such corporation's articles of incorporation and subject to the right of the stockholders to adopt, amend or repeal the bylaws. For all other corporations, the original or other bylaws of a corporation may be adopted, amended or repealed by the incorporators, unless the initial directors were named in the articles of incorporation, or, before a corporation has received any payment for any of its stock or, in the case of a nonstock corporation, before any person has been admitted to membership in the corporation, by its board of directors or governing body, as the case may be. After a corporation has received any payment for any of its stock or, in the case of a nonstock corporation, after any person has been admitted to membership in the corporation, the power to adopt, amend or repeal bylaws shall be in the stockholders entitled to vote or, in the case of a nonstock corporation, in its members entitled to vote except that, any corporation, in its articles of incorporation, may confer the power to adopt, amend or repeal bylaws upon the directors or, in the case of a nonstock corporation, upon its governing body by whatever name designated. The fact that such power has been so conferred upon the directors or governing body, as the case may be, shall not divest the stockholders or members of the power, nor limit their power to adopt, amend or repeal bylaws.

(b) The bylaws may contain any provision, not inconsistent with law or with the articles of incorporation, relating to the business of the corporation, the conduct of its affairs, and its rights or powers or the rights or powers of its stockholders, directors, officers or employees. The bylaws may not contain any provision that would impose liability on a stockholder for the attorney fees or expenses of the corporation or any other party in connection with an internal corporate claim, as defined in section 5, and

amendments thereto.

Sec. 21. K.S.A. 17-6010 is hereby amended to read as follows: 17-6010. (a) The board of directors of any corporation may adopt emergency bylaws, subject to repeal or change by action of the stockholders, which notwithstanding any different provision elsewhere in this ~~act~~ code or in chapters 17 and 66 of the Kansas Statutes Annotated, and amendments thereto, or in the articles of incorporation or bylaws, shall be operative during any emergency resulting from an attack on the United States or on a locality in which the corporation conducts its business or customarily holds meetings of its board of directors or its stockholders, or during any nuclear or atomic disaster, or during the existence of any catastrophe, or other similar emergency condition, as a result of which a quorum of the board of directors or a standing committee thereof cannot readily be convened for action. The emergency bylaws may make any provision that may be practical and necessary for the circumstances of the emergency, including provisions that:

~~(a)~~ (1) A meeting of the board of directors or a committee thereof may be called by any officer or director in such manner and under such conditions as shall be prescribed in the emergency bylaws;

~~(b)~~ (2) the director or directors in attendance at the meeting, or any greater number fixed by the emergency bylaws, shall constitute a quorum; and

~~(c)~~ (3) the officers or other persons designated on a list approved by the board of directors before the emergency, all in such order of priority and subject to such conditions and for such period of time ~~(~~, not longer than reasonably necessary after the termination of the emergency~~)~~, as may be provided in the emergency bylaws or in the resolution approving the list, shall be deemed directors ~~of the corporation~~ for such meeting, to the extent required to provide a quorum at any meeting of the board of directors.

(b) The board of directors, either before or during any such emergency, may provide, and from time to time modify, lines of succession in the event that during such emergency any or all officers or agents of the corporation shall be rendered incapable of discharging their duties for any reason.

(c) The board of directors, either before or during any such emergency, may change the head office or designate several alternative head offices or regional offices, or authorize the offices so to do, effective in the emergency.

(d) No officer, director or employee acting in accordance with any emergency bylaws shall be liable except for willful misconduct.

(e) To the extent not inconsistent with any emergency bylaws so adopted, the bylaws of the corporation shall remain in effect during any emergency, and upon its termination the emergency bylaws shall cease to be operative.

(f) Unless otherwise provided in emergency bylaws, notice of any meeting of the board of directors during such an emergency may be given only to such of the directors as it may be feasible to reach at the time and by such means as may be feasible at the time, including publication or radio.

(g) To the extent required to constitute a quorum at any meeting of the board of directors during such an emergency, and unless otherwise provided in emergency bylaws, the officers of the corporation who are present shall be deemed, in order of rank and within the same rank in order of seniority, directors for such meeting.

(h) Nothing contained in this section shall be deemed exclusive of any other

provisions for emergency powers consistent with other sections of this ~~act~~ code which have been or may be adopted by corporations created under the provisions of this ~~act~~ code.

Sec. 22. K.S.A. 17-6101 is hereby amended to read as follows: 17-6101. (a) In addition to the powers enumerated in K.S.A. 17-6102, and amendments thereto, every corporation, its officers, directors, and stockholders shall possess and may exercise all the powers and privileges granted by this ~~act~~ code or by any other law or by its articles of incorporation, together with any powers incidental thereto, so far as such powers and privileges are necessary or convenient to the conduct, promotion or attainment of the business or purposes set forth in its articles of incorporation.

(b) Every corporation shall be governed by the provisions and be subject to the restrictions and liabilities contained in this ~~act~~ code.

Sec. 23. K.S.A. 17-6102 is hereby amended to read as follows: 17-6102. Every ~~domestic~~ corporation ~~subject to the provisions of this act~~ created under this code shall have power to:

~~(1)~~ (a) Have perpetual succession by its corporate name, unless a limited period of duration is stated in its articles of incorporation;

~~(2)~~ (b) sue and be sued in all courts and participate, as a party or otherwise, in any judicial, administrative, arbitrative or other proceeding, in its corporate name;

~~(3)~~ (c) have a corporate seal, which may be altered at pleasure, and use the same by causing it, or a facsimile thereof, to be impressed or affixed or in any other manner reproduced;

~~(4)~~ (d) purchase, receive, take by grant, gift, devise, bequest or otherwise, lease, or otherwise acquire, own, hold, improve, employ, use and otherwise deal in and with real or personal property, or any interest therein, wherever situated, and to sell, convey, lease, exchange, transfer or otherwise dispose of, or mortgage or pledge, all or any of its property and assets, or any interest therein, wherever situated;

~~(5)~~ (e) appoint such officers and agents as the business of the corporation requires and to pay or otherwise provide for them suitable compensation;

~~(6)~~ (f) adopt, amend and repeal bylaws;

~~(7)~~ (g) wind up and dissolve itself in the manner provided in this ~~act~~ code;

~~(8)~~ (h) conduct its business, carry on its operations and have offices and exercise its powers within or without this state;

~~(9)~~ (i) make donations for the public welfare or for charitable, scientific or educational purposes, and in time of war or other national emergency in aid thereof;

~~(10)~~ (j) be an incorporator, promoter or manager of other corporations of any type or kind;

~~(11)~~ (k) participate with others in any corporation, partnership, limited partnership, joint venture or other association of any kind, or in any transaction, undertaking or arrangement which the participating corporation would have power to conduct by itself, whether or not such participation involves sharing or delegation of control with or to others;

~~(12)~~ (l) transact any lawful business which the corporation's board of directors shall find to be in aid of governmental authority;

~~(13)~~ (m) make contracts, including contracts of guaranty and suretyship, incur liabilities, borrow money at such rates of interest as the corporation may determine, issue its notes, bonds and other obligations, and secure any of its obligations by

mortgage, pledge or other encumbrance of all or any of its property, franchises and income, and make contracts of guaranty and suretyship which are necessary or convenient to the conduct, promotion or attainment of the business of: ~~(A)~~ (1) A corporation all of the outstanding stock of which is owned, directly or indirectly, by the contracting corporation; ~~(B)~~ (2) a corporation which owns, directly or indirectly, all of the outstanding stock of the contracting corporation; or ~~(C)~~ (3) a corporation all of the outstanding stock of which is owned, directly or indirectly, by a corporation which owns, directly or indirectly, all of the outstanding stock of the contracting corporation, which contracts of guaranty and suretyship shall be deemed to be necessary or convenient to the conduct, promotion or attainment of the business of the contracting corporation, and make other contracts of guaranty and suretyship which are necessary or convenient to the conduct, promotion or attainment of the business of the contracting corporation;

~~(14)~~ (n) lend money for its corporate purposes, invest and reinvest its funds and take, hold and deal with real and personal property as security for the payment of funds so loaned or invested;

~~(15)~~ (o) pay ~~pension~~ pensions and establish and carry out pension, profit sharing, stock option, stock purchase, stock bonus, retirement, benefit, incentive and compensation plans, trusts and provisions for any or all of its directors, officers, and employees, and for any or all of the directors, officers, and employees of its subsidiaries;

~~(16)~~ (p) provide insurance for its benefit on the life of any of its directors, officers or employees, or on the life of any stockholder for the purpose of acquiring at such stockholder's death shares of its stock owned by such stockholder; and

~~(17)~~ (q) renounce, in its articles of incorporation or by action of its board of directors, any interest or expectancy of the corporation in, or in being offered an opportunity to participate in, specified business opportunities or specified classes or categories of business opportunities that are presented to the corporation or one or more of its officers, directors or stockholders.

Sec. 24. K.S.A. 17-6104 is hereby amended to read as follows: 17-6104. No act of a corporation and no conveyance or transfer of real or personal property to or by a corporation shall be invalid by reason of the fact that the corporation was without capacity or power to do such act or to make or receive such conveyance or transfer, but such lack of capacity or power may be asserted:

(a) In a proceeding by a stockholder against the corporation to enjoin the doing of any act or acts or the transfer of real or personal property by or to the corporation. If the unauthorized acts or transfer sought to be enjoined are being, or are to be, performed or made pursuant to any contract to which the corporation is a party, the court may ~~set aside and enjoin the performance of such contract~~, if all of the parties to the contract are parties to the proceeding and if it deems the same to be equitable, set aside and enjoin the performance of such contract, and in so doing may allow to the corporation or to the other parties to the contract, as the case may be, such compensation as may be equitable for the loss or damage sustained by any of them which may result from the action of the court in setting aside and enjoining the performance of such contract, but anticipated profits to be derived from the performance of the contract shall not be awarded by the court as a loss or damage sustained ~~.~~;

(b) in a proceeding by the corporation, whether acting directly or through a

receiver, trustee or other legal representative, or through stockholders in a representative suit, against an incumbent or former officer or director of the corporation, for loss or damage due to ~~his~~ such incumbent or former officer's or director's unauthorized act~~.~~; and

(c) in a proceeding by the attorney general to dissolve the corporation, or to enjoin the corporation from the transaction of unauthorized business.

Sec. 25. K.S.A. 17-6106 is hereby amended to read as follows: 17-6106. (a) ~~Unless authority is expressly conferredby another law of this state,~~ No corporation organized under this code shall possess the power of issuing bills, notes or other evidences of debt for circulation as money, or the power of carrying on the business of receiving deposits of money.

(b) Corporations organized under this code to buy, sell and otherwise deal in notes, open accounts and other similar evidences of debt, or to loan money and to take notes, open accounts and other similar evidences of debt as collateral security therefor, shall not be deemed to be engaging in the business of banking.

Sec. 26. K.S.A. 17-6301 is hereby amended to read as follows: 17-6301. (a) The business and affairs of every corporation organized under this code shall be managed by or under the direction of a board of directors, except as may be otherwise provided in this ~~act~~ code or in the articles of incorporation. If any such provision is made in the articles of incorporation, the powers and duties conferred or imposed upon the board of directors by this ~~act~~ code shall be exercised or performed to such extent and by such person or persons as shall be provided in the articles of incorporation.

(b) The board of directors of a corporation shall consist of one or more members, each of whom shall be a natural person. The number of directors shall be fixed by, or in the manner provided in, the bylaws, unless the articles of incorporation ~~establish~~ fixes the number of directors, in which case a change in the number of directors shall be made only by amendment of the articles. Directors need not be stockholders unless so required by the articles of incorporation or the bylaws. The articles of incorporation or bylaws may prescribe other qualifications for directors. Each director shall hold office until ~~a~~ such director's successor is elected and qualified or until such director's earlier resignation or removal. Any director may resign at any time upon notice given in writing or by electronic transmission to the corporation. A resignation is effective when the resignation is delivered unless the resignation specifies a later effective date or an effective date determined upon the happening of an event or events. A resignation which is conditioned upon the director failing to receive a specified vote for reelection as a director may provide that it is irrevocable. A majority of the total number of directors shall constitute a quorum for the transaction of business unless the articles of incorporation or the bylaws require a greater number. Unless the articles of incorporation provide otherwise, the bylaws may provide that a number less than a majority shall constitute a quorum which in no case shall be less than $^1/_3$ of the total number of directors except that~~,~~ when a board of one director is authorized under ~~the provisions of~~ this section, then one director shall constitute a quorum. The vote of the majority of the directors present at a meeting at which a quorum is present shall be the act of the board of directors~~,~~ unless the articles of incorporation or the bylaws shall require a vote of a greater number.

(c) (1) All corporations incorporated prior to July 1, 2004, shall be governed by ~~paragraph~~ subsection (c)(2), except that any such corporation may by a resolution

adopted by a majority of the whole board elect to be governed by ~~paragraph~~ subsection (c)(3), in which case ~~paragraph~~ subsection (c)(2) shall not apply to such corporation. All corporations incorporated on or after July 1, 2004, shall be governed by ~~paragraph~~ subsection (c)(3).

(2) The board of directors may ~~designate~~, by resolution passed by a majority of the whole board, designate one or more committees, each committee to consist of one or more of the directors of the corporation. The board may designate one or more directors as alternate members of any committee, who may replace any absent or disqualified member at any meeting of the committee. The bylaws may provide that~~,~~ in the absence or disqualification of a member of a committee, the member or members ~~thereof~~ present at any meeting and not disqualified from voting, whether or not ~~such~~ the member or members present constitute a quorum, may unanimously appoint another member of the board of directors to act at the meeting in the place of any such absent or disqualified member. Any such committee, to the extent provided in the resolution of the board of directors, or in the bylaws of the corporation, shall have and may exercise all the powers and authority of the board of directors in the management of the business and affairs of the corporation, and may authorize the seal of the corporation to be affixed to all papers which may require it~~; and~~, but no such committee shall have the power or authority in reference to: (A) Amending the articles of incorporation, except that a committee may, to the extent authorized in the resolution or resolutions providing for the issuance of shares of stock adopted by the board of directors as provided in K.S.A. 17-6401, and amendments thereto, ~~may~~ fix the designations and any of the preferences or rights of such shares relating to dividends, redemption, dissolution, any distribution of assets of the corporation or the conversion into, or the exchange of such shares for, shares of any other class or classes or any other series of the same or any other class or classes of stock of the corporation or fix the number of shares of any series of stock or authorize the increase or decrease of the shares of any series~~; but no such committee shall have the power or authority in reference to amending the articles of incorporation,~~; (B) adopting an agreement of merger or consolidation pursuant to K.S.A. 17-6701 or 17-6702, and amendments thereto, recommending to the stockholders the sale, lease or exchange of all or substantially all of the corporation's property and assets, recommending to the stockholders a dissolution of the corporation or a revocation of a dissolution, or amending the bylaws of the corporation; ~~and,~~ or (C) unless the resolution, bylaws or articles of incorporation expressly so ~~provide~~ provides, no such committee shall have the power or authority to declare a dividend ~~or~~, to authorize the issuance of stock or to adopt a certificate of ownership and merger pursuant to K.S.A. 17-6703, and amendments thereto.

(3) The board of directors may designate one or more committees, each committee to consist of one or more of the directors of the corporation. The board may designate one or more directors as alternate members of any committee, who may replace any absent or disqualified member at any meeting of the committee. The bylaws may provide that in the absence or disqualification of a member of a committee, the member or members present at any meeting and not disqualified from voting, whether or not such member or members constitute a quorum, may unanimously appoint another member of the board of directors to act at the meeting in the place of any such absent or disqualified member. Any such committee, to the extent provided in the resolution of the board of directors, or in the bylaws of the corporation, shall have and may exercise

all the powers and authority of the board of directors in the management of the business and affairs of the corporation, and may authorize the seal of the corporation to be affixed to all papers which may require it~~;~~, but no such committee shall have the power or authority in reference to the following matters: (A) Approving or adopting, or recommending to the stockholders, any action or matter, other than the election or removal of directors, expressly required by this ~~act~~ code to be submitted to stockholders for approval; or (B) adopting, amending or repealing any bylaw of the corporation.

(4) Unless otherwise provided in the articles of incorporation, the bylaws or the resolution of the board of directors designating the committee, a committee may create one or more subcommittees, each subcommittee to consist of one or more members of the committee, and delegate to a subcommittee any or all of the powers and authority of the committee.

(d) The directors of any corporation organized under this code may be divided into one, two or three classes by the articles of incorporation or by an initial bylaw, or by a bylaw adopted by a vote of the stockholders; the term of office of those of the first class to expire at the first annual meeting ~~next ensuing~~ held after such classification becomes effective; of the second class one year thereafter; of the third class two years thereafter; and at each annual election held after such classification ~~and election~~ becomes effective, directors shall be chosen for a full term, as the case may be, to succeed those whose terms expire. The articles of incorporation or bylaw provision dividing the directors into classes may authorize the board of directors to assign members of the board already in office to such classes at the time such classification becomes effective. The articles of incorporation may confer upon holders of any class or series of stock the right to elect one or more directors who shall serve for such term, and have such voting powers~~,~~ as shall be stated in the articles of incorporation. The terms of office and voting powers of the directors elected ~~in the manner so provided in the articles of incorporation~~ separately by the holders of any class or series of stock may be greater than or less than those of any other director or class of directors. In addition, the articles of incorporation may confer upon one or more directors, whether or not elected separately by the holders of any class or series of stock, voting powers greater than or less than those of other directors. Any such provision conferring greater or lesser voting power shall apply to voting in any committee or subcommittee, unless otherwise provided in the articles of incorporation or bylaws. If the articles of incorporation provide that one or more directors ~~elected by the holders of a class or series of stock~~ shall have more or less than one vote per director on any matter, every reference in this ~~act~~ code to a majority or other proportion of the directors shall refer to a majority or other proportion of the votes of ~~such~~ the directors.

(e) A member of the board of directors ~~of any corporation~~, or a member of any committee designated by the board of directors, shall ~~be fully protected~~, in the performance of such member's duties, be fully protected in relying in good faith upon the records of the corporation and upon such information, opinions, reports or statements presented to the corporation by any of the corporation's officers or employees, or committees of the board of directors, or by any other person as to matters the member reasonably believes are within such other person's professional or expert competence and who has been selected with reasonable care by or on behalf of the corporation.

(f) Unless otherwise restricted by the articles of incorporation or bylaws, any action

required or permitted to be taken at any meeting of the board of directors or of any committee thereof may be taken without a meeting if all members of the board or committee, as the case may be, consent thereto in writing or by electronic transmission, and the writing or writings or electronic transmission or transmissions are filed with the minutes of proceedings of the board or committee. Such filing shall be in paper form if the minutes are maintained in paper form and shall be in electronic form if the minutes are maintained in electronic form. Any person, whether or not then a director, may provide, whether through instruction to an agent or otherwise, that a consent to action will be effective at a future time, including a time determined upon the happening of an event, no later than 60 days after such instruction is given or such provision is made and such consent shall be deemed to have been given for purposes of this subsection at such effective time so long as such person is then a director and did not revoke the consent prior to such time. Any such consent shall be revocable prior to its becoming effective.

(g) Unless otherwise restricted by the articles of incorporation or bylaws, the board of directors of any corporation organized under this ~~act~~ code may hold its meetings, and have an office or offices, outside of this state.

(h) Unless otherwise restricted by the articles of incorporation or bylaws, the board of directors shall have the authority to fix the compensation of directors.

(i) Unless otherwise restricted by the articles of incorporation or bylaws, members of the board of directors of any corporation, or any committee designated by ~~such~~ the board, may participate in a meeting of such board, or committee by means of conference telephone or ~~similar~~ other communications equipment by means of which all persons participating in the meeting can hear each other, and participation in a meeting pursuant to this subsection shall constitute presence in person at ~~such~~ the meeting.

(j) The articles of incorporation of any nonstock corporation ~~organized under this act which is not authorized to issue capital stock~~ may provide that less than $^1/_3$ of the members of the governing body may constitute a quorum thereof and may otherwise provide that the business and affairs of the corporation shall be managed in a manner different from that provided in this section. Except as may be otherwise provided by the articles of incorporation, ~~the provisions of~~ this section shall apply to such a corporation, and~~,~~ when so applied, all references to: (1) The board of directors, to members thereof and to stockholders shall be deemed to refer to the governing body of the corporation, the members thereof and the members of the corporation, respectively; and (2) stock, capital stock or shares thereof shall be deemed to refer to memberships of a nonprofit nonstock corporation and to membership interests of any other nonstock corporation.

(k) Any ~~number of directors~~ director or the entire board of directors may be removed, with or without cause, by the holders of a majority of the ~~outstanding~~ shares then entitled to vote at an election of directors, except as follows:

(1) Unless the articles of incorporation otherwise provides, in the case of a corporation whose board is classified as provided in subsection (d), ~~shareholders~~ stockholders may effect such removal only for cause; or

(2) in the case of a corporation having cumulative voting ~~for directors~~, if less than the entire board is to be removed, no director may be removed without cause if the ~~shares voted~~ votes cast against such director's removal would be sufficient to elect such director if then cumulatively voted at an election of the entire board of directors, or, if there be classes of directors, at an election of the class of directors of which such director is a part.

Whenever the holders of any class or series are entitled to elect one or more directors by the ~~provisions of the~~ articles of incorporation, ~~the provisions of~~ this subsection shall apply, in respect to the removal without cause of a director or directors so elected, to the vote of the holders of the outstanding shares of that class or series and not to the vote of the outstanding shares as a whole.

Sec. 27. K.S.A. 17-6302 is hereby amended to read as follows: 17-6302. (a) Every corporation organized under this ~~act~~ code shall have such officers with such titles and duties as shall be stated in the bylaws or in a resolution of the board of directors which is not inconsistent with the bylaws and as may be necessary to enable it to sign instruments and stock certificates which comply with ~~subsection (a)(2) of K.S.A. 17-6003 and~~ K.S.A. 17-6408 and K.S.A. 2015 Supp. 17-7908(a)(2), and amendments thereto. One of the officers shall have the duty to record the proceedings of the meetings of the stockholders and directors in a book to be kept for that purpose. Any number of offices may be held by the same person unless the articles of incorporation or bylaws otherwise provide.

(b) Officers shall be chosen in such manner and shall hold their offices for such terms as are prescribed by the bylaws or determined by the board of directors or other governing body. Each officer shall hold ~~the~~ office until such officer's successor is elected and qualified or until such officer's earlier resignation or removal. Any officer may resign at any time upon written notice ~~given in writing or by electronic transmission~~ to the corporation.

(c) The corporation may secure the fidelity of any or all of its officers or agents by bond or otherwise.

(d) A failure to ~~select a corporation's officers in accordance with the requirements of the bylaws or a resolution adopted by the board of directors or other governing body~~ elect officers shall not dissolve or otherwise affect ~~a~~ the corporation.

(e) Any vacancy occurring in any office of the corporation by death, resignation, removal or otherwise shall be filled as the bylaws provide. In the absence of such provision, the vacancy shall be filled by the board of directors or other governing body.

Sec. 28. K.S.A. 17-6304 is hereby amended to read as follows: 17-6304. (a) No contract or transaction between a corporation and one or more of its directors or officers, or between a corporation and any other corporation, partnership, association or other organization in which one or more of its directors or officers, are directors or officers, or have a financial interest, shall be void or voidable solely for this reason, or solely because the director or officer is present at or participates in the meeting of the board or committee ~~thereof~~ which authorizes the contract or transaction, or solely because ~~his or their~~ any such director's or officer's votes are counted for such purpose, if:

(1) The material facts as to ~~his~~ the director's or officer's relationship or interest and as to the contract or transaction are disclosed or are known to the board of directors or the committee, and the board or committee in good faith ~~authorized~~ authorizes the contract or transaction by the affirmative votes of a majority of the disinterested directors, even though the disinterested directors be less than a quorum; ~~or~~

(2) the material facts as to ~~his~~ the director's or officer's relationship or interest and as to the contract or transaction are disclosed or are known to the ~~shareholders~~ stockholders entitled to vote thereon, and the contract or transaction is specifically approved in good faith by vote of the ~~shareholders~~ stockholders; or

(3) the contract or transaction is fair as to the corporation as of the time it is authorized, approved or ratified by the board of directors, a committee ~~thereof~~ or the ~~shareholders~~ stockholders.

(b) Common or interested directors may be counted in determining the presence of a quorum at a meeting of the board of directors or of a committee which ~~authorized~~ authorizes the contract or transaction.

Sec. 29. K.S.A. 2015 Supp. 17-6305 is hereby amended to read as follows: 17-6305. (a) A corporation shall have power to indemnify any person who was or is a party~~,~~ or is threatened to be made a party~~,~~ to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative, other than an action by or in the right of the corporation, by reason of the fact that ~~such~~ the person is or was a director, officer, employee or agent of the corporation, or is or was serving at the request of the corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, against expenses, including attorney fees, judgments, fines and amounts paid in settlement actually and reasonably incurred by ~~such~~ the person in connection with such action, suit or proceeding~~, including attorney fees, if such~~ if the person acted in good faith and in a manner ~~such~~ the person reasonably believed to be in or not opposed to the best interests of the corporation~~;~~, and, with respect to any criminal action or proceeding, had no reasonable cause to believe ~~such~~ the person's conduct was unlawful. The termination of any action, suit or proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, shall not, of itself, create a presumption that the person did not act in good faith and in a manner which ~~such~~ the person reasonably believed to be in or not opposed to the best interests of the corporation, and, with respect to any criminal action or proceeding, had reasonable cause to believe that ~~such~~ the person's conduct was unlawful.

(b) A corporation shall have power to indemnify any person who was or is a party~~,~~ or is threatened to be made a party~~,~~ to any threatened, pending or completed action or suit by or in the right of the corporation to procure a judgment in its favor by reason of the fact that ~~such~~ the person is or was a director, officer, employee or agent of the corporation, or is or was serving at the request of the corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise against expenses, including attorney fees, actually and reasonably incurred by ~~such~~ the person in connection with the defense or settlement of such action or suit~~, including attorney fees, if such~~ if the person acted in good faith and in a manner ~~such~~ the person reasonably believed to be in or not opposed to the best interests of the corporation and except that no indemnification shall be made in respect of any claim, issue or matter as to which such person shall have been adjudged to be liable to the corporation unless and only to the extent that the district court or the court in which such action or suit was brought shall determine upon application that, despite the adjudication of liability but in view of all the circumstances of the case, such person is fairly and reasonably entitled to indemnity for such expenses which the district court or such other court shall deem proper.

(c) To the extent that a present or former director~~,~~ or officer~~, employee or agent~~ of a corporation has been successful on the merits or otherwise in defense of any action, suit or proceeding referred to in subsections (a) and (b), or in defense of any claim, issue or matter therein, such ~~director, officer, employee or agent~~ person shall be indemnified

against expenses, including attorney fees, actually and reasonably incurred by such person in connection therewith~~, including attorney fees~~.

(d) Any indemnification under subsections (a) and (b), unless ordered by a court, shall be made by the corporation only as authorized in the specific case upon a determination that indemnification of the present or former director, officer, employee or agent is proper in the circumstances because ~~such director, officer, employee or agent~~ the person has met the applicable standard of conduct set forth in subsections (a) and (b). Such determination shall be made, with respect to a person who is a director or officer of the corporation at the time of such determination: (1) By a majority vote of the directors who ~~were~~ are not parties to such action, suit or proceeding, even though less than a quorum; (2) by a committee of such directors designated by majority vote of such directors, even though less than a quorum; (3) if there are no such directors, or if such directors so direct, by independent legal counsel in a written opinion; or (4) by the stockholders.

(e) Expenses, including attorney fees, incurred by ~~a director or officer~~ an officer or director of the corporation in defending ~~a~~ any civil, criminal, administrative or investigative action, suit or proceeding may be paid by the corporation in advance of the final disposition of such action, suit or proceeding upon receipt of an undertaking by or on behalf of ~~the~~ such director or officer to repay such amount if it ~~is~~ shall ultimately be determined that ~~the director or officer~~ such person is not entitled to be indemnified by the corporation as authorized in this section. Such expenses, including attorney fees, incurred by former directors and officers or ~~incurred by~~ other employees and agents of the corporation or by persons serving at the request of the corporation as directors, officers, employees or agents of another corporation, partnership, joint venture, trust or other enterprise may be so paid upon such terms and conditions, if any, as the ~~board of directors~~ corporation deems appropriate.

(f) The indemnification and advancement of expenses provided by, or granted pursuant to, the other subsections of this section shall not be deemed exclusive of any other rights to which those seeking indemnification or advancement of expenses may be entitled under any bylaw, agreement, vote of stockholders or disinterested directors or otherwise, both as to action in ~~a~~ such person's official capacity and as to action in another capacity while holding such office. A right to indemnification or to advancement of expenses arising under a provision of the articles of incorporation or a bylaw shall not be eliminated or impaired by an amendment to ~~such provision~~ the articles of incorporation or the bylaws after the occurrence of the act or omission that is the subject of the civil, criminal, administrative or investigative action, suit or proceeding for which indemnification or advancement of expenses is sought, unless the provision in effect at the time of such act or omission explicitly authorizes such elimination or impairment after such action or omission has occurred.

(g) A corporation shall have power to purchase and maintain insurance on behalf of any person who is or was a director, officer, employee or agent of the corporation, or is or was serving at the request of the corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise against any liability asserted against such person and incurred by such person in any such capacity, or arising out of such person's status as such, whether or not the corporation would have the power to indemnify such person against such liability under ~~the provisions of~~ this section.

(h) For purposes of this section, references to "the corporation" shall include, in addition to the resulting corporation, any constituent corporation~~(~~, including any constituent of a constituent~~)~~, absorbed in a consolidation or merger which, if its separate existence had continued, would have had power and authority to indemnify its directors, officers and employees or agents, so that any person who is or was a director, officer, employee or agent of such constituent corporation, or is or was serving at the request of such constituent corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, shall stand in the same position under this section with respect to the resulting or surviving corporation as such person would have with respect to such constituent corporation if its separate existence had continued.

(i) For purposes of this section, references to "other enterprises" shall include employee benefit plans; references to "fines" shall include any excise taxes assessed on a person with respect to any employee benefit plan; and references to "serving at the request of the corporation" shall include any service as a director, officer, employee or agent of the corporation which imposes duties on, or involves services by, such director, officer, employee or agent with respect to an employee benefit plan, its participants or beneficiaries; and a person who acted in good faith and in a manner such person reasonably believed to be in the interest of the participants and beneficiaries of an employee benefit plan shall be deemed to have acted in a manner "not opposed to the best interests of the corporation" as referred to in this section.

(j) The indemnification and advancement of expenses provided by, or granted pursuant to, this section shall, unless otherwise provided when authorized or ratified, continue as to a person who has ceased to be a director, officer, employee or agent and shall inure to the benefit of the heirs, executors and administrators of such a person.

(k) The district court is hereby vested with jurisdiction to hear and determine all actions for advancement of expenses or indemnification brought under this section or under any bylaw, agreement, vote of stockholders or disinterested directors, or otherwise. The district court may summarily determine a corporation's obligation to advance expenses, including attorney fees.

Sec. 30. K.S.A. 17-6401 is hereby amended to read as follows: 17-6401. (a) Every corporation may issue one or more classes of stock or one or more series of stock within any class thereof, any or all of which classes may be of stock with par value or stock without par value and which classes or series may have such voting powers, full or limited, or no voting powers, and such designations, preferences and relative, participating, optional or other special rights, and qualifications, limitations or restrictions thereof, as shall be stated and expressed in the articles of incorporation or of any amendment thereto, or in the resolution or resolutions providing for the issue of such stock adopted by the board of directors pursuant to authority expressly vested in it by the articles of incorporation. Any of the voting powers, designations, preferences, rights and qualifications, limitations or restrictions of any such class or series of stock may be made dependent upon facts ascertainable outside the articles of incorporation or of any amendment thereto, or outside the resolution or resolutions providing for the issue of such stock adopted by the board of directors pursuant to authority expressly vested in it by the articles of incorporation, provided that the manner in which such facts shall operate upon the voting powers, designations, preferences, rights and qualifications, limitations or restrictions of such class or series of stock is clearly and

expressly set forth in the articles of incorporation or in the resolution or resolutions providing for the issue of such stock adopted by the board of directors. The term "facts," as used in this subsection, includes, but is not limited to, the occurrence of any event, including a determination or action by any person or body, including the corporation. The power to increase or decrease or otherwise adjust the capital stock as provided in this ~~act~~ code shall apply to all or any such classes of stock.

(b) ~~The~~ Any stock of any class or series may be made subject to redemption by the corporation at its option or at the option of the holders of such stock or upon the happening of a specified event. Immediately following any such redemption the corporation shall have outstanding one or more shares of one or more classes or series of stock, which share, or shares together, shall have full voting powers. Notwithstanding the foregoing limitation:

(1) Any stock of a regulated investment company registered under the investment company act of 1940~~(~~, 15 U.S.C. §§ 80a-1 et seq.~~)~~, and amendments thereto, may be made subject to redemption by the corporation at its option or at the option of the holders of such stock; and

(2) any stock of a corporation which holds directly or indirectly a license or franchise from a governmental agency to conduct its business or is a member of a national securities exchange, which license, franchise or membership is conditioned upon some or all of the holders of its stock possessing prescribed qualifications, may be made subject to redemption by the corporation to the extent necessary to prevent the loss of such license, franchise or membership or to reinstate it.

Any stock which may be made redeemable under this section may be redeemed for cash, property or rights, including securities of the same or another corporation, at such time or times, price or prices, or rate or rates, and with such adjustments, as shall be stated in the articles of incorporation or in the resolution or resolutions providing for the issue of such stock adopted by the board of directors pursuant to subsection (a).

(c) The holders of preferred or special stock of any class or of any series thereof shall be entitled to receive dividends at such rates, on such conditions and at such times as shall be stated in the articles of incorporation or in the resolution or resolutions providing for the issue of such stock adopted by the board of directors as hereinabove provided, payable in preference to, or in such relation to, the dividends payable on any other class or classes or of any other series of stock, and cumulative or noncumulative as shall be so stated and expressed. When dividends upon the preferred and special stocks, if any, to the extent of the preference to which such stocks are entitled, shall have been paid or declared and set apart for payment, a dividend on the remaining class or classes or series of stock may then be paid out of the remaining assets of the corporation available for dividends as elsewhere in this ~~act~~ code provided.

(d) The holders of the preferred or special stock of any class or of any series thereof shall be entitled to such rights upon the dissolution of, or upon any distribution of the assets of, the corporation as shall be stated in the articles of incorporation or in the resolution or resolutions providing for the issue of such stock adopted by the board of directors ~~as hereinabove provided~~.

(e) At the option of either the holder or the corporation or upon the happening of a specified event, any stock of any class or of any series thereof may be made convertible into or exchangeable for shares of any other class or classes or any other series of the same or any other class or classes of stock of the corporation, at such price or prices or

at such rate or rates of exchange and with such adjustments as shall be stated in the articles of incorporation or in the resolution or resolutions providing for the issue of such stock adopted by the board of directors~~ as hereinabove provided~~.

(f) If any corporation shall be authorized to issue more than one class of stock or more than one series of any class, the powers, designations, preferences and relative, participating, optional or other special rights of each class of stock or series thereof and the qualifications, limitations or restrictions of such preferences or rights shall be set forth in full or summarized on the face or back of the certificate which the corporation shall issue to represent certificated shares of such class or series of stock. Except as otherwise provided in K.S.A. 17-6426, and amendments thereto, in lieu of the foregoing requirements, there may be set forth on the face or back of the certificate which the corporation issues to represent such class or series of stock, a statement that the corporation will furnish without charge to each stockholder who so requests the powers, designations, preferences and relative, participating, optional or other special rights of each class of stock or series thereof and the qualifications, limitations or restrictions of such preferences or rights, or both. Within a reasonable time after the issuance or transfer of uncertificated stock, the corporation shall send to the registered owner thereof a written notice containing the information required to be set forth or stated on certificates pursuant to this section or K.S.A. 17-6406,~~ subsection (a) of~~ K.S.A. 17-6426(a) or~~ subsection (a) of~~ K.S.A. 17-6508(a), and amendments thereto, or with respect to this section a statement that the corporation will furnish without charge to each stockholder who so requests the powers, designations, preferences and relative participating, optional or other special rights of each class of stock or series thereof and the qualifications, limitations or restrictions of such preferences or rights, or both. Except as otherwise expressly provided by law, the rights and obligations of the holders of uncertificated stock and the rights and obligations of the holders of certificates representing stock of the same class and series shall be identical.

(g) When any corporation desires to issue any shares of stock of any class or of any series of any class of which the powers, designations, preferences and relative, participating, optional or other rights, if any, or the qualifications, limitations or restrictions thereof, if any, shall not have been set forth in the articles of incorporation or in any amendment thereto, but shall be provided for in a resolution or resolutions adopted by the board of directors pursuant to authority expressly vested in it by the articles of incorporation or any amendment thereto, a certificate of designations setting forth a copy of such resolution or resolutions and the number of shares of stock of such class or series shall be executed~~ and~~ in accordance with K.S.A. 2015 Supp. 17-7908, and amendments thereto, filed in accordance with K.S.A.~~ 17-6003~~ 2015 Supp. 17-7910, and amendments thereto, and shall become effective in accordance with K.S.A. 2015 Supp. 17-7911, and amendments thereto. Unless otherwise provided in any such resolution or resolutions, the number of shares of stock of any such series to which such resolution or resolutions apply may be increased, but not above the total number of authorized shares of the class, or decreased, but not below the number of shares thereof then outstanding, by a certificate likewise executed and filed setting forth a statement that a specified increase or decrease had been authorized and directed by a resolution or resolutions likewise adopted by the board of directors. In case the number of such shares shall be decreased, the number of shares specified in the certificate shall resume the status which they had prior to the adoption of the first resolution or resolutions.

When no ~~share~~ shares of any such class or series are outstanding, either because none were issued or because no issued shares of any such class or series remain outstanding, a certificate setting forth a resolution or resolutions adopted by the board of directors that none of the authorized shares of such class or series are outstanding and that none will be issued, subject to the certificate of designations previously filed with respect to such class or series, may be executed in accordance with K.S.A. 2015 Supp. 17-7908, and amendments thereto, and filed in accordance with K.S.A. ~~17-6003~~ 2015 Supp. 17-7910, and amendments thereto. When such certificate becomes effective, it shall have the effect of eliminating from the articles of incorporation all ~~reference~~ matters set forth in the certificate of designations with respect to such class or series of stock. Unless otherwise provided in the articles of incorporation, if no shares of stock have been issued of a class or series of stock established by a resolution of the board of directors, the voting powers, designations, preferences and relative, participating, optional or other rights, if any, or the qualifications, limitations or restrictions thereof, may be amended by a resolution or resolutions adopted by the board of directors. A certificate which: (1) States that no shares of the class or series have been issued; (2) sets forth a copy of the resolution or resolutions; and (3) if the designation of the class or series is being changed, indicates the original designation and the new designation~~;~~ shall be executed ~~and filed~~ in accordance with K.S.A. 2015 Supp. 17-7908, and amendments thereto, filed in accordance with K.S.A. 2015 Supp. 17-7910, and amendments thereto, and shall become effective in accordance with K.S.A. ~~17-6003~~ 2015 Supp. 17-7911, and amendments thereto. When any certificate filed under this subsection becomes effective, it shall have the effect of amending the articles of incorporation, except that neither the filing of such certificate nor the filing of restated articles of incorporation pursuant to K.S.A. 17-6605, and amendments thereto, shall prohibit the board of directors from subsequently adopting such resolutions as authorized by this subsection.

Sec. 31. K.S.A. 17-6402 is hereby amended to read as follows: 17-6402. The consideration, as determined pursuant to ~~subsections (a) and (b) of~~ K.S.A. 17-6403(a) and (b), and amendments thereto, for subscriptions to, or the purchase of, the capital stock to be issued by a corporation shall be paid in such form and in such manner as the board of directors shall determine. ~~In the absence of actual fraud in the transaction, the judgment of the directors as to the value of such consideration shall be conclusive.~~ The board of directors may authorize ~~shares~~ capital stock to be issued for consideration consisting of cash, any tangible or intangible property or any benefit to the corporation ~~including cash, promissory notes, services performed, contracts for services to be performed or other securities of the corporation. Before the corporation issues shares, the board of directors must determine that the consideration received or to be received for shares to be issued is adequate. That determination by the board of directors is conclusive as to the adequacy of consideration for the issuance of shares~~ or any combination thereof. The resolution authorizing the issuance of capital stock may provide that any stock to be issued pursuant to such resolution may be issued in one or more transactions in such numbers and at such times as are set forth in or determined by or in the manner set forth in the resolution, which may include a determination or action by any person or body, including the corporation, provided the resolution fixes a maximum number of shares that may be issued pursuant to such resolution, a time period during which such shares may be issued and a minimum amount of consideration for which such shares may be issued. The board of directors may determine the amount

of consideration for which shares may be issued by setting a minimum amount of consideration or approving a formula by which the amount or minimum amount of consideration is determined. The formula may include or be made dependent upon facts ascertainable outside the formula, provided the manner in which such facts shall operate upon the formula is clearly and expressly set forth in the formula or in the resolution approving the formula. In the absence of actual fraud in the transaction, the judgment of the directors as to the value of such consideration shall be conclusive. The capital stock so issued shall be deemed to be fully paid and nonassessable stock ~~if: (a) The entire amount of such consideration has been received by the corporation in the form of cash, services rendered, personal property, real property, leases of real property, or a combination thereof or forms authorized by the board of directors; or (b) not less than the amount of the consideration determined to be capital pursuant to K.S.A. 17-6404, and amendments thereto, has been received by the corporation in the form or forms authorized by the board of directors and the corporation has received a binding obligation of the subscriber or purchaser to pay the balance of the subscription or purchase price; provided, however,~~ upon receipt by the corporation of such consideration, except that nothing contained herein shall prevent the board of directors from issuing partly paid shares under K.S.A. 17-6406, and amendments thereto.

Sec. 32. K.S.A. 17-6404 is hereby amended to read as follows: 17-6404. Any corporation, by resolution of its board of directors, may determine that only a part of the consideration which shall be received by the corporation for any of the shares of its capital stock which it shall issue from time to time shall be capital; but, in the event that any of the shares issued shall be shares having a par value, the amount of the part of such consideration so determined to be capital shall be in excess of the aggregate par value of the shares issued for such consideration having a par value, unless all the shares issued shall be shares having a par value, in which case the amount of the part of such consideration so determined to be capital need be only equal to the aggregate par value of such shares. In each such case, the board of directors shall specify in dollars the part of such consideration which shall be capital. If the board of directors shall not have determined what part of the consideration for such shares shall be capital ~~(1)~~: (a) At the time of issue of any shares of the capital stock of the corporation issued for cash; or ~~(2)~~ (b) within 60 days after the issue of any shares of the capital stock of the corporation issued for property other than cash, the capital of the corporation in respect of such shares shall be an amount equal to the aggregate par value of such shares having a par value, plus the amount of the consideration for such shares without par value. The amount of the consideration so determined to be capital in respect of any shares without par value shall be the stated capital of such shares. The capital of the corporation may be increased from time to time by resolution of the board of directors, directing that a portion of the net assets of the corporation in excess of the amount so determined to be capital be transferred to the capital account. The board of directors may direct that the portion of such net assets so transferred shall be treated as capital in respect of any shares of the corporation of any designated class or classes. At any given time, the excess, if any, of the net assets of the corporation over the amount so determined to be capital shall be surplus. Net assets means the amount by which total assets exceed total liabilities, but capital and surplus are not liabilities for this purpose. Notwithstanding anything in this section to the contrary, for purposes of this section and K.S.A. 17-6410 and 17-6420, and amendments thereto, the capital of any nonstock corporation shall be

deemed to be zero.

Sec. 33. K.S.A. 17-6405 is hereby amended to read as follows: 17-6405. A corporation may issue, but shall not be required to issue, fractions of a share~~, either represented by a certificate or uncertificated~~. If it does not issue fractions of a share, it shall ~~(1)~~; (a) Arrange for the disposition of fractional interests by those entitled thereto~~, (2)~~; (b) pay in cash the fair value of fractions of a share as of the time when those entitled to receive such fractions are determined~~,~~; or ~~(3)~~ (c) issue scrip or warrants in registered form, either represented by a certificate or uncertificated, or in bearer form, represented by a certificate, which shall entitle the holder to receive a ~~certificate for a full share or an uncertificated~~ full share upon the surrender of such scrip or warrants aggregating a full share. A certificate for a fractional share or an uncertificated fractional share shall entitle the holder to exercise voting rights, to receive dividends thereon and to participate in any of the assets of the corporation in the event of liquidation, but scrip or warrants shall not so entitle the holder thereof, unless otherwise provided therein. The board of directors may cause scrip or warrants to be issued subject to the conditions that they shall become void if not exchanged for certificates representing full shares or for uncertificated full shares before a specified date, or subject to the conditions that the shares for which scrip or warrants are exchangeable may be sold by the corporation and the proceeds thereof distributed to the holders of scrip or warrants, or subject to any other conditions which the board of directors may impose.

Sec. 34. K.S.A. 17-6407 is hereby amended to read as follows: 17-6407. (a) Subject to any provisions in the articles of incorporation, every corporation may create and issue, whether or not in connection with the issue and sale of any shares of stock or other securities of the corporation, rights or options entitling the holders thereof to ~~purchase~~ acquire from the corporation any shares of its capital stock of any class or classes, such rights or options to be evidenced by or in such instrument or instruments as shall be approved by the board of directors.

(b) The terms upon which, including the time or times, which may be limited or unlimited in duration, at or within which, and the ~~price or prices~~ consideration, including a formula by which such ~~price or prices~~ consideration may be determined, ~~at~~ for which any such shares may be ~~purchased~~ acquired from the corporation upon the exercise of any such right or option, shall be such as shall be stated in the articles of incorporation, or in a resolution adopted by the board of directors providing for the creation and issue of such rights or options, and, in every case, shall be set forth or incorporated by reference in the instrument or instruments evidencing such rights or options. A formula by which such consideration may be determined may include or be made dependent upon facts ascertainable outside the formula, provided the manner in which such facts shall operate upon the formula is clearly and expressly set forth in the formula or in the resolution approving the formula. In the absence of actual fraud in the transaction, the judgment of the directors as to the consideration for the issuance of such rights or options and the sufficiency thereof shall be conclusive.

(c) The board of directors, by resolution adopted by the board, may authorize one or more officers of the corporation to do one or both of the following: (1) Designate officers and employees of the corporation or any of its subsidiaries to be recipients of such rights or options created by the corporation; and (2) determine the number of such rights or options to be received by such officers and employees. The resolution so

authorizing such officer or officers shall specify the total number of rights or options such officer or officers may award. The board of directors may not authorize an officer to designate the officer's self as a recipient of any such rights or options.

(d) In the event that the shares of stock ~~in~~ of the corporation to be issued upon the exercise of such rights or options shall be shares having a par value, the ~~price or prices~~ consideration so to be received therefor shall not be less than the par value thereof. In case the shares of stock so to be issued shall be shares of stock without par value, the consideration therefor shall be determined in the manner provided in K.S.A. 17-6403, and amendments thereto.

Sec. 35. K.S.A. 17-6408 is hereby amended to read as follows: 17-6408. The shares of a corporation shall be represented by certificates, except that the board of directors of the corporation may provide by resolution or resolutions that some or all of any or all classes or series of its stock shall be uncertificated shares. Any such resolution shall not apply to shares represented by a certificate until such certificate is surrendered to the corporation. ~~Notwithstanding the adoption of such a resolution by the board of directors,~~ Every holder of stock represented by certificates ~~and upon request every holder of uncertificated shares~~ shall be entitled to have a certificate signed by, or in the name of the corporation by the chairperson or vice-chairperson of the board of directors, or the president or vice-president, and by the treasurer or an assistant treasurer, or the secretary or assistant secretary of such corporation representing the number of shares registered in certificate form. Any or all of the signatures on the certificate may be a facsimile. In the event that any officer, transfer agent or registrar who has signed or whose facsimile signature has been placed upon a certificate has ceased to be such officer, transfer agent or registrar before such certificate is issued, such certificate may be issued by the corporation with the same effect as if the person were such officer, transfer agent or registrar at the date of issue. A corporation shall not have power to issue a certificate in bearer form.

Sec. 36. K.S.A. 17-6409 is hereby amended to read as follows: 17-6409. The shares of stock in every corporation shall be deemed personal property and transferable as provided in the acts contained in article 8 of chapter 84 of the Kansas Statutes Annotated, and amendments thereto. No stock or bonds issued by any corporation organized under this code shall be taxed by this state when the same shall be owned by nonresidents of this state, or by foreign corporations. Whenever any transfer of shares shall be made for collateral security, and not absolutely, it shall be so expressed in the entry of the transfer if, when the certificates are presented to the corporation for transfer or uncertificated shares are requested to be transferred, both the transferor and transferee request the corporation to do so.

Sec. 37. K.S.A. 17-6410 is hereby amended to read as follows: 17-6410. (a) Every corporation may purchase, redeem, receive, take or otherwise acquire, own and hold, sell, lend, exchange, transfer or otherwise dispose of, pledge, use and otherwise deal in and with its own shares; provided, however, that no corporation shall:

(1) Purchase or redeem its own shares of capital stock for cash or other property when the capital of the corporation is impaired or when such purchase or redemption would cause any impairment of the capital of the corporation, except that a corporation other than a nonstock corporation may purchase or redeem out of capital any of its own shares which are entitled upon any distribution of its assets, whether by dividend or in liquidation, to a preference over another class or series of its stock, or, if no shares

entitled to such a preference are outstanding, any of its own shares, if such shares will be retired upon their acquisition and the capital of the corporation reduced in accordance with K.S.A. 17-6603 and 17-6604, and amendments thereto. Nothing in this subsection shall invalidate or otherwise affect a note, debenture or other obligation of a corporation given by it as consideration for its acquisition by purchase, redemption or exchange of its shares of stock if at the time such note, debenture or obligation was delivered by the corporation its capital was not then impaired or did not thereby become impaired;

(2) purchase, for more than the price at which they may then be redeemed, any of its shares which are redeemable at the option of the corporation; or

(3) (A) in the case of a corporation other than a nonstock corporation, redeem any of its shares unless their redemption is authorized by ~~subsection (b) of~~ K.S.A. 17-6401(b), and amendments thereto, and then only in accordance with such section and the articles of incorporation; or

(B) in the case of a nonstock corporation, redeem any of its membership interests, unless their redemption is authorized by the articles of incorporation and then only in accordance with the articles of incorporation.

(b) Nothing in this section limits or affects a corporation's right to resell any of its shares theretofore purchased or redeemed out of surplus and which have not been retired, for such consideration as shall be fixed by the board of directors.

(c) Shares of its own capital stock belonging to the corporation or to another corporation, if a majority of the shares entitled to vote in the election of directors of such other corporation is held, directly or indirectly, by the corporation, shall neither be entitled to vote nor be counted for quorum purposes. Nothing in this section shall be construed as limiting the right of any corporation to vote stock, including but not limited to its own stock, held by it in a fiduciary capacity.

(d) Shares which have been called for redemption shall not be deemed to be outstanding shares for the purpose of voting or determining the total number of shares entitled to vote on any matter on and after the date on which written notice of redemption has been sent to holders thereof and a sum sufficient to redeem such shares has been irrevocably deposited or set aside to pay the redemption price to the holders of the shares upon surrender of certificates therefor.

Sec. 38. K.S.A. 17-6412 is hereby amended to read as follows: 17-6412. (a) When the whole of the consideration payable for shares of a corporation has not been paid in, and the assets shall be insufficient to satisfy the claims of its creditors, each holder of or subscriber for such shares shall be bound to pay on each share held or subscribed for by such holder or subscriber the sum necessary to complete the amount of the unpaid balance of the consideration for which such shares were issued or are to be issued by the corporation.

(b) The amounts which shall be payable as provided in subsection (a) ~~of this section~~ may be recovered as provided in K.S.A. 17-7101, and amendments thereto, after a writ of execution against the corporation has been returned unsatisfied as provided in such section.

(c) Any person becoming an assignee or transferee of shares or of a subscription for shares in good faith and without knowledge or notice that the full consideration therefor has not been paid shall not be personally liable for any unpaid portion of such consideration, but the transferor shall remain liable therefor.

(d) No person holding shares in any corporation as collateral security shall be personally liable as a stockholder, but the person pledging such shares shall be considered the holder thereof and shall be so liable. No executor, administrator, guardian, trustee or other fiduciary shall be personally liable as a stockholder, but the estate or funds held by such executor, administrator, guardian, trustee or other fiduciary in such fiduciary capacity shall be so liable.

(e) ~~Commencing with the date of~~ No liability under this section or under K.S.A. 17-7101, and amendments thereto, shall be asserted more than six years after the date of issuance of the stock or the date of the subscription upon which the assessment is sought~~, the limitation of time prescribed by K.S.A. 60-511, and amendments thereto, shall be applicable to any liability asserted under this section or under K.S.A. 17-7101, and amendments thereto~~.

(f) In any action by a receiver or trustee of an insolvent corporation or by a judgment creditor to obtain an assessment under this section, any stockholder or subscriber for stock of the insolvent corporation may appear and contest the claim or claims of such receiver or trustee.

Sec. 39. K.S.A. 17-6413 is hereby amended to read as follows: 17-6413. The capital stock of a corporation shall be paid for in such amounts and at such times as the directors may require. From time to time, the directors may demand payment, in respect of each share of stock not fully paid, of such sum of money as the necessities of the business may require, in the judgment of the board of directors, not exceeding in the whole the balance remaining unpaid on said stock, and such sum so demanded shall be paid to the corporation at such times and by such installments as the directors shall direct. The directors shall give written notice of the time and place of such payments to each holder of or subscriber for stock which is not fully paid at ~~his~~ such holder's or subscriber's last known post-office address, which notice shall be mailed at least ~~thirty (30)~~ days before the time for such payment.

Sec. 40. K.S.A. 17-6414 is hereby amended to read as follows: 17-6414. When any stockholder fails to pay any installment or call upon ~~the~~ such stockholder's stock which may have been properly demanded by the directors, at the time when such payment is due, the directors may collect the amount of any such installment or call, or any balance thereof remaining unpaid, from ~~the~~ such stockholder by an action at law, or they shall sell at public sale such part of the shares of such delinquent stockholder as will pay all demands then due from ~~the~~ such stockholder with interest and all incidental expenses, and shall transfer the shares so sold to the purchaser, who shall be entitled to a certificate ~~for any of the shares which are certificated~~ therefor. Notice of the time and place of such sale and of the sum due on each share shall be given at least one week before the sale by advertisement in a newspaper having general circulation in the county of this state where such corporation's registered office is located, and such notice shall be mailed by the corporation to such delinquent stockholder at ~~the~~ such stockholder's last known post office address, at least 20 days before such sale. If no bidder can be had to pay the amount due on the stock, and if the amount is not collected by an action at law, which may be brought within the county where the corporation has its registered office, within one year from the date of the bringing of such action at law, ~~the~~ such stock and the amount previously paid in by the delinquent stockholder on the stock shall be forfeited to the corporation.

Sec. 41. K.S.A. 17-6415 is hereby amended to read as follows: 17-6415. Unless

otherwise provided by the terms of the subscription, a subscription for stock of a corporation to be formed shall be irrevocable, except with the consent of all other subscribers or the corporation, for a period of six ~~(6)~~ months from its date~~, but nothing in this section shall be construed as limiting, modifying or abrogating the defense of fraud or estoppel or any other defense available in an action for the enforcement of a contract~~.

Sec. 42. K.S.A. 17-6416 is hereby amended to read as follows: 17-6416. A subscription for stock of a corporation, whether made before or after the formation of a corporation, shall not be enforceable against a subscriber, unless in writing and signed by the subscriber or by ~~his~~ such subscriber's agent.

Sec. 43. K.S.A. 17-6420 is hereby amended to read as follows: 17-6420. (a) The directors of every corporation, subject to any restrictions contained in its articles of incorporation, may declare and pay dividends upon the shares of its capital stock~~, or to its members if the corporation is a nonstock corporation,~~ either: (1) Out of its surplus, as defined in and computed in accordance with K.S.A. 17-6404 and 17-6604, and amendments thereto~~,~~; or (2) in case there shall be no such surplus, out of its net profits for the fiscal year in which the dividend is declared or the preceding fiscal year, or both. If the capital of the corporation, computed in accordance with K.S.A. 17-6404 and 17-6604, and amendments thereto, shall have been diminished by depreciation in the value of its property, or by losses, or otherwise, to an amount less than the aggregate amount of the capital represented by the issued and outstanding stock of all classes having a preference upon the distribution of assets, the directors of such corporation shall not declare and pay out of such net profits any dividends upon any shares of any classes of its capital stock until the deficiency in the amount of capital represented by the issued and outstanding stock of all classes having a preference upon the distribution of assets shall have been repaired. Nothing in this subsection shall invalidate or otherwise affect a note, debenture or other obligation of the corporation paid by it as a dividend on shares of its stock, or any payment made thereon, if at the time such note, debenture or obligation was delivered by the corporation, the corporation had either surplus or net profits as provided in ~~clause~~ paragraph (1) or (2) from which the dividend could lawfully have been paid.

(b) Subject to any restrictions contained in its articles of incorporation, the directors of any corporation engaged in the exploitation of wasting assets, including but not limited to a corporation engaged in the exploitation of natural resources or other wasting assets, including patents, or engaged primarily in the liquidation of specific assets, may determine the net profits derived from the exploitation of such wasting assets or the net proceeds derived from such liquidation without taking into consideration the depletion of such assets resulting from lapse of time, consumption, liquidation or exploitation of such assets.

Sec. 44. K.S.A. 17-6422 is hereby amended to read as follows: 17-6422. A member of the board of directors, or a member of any committee designated by the board of directors, shall be fully protected in relying in good faith upon the records of the corporation and upon such information, opinions, reports or statements presented to the corporation by any of its officers or employees, or committees of the board of directors, or by any other person as to matters the director reasonably believes are within such other person's professional or expert competence and who has been selected with reasonable care by or on behalf of the corporation, as to the value and amount of the

assets, liabilities or net profits~~, or both~~ of the corporation or any other facts pertinent to the existence and amount of surplus or other funds from which dividends might properly be declared and paid, or with which the corporation's stock might properly be purchased or redeemed.

Sec. 45. K.S.A. 17-6425 is hereby amended to read as follows: 17-6425. Except as otherwise provided in this ~~act~~ code, the transfer of stock and the certificates ~~representing certificated and~~ of stock which represent the stock or uncertificated ~~shares of~~ stock shall be governed by article 8 of the uniform commercial code, as set forth in article 8 of chapter 84 of the Kansas Statutes Annotated, and amendments thereto. To the extent that any provision of this code is inconsistent with any provision of such article, this code shall be controlling.

Sec. 46. K.S.A. 17-6426 is hereby amended to read as follows: 17-6426. (a) A written restriction or restrictions on the transfer or registration of transfer of a security of a corporation, or on the amount of the corporation's securities that may be owned by any ~~securities holder or a group of securities holders~~ person or group of persons, if permitted by this section and noted conspicuously on the certificate or certificates representing the security or securities so restricted, or, in the case of uncertificated shares, contained in the notice or notices sent pursuant to ~~subsection (f) of~~ K.S.A. 17-6401(f), and amendments thereto, may be enforced against the holder of the restricted security or securities or any successor or transferee of the holder, including an executor, administrator, trustee, guardian or other fiduciary entrusted with like responsibility for the person or estate of the holder. Unless noted conspicuously on the certificate or certificates representing the security or securities so restricted, or, in the case of uncertificated shares, contained in the notice or notices sent pursuant to ~~subsection (f) of~~ K.S.A. 17-6401(f), and amendments thereto, a restriction, even though permitted by this section, is ineffective except against a person with actual knowledge of the restriction.

(b) A restriction on the transfer or registration of transfer of securities of a corporation, or on the amount of ~~the~~ a corporation's securities that may be owned by any ~~securities holder or a group of securities holders~~ person or group of persons, may be imposed ~~either~~ by the articles of incorporation or by the bylaws or by an agreement among any number of security holders or among such holders and the corporation. No restriction so imposed shall be binding with respect to securities issued prior to the adoption of the restriction unless the holders of the securities are parties to an agreement or voted in favor of the restriction.

(c) A restriction on the transfer or registration of transfer of securities of a corporation or on the amount of such securities that may be owned by any ~~securities holder or group of securities holders~~ person or group of persons is permitted by this section if it:

(1) Obligates the holder of the restricted securities to offer to the corporation or to any other holders of securities of the corporation or to any other person or to any combination of the foregoing, a prior opportunity, to be exercised within a reasonable time, to acquire the restricted securities;

(2) obligates the corporation or any holder of securities of the corporation or any other person or any combination of the foregoing, to purchase the securities which are the subject of an agreement respecting the purchase and sale of the restricted securities;

(3) requires the corporation or the holders of any class or series of securities of the

corporation to consent to any proposed transfer of the restricted securities or to approve the proposed transferee of the restricted securities, or to approve the amount of securities of the corporation that may be owned by any ~~securities holder or group of securities holders~~ person or group of persons;

(4) obligates the holder of the restricted securities to sell or transfer an amount of restricted securities to the corporation or to any other holders of securities of the corporation or to any other person or to any combination of the foregoing, or causes or results in the automatic sale or transfer of an amount of restricted securities to the corporation or to any other holders of securities of the corporation or to any other person or to any combination of the foregoing; or

(5) prohibits or restricts the transfer of the restricted securities to, or the ownership of restricted securities by, designated persons or classes of persons or groups of persons, and such designation is not manifestly unreasonable.

(d) Any restriction on the transfer or the registration of transfer of the securities of a corporation, or on the amount of securities of a corporation that may be owned by a ~~securities holder or group of securities holders~~ person or group of persons, for any of the following purposes shall be conclusively presumed to be for a reasonable purpose: (1) Maintaining any local, state, federal or foreign tax advantage to the corporation or its stockholders, including without limitation: (A) Maintaining the corporation's status as an electing small business corporation under subchapter S of the United States internal revenue code, 26 U.S.C. §1371 et seq.; (B) maintaining or preserving any tax attribute, including without limitation net operating losses; or (C) qualifying or maintaining the qualification of the corporation as a real estate investment trust pursuant to the United States internal revenue code or regulations adopted pursuant to the United States internal revenue code; or (2) maintaining any statutory or regulatory advantage or complying with any statutory or regulatory requirements under applicable local, state, federal or foreign law.

(e) Any other lawful restriction on transfer or registration of transfer of securities, or on the amount of securities that may be owned by any person or group of persons, is permitted by this section.

Sec. 47. K.S.A. 17-6501 is hereby amended to read as follows: 17-6501. (a) (1) Meetings of stockholders may be held at such place, either within or without this state, as may be designated by or in the manner provided in the articles of incorporation~~,~~ or bylaws or, if not so designated, as determined by the board of directors. If, pursuant to this subsection or the articles of incorporation or the bylaws of the corporation, the board of directors is authorized to determine the place of a meeting of stockholders, the board of directors, in its sole discretion, may determine that the meeting shall not be held at any place, but may instead be held solely by means of remote communication as authorized by ~~paragraph~~ subsection (a)(2).

(2) If authorized by the board of directors in its sole discretion, and subject to such guidelines and procedures as the board of directors may adopt, stockholders and ~~proxy holders~~ proxyholders not physically present at a meeting of stockholders may, by means of remote communication:

(A) Participate in a meeting of stockholders; and

(B) be deemed present in person and vote at a meeting of stockholders whether such meeting is to be held at a designated place or solely by means of remote communication, provided that: (i) The corporation shall implement reasonable measures

to verify that each person deemed present and permitted to vote at the meeting by means of remote communication is a stockholder or ~~proxy holder~~ proxyholder; (ii) the corporation shall implement reasonable measures to provide such stockholders and ~~proxy holders~~ proxyholders a reasonable opportunity to participate in the meeting and to vote on matters submitted to the stockholders, including an opportunity to read or hear the proceedings of the meeting substantially concurrently with such proceedings; and (iii) if any stockholder or ~~proxy holder~~ proxyholder votes or takes other action at the meeting by means of remote communication, a record of such vote or other action shall be maintained by the corporation.

(b) Unless directors are elected by written consent in lieu of an annual meeting as permitted by this subsection, an annual meeting of stockholders shall be held for the election of directors on a date and at a time designated by or in the manner provided in the bylaws. Stockholders, unless the articles of incorporation otherwise provide, may act by written consent to elect directors; except that, if such consent is less than unanimous, such action by written consent may be in lieu of holding an annual meeting only if all of the directorships to which directors could be elected at an annual meeting held at the effective time of such action are vacant and are filled by such action. Any other proper business may be transacted at the annual meeting.

(c) ~~(1) If the articles of incorporation or bylaws of a corporation registered under the investment company act of 1940 so provide, the corporation is only required to hold an annual meeting in any year in which the election of directors is required to be acted upon under the investment company act of 1940.~~

~~(2) If a corporation is required under paragraph (1) to hold a meeting of stockholders to elect directors, the meeting shall be designated as the annual meeting of stockholders for that year.~~

~~(d) (1)~~ A failure to hold any annual meeting at the designated time or to elect a sufficient number of directors to conduct the business of the corporation shall not affect otherwise valid corporate acts or work a forfeiture or dissolution of the corporation, except as may be otherwise specifically provided in this ~~act~~ code. If the annual meeting for election of directors is not held on the date designated therefor or action by written consent to elect directors, in lieu of an annual meeting, has not been taken, the directors shall cause the meeting to be held as soon thereafter as is convenient. If there be a failure to hold the annual meeting or to take action by written consent to elect directors in lieu of an annual meeting for a period of 30 days after the date designated for the annual meeting, or if no date has been designated for a period of 13 months after the latest to occur of the organization of the corporation, its last annual meeting or the last action by written consent to elect directors in lieu of an annual meeting, the district court may summarily order a meeting to be held upon the application of any stockholder or director. The shares of stock represented at such meeting, either in person or by proxy, and entitled to vote thereat, shall constitute a quorum for the purpose of such meeting, notwithstanding any provision of the articles of incorporation or bylaws to the contrary. The district court may issue such orders as may be appropriate, including, without limitation, orders designating the time and place of such meeting, the record date or dates for determination of stockholders entitled to notice of the meeting and to vote at such meeting, and the form of notice of such meeting.

~~(2) If a corporation is required under paragraph (1) of subsection (c) to hold a meeting of stockholders to elect directors, the meeting shall be held no later than 120~~

~~days after the occurrence of the event requiring the meeting.~~

~~(c)~~ (d) Special meetings of the stockholders may be called by the board of directors or by such person or persons as may be authorized by the articles of incorporation or by the bylaws.

~~(f)~~ (e) All elections of directors shall be by written ballot, unless otherwise provided in the articles of incorporation. If authorized by the board of directors, such requirement of a written ballot shall be satisfied by a ballot submitted by electronic transmission, provided that any such electronic transmission must either set forth or be submitted with information from which it can be determined that the electronic transmission was authorized by the stockholder or ~~proxy holder~~ proxyholder.

Sec. 48. K.S.A. 17-6502 is hereby amended to read as follows: 17-6502. (a) Unless otherwise provided in the articles of incorporation and subject to the provisions of K.S.A. 17-6503, and amendments thereto, each stockholder shall be entitled to one vote for each share of capital stock held by such stockholder. If the articles of incorporation provide for more or less than one vote for any share on any matter, every reference in this ~~act~~ code to a majority or other proportion of stock shall refer to such majority or other proportion of the votes of such stock.

(b) Each stockholder entitled to vote at a meeting of stockholders or to express consent or dissent to corporate action in writing without a meeting may authorize another person or persons to act for the stockholder by proxy as provided in this subsection, but no such proxy shall be voted or acted upon after three years from its date, unless the proxy provides for a longer period.

(c) Without limiting the manner in which a stockholder may authorize another person or persons to act for such stockholder as proxy pursuant to subsection (b), the following shall constitute a valid means by which a stockholder may grant such authority:

(1) A stockholder may execute a writing authorizing another person or persons to act for such stockholder as proxy. Execution may be accomplished by the stockholder or the stockholder's authorized officer, director, employee or agent signing the writing or causing the stockholder's signature to be affixed to the writing by any reasonable means, including, but not limited to, facsimile signature; and

(2) a stockholder may authorize another person or persons to act for such stockholder as proxy by transmitting, or authorizing the transmission of, a ~~telegram, cablegram, or other~~ means of electronic transmission, including telephonic transmission, to the person who will be the holder of the proxy or to a proxy solicitation firm, proxy support service organization, or like agent duly authorized by the person who will ~~act as~~ be the holder of the proxy to receive the transmission, provided that any such ~~telegram, cablegram or other means of~~ electronic transmission must either set forth or be submitted with information from which it can be determined that the ~~stockholder authorized the transmission~~ electronic transmission was authorized by the stockholder. If it is determined that such electronic transmissions are valid, the inspectors or, if there are no inspectors, such other persons making that determination shall specify the information upon which they relied.

(d) A copy, facsimile telecommunication, or other reliable reproduction of the writing or transmission authorized under ~~paragraphs~~ subsections (c)(1) and (c)(2) may be substituted for the original writing or transmission for any purpose for which the original writing or transmission could be used, except that such copy, facsimile

telecommunication or other reproduction shall be a complete reproduction of the entire original writing or transmission.

(e) A duly executed proxy shall be irrevocable if it states that it is irrevocable and if, and only as long as, it is coupled with an interest sufficient in law to support an irrevocable power. A proxy may be made irrevocable regardless of whether the interest with which it is coupled is an interest in the stock itself or an interest in the corporation generally.

Sec. 49. K.S.A. 17-6503 is hereby amended to read as follows: 17-6503. (a) In order that the corporation may determine the stockholders entitled to notice of ~~or to vote at~~ any meeting of stockholders or any adjournment thereof, the board of directors may fix a record date, which record date shall not precede the date upon which the resolution fixing the record date is adopted by the board of directors, and which record date shall not be more than 60 nor less than 10 days before the date of such meeting. If ~~no record is fixed by~~ the board of directors, so fixes a date, such date shall also be the record date for determining the stockholders entitled to ~~notice of or~~ vote at such meeting unless the board of directors determines, at the time it fixes such record date, that a later date on or before the date of the meeting shall be the date for making such determination. If no record date is fixed by the board of directors, the record date for determining stockholders entitled to notice of and to vote at a meeting of stockholders shall be at the close of business on the day next preceding the day on which notice is given, or, if notice is waived, at the close of business on the day next preceding the day on which the meeting is held. A determination of stockholders of record entitled to notice of or to vote at a meeting of stockholders shall apply to any adjournment of the meeting except that the board of directors may fix a new record date for determination of stockholders entitled to vote at the adjourned meeting, and in such case shall also fix as the record date for stockholders entitled to notice of such adjourned meeting the same or an earlier date as that fixed for determination of stockholders entitled to vote in accordance with the foregoing provisions of this subsection at the adjourned meeting.

(b) In order that the corporation may determine the stockholders entitled to consent to corporate action in writing without a meeting, the board of directors may fix a record date which record date shall not precede the date upon which the resolution fixing the record date is adopted by the board of directors, and which date shall not be more than 10 days after the date upon which the resolution fixing the record date is adopted by the board of directors. If no record date has been fixed by the board of directors, the record date for determining stockholders entitled to consent to corporate action in writing without a meeting, when no prior action by the board of directors is required by this ~~act~~ code, shall be the first date on which a signed written consent setting forth the action taken or proposed to be taken is delivered to the corporation by delivery to its registered office in this state, its principal place of business, or an officer or agent of the corporation having custody of the book in which proceedings of meetings of stockholders are recorded. Delivery made to a corporation's registered office shall be by hand or by certified or registered mail, return receipt requested. If no record date has been fixed by the board of directors and prior action by the board of directors is required by this ~~act~~ code, the record date for determining stockholders entitled to consent to corporate action in writing without a meeting shall be at the close of business on the day on which the board of directors adopts the resolution taking such prior action.

(c) In order that the corporation may determine the stockholders entitled to receive payment of any dividend or other distribution or allotment of any rights or the stockholders entitled to exercise any rights in respect of any change, conversion or exchange of stock, or for the purpose of any other lawful action, the board of directors may fix a record date, which record date shall not precede the date upon which the resolution fixing the record date is adopted, and which record date shall be not more than 60 days prior to such action. If no record date is fixed, the record date for determining stockholders for any such purpose shall be at the close of business on the day on which the board of directors adopts the resolution relating thereto.

Sec. 50. K.S.A. 17-6505 is hereby amended to read as follows: 17-6505. (a) The provisions of K.S.A. 17-6501~~ to~~ through 17-6504 and 17-6506, and amendments thereto, shall not apply to nonstock corporations~~ not authorized to issue stock~~, except that~~ subsection (a) of~~ K.S.A. 17-6501(a) and ~~subsection (c) and (d) of K.S.A.~~ 17-6502(c), (d) and (e), and amendments thereto, shall apply to such corporations, and, when so applied, all references therein to: (1) Stockholders and to the board of directors shall be deemed to refer to the members and the governing body of a nonstock corporation, respectively; and (2) stock, capital stock, or shares thereof shall be deemed to refer to memberships of a nonprofit nonstock corporation and to membership interests of any other nonstock corporation.

(b) Unless otherwise provided in the articles of incorporation or the bylaws of a nonstock corporation, and subject to subsection (f), each member shall be entitled at every meeting of members to one vote on any matter submitted to a vote of members. A member may exercise such voting rights in person or by proxy, but no proxy shall be voted after three years from its date, unless the proxy provides for a longer period.

(c) Unless otherwise provided in this~~ act~~ code, the articles of incorporation or bylaws of a nonstock corporation may specify the number of members having voting power who shall be present or represented by proxy at any meeting in order to constitute a quorum for, and the votes~~, or portion thereof,~~ that shall be necessary for, the transaction of any business. In the absence of such specification in the articles of incorporation or bylaws of a nonstock corporation~~,~~:

(1) One-third of the members of such corporation present in person or represented by proxy after proper notice has been given shall constitute a quorum at a meeting of such members~~.~~;

(2) in all matters other than the election of the governing body of the corporation, the affirmative vote of a majority of such members present in person or represented by proxy at the meeting and entitled to vote on the subject matter shall be the act of the members, unless the vote of a greater number is required by this~~ act~~ code, the articles of incorporation or bylaws~~.~~;

~~(d)~~ (3) members of the governing body shall be elected by a plurality of the votes of the members of the corporation present in person or represented by proxy at the meeting and entitled to vote thereon; and

(4) where a separate vote by a class or group or classes or groups is required, a majority of the members of such class or group or classes or groups, present in person or represented by proxy, shall constitute a quorum entitled to take action with respect to that vote on that matter and, in all matters other than the election of members of the governing body, the affirmative vote of the majority of the members of such class or group or classes or groups present in person or represented by proxy at the meeting.

shall be the act of such class or group or classes or groups.

~~(c)~~ (d) If the election of the governing body of any nonstock corporation shall not be held within the time period designated by the bylaws, the governing body shall cause the election to be held as soon thereafter as convenient. The failure to hold such an election within the time period shall not work any forfeiture or dissolution of the corporation, but the district court may summarily order such an election to be held upon the application of any member of the corporation. At any election pursuant to such order, the persons entitled to vote in such election who shall be present at such meeting, either in person or by proxy, shall constitute a quorum for such meeting, notwithstanding any provision of the articles of incorporation or the bylaws of the corporation to the contrary.

~~(f)~~ (e) If authorized by the governing body, any requirement of a written ballot shall be satisfied by a ballot submitted by electronic transmission, provided that any such electronic transmission must either set forth or be submitted with information from which it can be determined that the electronic transmission was authorized by the member or proxy holder.

(f) Except as otherwise provided in the articles of incorporation, in the bylaws, or by resolution of the governing body, the record date of any meeting or corporate action shall be deemed to be the date of such meeting or corporate action, except that no record date may precede any action by the governing body fixing such record date.

Sec. 51. K.S.A. 17-6506 is hereby amended to read as follows: 17-6506. Subject to the provisions of this ~~act~~ code with respect to the vote that shall be required for a specified action, the articles of incorporation or bylaws of any corporation authorized to issue stock may specify the number of shares or the amount of other securities, or both, having voting power, the holders of which shall be present or represented by proxy at any meeting in order to constitute a quorum for, and the votes that shall be necessary for, the transaction of any business, but in no event shall a quorum consist of holders of less than $^1/_3$ of the shares entitled to vote at the meeting, except that, where a separate vote by the holders of ~~a class or series or classes or series~~ one or more than one class or series is required, a quorum shall consist of no less than $^1/_3$ of the holders of the shares of such class or series ~~or classes or series~~. In the absence of such specification in the articles of incorporation or bylaws of the corporation:

(a) The holders of a majority of the shares entitled to vote, present in person or represented by proxy, shall constitute a quorum at a meeting of stockholders;

(b) in all matters other than the election of directors, the affirmative vote of the holders of a majority of shares who are present in person or represented by proxy at the meeting and entitled to vote on the subject matter shall be the act of the stockholders;

(c) directors shall be elected by a plurality of the votes of the shares present in person or represented by proxy at the meeting and entitled to vote on the election of directors; and

(d) where a separate vote by ~~a class or classes or series~~ one or more than one class or series is required, the holders of a majority of the outstanding shares of such class or ~~classes or~~ series, present in person or represented by proxy, shall constitute a quorum entitled to take action with respect to that vote on that matter and, in all matters other than the election of directors, the affirmative vote of the holders of a majority of shares of such class or ~~classes or~~ series who are present in person or represented by proxy at the meeting shall be the act of such class or ~~classes or~~ series. A bylaw amendment

adopted by the stockholders which specifies the votes that shall be necessary for the election of directors shall not be further amended or repealed by the board of directors.

Sec. 52. K.S.A. 17-6508 is hereby amended to read as follows: 17-6508. (a) One or more stockholders, by agreement in writing, may deposit capital stock of an original issue with or transfer capital stock to any person or persons, or entity or entities authorized to act as trustee, for the purpose of vesting in such person or persons, entity or entities, who may be designated voting trustee, or voting trustees, the right to vote thereon for any period of time determined by such agreement, upon the terms and conditions stated in such agreement. The agreement may contain any other lawful provisions not inconsistent with such purpose. After ~~the filing~~ delivery of a copy of the agreement ~~in~~ to the registered office of the corporation in this state or the principal place of business of the corporation, which copy shall be open to the inspection of any stockholder of the corporation, or any beneficiary of the trust under the agreement, daily during business hours, certificates of stock or uncertificated stock shall be issued to the voting trustee or trustees to represent any stock of an original issue so deposited with such voting trustee or trustees, and any certificates of stock or uncertificated stock so transferred to the voting trustee or trustees shall be surrendered and canceled and new certificates or uncertificated stock therefor shall be issued to the voting trustee or trustees. In the certificates so issued, if any, it shall be stated that they are issued pursuant to such agreement, or in the case of uncertificated shares, contained in the notice sent pursuant to ~~subsection (f) of~~ K.S.A. 17-6401(f), and amendments thereto, and that fact shall also be stated in the stock ledger of the corporation. The voting trustee or trustees may vote the stock so issued or transferred during the period specified in the agreement. Stock standing in the name of the voting trustee or trustees may be voted either in person or by proxy, and in voting the stock, the voting trustee or trustees shall incur no responsibility as stockholder, trustee or otherwise, except for such voting trustee's or trustees' individual malfeasance. In any case where two or more persons or entities are designated as voting trustees, and the right and method of voting any stock standing in their names at any meeting of the corporation are not fixed by the agreement appointing the trustees, the right to vote the stock and the manner of voting it at the meeting shall be determined by a majority of the trustees, or if they be equally divided as to the right and manner of voting the stock in any particular case, the vote of the stock in such case shall be divided equally among the trustees.

(b) Any amendment to a voting trust agreement shall be made by a written agreement, a copy of which shall be ~~filed in~~ delivered to the registered office of the corporation in this state or the principal place of business of the corporation.

(c) An agreement between two or more stockholders, if in writing and signed by the parties thereto, may provide that in exercising any voting rights, the shares held by them shall be voted as provided by the agreement, or as the parties may agree, or as determined in accordance with a procedure agreed upon by them.

(d) This section shall not be deemed to invalidate any voting or other agreement among stockholders or any irrevocable proxy ~~which is not otherwise illegal~~.

Sec. 53. K.S.A. 17-6509 is hereby amended to read as follows: 17-6509. (a) The officer who has charge of the stock ledger of a corporation shall prepare and make, at least 10 days before every meeting of stockholders, a complete list of the stockholders entitled to vote at the meeting, except that if the record date for determining the stockholders entitled to vote is less than 10 days before the meeting date, the list shall

reflect the stockholders entitled to vote as of the 10th day before the meeting date, arranged in alphabetical order, and showing the address of each stockholder and the number of shares registered in the name of each stockholder. Nothing contained in this section shall require the corporation to include electronic mail addresses or other electronic contact information on such list. Such list shall be open to the examination of any stockholder, for any purpose germane to the meeting for a period of at least 10 days prior to the meeting: (1) On a reasonably accessible electronic network, provided that the information required to gain access to such list is provided with the notice of the meeting; or (2) during ordinary business hours, at the principal place of business of the corporation. In the event that the corporation determines to make the list available on an electronic network, the corporation may take reasonable steps to ensure that such information is available only to stockholders of the corporation. If the meeting is to be held at a place, then the list shall be produced and kept at the time and place of the meeting during the whole time thereof, and may be inspected by any stockholder who is present. If the meeting is to be held solely by means of remote communication, then the list shall also be open to the examination of any stockholder during the whole time of the meeting on a reasonably accessible electronic network, and the information required to access such list shall be provided with the notice of the meeting.

(b) ~~Upon the willful neglect or refusal of the directors to produce such a list at any meeting for the election of directors held at a place, or to open such a list to examination on a reasonably accessible electronic network during any meeting for the election of directors held solely by means of remote communication, they shall be ineligible for election to any office at such meeting~~ If the corporation, or an officer or agent thereof, refuses to permit examination of the list by a stockholder, such stockholder may apply to the district court for an order to compel the corporation to permit such examination. The burden of proof shall be on the corporation to establish that the examination such stockholder seeks is for a purpose not germane to the meeting. The court may summarily order the corporation to permit examination of the list upon such conditions as the court may deem appropriate, and may make such additional orders as may be appropriate, including, without limitation, postponing the meeting or voiding the results of the meeting.

(c) The stock ledger shall be the only evidence as to who are the stockholders entitled by this section to examine the list required by this section or to vote in person or by proxy at any meeting of stockholders.

Sec. 54. K.S.A. 17-6510 is hereby amended to read as follows: 17-6510. (a) As used in this section:

(1) "Stockholder" means a holder of record of stock in a stock corporation, or a person who is the beneficial owner of shares of such stock held either in a voting trust or by a nominee on behalf of such person~~, and also a member of a nonstock corporation as reflected on the records of the nonstock corporation; (2) "list of stockholders" includes lists of members in a nonstock corporation~~;

~~(3)~~ (2) "under oath" includes statements the declarant affirms to be true under penalty of perjury under the laws of the United States or any state; and

~~(4)~~ (3) "subsidiary" means any entity directly or indirectly owned, in whole or in part, by the corporation of which the stockholder is a stockholder and over the affairs of which the corporation directly or indirectly exercises control, and includes, without limitation, corporations, partnerships, limited partnerships, limited liability partnerships,

limited liability companies, statutory trusts and/or joint ventures.

(b) Any stockholder, in person or by attorney or other agent, upon written demand under oath stating the purpose thereof, shall have the right during the usual hours for business to inspect for any proper purpose, and to make copies and extracts from:

(1) The corporation's stock ledger, a list of its stockholders, and its other books and records; and

(2) a subsidiary's books and records, to the extent that ~~(i)~~; (A) The corporation has actual possession and control of such records of such subsidiary; or ~~(ii)~~ (B) the corporation could obtain such records through the exercise of control over such subsidiary, provided that as of the date of the making of the demand ~~(A)~~: (i) Stockholder inspection of such books and records of the subsidiary would not constitute a breach of an agreement between the corporation or the subsidiary and a person or persons not affiliated with the corporation~~,~~; and ~~(B)~~ (ii) the subsidiary would not have the right under the law applicable to it to deny the corporation access to such books and records upon demand by the corporation. In every instance where the stockholder is other than a record holder of stock in a stock corporation or a member of a nonstock corporation, the demand under oath shall state the person's status as a stockholder, be accompanied by documentary evidence of beneficial ownership of the stock and state that such documentary evidence is a true and correct copy of what it purports to be. A proper purpose shall mean a purpose reasonably related to such person's interest as a stockholder. In every instance where an attorney or other agent shall be the person who seeks the right to inspection, the demand under oath shall be accompanied by a power of attorney or such other writing which authorizes the attorney or other agent to so act on behalf of the stockholder. The demand under oath shall be directed to the corporation at its registered office in this state or at its principal place of business.

(c) If the corporation, or an officer or agent thereof, refuses to permit an inspection sought by a stockholder or attorney or other agent acting for the stockholder pursuant to subsection (b) or does not reply to the demand within five business days after the demand has been made, the stockholder may apply to the district court for an order to compel such inspection. The district court is hereby vested with exclusive jurisdiction to determine whether or not the person seeking inspection is entitled to the inspection sought. The court may summarily order the corporation to permit the stockholder to inspect the corporation's stock ledger, an existing list of stockholders, and its other books and records, and to make copies or extracts therefrom; or the court may order the corporation to furnish to the stockholder a list of its stockholders as of a specific date on condition that the stockholder first pay to the corporation the reasonable cost of obtaining and furnishing such list and on such other conditions as the court deems appropriate. Where the stockholder seeks to inspect the corporation's books and records, other than its stock ledger or list of stockholders, such stockholder shall first establish that:

(1) ~~he, she or it~~ such stockholder is a stockholder;

(2) such stockholder has complied with this section respecting the form and manner of making demand for inspection of such documents; and

(3) the inspection such stockholder seeks is for a proper purpose. Where the stockholder seeks to inspect the corporation's stock ledger or list of stockholders and establishes that such stockholder is a stockholder and has complied with this section respecting the form and manner of making demand for inspection of such documents,

the burden of proof shall be upon the corporation to establish that the inspection such stockholder seeks is for an improper purpose. The court, in its discretion, may prescribe any limitations or conditions with reference to the inspection, or award such other or further relief as the court may deem just and proper. The court may order books, documents and records, pertinent extracts therefrom, or duly authenticated copies thereof, to be brought within this state and kept in this state upon such terms and conditions as the order may prescribe.

(d) Any director~~, including a member of the governing body of a nonstock corporation,~~ shall have the right to examine the corporation's stock ledger, a list of its stockholders and its other books and records for a purpose reasonably related to the director's position as a director. The district court is hereby vested with the exclusive jurisdiction to determine whether a director is entitled to the inspection sought. The court may summarily order the corporation to permit the director to inspect any and all books and records, the stock ledger and the list of stockholders and to make copies or extracts therefrom. The burden of proof shall be upon the corporation to establish that the inspection such director seeks is for an improper purpose. The court may, in its discretion, prescribe any limitations or conditions with reference to the inspection, or award such other and further relief as the court may deem just and proper.

Sec. 55. K.S.A. 17-6512 is hereby amended to read as follows: 17-6512. (a) Whenever stockholders are required or permitted to take any action at a meeting, a written notice of the meeting shall be given which shall state the place, if any, date and hour of the meeting, the means of remote communication, if any, by which stockholders and proxy holders may be deemed to be present in person and vote at such meeting, the record date for determining the stockholders entitled to vote at the meeting, if such date is different from the record date for determining stockholders entitled to notice of the meeting, and, in the case of a special meeting, the purpose or purposes for which the meeting is called.

(b) Unless otherwise provided in this ~~act~~ code, the written notice of any meeting shall be given not less than 10 nor more than 60 days before the date of the meeting to each stockholder entitled to vote at such meeting as of the record date for determining the stockholders entitled to notice of the meeting. If mailed, notice is given when deposited in the United States mail, postage prepaid, directed to the stockholder at such stockholder's address as it appears on the records of the corporation. An affidavit of the secretary or an assistant secretary or of the transfer agent or other agent of the corporation that the notice has been given shall be prima facie evidence of the facts stated therein in the absence of fraud.

(c) When a meeting is adjourned to another time or place, unless the bylaws otherwise require, notice need not be given of the adjourned meeting if the time, place, if any, thereof, and the means of remote communication, if any, by which stockholders and proxy holders may be deemed to be present in person and vote at such adjourned meeting are announced at the meeting at which the adjournment is taken. At the adjourned meeting the corporation may transact any business which might have been transacted at the original meeting. If the adjournment is for more than 30 days, ~~or if after the adjournment a new record date is fixed for the adjourned meeting,~~ a notice of the adjourned meeting shall be given to each stockholder of record entitled to vote at the meeting. If, after the adjournment, a new record date for stockholders entitled to vote is fixed for the adjourned meeting, the board of directors shall fix a new record date for

notice of such adjourned meeting in accordance with K.S.A. 17-6503(a), and amendments thereto, and shall give notice of the adjourned meeting to each stockholder of record entitled to vote at such adjourned meeting as of the record date fixed for notice of such adjourned meeting.

Sec. 56. K.S.A. 17-6513 is hereby amended to read as follows: 17-6513. (a) (1) Unless otherwise provided in the articles of incorporation or bylaws: ~~(1)~~ (A) Vacancies and newly created directorships resulting from any increase in the authorized number of directors elected by all of the stockholders having the right to vote as a single class may be filled by a majority of the directors then in office, although less than a quorum, or by a sole remaining director; or ~~(2)~~ (B) whenever the holders of any class or classes of stock or series thereof are entitled to elect one or more directors by the articles of incorporation, vacancies and newly created directorships of such class or classes or series may be filled by a majority of the directors elected by such class or classes or series thereof then in office, or by a sole remaining director so elected.

(2) If, at any time, by reason of death or resignation or other cause, a corporation should have no directors in office, then any receiver, officer or any stockholder or an executor, administrator, trustee or guardian of a stockholder, or other fiduciary entrusted with like responsibility for the person or estate of a stockholder, may call a special meeting of stockholders in accordance with the provisions of the articles of incorporation or the bylaws, or may apply to the district court for a decree summarily ordering an election as provided in K.S.A. 17-6501 or 17-6505, and amendments thereto.

(3) If, at any time, in a corporation where the holders of any class or classes of stock or series thereof are entitled by the articles of incorporation to elect one or more directors, there is no director in office elected by the holders of any such class or series of stock, by reason of death or resignation or other cause, then any receiver, officer or any stockholder of such class or series, as the case may be, or an executor, administrator, trustee or guardian of any such stockholder, or other fiduciary entrusted with like responsibility for the person or estate of any such stockholder, may call a special meeting of stockholders of such class or series, in accordance with the provisions of the articles of incorporation or bylaws for calling a special meeting of stockholders, or may apply to the district court for a decree summarily ordering an election, as provided in K.S.A. 17-6501 or 17-6505, and amendments thereto.

(b) In the case of a corporation the directors of which are divided into classes, any directors chosen under subsection (a) shall hold office until the next election of the class for which such directors shall have been chosen, and until their successors shall be elected and qualified.

(c) If, at the time of filling any vacancy or any newly created directorship, the directors then in office shall constitute less than a majority of the whole board, as constituted immediately prior to any such increase, the district court, upon application of any stockholder or stockholders holding at least 10% of the total number of the shares at the time outstanding having the right to vote for such directors, may summarily order an election to be held to fill any such vacancies or newly created directorships, or to replace the directors chosen by the directors then in office as aforesaid, which election shall be governed by the provisions of K.S.A. 17-6501 or 17-6505, and amendments thereto, as far as applicable.

(d) Unless otherwise provided in the articles of incorporation or bylaws, when one

or more directors shall resign from the board, effective at a future date, a majority of the directors then in office, including those who have so resigned, shall have power to fill such vacancy or vacancies, the vote thereon to take effect when such resignation or resignations shall become effective, and each director so chosen shall hold office as provided in this section in the filling of other vacancies.

Sec. 57. K.S.A. 17-6514 is hereby amended to read as follows: 17-6514. Any records maintained by a corporation in the regular course of its business, including its stock ledger, books of account and minute books, may be kept on, or by means of, or be in the form of any information storage device or method provided that the records so kept can be converted into clearly legible paper form within a reasonable time. Any corporation shall so convert any records so kept upon the request of any person entitled to inspect ~~the same~~ such records pursuant to any provision of this code. When records are kept in such manner, a clearly legible paper form produced from or by the means of the information storage device or method shall be admissible in evidence and shall be accepted for all other purposes, to the same extent as an original paper record of the same information would have been, provided the paper form accurately portrays the record.

Sec. 58. K.S.A. 17-6515 is hereby amended to read as follows: 17-6515. (a) Upon application of any stockholder or director, or any officer whose title to office is contested, ~~or any member of a corporation without capital stock,~~ the district court may hear and determine the validity of any election, appointment, removal or resignation of any director~~, member of the governing body,~~ or officer of any corporation, and the right of any person to hold or continue to hold such office, and, in case any such office is claimed by more than one person, may determine the person entitled thereto. In making such determination, the court may make such order or decree in any such case as may be just and proper, with power to enforce the production of any books, papers and records of the corporation relating to the issue. In case it should be determined that no valid election has been held, the court may order an election to be held in accordance with K.S.A. 17-6501 or 17-6505, and amendments thereto. In any such application, service of copies of the application upon the resident agent of the corporation shall be deemed to be service upon the corporation and upon the person whose title to office is contested and upon the person, if any, claiming such office; and the resident agent shall forward immediately a copy of the application to the corporation and to the person whose title to office is contested and to the person, if any, claiming such office, in a postpaid, sealed, registered letter addressed to such corporation and such person at their post-office addresses last known to the resident agent or furnished to the resident agent by the applicant stockholder. The court may make such order respecting further or other notice of such application as it deems proper under the circumstances.

(b) Upon application of any stockholder or ~~any member of a corporation without capital stock~~ upon application of the corporation itself, the district court may hear and determine the result of any vote of stockholders ~~or members, as the case may be,~~ upon matters other than the election of directors~~,~~ or officers ~~or members of the governing body~~. Service of the application upon the resident agent of the corporation shall be deemed to be service upon the corporation, and no other party need be joined in order for the court to adjudicate the result of the vote. The court may make such order respecting notice of the application as it deems proper under the circumstances.

(c) If one or more directors has been convicted of a felony in connection with the

duties of such director or directors to the corporation, or if there has been a prior judgment on the merits by a court of competent jurisdiction that one or more directors has committed a breach of the duty of loyalty in connection with the duties of such director or directors to that corporation, then, upon application by the corporation, or derivatively in the right of the corporation by any stockholder, in a subsequent action brought for such purpose, the district court may remove from office such director or directors if the court determines that the director or directors did not act in good faith in performing the acts resulting in the prior conviction or judgment and judicial removal is necessary to avoid irreparable harm to the corporation. In connection with such removal, the court may make such orders as are necessary to effect such removal. In any such application, service of copies of the application upon the resident agent of the corporation shall be deemed to be service upon the corporation and upon the director or directors whose removal is sought and the resident agent shall forward immediately a copy of the application to the corporation and to such director or directors, in a postpaid, sealed, registered letter addressed to such corporation and such director or directors at their post office address last known to the resident agent or furnished to the resident agent by the applicant. The court may make such order respecting further or other notice of such application as it deems proper under the circumstances.

Sec. 59. K.S.A. 17-6516 is hereby amended to read as follows: 17-6516. (a) The district court, upon application of any stockholder, may appoint one or more persons to be custodians and, if the corporation is insolvent, to be receivers, of and for any corporation when:

(1) At any meeting held for the election of directors the stockholders are so divided that they have failed to elect successors to directors whose terms have expired or would have expired upon qualification of their successors; ~~or~~

(2) the business of the corporation is suffering or is threatened with irreparable injury because the directors are so divided respecting the management of the affairs of the corporation that the required vote for action by the board of directors cannot be obtained and the stockholders are unable to terminate this division; or

(3) the corporation has abandoned its business and has failed within a reasonable time to take steps to dissolve, liquidate or distribute its assets.

(b) A custodian appointed under this section shall have all the powers and title of a receiver appointed under K.S.A. 17-6901, and amendments thereto, but the authority of the custodian is to continue the business of the corporation and not to liquidate its affairs and distribute its assets, except when the court shall otherwise order and except in cases arising under subsection (a)(3) ~~of this section or subsection (a)(2) of~~ or K.S.A. 17-7212(a)(2), and amendments thereto.

(c) In the case of a charitable nonstock corporation, the applicant shall provide a copy of any application referred to in subsection (a) to the attorney general of the state of Kansas within one week of its filing with the district court.

Sec. 60. K.S.A. 17-6517 is hereby amended to read as follows: 17-6517. (a) The district court, in any proceeding instituted under K.S.A. 17-6501, 17-6505 or 17-6515, and amendments thereto, may determine the right and power of persons claiming to own stock~~, or in the case of a corporation without capital stock, of the persons claiming to be members,~~ to vote at any meeting of the stockholders ~~or members~~.

(b) The court may: (1) Appoint a master to hold any election provided for in K.S.A. 17-6501, 17-6505 or 17-6515, and amendments thereto, under such orders and powers

as it deems proper; ~~and it may~~ (2) punish any officer or director for contempt in case of disobedience of any order made by the court; and~~,~~ (3) in case of disobedience by a corporation of any order made by the court, may enter a decree against such corporation for a penalty of not more than ~~$25,000~~ $5,000.

Sec. 61. K.S.A. 17-6518 is hereby amended to read as follows: 17-6518. (a) Unless otherwise provided in the articles of incorporation, any action required by this ~~act~~ code to be taken at any annual or special meeting of stockholders of a corporation, or any action which may be taken at any annual or special meeting of such stockholders, may be taken without a meeting, without prior notice and without a vote, if a consent or consents in writing, setting forth the action so taken, are signed by ~~all~~ the holders of outstanding stock ~~entitled to vote. Such consent or consents~~ having not less than the minimum number of votes that would be necessary to authorize or take such action at a meeting at which all shares entitled to vote thereon were present and voted and shall be delivered to the corporation by delivery to its registered office in this state, its principal place of business or an officer or agent of the corporation having custody of the book in which proceedings of meetings of stockholders are recorded. Delivery made to a corporation's registered office shall be by hand or by certified or registered mail, return receipt requested.

(b) Unless otherwise provided in the articles of incorporation, any action required by this ~~act~~ code to be taken at a meeting of the members of a nonstock corporation, or any action which may be taken at any meeting of the members of a nonstock corporation, may be taken without a meeting, without prior notice and without a vote, if a consent or consents in writing, setting forth the action so taken, are signed by members having not less than the minimum number of votes that would be necessary to authorize or take such action at a meeting at which all members having a right to vote thereon were present and voted and shall be delivered to the corporation by delivery to its registered office in this state, its principal place of business or an officer or agent of the corporation having custody of the book in which proceedings of meetings of members are recorded. Delivery made to a corporation's registered office shall be by hand or by certified or registered mail, return receipt requested.

(c) Every written consent shall bear the date of signature of each stockholder or member who signs the consent ~~or consents~~, and no written consent shall be effective to take the corporate action referred to ~~in the consent or consents~~ therein unless, within 60 days of the earliest dated consent delivered in the manner required by this section to the corporation, written ~~consent~~ consents signed by a sufficient number of holders or members to take action are delivered to the corporation by delivery to its registered office in this state, its principal place of business or an officer or agent of the corporation having custody of the book in which proceedings of meetings of stockholders or members are recorded. Delivery made to a corporation's registered office shall be by hand or by certified or registered mail, return receipt requested. Any person executing a consent may provide, whether through instruction to an agent or otherwise, that such a consent will be effective at a future time, including a time determined upon the happening of an event, no later than 60 days after such instruction is given or such provision is made, and, for the purposes of this section, if evidence of such instruction or provision is provided to the corporation, such later effective time shall serve as the date of signature. Unless otherwise provided, any such consent shall be revocable prior to its becoming effective.

(d) (1) ~~A telegram, cablegram or other~~ Any electronic transmission consenting to an action to be taken and transmitted by a stockholder, member or ~~proxy holder~~ proxyholder, or by a person or persons authorized to act for a stockholder, member or ~~proxy holder~~ proxyholder, shall be deemed to be written, signed and dated for the purposes of this section, provided that any such ~~telegram, cablegram or other~~ electronic transmission sets forth or is delivered with information from which the corporation can determine: (A) That the ~~telegram, cablegram or other~~ electronic transmission was transmitted by the stockholder, member or ~~proxy holder~~ proxyholder or by a person or persons authorized to act for the stockholder, member or ~~proxy holder~~ proxyholder; and (B) the date on which such stockholder, member or ~~proxy holder~~ proxyholder or authorized person or persons transmitted such ~~telegram, cablegram or~~ electronic transmission. The date on which such ~~telegram, cablegram or~~ electronic transmission is transmitted shall be deemed to be the date on which such consent ~~or consents were~~ was signed. No consent ~~or consents~~ given by ~~telegram, cablegram or other~~ electronic transmission shall be deemed to have been delivered until such consent ~~or consents are~~ is reproduced in paper form and until such paper form shall be delivered to the corporation by delivery to its registered office in this state, its principal place of business or an officer or agent of the corporation having custody of the book in which proceedings of meetings of stockholders or members are recorded. Delivery made to a corporation's registered office shall be by hand or by certified or registered mail, return receipt requested. Notwithstanding the foregoing limitations on delivery, any consent or consents given by ~~telegram, cablegram or other~~ electronic transmission, may be otherwise delivered to the principal place of business of the corporation or to an officer or agent of the corporation having custody of the book in which proceedings of meetings of stockholders or members are recorded if, to the extent and in the manner provided by resolution of the board of directors or governing body of the corporation.

(2) Any copy, facsimile or other reliable reproduction of a consent ~~or consents~~ in writing may be substituted or used in lieu of the original writing for any and all purposes for which the original writing could be used, provided that such copy, facsimile or other reproduction shall be a complete reproduction of the entire original writing.

(e) Prompt notice of the taking of ~~nonstock~~ any corporate action without a meeting by less than unanimous written consent shall be given to those stockholders or members who have not consented in writing and who, if the action had been taken at a meeting, would have been entitled to notice of the meeting if the record date for notice of such meeting had been the date that a written consent or consents signed by a sufficient number of stockholders or members to take the action were delivered to the corporation as provided in subsection (c). In the event that the action which is consented to is such as would have required the filing of a certificate under any other section of this ~~act~~ code, if such action had been voted on by stockholders or members at a meeting thereof, the certificate filed under such other section shall state, in lieu of any statement required by such section concerning any vote of stockholders or members, that written consent has been given in accordance with the provisions of this section.

Sec. 62. K.S.A. 17-6521 is hereby amended to read as follows: 17-6521. (a) In advance of any meeting of stockholders, the corporation shall appoint one or more inspectors to act at the meeting and make a written report thereof. The corporation may designate one or more persons as alternate inspectors to replace any inspector who fails

to act. If no inspector or alternate is able to act at a meeting of stockholders, the person presiding at the meeting shall appoint one or more inspectors to act at the meeting. Before entering upon the discharge of the duties of inspector, each inspector shall take and sign an oath faithfully to execute the duties of inspector with strict impartiality and according to the best of such inspector's ability.

(b) The inspectors shall:

(1) Ascertain the number of shares outstanding and the voting power of each;

(2) determine the shares represented at a meeting and the validity of proxies and ballots;

(3) count all votes and ballots;

(4) determine and retain for a reasonable period a record of the disposition of any challenges made to any determination by the inspectors; and

(5) certify their determination of the number of shares represented at the meeting, and their count of all votes and ballots. The inspectors may appoint or retain other persons or entities to assist the inspectors in the performance of the duties of the inspectors.

(c) The date and time of the opening and the closing of the polls for each matter upon which the stockholders will vote at a meeting shall be announced at the meeting. No ballot, proxies or votes, nor any revocations thereof or changes thereto, shall be accepted by the inspectors after the closing of the polls unless the district court upon application by a stockholder determines otherwise.

(d) In determining the validity and counting of proxies and ballots, the inspectors shall be limited to an examination of the proxies, any envelopes submitted with those proxies, any information provided in accordance with ~~subsection (f) of~~ K.S.A. 17-6501(f) or ~~subsection (c)(2) of~~ 17-6502(c)(2), and amendments thereto, or any information provided pursuant to ~~subsection (a)(2)(B)(i) or (iii) of~~ K.S.A. 17-6501(a)(2)(B)(i) or (iii), and amendments thereto, ballots and the regular books and records of the corporation, except that the inspectors may consider other reliable information for the limited purpose of reconciling proxies and ballots submitted by or on behalf of banks, brokers, their nominees or similar persons which represent more votes than the holder of a proxy is authorized by the record owner to cast or more votes than the stockholder holds of record. If the inspectors consider other reliable information for the limited purpose permitted herein, the inspectors at the time they make their certification pursuant to subsection (b)(5) shall specify the precise information considered by them including the person or persons from whom they obtained the information, when the information was obtained, the means by which the information was obtained and the basis for the inspectors' belief that such information is accurate and reliable.

(e) Unless otherwise provided in the articles of incorporation or bylaws, this section shall not apply to a corporation that does not have a class of voting stock that is:

(1) Listed on a national securities exchange;

(2) authorized for quotation on an interdealer quotation system of a registered national securities association; or

(3) held of record by more than 2,000 stockholders.

~~(f) This section shall be part of and supplemental to the Kansas general corporation code, and amendments thereto.~~

Sec. 63. K.S.A. 17-6522 is hereby amended to read as follows: 17-6522. (a) Without limiting the manner by which notice otherwise may be given effectively to

stockholders, any notice to stockholders given by the corporation under any ~~provisions~~ provision of this ~~act~~ code, the articles of incorporation, or the bylaws shall be effective if given by a form of electronic transmission consented to by the ~~stockholders~~ stockholder to whom the notice is given. Any such consent shall be revocable by the stockholder by written notice to the corporation. Any such consent shall be deemed revoked if: (1) The corporation is unable to deliver by electronic transmission two consecutive notices given by the corporation in accordance with such consent; and (2) such inability becomes known to the secretary or an assistant secretary of the corporation or to the transfer agent, or other person responsible for the giving of notice. The inadvertent failure to treat such inability as a revocation shall not invalidate any meeting or other action.

(b) Notice given pursuant to subsection (a) shall be deemed given: (1) If by facsimile telecommunication, when directed to a number at which the stockholder has consented to receive notice; (2) if by electronic mail, when directed to an electronic mail address at which the stockholder has consented to receive notice; (3) if by a posting on an electronic network together with separate notice to the stockholder of such specific posting, upon the later of: (A) Such posting; and (B) the giving of such separate notice; and (4) if by any other form of electronic transmission, when directed to the stockholder. An affidavit of the secretary or an assistant secretary or of the transfer agent or other agent of the corporation that the notice has been given by a form of electronic transmission, in the absence of fraud, shall be prima facie evidence of the facts stated therein.

(c) For purposes of this ~~act~~ code, "electronic transmission" means any form of communication, not directly involving the physical transmission of paper, that creates a record that may be retained, retrieved and reviewed by a recipient thereof, and that may be directly reproduced in paper form by such a recipient through an automated process.

(d) ~~This section shall apply to a corporation organized under this act that is not authorized to issue capital stock, and when so applied, all references to stockholders shall be deemed to refer to members of such a corporation.~~

~~(e)~~ This section shall not apply to K.S.A. 17-6414, 17-6906, 17-7001 or 17-7002, and amendments thereto.

~~(f) This section shall be a part of and supplemental to the Kansas general corporation code, and amendments thereto.~~

Sec. 64. K.S.A. 17-6523 is hereby amended to read as follows: 17-6523. (a) Without limiting the manner by which notice otherwise may be given effectively to stockholders, any notice to stockholders given by the corporation under any provision of this chapter, the articles of incorporation or the bylaws shall be effective if given by a single written notice to stockholders who share an address if consented to by the stockholders at that address to whom such notice is given. Any such consent shall be revocable by the stockholder by written notice to the corporation.

(b) Any stockholder who fails to object in writing to the corporation, within 60 days of having been given written notice by the corporation of its intention to send the single notice permitted under subsection (a), shall be deemed to have consented to receiving such single written notice.

(c) ~~This section shall apply to a corporation organized under this chapter that is not authorized to issue capital stock, and when so applied, all references to stockholders shall be deemed to refer to members of such a corporation.~~

~~(d)~~ This section shall not apply to K.S.A. 17-6414, 17-6906, 17-7001, and 17-7002, and amendments thereto.

~~(e) This section shall be part of and supplemental to the Kansas general corporation code, and amendments thereto.~~

Sec. 65. K.S.A. 2015 Supp. 17-6601 is hereby amended to read as follows: 17-6601. (a) Before a corporation has received any payment for any of its stock, it may amend its articles of incorporation at any time or times, in any and as many respects as may be desired, so long as its articles of incorporation, as amended, would contain only such provisions as it would be lawful and proper to insert in an original articles of incorporation filed at the time of filing the amendment.

(b) The amendment of the articles of incorporation authorized by this section shall be adopted by a majority of the incorporators, if directors were not named in the original articles of incorporation or have not yet been elected, or, if directors were named in the original articles of incorporation or have been elected and have qualified, by a majority of the directors. A certificate setting forth the amendment and certifying that the corporation has not received any payment for any of its stock, or that the corporation has no members, as applicable, and that the amendment has been duly adopted in accordance with the provisions of this section shall be executed and filed in accordance with K.S.A. 2015 Supp. 17-7908 through 17-7910, and amendments thereto. Upon the effectiveness of such filing, the corporation's articles of incorporation shall be deemed to be amended accordingly as of the date on which the original articles of incorporation became effective except as to those persons who are substantially and adversely affected by the amendment and as to those persons the amendment shall be effective from the filing date.

(c) This section shall apply to a nonstock corporation before such corporation has any members, except that all references to directors shall be deemed to be references to members of the governing body of the corporation.

Sec. 66. K.S.A. 2015 Supp. 17-6602 is hereby amended to read as follows: 17-6602. (a) After a corporation has received payment for any of its capital stock, or after a nonstock corporation has members, it may amend its articles of incorporation, from time to time, in any and as many respects as may be desired, so long as its articles of incorporation, as amended, would contain only such provisions as it would be lawful and proper to insert in an original articles of incorporation filed at the time of the filing of the amendment. If a change in stock or the rights of stockholders, or an exchange, reclassification, subdivision, combination or cancellation of stock or rights of stockholders is to be made, the amendment to the articles of incorporation shall contain such provisions as may be necessary to effect such change, exchange, reclassification, subdivision, combination or cancellation. In particular, and without limitation upon such general power of amendment, a corporation may amend its articles of incorporation, from time to time, so as:

(1) To change its corporate name;

(2) to change, substitute, enlarge or diminish the nature of its business or its corporate powers and purposes;

(3) to increase or decrease its authorized capital stock or to reclassify the same, by changing the number, par value, designations, preferences, or relative, participating, optional or other special rights of the shares, or the qualifications, limitations or restrictions of such rights, or by changing shares with par value into shares without par

value, or shares without par value into shares with par value either with or without increasing or decreasing the number of shares, or by subdividing or combining the outstanding shares of any class or series into a greater or lesser number of outstanding shares;

(4) to cancel or otherwise affect the right of the holders of the shares of any class to receive dividends which have accrued but have not been declared;

(5) to create new classes of stock having rights and preferences either prior and superior or subordinate and inferior to the stock of any class then authorized, whether issued or unissued; ~~or~~

(6) to change the period of its duration. Any or all such changes or alterations may be effected by one certificate of amendment; or

(7) to delete: (A) Such provisions of the original articles of incorporation which named the incorporator or incorporators, the initial board of directors and the original subscribers for shares; and (B) such provisions contained in any amendment to the articles of incorporation as were necessary to effect a change, exchange, reclassification, subdivision, combination or cancellation of stock, if such change, exchange, reclassification, subdivision, combination or cancellation has become effective.

(b) ~~Notwithstanding the provisions of subsection (c), the board of directors of a corporation that is registered or intends to register as an open-end investment company under the investment company act of 1940, 15 U.S.C. § 80a-1 et seq., after the registration takes effect, by resolution, may approve the amendment of the articles of incorporation of the corporation to: (1) Increase or decrease the aggregate number of shares of stock or the number of shares of any class of stock that the corporation has authority to issue; or (2) authorize the issuance of an indefinite number of shares of any such stock, unless a provision has been included in the charter of the corporation after July 1, 1995, prohibiting such action by the board of directors without stockholder approval. A certificate setting forth the amendment and certifying that such amendment has been duly adopted in accordance with the provisions of this section shall be executed and filed, and shall become effective, in accordance with K.S.A. 2015 Supp. 17-7910, and amendments thereto. If the board of directors authorizes the issuance of an indefinite number of shares of any class of stock of the corporation pursuant to this subsection, such authorization shall be disclosed wherever the corporation would otherwise be required by law to disclose the total number of authorized shares of any such class of stock of the corporation.~~

~~(c) Except as provided in subsection (b),~~ Every amendment authorized by subsection (a) shall be made and effected in the following manner:

(1) If the corporation has capital stock, its board of directors shall adopt a resolution setting forth the amendment proposed, declaring its advisability, and either calling a special meeting of the stockholders entitled to vote for the consideration of such amendment or directing that the amendment proposed be considered at the next annual meeting of the stockholders, except that unless otherwise expressly required by the articles of incorporation, no meeting or vote of stockholders shall be required to adopt an amendment that effects only changes described in subsection (a)(1) or (a)(7). Such special or annual meeting shall be called and held upon notice in accordance with K.S.A. 17-6512, and amendments thereto. The notice shall set forth such amendment in full or a brief summary of the changes to be effected thereby~~, as the directors shall deem~~

~~advisable~~ unless such notice constitutes a notice of internet availability of proxy materials under the rules promulgated under the securities exchange act of 1934. At the meeting a vote of the stockholders entitled to vote thereon shall be taken for and against ~~the~~ any proposed amendment that requires adoption by stockholders. If no vote of stockholders is required to effect such amendment, or if a majority of the outstanding stock entitled to vote~~,~~ thereon and a majority of the outstanding stock of each class entitled to vote thereon as a class ~~has~~ have been voted in favor of the amendment, a certificate setting forth the amendment and certifying that such amendment has been duly adopted in accordance with the provisions of this section shall be executed and filed, and shall become effective, in accordance with K.S.A. 2015 Supp. ~~17-7910~~ 17-7908 through 17-7911, and amendments thereto.

(2) The holders of the outstanding shares of a class shall be entitled to vote as a class upon a proposed amendment, whether or not entitled to vote thereon by the provisions of the articles of incorporation, if the amendment would increase or decrease the aggregate number of authorized shares of such class, increase or decrease the par value of the shares of such class, or alter or change the powers, preferences or special rights of the shares of such class so as to affect them adversely. If any proposed amendment would alter or change the powers, preferences or special rights of one or more series of any class so as to affect them adversely, but does not affect the entire class, then only the shares of the series affected by the amendment shall be considered a separate class for the purposes of this subsection. The number of authorized shares of any such class or classes of stock may be increased or decreased, but not below the number of shares thereof then outstanding, by the affirmative vote of the holders of a majority of the stock of the corporation entitled to vote irrespective of this paragraph, if so provided in the original articles of incorporation ~~or~~, in any amendment thereto which created such class or classes of stock or which was adopted prior to the issuance of any shares of such class or classes of stock or in any amendment thereto which was authorized by a resolution or resolutions adopted by the affirmative vote of the holders of a majority of such class or classes of stock.

(3) If the corporation ~~has no capital stock~~ is a nonstock corporation, then the governing body of the corporation shall adopt a resolution setting forth the amendment proposed and declaring its advisability. If ~~at a subsequent meeting, held not earlier than 15 days and not later than 60 days from the meeting at which such resolution has been passed,~~ a majority of all the members of the governing body shall vote in favor of such amendment, a certificate thereof shall be executed and filed, and shall become effective, in accordance with K.S.A. 2015 Supp. ~~17-7910~~ 17-7908 through 17-7911, and amendments thereto. The articles of incorporation of any ~~such~~ nonstock corporation ~~without capital stock~~ may contain a provision requiring any amendment thereto to be approved by a specified number or percentage of the members or of any specified class of members of such corporation~~,~~ in which event ~~only one meeting of the governing body thereof shall be necessary, and~~ such proposed amendment shall be submitted to the members or to any specified class of members of such corporation ~~without capital stock~~ in the same manner, so far as applicable, as is provided in this section for an amendment to the articles of incorporation of a stock corporation. In the event of the adoption of such amendment, a certificate evidencing such amendment shall be executed and filed and shall become effective in accordance with K.S.A. 2015 Supp. ~~17-7910~~ 17-7908 through 17-7911, and amendments thereto.

(4) Whenever the articles of incorporation shall require for action by the board of directors of a corporation other than a nonstock corporation or by the governing body of a nonstock corporation, by the holders of any class or series of shares or by the members, or by the holders of any other securities having voting power the vote of a greater number or proportion than is required by any section of this ~~act~~ code, the provision of the articles of incorporation requiring such greater vote shall not be altered, amended or repealed except by such greater vote.

~~(d)~~ (c) The resolution authorizing a proposed amendment to the articles of incorporation may provide that at any time prior to the effectiveness of the filing of the amendment with the secretary of state, notwithstanding authorization of the proposed amendment by the stockholders of the corporation or by the members of a nonstock corporation, the board of directors or governing body may abandon such proposed amendment without further action by the stockholders or members.

Sec. 67. K.S.A. 17-6603 is hereby amended to read as follows: 17-6603. (a) A corporation, by resolution of its board of directors, may retire any shares of its capital stock that are issued but are not outstanding.

(b) Whenever any shares of the capital stock of a corporation are retired, they shall resume the status of authorized and unissued shares of the class or series to which they belong unless the articles of incorporation otherwise provides. If the articles of incorporation prohibits the reissuance of such shares, or prohibits the reissuance of such shares as a part of a specific series only, a certificate stating that reissuance of the shares, as part of the class or series, is prohibited, identifying the shares and reciting that their retirement shall be executed and filed and shall become effective in accordance with K.S.A. ~~17-6003~~ 2015 Supp. 17-7908 through 17-7911, and amendments thereto. When such certificate becomes effective, it shall have the effect of amending the articles of incorporation so as to reduce accordingly the number of authorized shares of the class or series to which such shares belong or, if such retired shares constitute all of the authorized shares of the class or series to which they belong, of eliminating from the articles of incorporation all reference to such class or series of stock.

(c) If the capital of the corporation shall be reduced by or in connection with the retirement of shares, the reduction of capital shall be effected pursuant to K.S.A. 17-6604, and amendments thereto.

Sec. 68. K.S.A. 17-6605 is hereby amended to read as follows: 17-6605. (a) Whenever it is desired, a corporation may integrate into a single instrument all of the provisions of its articles of incorporation which are then in effect and operative as a result of there having been filed with the secretary of state one or more certificates or other instruments pursuant to any of the sections referred to in K.S.A. 17-6004, and amendments thereto. Such corporation may at the same time also further amend its articles of incorporation by adopting a restated articles of incorporation.

(b) If the restated articles of incorporation merely restate and integrate but do not further amend the articles of incorporation, as theretofore amended or supplemented by any instrument that was filed pursuant to any of the sections mentioned in K.S.A. 17-6004, and amendments thereto, such restated articles may be adopted by the board of directors without a vote of the stockholders, or they may be proposed by the directors and submitted by them to the stockholders for adoption, in which case the procedure and vote required, if any, by K.S.A. 17-6602, and amendments thereto, for amendment

of the articles of incorporation shall be applicable. If the restated articles of incorporation restate and integrate and also further amend in any respect the articles of incorporation, as theretofore amended or supplemented, they shall be proposed by the directors and adopted by the stockholders in the manner and by the vote prescribed by K.S.A. 17-6602, and amendments thereto, or, if the corporation has not received any payment for any of its stock, in the manner and by the vote prescribed by K.S.A. 17-6601, and amendments thereto.

(c) Any restated articles of incorporation shall be specifically designated as such in ~~its~~ the heading. They shall state, either in the heading or in an introductory paragraph, the corporation's present name, and, if it has been changed, the name under which it was originally incorporated, and the date of filing of its original articles of incorporation with the secretary of state. Any restated articles shall also state that they were duly adopted by the directors or stockholders, as the case may be, in accordance with the provisions of this section. If they were adopted by the board of directors without a vote of the stockholders unless ~~it was~~ adopted pursuant to the provisions of K.S.A. 17-6601, and amendments thereto, or without vote of the members pursuant to K.S.A. 2015 Supp. 17-7910, and amendments thereto, they shall state that they only restate and integrate and do not further amend, except, if applicable, as permitted under K.S.A. 17-6002(a)(1) and (b)(1), and amendments thereto, the provisions of the corporation's articles of incorporation as theretofore amended or supplemented, and that there is no discrepancy between those provisions and the provisions of the restated articles. A restated articles of incorporation may omit: (1) Such provisions of the original articles of incorporation which named the incorporator or incorporators, the initial board of directors, and the original subscribers for shares; and (2) such provisions contained in any amendment to the articles of incorporation as were necessary to effect a change, exchange, reclassification, subdivision, combination or cancellation of stock if such change, exchange, reclassification, subdivision, combination or cancellation has become effective. Any such omissions shall not be deemed a further amendment.

(d) Any restated articles of incorporation shall be executed and filed in accordance with K.S.A. ~~17-6003~~ 2015 Supp. 17-7908 through 17-7910, and amendments thereto, and upon such restated articles of incorporation becoming effective in accordance with K.S.A. 2015 Supp. 17-7911, and amendments thereto. ~~Upon filing with the secretary of state,~~ The corporation's original articles of incorporation, as theretofore amended or supplemented, shall be superseded~~;~~ and ~~thenceforth~~ the restated articles of incorporation, including any further amendments or changes made thereby, shall be the articles of incorporation of the corporation, but the original date of incorporation shall remain unchanged.

(e) Any amendment or change effected in connection with the restatement and integration of the articles of incorporation shall be subject to any other ~~provisions~~ provision of this ~~act~~ code, not inconsistent with this section, which would apply if a separate certificate of amendment were filed to effect such amendment or change.

Sec. 69. K.S.A. 17-6701 is hereby amended to read as follows: 17-6701. (a) Any two or more corporations existing under the laws of this state ~~and authorized to issue capital stock~~ may merge into a single corporation, which may be any one of the constituent corporations or ~~they~~ may consolidate into a new corporation formed by the consolidation, pursuant to an agreement of merger or consolidation, as the case may be, complying and approved in accordance with this section.

(b) The board of directors of each corporation which desires to merge or consolidate shall adopt a resolution approving an agreement of merger or consolidation and declaring its advisibility. The agreement shall state: (1) The terms and conditions of the merger or consolidation; (2) the mode of carrying the same into effect; (3) in the case of a merger, such amendments or changes in the articles of incorporation of the surviving corporation as are desired to be effected by the merger, which amendments or changes may amend and restate the articles of incorporation of the surviving corporation in their entirety, or, if no such amendments or changes are desired, a statement that the articles of incorporation of the surviving corporation shall be its articles of incorporation; (4) in the case of a consolidation, that the articles of incorporation of the resulting corporation shall be as ~~is~~ are set forth in an attachment to the agreement; (5) the manner, if any, of converting the shares of each of the constituent corporations into shares or other securities of the corporation surviving or resulting from the merger or consolidation, or of cancelling some or all of such shares and, if any shares of any of the constituent corporations are not to remain outstanding, to be converted solely into shares or other securities of the surviving or resulting corporation or to be cancelled, the cash, property, rights or securities of any other corporation or entity which the holders of such shares are to receive in exchange for, or upon conversion of, such shares and the surrender of any certificates evidencing them, which cash, property, rights or securities of any other corporation or entity may be in addition to or in lieu of shares or other securities of the surviving or resulting corporation; and (6) such other details or provisions as are deemed desirable, including, without limiting~~,~~ the generality of the foregoing, a provision for the payment of cash in lieu of the issuance or recognition of fractional shares, interests or rights, or for any other arrangement with respect thereto, consistent with the provisions of K.S.A. 17-6405, and amendments thereto. The agreement so adopted ~~as provided in this subsection~~ shall be executed in accordance with K.S.A. ~~17-6003~~ 2015 Supp. 17-7908, and amendments thereto. Any terms of the agreement of merger or consolidation may be made dependent upon facts ascertainable outside of such agreement, provided that the manner in which such facts shall operate upon the terms of the agreement is clearly and expressly set forth in the agreement of merger or consolidation. The term "facts," as used in the preceding sentence, includes, but is not limited to, the occurrence of any event, including a determination or action by any person or body, including the corporation.

(c) (1) The agreement required by subsection (b) shall be submitted to the stockholders of each constituent corporation at an annual or special meeting ~~thereof~~ for the purpose of acting on the agreement.

~~(2) The terms of the agreement may require that the agreement be submitted to the stockholders whether or not the board of directors determines at any time subsequent to declaring its advisability that the agreement is no longer advisable and recommends that the stockholders reject it.~~

~~(3)~~ Due notice of the time, place and purpose of the meeting shall be mailed to each holder of stock ~~of the corporation~~, whether voting or nonvoting, of the corporation at the stockholder's address as it appears on the records of the corporation, at least 20 days prior to the date of the meeting. The notice shall contain a copy of the agreement or a brief summary thereof~~, as the directors deem advisable~~.

~~(4)~~ (3) At the meeting the agreement shall be considered and a vote taken for its adoption or rejection. If a majority of the outstanding stock of the corporation entitled to

vote thereon shall be voted for the adoption of the agreement, that fact shall be certified on the agreement by the secretary or assistant secretary of the corporation, except that such certification on the agreement shall not be required if a certificate of merger or consolidation is filed in lieu of filing the agreement. If the agreement ~~is~~ shall be so adopted and certified by each constituent corporation, it shall then be ~~executed and~~ filed, and shall become effective, in accordance with K.S.A. ~~17-6003~~ 2015 Supp. 17-7910 and 17-7911, and amendments thereto.

~~(5)~~ (4) In lieu of filing the agreement of merger or consolidation required by this section, the surviving or resulting corporation may file a certificate of merger or consolidation, executed in accordance with K.S.A. ~~17-6003~~ 2015 Supp. 17-7908, and amendments thereto, which states: (A) The name and state of incorporation of each of the constituent corporations; (B) that an agreement of merger or consolidation has been approved, adopted, certified and executed by each of the constituent corporations in accordance with this section; (C) the name of the surviving or resulting corporation; (D) in the case of a merger, such amendments or changes in the articles of incorporation of the surviving corporation as are desired to be effected by the merger, which amendments or changes may amend and restate the articles of incorporation of the surviving corporation in their entirety, or, if no such amendments or changes are desired, a statement that the articles of incorporation ~~of one of the constituent corporations~~ shall be the articles of incorporation of the surviving corporation; (E) in the case of a consolidation, that the articles of incorporation of the resulting corporation shall be as ~~is~~ are set forth in an attachment to the certificate; (F) that the executed agreement of consolidation or merger is on file at the principal place of business of the surviving or resulting corporation, stating the address thereof; and (G) that a copy of the agreement of consolidation or merger will be furnished by the surviving or resulting corporation, on request and without cost, to any stockholder of any constituent corporation.

(d) Any agreement of merger or consolidation may contain a provision that at any time prior to the time that the agreement, or a certificate in lieu thereof, filed with the secretary of state becomes effective in accordance with K.S.A. ~~17-6003~~ 2015 Supp. 17-7911, and amendments thereto, the agreement may be terminated by the board of directors of any constituent corporation notwithstanding approval of the agreement by the stockholders of all or any of the constituent corporations; in the event the agreement of merger or consolidation is terminated after the filing of the agreement, or a certificate in lieu thereof, with the secretary of state but before the agreement, or a certificate in lieu thereof, has become effective, a certificate of termination of merger or consolidation shall be filed in accordance with K.S.A. ~~17-6003~~ 2015 Supp. 17-7910, and amendments thereto. Any agreement of merger or consolidation may contain a provision that the boards of directors of the constituent corporations may amend the agreement at any time prior to the ~~filing of~~ time that the agreement, or a certificate in lieu thereof, ~~with the secretary of state~~ filed with the secretary of state becomes effective in accordance with K.S.A. 2015 Supp. 17-7911, and amendments thereto, except that an amendment made subsequent to the adoption of the agreement by the stockholders of any constituent corporation shall not: (1) Alter or change the amount or kind of shares, securities, cash, property or rights~~, or any combination,~~ to be received in exchange for or on conversion of all or any of the shares of any class or series thereof of such constituent corporation; (2) alter or change any term of the articles of

incorporation of the surviving or resulting corporation to be effected by the merger or consolidation; or (3) alter or change any of the terms and conditions of the agreement if such alteration or change would adversely affect the holders of any class or series thereof of such constituent corporation. In the event the agreement of merger or consolidation is amended after the filing ~~of such merger or consolidation~~ thereof with the secretary of state but before the agreement has become effective, a certificate of ~~amendments~~ amendment of merger or consolidation shall be filed in accordance with K.S.A. ~~17-6003~~ 2015 Supp 17-7910, and amendments thereto.

(e) In the case of a merger, the articles of incorporation of the surviving corporation shall automatically be amended to the extent, if any, that changes in the articles of incorporation are set forth in the agreement of merger.

(f) (1) Notwithstanding the requirements of subsection (c), unless required by its articles of incorporation, no vote of stockholders of a constituent corporation surviving a merger shall be necessary to authorize a merger if: (A) The agreement of merger does not amend in any respect the articles of incorporation of such constituent corporation; (B) each share of stock of such constituent corporation outstanding immediately prior to the effective date of the merger is to be an identical outstanding or treasury share of the surviving corporation after the effective date of the merger; and (C) either no shares of common stock of the surviving corporation and no shares, securities or obligations convertible into such stock are to be issued or delivered under the plan of merger, or the authorized unissued shares or the treasury shares of common stock of the surviving corporation to be issued or delivered under the plan of merger plus those initially issuable upon conversion of any other shares, securities or obligations to be issued or delivered under such plan do not exceed 20% of the shares of common stock of such constituent corporation outstanding immediately prior to the effective date of the merger.

(2) No vote of stockholders of a constituent corporation shall be necessary to authorize a merger or consolidation if no shares of the stock of such corporation shall have been issued prior to the adoption by the board of directors of the resolution approving the agreement of merger or consolidation.

(3) If an agreement of merger is adopted by the constituent corporation surviving the merger, by action of its board of directors and without any vote of its stockholders pursuant to this subsection, the secretary or assistant secretary of that corporation shall certify on the agreement that the agreement has been adopted pursuant to this subsection and: (A) If it has been adopted pursuant to ~~the first sentence of this~~ subsection (f)(1), that the conditions specified in that ~~sentence~~ subsection have been satisfied; or (B) if it has been adopted pursuant to ~~the second sentence of this~~ subsection (f)(2), that no shares of stock of such corporation were issued prior to the adoption by the board of directors of the resolution approving the agreement of merger or consolidation.

~~(3)~~ (4) The agreement so adopted and certified shall then be executed and filed, and shall become effective, in accordance with K.S.A. ~~17-6003~~ 2015 Supp. 17-7908 through 17-7911, and amendments thereto. Such filing shall constitute a representation by the person who executes the agreement that the facts stated in the certificate remain true immediately prior to such filing.

(g) Notwithstanding the requirements of subsection (c), unless expressly required by its articles of incorporation, no vote of stockholders of a constituent corporation shall

be necessary to authorize a merger with or into a single direct or indirect wholly-owned subsidiary of such constituent corporation if:

(1) Such constituent corporation and the direct or indirect wholly-owned subsidiary of such constituent corporation are the only constituent entities to the merger;

(2) each share or fraction of a share of the capital stock of the constituent corporation outstanding immediately prior to the effective time of the merger is converted in the merger into a share or equal fraction of share of capital stock of a holding company having the same designations, rights, powers and preferences, and the qualifications, limitations and restrictions thereof, as the share of stock of the constituent corporation being converted in the merger;

(3) the holding company and the constituent~~ corporations~~ corporation are corporations of this state and the direct or indirect wholly-owned subsidiary that is the other constituent entity to the merger is a corporation or limited liability company of this state;

(4) the articles of incorporation and bylaws of the holding company immediately following the effective time of the merger contain provisions identical to the articles of incorporation and bylaws of the constituent corporation immediately prior to the effective time of the merger, other than provisions, if any, regarding the incorporator or incorporators, the corporate name, the registered office and agent, the initial board of directors and the initial subscribers for shares and such provisions contained in any amendment to the articles of incorporation as were necessary to effect a change, exchange, reclassification, subdivision, combination or cancellation of stock, if such change, exchange, reclassification, subdivision, combination or cancellation has become effective;

(5) as a result of the merger the constituent corporation or its successor becomes or remains a direct or indirect wholly-owned subsidiary of the holding company;

(6) the directors of the constituent corporation become or remain the directors of the holding company upon the effective time of the merger;~~ and~~

(7) (A) the organizational documents of the surviving entity immediately following the effective time of the merger contain provisions identical to the articles of incorporation of the constituent corporation immediately prior to the effective time of the merger, other than provisions, if any, regarding the incorporator or incorporators, the corporate or entity name, the registered office and agent, the initial board of directors and the initial subscribers for shares, references to members rather than stockholders or shareholders, references to interests, units or the like rather than stock or shares, references to managers, managing members or other members of the governing body rather than directors and such provisions contained in any amendment to the articles of incorporation as were necessary to effect a change, exchange, reclassification, subdivision, combination or cancellation of stock, if such change, exchange, reclassification, subdivision, combination or cancellation has become effective~~.~~;

(B) if the organizational documents of the surviving entity do not contain the following provisions, such documents shall be amended in the merger to contain provisions requiring that: (i) Any act or transaction by or involving the surviving entity, other than the election or removal of directors or managers, managing members or other members of the governing body of the surviving entity, that requires for its adoption under this~~ act~~ code or its organizational documents the approval of the stockholders or members of the surviving entity shall, by specific reference to this subsection, require,

in addition, the approval of the stockholders of the holding company, or any successor by merger, by the same vote as is required by this ~~act~~ code or by the organizational documents of the surviving entity, or both. For purposes of this clause, any surviving entity that is not a corporation shall include in such ~~amendments~~ amendment a requirement that the approval of the stockholders of the holding company be obtained for any act or transaction by or involving the surviving entity, other than the election or removal of directors or managers, managing members or other members of the governing body of the surviving entity, which would require the approval of the stockholders of the surviving entity if the surviving entity were a corporation subject to this ~~act~~ code;

(ii) any amendment of the organizational documents of a surviving entity that is not a corporation, which amendment would, if adopted by a corporation subject to this ~~act~~ code, be required to be included in the articles of incorporation of such corporation, shall, by specific reference to this subsection, require, in addition, the approval of the stockholders of the holding company, or any successor by merger, by the same vote as is required by this ~~act~~ code or by the organizational documents of the surviving entity or both; and

(iii) the business and affairs of a surviving entity that is not a corporation shall be managed by or under the direction of a board of directors, board of managers or other governing body consisting of individuals who are subject to the same fiduciary duties applicable to, and who are liable for breach of such duties to the same extent as, directors of a corporation subject to this ~~act. Neither the provisions of this subsection~~ code; and

(C) the organizational documents of the surviving entity may be amended in the merger to: (i) Reduce the number of classes and shares of capital stock or other equity interests or units that the surviving entity is authorized to issue; and (ii) eliminate any provision authorized by K.S.A. 17-6301(d), and amendments thereto; and

(8) the stockholders of the constituent corporation do not recognize gain or loss for United States federal income tax purposes as determined by the board of directors of the constituent corporation. Neither subsection (g)(7)(B) nor any provision of a surviving entity's organizational documents required by ~~this~~ subsection (g)(7)(B) shall be deemed or construed to require approval of the stockholders of the holding company to elect or remove directors or managers, managing members or other members of the governing body of the surviving entity.

~~(C) The organizational documents of the surviving entity may be amended in the merger to reduce the number of classes and shares of capital stock or other equity interests or units that the surviving entity is authorized to issue.~~

~~(D) As used in this subsection only,~~ The term "organizational documents," as used in subsection (g)(7) and (g)(8), when used in reference to a corporation, means the articles of incorporation of such corporation and, when used in reference to a limited liability company, means the articles of organization or operating agreement of such limited liability company~~;~~.

As used in this subsection, the term "holding company" means a corporation which, from its incorporation until consummation of a merger governed by this subsection, was at all times a direct or indirect wholly-owned subsidiary of the constituent corporation and whose capital stock is issued in such merger. From and after the effective time of a merger adopted by a constituent corporation by action of its board of directors and

without any vote of stockholders pursuant to this subsection: ~~(i)~~ (1) To the extent the restriction of ~~K.S.A. 17-12,100 et seq.~~ section 7, and amendments thereto, applied to the constituent corporation and its stockholders at the effective time of the merger, such restrictions shall apply to the holding company and its stockholders immediately after the effective time of the merger as though it were the constituent corporation, and all shares of stock of the holding company acquired in the merger shall for ~~the~~ purposes of ~~K.S.A. 17-12,100 et seq.~~ section 7, and amendments thereto, be deemed to have been acquired at the time that the shares of stock of the constituent corporation converted in the merger were acquired, and provided further that any stockholder who immediately prior to the effective time of the merger was not an interested stockholder within the meaning of ~~K.S.A. 17-12,100 et seq.~~ section 7, and amendments thereto, shall not solely by reason of the merger become an interested stockholder of the holding company; ~~and~~ ~~(ii)~~ (2) if the corporate name of the holding company immediately following the effective time of the merger is the same as the corporate name of the constituent corporation immediately prior to the effective time of the merger, the shares of capital stock of the holding company into which the shares of capital stock of the constituent corporation are converted in the merger shall be represented by the stock certificates that previously represented shares of capital stock of the constituent corporation; and (3) to the extent a stockholder of the constituent corporation immediately prior to the merger had standing to institute or maintain derivative litigation on behalf of the constituent corporation, nothing in this section shall be deemed to limit or extinguish such standing. If an agreement of merger is adopted by a constituent corporation by action of its board of directors and without any vote of stockholders pursuant to this subsection, the secretary or assistant secretary of the constituent corporation shall certify on the agreement ~~or a certificate of merger~~ that the agreement has been adopted pursuant to this subsection and that the conditions specified in the first sentence of this subsection have been satisfied. ~~The~~, except that such certification on the agreement ~~or~~ shall not be required if a certificate of merger or consolidation is filled in lieu of filing the agreement. The agreement so adopted and certified shall then be executed, filed and become effective, in accordance with K.S.A. ~~17-6003~~ 2015 Supp. 17-7908 through 17-7911, and amendments thereto. Such filing shall constitute a representation by the person who executes the agreement ~~or certificate of merger~~ that the facts stated in the certificate remain true immediately prior to such filing.

(h) (1) Notwithstanding the requirements of subsection (c), unless expressly required by its articles of incorporation, no vote of stockholders of a constituent corporation whose shares are listed on a national securities exchange or held of record by more than 2,000 holders immediately prior to the execution of the agreement of merger by such constituent corporation shall be necessary to authorize a merger if:

(A) The agreement of merger expressly: (i) Permits or requires such merger to be effected under this subsection; and (ii) provides that such merger shall be effected as soon as practicable following the consummation of the offer referred to in subsection (i)(1)(B) if such merger is effected under this subsection;

(B) a corporation consummates a tender or exchange offer for any and all of the outstanding stock of such constituent corporation on the terms provided in such agreement of merger that, absent this subsection, would be entitled to vote on the adoption or rejection of the agreement of merger, except that such offer may exclude stock of such constituent corporation that is owned at the commencement of such offer

by: (i) Such constituent corporation; (ii) the corporation making such offer; (iii) any person that owns, directly or indirectly, all of the outstanding stock of the corporation making such offer; or (iv) any direct or indirect wholly owned subsidiary of any of the foregoing;

(C) following the consummation of the offer referred to in subsection (i)(1)(B), the stock irrevocably accepted for purchase or exchange pursuant to such offer and received by the depository prior to expiration of such offer, plus the stock otherwise owned by the consummating corporation equals at least such percentage of the stock, and of each class or series thereof, of such constituent corporation that, absent this subsection, would be required to adopt the agreement of merger by this code and by the articles of incorporation of such constituent corporation;

(D) the corporation consummating the offer described in subsection (i)(1)(B) merges with or into such constituent corporation pursuant to such agreement; and

(E) each outstanding share of each class or series of stock of the constituent corporation that is the subject of and not irrevocably accepted for purchase or exchange in the offer referred to in subsection (i)(1)(B) is to be converted in such merger into, or into the right to receive, the same amount and kind of cash, property, rights or securities to be paid for shares of such class or series of stock of such constituent corporation irrevocably accepted for purchase or exchange in such offer.

(2) As used in this subsection, the term: (A) "Consummates," and with correlative meaning, "consummation" and "consummating," means irrevocably accepts for purchase or exchange stock tendered pursuant to a tender or exchange offer; (B) "depository" means an agent, including a depository, appointed to facilitate consummation of the offer referred to in subsection (i)(1)(B); (C) "person" means any individual, corporation, partnership, limited liability company, unincorporated association or other entity; and (D) "received," solely for purposes of subsection (i)(1)(C), means physical receipt of a stock certificate in the case of certificated shares and transfer into the depository's account, or an agent's message being received by the depository, in the case of uncertificated shares.

(3) If an agreement of merger is adopted without the vote of stockholders of a corporation pursuant to this subsection, the secretary or assistant secretary of the surviving corporation shall certify on the agreement that the agreement has been adopted pursuant to this subsection and that the conditions specified in this subsection, other than the condition listed in subsection (i)(1)(D), have been satisfied, except that such certification on the agreement shall not be required if a certificate of merger is filed in lieu of filing the agreement. The agreement so adopted and certified shall then be executed and filed and shall become effective, in accordance with K.S.A. 2015 Supp. 17-7908 through 17-7911, and amendments thereto. Such filing shall constitute a representation by the person who executes the agreement that the facts stated in the certificate remain true immediately prior to such filing.

Sec. 70. K.S.A. 17-6702 is hereby amended to read as follows: 17-6702. (a) Any one or more corporations of this state may merge or consolidate with one or more other ~~stock~~ corporations of any other state or states of the United States, or of the District of Columbia if the laws of such other jurisdiction permit a corporation of such jurisdiction to merge or consolidate with a corporation of another jurisdiction. The constituent corporations may merge into a single corporation, which may be any one of the constituent corporations, or they may consolidate into a new corporation formed by the

consolidation, which may be a corporation of the state of incorporation of any one of the constituent corporations, pursuant to an agreement of merger or consolidation, as the case may be, complying and approved in accordance with this section. In addition, any one or more corporations organized under the laws of any jurisdiction other than one of the United States may merge or consolidate with one or more corporations existing under the laws of this state, if the laws under which the other corporation or corporations are formed permit a corporation of such jurisdiction to merge or consolidate with a corporation of another jurisdiction.

(b) All the constituent corporations shall enter into an agreement of merger or consolidation. The agreement shall state: (1) The terms and conditions of the merger or consolidation; (2) the mode of carrying the same into effect; (3) the manner, if any, of converting the shares of each of the constituent corporations into shares or other securities of the corporation surviving or resulting from the merger or consolidation, or of cancelling some or all of such shares, and, if any shares of any of the constituent corporations are not to remain outstanding, to be converted solely into shares or other securities of the surviving or resulting corporation or to be cancelled, the cash, property, rights or securities of any other corporation or entity which the holders of such shares are to receive in exchange for, or upon conversion of, such shares and the surrender of any certificates evidencing them, which cash, property, rights or securities of any other corporation may be in addition to or in lieu of the shares or other securities of the surviving or resulting corporation; (4) such other details or provisions as are deemed desirable, including, without limiting the generality of the foregoing, a provision for the payment of cash in lieu of the issuance or recognition of fractional shares of the surviving or resulting corporation or of any other corporation the securities of which are to be received in the merger or consolidation, or for some other arrangement with respect thereto consistent with the provisions of K.S.A. 17-6405, and amendments thereto; and (5) such other provisions or facts as shall be required to be set forth in articles of incorporation by the laws of the state which are stated in the agreement to be the laws that shall govern the surviving or resulting corporation and that can be stated in the case of a merger or consolidation. Any of the terms of the agreement of merger or consolidation may be made dependent upon facts ascertainable outside of such agreement, provided that the manner in which such facts shall operate upon the terms of the agreement is clearly and expressly set forth in the agreement of merger or consolidation. The term "facts," as used in the preceding sentence, includes, but is not limited to, the occurrence of any event, including a determination or action by any person or body, including the corporation.

(c) The agreement shall be adopted, approved, certified and executed by each of the constituent corporations in accordance with the laws under which it is formed, and, in the case of a Kansas corporation, in the same manner as provided in K.S.A. 17-6701, and amendments thereto. The agreement shall be filed and shall become effective for all purposes of the laws of this state when and as provided in K.S.A. 17-6701, and amendments thereto, with respect to the merger or consolidation of corporations of this state. In lieu of filing the agreement of merger or consolidation, the surviving or resulting corporation may file a certificate of merger or consolidation, executed in accordance with K.S.A. ~~17-6003~~ 2015 Supp. 17-7908, and amendments thereto, which states: (1) The name and jurisdiction of incorporation of each of the constituents; (2) that an agreement of merger or consolidation has been approved, adopted, certified and

executed by each of the constituent corporations in accordance with this section; (3) the name of the surviving or resulting corporation; (4) in the case of a merger, such amendments or changes in the articles of incorporation of the surviving corporation as are desired to be effected by the merger, which amendments or changes may amend and restate the articles of incorporation of the surviving corporation in their entirety, or, if no such amendments or changes are desired, a statement that the articles of incorporation of the surviving corporation shall be its articles of incorporation; (5) in the case of a consolidation, that the articles of incorporation of the resulting corporation shall be as ~~is~~ are set forth in an attachment to the certificate; (6) that the executed agreement of consolidation or merger is on file at the principal place of business of the surviving or resulting corporation and the address thereof; (7) that a copy of the agreement of consolidation or merger will be furnished by the surviving or resulting corporation, on request and without cost, to any stockholder of any constituent corporation; (8) if the corporation surviving or resulting from the merger or consolidation is to be a corporation of this state, the authorized capital stock of each constituent corporation which is not a corporation of this state; and (9) the agreement, if any, required by subsection (d).

(d) If the corporation surviving or resulting from the merger or consolidation is to be governed by the laws of the District of Columbia or any state or jurisdiction other than this state, it shall agree that it may be served with process in this state in any proceeding for enforcement of any obligation of any constituent corporation of this state, as well as for enforcement of any obligation of the surviving or resulting corporation arising from the merger or consolidation, including any suit or other proceeding to enforce the right of any ~~stockholder~~ stockholders as determined in appraisal proceedings pursuant to ~~the provisions of~~ K.S.A. 17-6712, and amendments thereto~~. Such corporation~~, and shall irrevocably appoint the secretary of state as its agent to accept service of process in any such suit or other proceedings and shall specify the address to which a copy of such process shall be mailed by the secretary of state. ~~Service of such process shall be made by personally delivering to and leaving with the secretary of state duplicate copies of such process. The secretary of state shall forthwith send by registered mail one of such copies~~ Process may be served upon the secretary of state under this subsection by means of electronic transmission but only as prescribed by the secretary of state. The secretary of state is authorized to issue such rules and regulations with respect to such service as the secretary of state deems necessary or appropriate. In the event of such service upon the secretary of state in accordance with this subsection, the secretary of state shall forthwith notify such surviving or resulting corporation thereof by letter, directed to such surviving or resulting corporation at its address so specified, unless such surviving or resulting corporation shall ~~thereafter~~ have designated in writing to the secretary of state a different address for such purpose, in which case it shall be mailed to the last address so designated. Such letter shall be sent by a mail or courier service that includes a record of mailing or deposit with the courier and a record of delivery evidenced by the signature of the recipient. Such letter shall enclose a copy of the process and any other papers served on the secretary of state pursuant to this subsection. It shall be the duty of the plaintiff in the event of such service to serve process and any other papers in duplicate, to notify the secretary of state that service is being effected pursuant to this subsection and to pay the secretary of state the sum of $40 for the use of the state, which sum and any administrative fees

shall be taxed as part of the costs of the proceeding, if the plaintiff shall prevail therein. The secretary of state shall maintain a record of any such service in a manner deemed appropriate by the secretary. The secretary of state shall not be required to retain such information longer than five years from receipt of the service of process.

(e) ~~The provisions of subsection (d) of~~ K.S.A. 17-6701(d), and amendments thereto, shall apply to any merger or consolidation under this section; ~~the provisions of subsection (e) of~~ K.S.A. 17-6701(e), and amendments thereto, shall apply to a merger under this section in which the surviving corporation is a corporation of this state; ~~the provisions of subsection (f) of~~ and K.S.A. 17-6701(f) and (h), and amendments thereto, shall apply to any merger under this section.

Sec. 71. K.S.A. 17-6703 is hereby amended to read as follows: 17-6703. (a) In any case in which at least 90% of the outstanding shares of each class of the stock of a corporation or corporations, other than a corporation which has in its articles of incorporation the provisions required by K.S.A. 17-6701(g)(7)(B), and amendments thereto, of which class there are outstanding shares that, absent this subsection, would be entitled to vote on such merger, is owned by another corporation and one of ~~such~~ the corporations is a corporation of this state and the other or others are corporations of this state, or ~~of~~ any other state or states, or ~~of~~ the District of Columbia and the laws of ~~such~~ the other state or states, or the District of Columbia permit a corporation of such jurisdiction to merge with a corporation of another jurisdiction, the corporation having such stock ownership may either merge ~~such~~ the other corporation or corporations into itself and assume all of its or their obligations, or merge itself, or itself and one or more of such other corporations, into one of such other corporations by executing and filing, in accordance with K.S.A. ~~17-6003~~ 2015 Supp. 17-7908 through 17-7910, and amendments thereto, a certificate of such ownership and merger setting forth a copy of the resolution of its board of directors to so merge and the date of the adoption thereof, except that in case the parent corporation shall not own all the outstanding stock of all the subsidiary corporations, parties to a merger as provided in this section, the resolution of the board of directors of the parent corporation shall state the terms and conditions of the merger, including the securities, cash, property or rights to be issued, paid, delivered or granted by the surviving corporation upon surrender of each share of the subsidiary corporation or corporations not owned by the parent corporation, or the cancellation of some or all of such shares. Any of the terms of the resolution of the board of directors to so merge may be made dependent upon facts ascertainable outside of such resolution, provided that the manner in which such facts shall operate upon the terms of the resolution is clearly and expressly set forth in the resolution. The term "facts," as used in the preceding sentence, includes, but is not limited to, the occurrence of any event, including a determination or action by any person or body, including the corporation. If the parent corporation ~~is~~ be not the surviving corporation, the resolution shall include provision for the pro rata issuance of stock of the surviving corporation to the holders of the stock of the parent corporation on surrender of any certificates therefor, and the certificate of ownership and merger shall state that the proposed merger has been approved by a majority of the outstanding stock of the parent corporation entitled to vote thereon at a meeting ~~thereof~~ duly called and held after 20 days' notice of the purpose of the meeting mailed to each such stockholder at the stockholder's address as it appears on the records of the corporation, if the parent corporation is a corporation of this state, or the certificate shall state that the proposed

merger has been adopted, approved, certified and executed by the parent corporation in accordance with the laws under which it is organized, if the parent corporation is not a corporation of this state. If the surviving corporation exists under the laws of the District of Columbia or any state or jurisdiction other than this state~~, the provisions of subsection (d) of~~ ;

(1) K.S.A. 17-6702(d) or 17-6708(c), and amendments thereto, as applicable~~,~~ shall also apply to a merger under this section; and

(2) the terms and conditions of the merger shall obligate the surviving corporation to provide the agreement and take the actions required by K.S.A. 17-6702(d) or 17-6708(c), and amendments thereto, as applicable.

(b) If the surviving corporation is a Kansas corporation, it may change its corporate name by the inclusion of a provision to that effect in the resolution of merger adopted by the directors of the parent corporation and set forth in the certificate of ownership and merger, and upon the effective date of the merger, the name of the corporation shall be changed.

(c) ~~The provisions of subsection (d) of~~ K.S.A. 17-6701(d), and amendments thereto, shall apply to a merger under this section, and ~~the provisions of subsection (e) of~~ K.S.A. 17-6701(e), and amendments thereto, shall apply to a merger under this section in which the surviving corporation is the subsidiary corporation and is a corporation of this state. References to "agreement of merger" in ~~subsections (d) and (e) of~~ K.S.A. 17-6701(d) and (e), and amendments thereto, shall mean, for ~~the~~ purposes of this subsection ~~(e)~~, the resolution of merger adopted by the board of directors of the parent corporation. Any merger which effects any changes other than those authorized by this section or made applicable by this subsection shall be accomplished under the provisions of K.S.A. 17-6701 ~~or~~, 17-6702, 17-6707 or 17-6708, and amendments thereto. ~~The provisions of~~ K.S.A. 17-6712, and amendments thereto, shall not apply to any merger effected under this section, except as provided in subsection (d).

(d) In the event all of the stock of a subsidiary Kansas corporation party to a merger effected under this section is not owned by the parent corporation immediately prior to the merger, the stockholders of the subsidiary Kansas corporation party to the merger shall have appraisal rights as set forth in K.S.A. 17-6712, and amendments thereto.

(e) A merger may be effected under this section although one or more of the corporations ~~party~~ parties to the merger is a corporation organized under the laws of a jurisdiction other than one of the United States, if~~: (1)~~ the laws of such jurisdiction permit a corporation of such jurisdiction to merge with a corporation of another jurisdiction~~; and (2) the surviving corporation shall be a corporation of this state~~.

(f) This section shall apply to nonstock corporations if the parent corporation is such a corporation and is the surviving corporation of the merger, except that references to the directors of the parent corporation shall be deemed to be references to members of the governing body of the parent corporation, and references to the board of directors of the parent corporation shall be deemed to be references to the governing body of the parent corporation.

(g) Nothing in this section shall be deemed to authorize the merger of a corporation with a charitable nonstock corporation, if the charitable status of such charitable nonstock corporation would thereby be lost or impaired.

Sec. 72. K.S.A. 17-6705 is hereby amended to read as follows: 17-6705. (a) Any two or more nonstock corporations of this state, whether or not organized for profit,

may merge into a single corporation, which may be any one of the constituent corporations, or they may consolidate into a new nonstock corporation, whether or not organized for profit, formed by the consolidation, pursuant to an agreement of merger or consolidation, as the case may be, complying and approved in accordance with this section.

(b) Subject to subsection (d), the governing body of each corporation which desires to merge or consolidate shall adopt a resolution approving an agreement of merger or consolidation. The agreement shall state:

(1) The terms and conditions of the merger or consolidation;

(2) the mode of carrying the same into effect;

(3) such other provisions or facts required or permitted by this ~~act~~ code to be stated in articles of incorporation for nonstock corporations as can be stated in the case of a merger or consolidation, stated in such altered form as the circumstances of the case require;

(4) the manner, if any, of converting the memberships or membership interests of each of the constituent corporations into memberships or membership interests of the corporation surviving or resulting from the merger or consolidation, or of cancelling some or all of such memberships or membership interests; and

(5) such other details or provisions as are deemed desirable. Any of the terms of the agreement of merger or consolidation may be made dependent upon facts ascertainable outside of such agreement, provided that the manner in which such facts shall operate upon the terms of the agreement is clearly and expressly set forth in the agreement of merger or consolidation. The term "facts," as used in the preceding sentence, includes, but is not limited to, the occurrence of any event, including a determination or action by any person or body, including the corporation.

(c) Subject to subsection (d), the agreement shall be submitted to the members of each constituent corporation ~~who have the right to vote for the election of the members of the governing body of their corporation,~~ at an annual or special meeting thereof for the purpose of acting on the agreement. Due notice of the time, place and purpose of the meeting shall be mailed to each member of each such corporation who has the right to vote for the election of the members of the governing body of the corporation and to each other member who is entitled to vote on the merger under the articles of incorporation or the bylaws of such corporation, at the member's address as it appears on the records of the corporation, at least 20 days prior to the date of the meeting. The notice shall contain a copy of the agreement or a brief summary thereof~~, as the governing body shall deem advisable~~. At the meeting the agreement shall be considered and a vote ~~by ballot~~, in person or by proxy, taken for the adoption or rejection of the agreement~~, each member who has the right to vote for the election of the members of the governing body of such member's corporation being entitled to one vote~~. The following vote shall be required for the adoption of the agreement: (1) ~~If~~ A majority of the ~~voting power of~~ members of each ~~such~~ corporation ~~who have the voting power above mentioned shall be for the adoption of the agreement~~ entitled to vote for the election of the members of the governing body of the corporation and any other members entitled to vote on the merger under the articles of incorporation or the bylaws of the corporation, except those corporations that are the subject of paragraph (2); or~~,~~ (2) in the case of a nonstock, nonprofit corporation, other than a nonprofit dental service corporation organized and operated under the nonprofit dental service corporation act,

cited at K.S.A. 40-19a01 et seq., and amendments thereto, ~~if~~ a majority of the ~~total number of~~ members ~~voting at an annual or special meeting for the purpose of acting on the agreement vote for the adoption of the agreement, then~~ of each corporation entitled to vote for the election of the members of the governing body of the corporation and any other members entitled to vote on the merger under the articles of incorporation or the bylaws of the corporation voting at the meeting. If the agreement is so adopted, that fact shall be certified on the agreement by the officer of each such corporation performing the duties ordinarily performed by the secretary or assistant secretary of a corporation~~. The agreement~~, except that such certification on the agreement shall not be required if a certificate of merger or consolidation is filed in lieu of filing the agreement. If the agreement shall be so adopted and certified by each constituent corporation in accordance with this section, it shall be executed and filed, and shall become effective, in accordance with K.S.A. ~~17-6003~~ 2015 Supp. 17-7908 through 17-7911, and amendments thereto. The provisions set forth in the last sentence of ~~subsection (c) of~~ K.S.A. 17-6701(c), and amendments thereto, shall apply to a merger under this section, and the reference therein to "stockholder" shall be deemed to include "member" hereunder.

(d) Notwithstanding subsection (b) or (c), if~~,~~ under the ~~provisions of the~~ articles of incorporation or the bylaws of any one or more of the constituent corporations, there shall be no members who have the right to vote for the election of the members of the governing body of the corporation, or for the merger, other than the members of ~~that body themselves, the agreement duly entered into as provided in subsection (b) shall be submitted to the members of the governing body of such corporation or corporations, at a meeting of such corporation or corporations. Notice of the meeting shall be mailed to the members of the governing body in the same manner as is provided in the case of a meeting of the members of a corporation. If at the meeting ⅔ of the total number of members of the governing body shall vote by ballot, in person, for the adoption of the agreement,~~ the governing body themselves, no further action by the governing body or the members of such corporation shall be necessary if the resolution approving an agreement of merger or consolidation has been adopted by a majority of all the members of the governing body thereof, and that fact shall be certified on the agreement in the same manner as is provided in the case of the adoption of the agreement by the vote of the members of a corporation~~.~~, except that such certification on the agreement shall not be required if a certificate of merger or consolidation is filed in lieu of filing the agreement, and thereafter the same procedure shall be followed to consummate the merger or consolidation.

(e) ~~The provisions of subsection (e) of~~ K.S.A. 17-6701(d), and amendments thereto, shall apply to a merger under this section, except that references to the board of directors, to stockholders, and to shares of a constituent corporation shall be deemed to be references to the governing body of the corporation, to members of the corporation, and to memberships or membership interests, as applicable, respectively.

(f) K.S.A. 17-6701(e), and amendments thereto, shall apply to a merger under this section.

(g) Nothing in this section shall be deemed to authorize the merger of a charitable nonstock corporation into a nonstock corporation if such charitable nonstock corporation would thereby have its charitable status lost or impaired, but a nonstock corporation may be merged into a charitable nonstock corporation which shall continue

as the surviving corporation.

Sec. 73. K.S.A. 17-6706 is hereby amended to read as follows: 17-6706. (a) Any one or more nonstock corporations of this state may merge or consolidate with one or more other nonstock corporations of any other state or states of the United States or of the District of Columbia~~,~~ if the laws of such other ~~jurisdiction~~ state or states or of the District of Columbia permit a corporation of such jurisdiction to merge with a corporation of another jurisdiction. The constituent corporations may merge into a single corporation, which may be any one of the constituent corporations, or they may consolidate into a new nonstock corporation formed by the consolidation, which may be a corporation of the state of incorporation of any one of the constituent corporations, pursuant to an agreement of merger or consolidation, as the case may be, complying and approved in accordance with this section. In addition, any one or more nonstock corporations organized under the laws of any jurisdiction other than one of the United States may merge or consolidate with one or more nonstock corporations of this state if the surviving or resulting corporation will be a corporation of this state, and if the laws under which the other corporation or corporations are formed permit a corporation of such jurisdiction to merge with a corporation of another jurisdiction.

(b) All the constituent corporations shall enter into an agreement of merger or consolidation. The agreement shall state:

(1) The terms and conditions of the merger or consolidation;

(2) the mode of carrying the same into effect;

(3) the manner, if any, of converting the memberships or membership interests of each of the constituent corporations into memberships or membership interests of the corporation surviving or resulting from such merger or consolidation, or of cancelling some or all of such memberships or membership interests;

(4) such other details and provisions as shall be deemed desirable; and

(5) such other provisions or facts as shall then be required to be stated in articles of incorporation by the laws of the state which are stated in the agreement to be the laws that shall govern the surviving or resulting corporation and that can be stated in the case of a merger or consolidation. Any of the terms of the agreement of merger or consolidation may be made dependent upon facts ascertainable outside of such agreement, if the manner in which such facts shall operate upon the terms of the agreement is clearly and expressly set forth in the agreement of merger or consolidation. The term "facts," as used in the preceding sentence, includes, but is not limited to, the occurrence of any event, including a determination or action by any person or body, including the corporation.

(c) The agreement shall be adopted, approved, certified and executed by each of the constituent corporations in accordance with the laws under which it is formed and, in the case of a Kansas corporation, in the same manner as is provided in K.S.A. 17-6705, and amendments thereto. The agreement shall be filed and shall become effective for all purposes of the laws of this state when and as provided in K.S.A. 17-6705, and amendments thereto, with respect to the merger of nonstock corporations of this state. Insofar as they may be applicable, the provisions set forth in the last sentence of ~~subsection (c) of~~ K.S.A. 17-6702(c), and amendments thereto, shall apply to a merger under this section, and the reference therein to "stockholder" shall be deemed to include "member" hereunder.

(d) If the corporation surviving or resulting from the merger or consolidation is to

be governed by the laws of any state other than this state, it shall agree that it may be served with process in this state in any proceeding for enforcement of any obligation of any constituent corporation of this state, as well as for enforcement of any obligation of the surviving or resulting corporation arising from the merger or consolidation~~,~~ and shall irrevocably appoint the secretary of state as its agent to accept service of process in any ~~such~~ suit or other proceedings and shall specify the address to which a copy of such process shall be mailed by the secretary of state. ~~Service of such process shall be made by personally delivering to and leaving with the secretary of state duplicate copies of such process. The secretary of state shall forthwith send by registered mail one of such copies to~~ Process may be served upon the secretary of state under this subsection by means of electronic transmission but only as prescribed by the secretary of state. The secretary of state is authorized to issue such rules and regulations with respect to such service as the secretary of state deems necessary or appropriate. In the event of such service upon the secretary of state in accordance with this subsection, the secretary of state shall forthwith notify such surviving or resulting corporation thereof by letter, directed to such corporation at its address so specified, unless such surviving or resulting corporation shall ~~thereafter~~ have designated in writing to the secretary of state a different address for such purpose, in which case it shall be mailed to the last address so designated. Such letter shall be sent by a mail or courier service that includes a record of mailing or deposit with the courier and a record of delivery evidenced by the signature of the recipient. Such letter shall enclose a copy of the process and any other papers served upon the secretary of state. It shall be the duty of the plaintiff in the event of such service to serve process and any other papers in duplicate, to notify the secretary of state that service is being made pursuant to this subsection, and to pay the secretary of state the sum of $40 for the use of the state, which sum and any administrative fees shall be taxed as a part of the costs in the proceeding if the plaintiff shall prevail therein. The secretary of state shall maintain a record of any such service in a manner deemed appropriate by the secretary. The secretary of state shall not be required to retain such information for a period longer than five years from receipt of the service of process.

(e) ~~The provisions of subsection (c) of~~ K.S.A. 17-6701(e), and amendments thereto, shall apply to a merger under this section, if the corporation surviving the merger is a corporation of this state.

(f) K.S.A. 17-6701(d), and amendments thereto, shall apply to a merger under this section, except that references to the board of directors, to stockholders, and to shares of a constituent corporation shall be deemed to be references to the governing body of the corporation, to members of the corporation, and to memberships or membership interests, as applicable, respectively.

(g) Nothing in this section shall be deemed to authorize the merger of a charitable nonstock corporation into a nonstock corporation, if the charitable status of such charitable nonstock corporation would thereby be lost or impaired, but a nonstock corporation may be merged into a charitable nonstock corporation which shall continue as the surviving corporation.

Sec. 74. K.S.A. 17-6707 is hereby amended to read as follows: 17-6707. (a) Any one or more nonstock corporations of this state, whether or not organized for profit, may merge or consolidate with one or more stock corporations of this state, whether or not organized for profit. The constituent corporations may merge into a single

corporation, which may be any one of the constituent corporations, or they may consolidate into a new corporation formed by the consolidation, pursuant to an agreement of merger or consolidation, as the case may be, complying and approved in accordance with this section. The surviving constituent corporation or the new corporation may be organized for profit or not organized for profit and may be a stock corporation or a nonstock corporation.

(b) The board of directors of each stock corporation which desires to merge or consolidate and the governing body of each nonstock corporation which desires to merge or consolidate shall adopt a resolution approving an agreement of merger or consolidation. The agreement shall state:

(1) The terms and conditions of the merger or consolidation;

(2) the mode of carrying the same into effect;

(3) such other provisions or facts required or permitted by this ~~act~~ code to be stated in articles of incorporation as can be stated in the case of a merger or consolidation, stated in such altered form as the circumstances of the case require;

(4) the manner, if any, of converting the shares of stock of a stock corporation and the memberships or membership interests of ~~the members of~~ a nonstock corporation into shares or other securities of a stock corporation or memberships or membership interests of a nonstock corporation surviving or resulting from such merger or consolidation~~,~~ or of cancelling some or all of such shares or memberships or membership interests, and, if any shares of any such stock corporation or memberships or membership interests of any such nonstock corporation are not to remain outstanding, to be converted solely into shares or other securities of the stock corporation or memberships or membership interests of the nonstock corporation surviving or resulting from such merger or consolidation or to be cancelled, the cash, property, rights or securities of any other corporation or entity which the holders of shares of any such stock corporation or memberships or membership interests of any such nonstock corporation are to receive in exchange for, or upon conversion of such shares or memberships or membership interests, and the surrender of any certificates evidencing them, which cash, property, rights~~,~~ or securities of any other corporation or entity may be in addition to or in lieu of shares or other securities of any stock corporation or memberships or membership interests of any nonstock corporation surviving or resulting from such merger or consolidation; and

(5) such other details or provisions as are deemed desirable.

In such merger or consolidation, the memberships or membership interests of ~~members of~~ a constituent nonstock corporation may be treated in various ways so as to convert such memberships or membership interests into interests of value, other than shares of stock, in the surviving or resulting stock corporation or into shares of stock in the surviving or resulting stock corporation, voting or nonvoting, or into creditor interests or any other interests of value equivalent to their memberships or membership interests in their nonstock corporation. The voting rights of members of a constituent nonstock corporation need not be considered an element of value in measuring the reasonable equivalence of the value of the interests received in the surviving or resulting stock corporation by members of a constituent nonstock corporation, nor need the voting rights of shares of stock in a constituent stock corporation be considered as an element of value in measuring the reasonable equivalence of the value of the interests in the surviving or resulting nonstock corporation received by stockholders of

a constituent stock corporation, and the voting or nonvoting shares of a stock corporation may be converted into ~~voting or nonvoting regular, life, general, special or other~~ any type of membership or membership interest, however designated, creditor interests or participating interests, in ~~any~~ the nonstock corporation surviving or resulting from such merger or consolidation of a stock corporation and a nonstock corporation. Any of the terms of the agreement of merger or consolidation may be made dependent upon facts ascertainable outside of such agreement, provided that the manner in which such facts shall operate upon the terms of the agreement is clearly and expressly set forth in the agreement of merger or consolidation. The term "facts," as used in the preceding sentence, includes, but is not limited to, the occurrence of any event, including a determination or action by any person or body, including the corporation.

(c) The agreement required by subsection (b), in the case of each constituent stock corporation, shall be adopted, approved, certified and executed by each constituent corporation in the same manner as is provided in K.S.A. 17-6701, and amendments thereto, and, in the case of each constituent nonstock corporation, shall be adopted, approved, certified and executed by each of such constituent corporations in the same manner as is provided in K.S.A. 17-6705, and amendments thereto. The agreement shall be filed and shall become effective for all purposes of the laws of this state when and as provided in K.S.A. 17-6701, and amendments thereto, with respect to the merger of stock corporations of this state. Insofar as they may be applicable, the provisions set forth in the last sentence of ~~subsection (e) of~~ K.S.A. 17-6701(c), and amendments thereto, shall apply to a merger under this section, and the reference therein to "stockholder" shall be deemed to include "member" hereunder.

(d) ~~The provisions of subsection (e) of~~ K.S.A. 17-6701(e), and amendments thereto, shall apply to a merger under this section, if the surviving corporation is a corporation of this state~~; the provisions of subsection (d) of K.S.A. 17-6701, and amendments thereto, shall apply to any constituent stock corporation participating in a merger or consolidation under this section; and the provisions of subsection (f) of~~, and K.S.A. 17-6701(f), and amendments thereto, shall apply to any constituent stock corporation participating in a merger under this section.

(e) K.S.A. 17-6701(d), and amendments thereto, shall apply to a merger under this section, except that, for purposes of a constituent nonstock corporation, references to the board of directors, to stockholders, and to shares of a constituent corporation shall be deemed to be references to the governing body of the corporation, to members of the corporation, and to memberships or membership interests, as applicable, respectively.

(f) Nothing in this section shall be deemed to authorize the merger of a charitable nonstock corporation into a stock corporation, if the charitable status of such nonstock corporation would thereby be lost or impaired~~.~~, but a stock corporation may be merged into a charitable nonstock corporation which shall continue as the surviving corporation.

Sec. 75. K.S.A. 17-6708 is hereby amended to read as follows: 17-6708. (a) Any one or more corporations of this state, whether stock or nonstock corporations and whether or not organized for profit, may merge or consolidate with one or more other corporations of any other state or states of the United States or of the District of Columbia, whether stock or nonstock corporations and whether or not organized for profit, if the laws under which the other corporation or corporations are formed shall permit such a corporation of such jurisdiction to merge with a corporation of another

jurisdiction. The constituent corporations may merge into a single corporation, which may be any one of the constituent corporations, or they may consolidate into a new corporation formed by the consolidation, which may be a corporation of the place of incorporation of any one of the constituent corporations, pursuant to an agreement of merger or consolidation, as the case may be, complying and approved in accordance with this section. The surviving or new corporation may be either a stock corporation or a ~~membership~~ nonstock corporation, as shall be specified in the agreement of merger required by subsection (b) ~~of this section~~.

(b) The method and procedure to be followed by the constituent corporations so merging or consolidating shall be as prescribed in K.S.A. 17-6707, and amendments thereto, in the case of Kansas corporations. The agreement of merger or consolidation shall also set forth such other matters or provisions as shall then be required to be set forth in articles of incorporation by the laws of the state which are stated in the agreement to be the laws which shall govern the surviving or resulting corporation and that can be stated in the case of a merger or consolidation. The agreement, in the case of foreign corporations, shall be adopted, approved, certified and executed by each of the constituent foreign corporations in accordance with the laws under which each is formed.

(c) The requirements of ~~subsection (d) of~~ K.S.A. 17-6702(d), and amendments thereto, as to the appointment of the secretary of state to receive process and the manner of serving the same in the event the surviving or new corporation is to be governed by the laws of any other state shall also apply to mergers or consolidations effected under ~~the provisions of~~ this section. ~~The provisions of subsection (e) of~~ K.S.A. 17-6701(e), and amendments thereto, shall apply to mergers effected under ~~the provisions of~~ this section if the surviving corporation is a corporation of this state; ~~the provisions of subsection (d) of~~ K.S.A. 17-6701(d), and amendments thereto, shall apply to any constituent ~~stock~~ corporation participating in a merger or consolidation under this section, except that for purposes of a constituent nonstock corporation, references to the board of directors, to stockholders, and to shares shall be deemed to be references to the governing body of the corporation, to members of the corporation, and to memberships or membership interests of the corporation, as applicable, respectively; and ~~the provisions of subsection (f) of~~ K.S.A. 17-6701(f), and amendments thereto, shall apply to any constituent stock corporation participating in a merger under this section.

(d) Nothing in this section shall be deemed to authorize the merger of a charitable nonstock corporation into a stock corporation, if the charitable status of such nonstock corporation would thereby be lost or impaired; but a stock corporation may be merged into a charitable nonstock corporation which shall continue as the surviving corporation.

Sec. 76. K.S.A. 17-6710 is hereby amended to read as follows: 17-6710. When two or more corporations are merged or consolidated, the corporation surviving or resulting from the merger or consolidation may issue bonds or other obligations, negotiable or otherwise, and with or without coupons or interest certificates thereto attached, to an amount sufficient with its capital stock to provide for all the payments it will be required to make, or obligations it will be required to assume, in order to effect the merger or consolidation. For the purpose of securing the payment of any such bonds and obligations, it shall be lawful for the surviving or resulting corporation to mortgage its corporate franchise, rights, privileges and property, real, personal or mixed. The

surviving or resulting corporation may issue ~~certificated or uncertificated shares~~ certificates of its capital stock or uncertificated stock if authorized to do so and other securities to the stockholders of the constituent corporations in exchange or payment for the original shares, in such amount as shall be necessary in accordance with the terms of the agreement of merger or consolidation in order to effect such merger or consolidation in the manner and on the terms specified in the agreement.

Sec. 77. K.S.A. 17-6712 is hereby amended to read as follows: 17-6712. (a) ~~When~~ Any stockholder of a corporation of this state who holds shares of stock on the date of the making of a demand pursuant to subsection (d) with respect to such shares, who continuously holds such shares through the effective date of the merger or consolidation, who has otherwise complied with subsection (d) and who has neither voted in favor of the merger or consolidation nor consented thereto in writing pursuant to K.S.A. 17-6518, and amendments thereto, shall be entitled to an appraisal by the district court of the fair value of the stockholder's shares of stock under the circumstances described in subsections (b) and (c). As used in this section, the word "stockholder" means a holder of record of stock in a ~~stock corporation and also a member of record of a nonstock~~ corporation; the words "stock" and "share" mean and include what is ordinarily meant by those words ~~and also membership or membership interest of a member of a nonstock corporation~~; and the words "depository receipt" mean a receipt or other instrument issued by a depository representing an interest in one or more shares, or fractions thereof, solely of stock of a corporation, which stock is deposited with the depository.

(b) ~~(1)~~ Appraisal rights shall be available for the shares of any class or series of stock of a constituent corporation in a merger or consolidation to be effected pursuant to K.S.A. 17-6701, and amendments thereto, other than a merger effected pursuant to ~~subsection (g) of~~ K.S.A. 17-6701(g), and amendments thereto, and, subject to subsection (b)(3), K.S.A. 17-7601(h), 17-6702, ~~17-6704,~~ 17-6705, 17-6706, 17-6707~~,~~ and 17-6708 ~~or 17-7703~~, and amendments thereto~~, except that~~:

~~(A)~~ (1) No appraisal rights under this section shall be available for the shares of any class or series of stock, which stock, or depository receipts in respect thereof, at the record date fixed to determine the stockholders entitled to receive notice of ~~and to vote at~~ the meeting of stockholders to act upon the agreement of merger or consolidation, were either: (A) Listed on a national securities exchange ~~or designated as a national market system security on an interdealer quotation system by the national association of securities dealers, inc.,~~; or (B) held of record by more than 2,000 holders~~; (B)~~, except that no appraisal rights shall be available for any shares of stock of the constituent corporation surviving a merger if the merger did not require for its approval the vote of the stockholders of the surviving corporation as provided in ~~subsection (f) of~~ K.S.A. 17-6701(f), and amendments thereto.

(2) Notwithstanding ~~the provisions of subsections (b)(1)(A) and (b)(1)(B)~~ subsection (b)(1), appraisal rights under this section shall be available for the shares of any class or series of stock of a constituent corporation if the holders thereof are required by the terms of an agreement of merger or consolidation pursuant to K.S.A. 17-6701, 17-6702, ~~17-6704~~ 17-6705, 17-6706, 17-6707~~,~~ and 17-6708 ~~and 17-7703~~, and amendments thereto, to accept for such stock anything except:

(A) Shares of stock of the corporation surviving or resulting from such merger or consolidation, or depository receipts in respect ~~of such shares of stock~~ thereof;

(B) shares of stock of any other corporation, or depository receipts in respect ~~of such shares of stock~~ thereof, which shares of stock, or depository receipts in respect ~~of such shares of stock~~ thereof, or depository receipts at the effective date of the merger or consolidation will be either listed on a national securities exchange ~~or designated as a national market system security on an interdealer quotation system by the national association of securities dealers, inc.~~ or held of record by more than 2,000 holders;

(C) cash in lieu of fractional shares or fractional depository receipts described in ~~the foregoing~~ subparagraphs (A) and (B); or

(D) any combination of the shares of stock, depository receipts and cash in lieu of fractional shares or fractional depository receipts described in ~~the foregoing~~ subparagraphs (A), (B) and (C).

(3) In the event all of the stock of a subsidiary Kansas corporation party to a merger effected under K.S.A. 17-6701(h) or 17-6703, and amendments thereto, is not owned by the parent ~~corporation~~ immediately prior to the merger, appraisal rights shall be available for the shares of the subsidiary Kansas corporation.

(c) Any corporation may provide in its articles of incorporation that appraisal rights under this section shall be available for the shares of any class or series of its stock as a result of an amendment to its articles of incorporation, any merger or consolidation in which the corporation is a constituent corporation or the sale of all or substantially all of the assets of the corporation. If the articles of incorporation ~~contains~~ contain such a provision, the procedures of this section, including those set forth in subsections (d) and (e), shall apply as nearly as is practicable.

(d) Appraisal rights shall be perfected as follows:

(1) If a proposed merger or consolidation for which appraisal rights are provided under this section is to be submitted for approval at a meeting of stockholders, the corporation, not less than 20 days prior to the meeting, shall notify each of its stockholders who was such on the record date for notice of such meeting, or such members who received notice in accordance with K.S.A. 17-6705, and amendments thereto, with respect to shares for which appraisal rights are available pursuant to subsection (b) or (c) that appraisal rights are available for any or all of the shares of the constituent corporations, and shall include in such notice a copy of this section and, if one of the constituent corporations is a nonstock corporation, a copy of section 4, and amendments thereto. Each stockholder electing to demand the appraisal of such stockholder's shares shall deliver to the corporation, before the taking of the vote on the merger or consolidation, a written demand for appraisal of such stockholder's shares. Such demand will be sufficient if it reasonably informs the corporation of the identity of the stockholder and that the stockholder intends thereby to demand the appraisal of such stockholder's shares. A proxy or vote against the merger or consolidation shall not constitute such a demand. A stockholder electing to take such action must do so by a separate written demand as herein provided. Within 10 days after the effective date of such merger or consolidation, the surviving or resulting corporation shall notify each stockholder of each constituent corporation who has complied with this subsection and has not voted in favor of or consented to the merger or consolidation of the date that the merger or consolidation has become effective; or

(2) If the merger or consolidation was approved pursuant to K.S.A. 17-6518, 17-6701(h) or ~~K.S.A.~~ 17-6703, and amendments thereto, then, either a constituent corporation before the effective date of the merger or consolidation~~,~~ or the surviving or

resulting corporation within 10 days thereafter~~,~~ shall notify each of the holders of any class or series of stock of such constituent corporation who are entitled to appraisal rights of the approval of the merger or consolidation and that appraisal rights are available for any or all shares of such class or series of stock of such constituent corporation, and shall include in such notice a copy of this section and, if one of the constituent corporations is a nonstock corporation, a copy of section 4, and amendments thereto. Such notice may, and, if given on or after the effective date of the merger or consolidation, shall, also notify such stockholders of the effective date of the merger or consolidation. Any stockholder entitled to appraisal rights may, within 20 days after the date of mailing of such notice or, in the case of a merger approved pursuant to K.S.A. 17-6701(h), and amendments thereto, within the later of the consummation of the tender or exchange offer contemplated by K.S.A. 17-6701(h), and amendments thereto, and 20 days after the date of mailing of such notice, demand in writing from the surviving or resulting corporation the appraisal of such holder's shares. Such demand will be sufficient if it reasonably informs the corporation of the identity of the stockholder and that the stockholder intends thereby to demand the appraisal of such holder's shares. If such notice did not notify stockholders of the effective date of the merger or consolidation, either: (A) Each such constituent corporation shall send a second notice before the effective date of the merger or consolidation notifying each of the holders of any class or series of stock of such constituent corporation that are entitled to appraisal rights of the effective date of the merger or consolidation; or (B) the surviving or resulting corporation shall send such a second notice to all such holders on or within 10 days after such effective date; provided, however, that if such second notice is sent more than 20 days following the sending of the first notice or, in the case of a merger approved pursuant to K.S.A. 17-6701(h), and amendments thereto, later than the later of the consummation of the tender or exchange offer contemplated by K.S.A. 17-6701(h), and amendments thereto, and 20 days following the sending of the first notice, such second notice need only be sent to each stockholder who is entitled to appraisal rights and who has demanded appraisal of such holder's shares in accordance with this subsection. An affidavit of the secretary or assistant secretary or of the transfer agent of the corporation that is required to give either notice that such notice has been given shall, in the absence of fraud, be prima facie evidence of the facts stated therein. For purposes of determining the stockholders entitled to receive either notice, each constituent corporation may fix, in advance, a record date that shall be not more than 10 days prior to the date the notice is given, provided, that if the notice is given on or after the effective date of the merger or consolidation, the record date shall be such effective date. If no record date is fixed and the notice is given prior to the effective date, the record date shall be the close of business on the day next preceding the day on which the notice is given.

(e) Within 120 days after the effective date of the merger or consolidation, the surviving or resulting corporation or any stockholder who has complied with subsections (a) and (d) and who is otherwise entitled to appraisal rights, may ~~file~~ commence an appraisal proceeding by filing a petition in the district court demanding a determination of the value of the stock of all such stockholders. Notwithstanding the foregoing, at any time within 60 days after the effective date of the merger or consolidation, any stockholder who has not commenced an appraisal proceeding or joined that proceeding as a named party shall have the right to withdraw such

stockholder's demand for appraisal and to accept the terms offered upon the merger or consolidation. Within 120 days after the effective date of the merger or consolidation, any stockholder who has complied with the requirements of ~~subsection~~ subsections (a) and (d), upon written request, shall be entitled to receive from the corporation surviving the merger or resulting from the consolidation a statement setting forth the aggregate number of shares not voted in favor of the merger or consolidation and with respect to which demands for appraisal have been received and the aggregate number of holders of such shares. Such written statement shall be mailed to the stockholder within 10 days after such stockholder's written request for such a statement is received by the surviving or resulting corporation or within 10 days after expiration of the period for delivery of demands for appraisal under subsection (d), whichever is later. Notwithstanding subsection (a), a person who is the beneficial owner of shares of such stock held either in a voting trust or by a nominee on behalf of such person may, in such person's own name, file a petition or request from the corporation the statement described in this subsection.

(f) Upon the filing of any such petition by a stockholder, service of a copy thereof shall be made upon the surviving or resulting corporation, which shall within 20 days after such service file in the office of the clerk of the court in which the petition was filed a duly verified list containing the names and addresses of all stockholders who have demanded payment for their shares and with whom agreements as to the value of their shares have not been reached by the surviving or resulting corporation. If the petition shall be filed by the surviving or resulting corporation, the petition shall be accompanied by such a duly verified list. The clerk of the court, if so ordered by the court, shall give notice of the time and place fixed for the hearing of such petition by registered or certified mail to the surviving or resulting corporation and to the stockholders shown on the list at the addresses therein stated. Such notice shall also be given by one or more publications at least one week before the day of the hearing, in a newspaper of general circulation published in the county in which the court is located or such publication as the court deems advisable. The forms of the notices by mail and by publication shall be approved by the court, and the costs thereof shall be borne by the surviving or resulting corporation.

(g) At the hearing on such petition, the court shall determine the stockholders who have complied with this section and who have become entitled to appraisal rights. The court may require the stockholders who have demanded an appraisal for their shares and who hold stock represented by certificates to submit their certificates of stock to the clerk of the court for notation thereon of the pendency of the appraisal proceedings; and if any stockholder fails to comply with such direction, the court may dismiss the proceedings as to such stockholder.

(h) After ~~determining~~ the court determines the stockholders entitled to an appraisal, the ~~court shall appraise the shares, determining their fair value~~ appraisal proceeding shall be conducted in accordance with the rules of the district court, including any rules specifically governing appraisal proceedings. Through such proceeding the court shall determine the fair value of the shares exclusive of any element of value arising from the accomplishment or expectation of the merger or consolidation, together with ~~a fair rate of~~ interest, if any, to be paid upon the amount determined to be the fair value. In determining such fair value, the court shall take into account all relevant factors. ~~In determining the fair rate of interest, the court may consider all relevant factors,~~

~~including the rate of interest which the surviving or resulting corporation would have had to pay to borrow money during the pendency of the proceeding~~ Unless the court in its discretion determines otherwise for good cause shown, interest from the effective date of the merger through the date of payment of the judgment shall be compounded quarterly and shall accrue at 5% over the federal reserve discount rate, including any surcharge, as established from time to time during the period between the effective date of the merger and the date of payment of the judgment. Upon application by the surviving or resulting corporation or by any stockholder entitled to participate in the appraisal proceeding, the court may, in its discretion, ~~permit discovery or other pretrial proceedings and may~~ proceed to trial upon the appraisal prior to the final determination of the ~~stockholder~~ stockholders entitled to an appraisal. Any stockholder whose name appears on the list filed by the surviving or resulting corporation pursuant to subsection (f) and who has submitted such stockholder's certificates of stock to the clerk of the court, if such is required, may participate fully in all proceedings until it is finally determined that such stockholder is not entitled to appraisal rights under this section.

(i) The court shall direct the payment of the fair value of the shares, together with interest, if any, by the surviving or resulting corporation to the stockholders entitled thereto. ~~Interest may be simple or compound, as the court may direct.~~ Payment shall be so made to each such stockholder, in the case of holders of uncertificated stock forthwith, and the case of holders of shares represented by certificates upon the surrender to the corporation of the certificates representing such stock. The court's decree may be enforced as other decrees in the district court may be enforced, whether such surviving or resulting corporation be a corporation of this state or of any state.

(j) The costs of the proceeding may be determined by the court and taxed upon the parties as the court deems equitable in the circumstances. Upon application of a stockholder, the court may order all or a portion of the expenses incurred by any stockholder in connection with the appraisal proceeding, including, without limitation, reasonable ~~attorney's~~ attorney fees and the fees and expenses of experts, to be charged pro rata against the value of all the shares entitled to an appraisal.

(k) From and after the effective date of the merger or consolidation, no stockholder who has demanded appraisal rights as provided in subsection (d) shall be entitled to vote such stock for any purpose or to receive payment of dividends or other distributions on the stock, except dividends or other distributions payable to stockholders of record at a date which is prior to the effective date of the merger or consolidation; provided, however, that if no petition for an appraisal shall be filed within the time provided in subsection (e), or if such stockholder shall deliver to the surviving or resulting corporation a written withdrawal of such stockholder's demand for an appraisal and an acceptance of the merger or consolidation, either within 60 days after the effective date of the merger or consolidation as provided in subsection (e) or thereafter with the written approval of the corporation, then the right of such stockholder to an appraisal shall cease. Notwithstanding the foregoing, no appraisal proceeding in the district court shall be dismissed as to any stockholder without the approval of the court, and such approval may be conditioned upon such terms as the court deems just, except that this provision shall not affect the right of any stockholder who has not commenced an appraisal proceeding or joined that proceeding as a named party to withdraw such stockholder's demand for appraisal and to accept the terms offered upon the merger or consolidation within 60 days after the effective date of the

merger or consolidation, as set forth in subsection (e).

(l) The shares of the surviving or resulting corporation to which the shares of such objecting stockholders would have been converted had they assented to the merger or consolidation shall have the status of authorized and unissued shares of the surviving or resulting corporation.

Sec. 78. K.S.A. 17-6801 is hereby amended to read as follows: 17-6801. (a) Every corporation may at any meeting of its board of directors ~~may~~ or governing body sell, lease or exchange all or substantially all of its property and assets, including its ~~good will~~ goodwill and its corporate franchises, upon such terms and conditions and for such consideration, which may consist in whole or in part of money or other property, including shares of stock in, ~~or~~ and other securities of, ~~or both,~~ any other corporation or corporations, as its board of directors or governing body deems expedient and for the best interests of the corporation, when and as authorized by a resolution adopted at a meeting duly called upon at least 20 days' notice as follows: (1) By the holders of a majority of the outstanding stock of the corporation entitled to vote thereon ~~or,~~; (2) in the case of ~~non-stock~~ nonstock corporations, other than those corporations that are the subject of the next paragraph, by a majority of the members ~~thereof~~ entitled to vote for the election of the members of the governing body and any other members entitled to vote thereon~~, at a meeting thereof duly called upon at least 20 days' notice~~ under the articles of incorporation or the bylaws of such corporation; or (3) in the case of nonprofit nonstock corporations, other than a nonprofit dental service corporation organized and operated under the nonprofit dental service corporation act, K.S.A. 40-19a01 et seq., and amendments thereto, by a majority of the members entitled to vote for the election of the members of the governing body of the corporation and any other members entitled to vote thereon under the articles of incorporation or the bylaws of such corporation voting at such meeting. The notice of the meeting shall state that such a resolution will be considered.

(b) Notwithstanding authorization or consent to a proposed sale, lease or exchange of a corporation's property and assets ~~pursuant to subsection (a)~~ by the stockholders or members, the board of directors or governing body may abandon such proposed sale, lease or exchange without further action by the stockholders or members, ~~as the case may be,~~ subject to the rights, if any, of third parties under any contract relating thereto.

(c) For purposes of this section only, the property and assets of the corporation include the property and assets of any subsidiary of the corporation. As used in this subsection, "subsidiary" means any entity wholly owned and controlled, directly or indirectly, by the corporation and includes, without limitation, corporations, partnerships, limited partnerships, limited liability partnerships, limited liability companies and statutory trusts. Notwithstanding subsection (a), except to the extent the articles of incorporation otherwise provide, no resolution by stockholders or members shall be required for a sale, lease or exchange of property and assets of the corporation to a subsidiary.

Sec. 79. K.S.A. 17-6803 is hereby amended to read as follows: 17-6803. ~~Before beginning~~ If a corporation has not issued shares or has not commenced the business for which the corporation was organized, a majority of the incorporators, or, if directors were named in the articles of incorporation or have been elected, a majority of the directors, may surrender all of the corporation's rights and franchises by filing in the office of the secretary of state a certificate, executed by a majority of the incorporators

or directors, stating that: (a) No shares of stock have been issued or that the business or activity for which the corporation was organized has not been begun; ~~that~~ (b) no part of the capital of the corporation has been paid or, if some capital has been paid, that the amount actually paid in for the corporation's shares, less any part thereof disbursed for necessary expenses, has been returned to those entitled thereto; ~~that~~ (c) if the corporation has begun business but it has not issued shares, all debts of the corporation have been paid; (d) if the corporation has not begun business but has issued stock certificates, all issued stock certificates, if any, have been surrendered and canceled; and ~~that~~ (e) all rights and franchises of the corporation are surrendered. Upon ~~the filing of~~ such certificate becoming effective in accordance with K.S.A. ~~17-6003~~ 2015 Supp. 17-7911, and amendments thereto, the corporation shall be dissolved.

Sec. 80. K.S.A. 17-6804 is hereby amended to read as follows: 17-6804. (a) If it ~~is~~ should be deemed advisable in the judgment of the board of directors of any corporation that it should be dissolved, the board, after the adoption of a resolution to that effect by a majority of the whole board at any meeting called for that purpose, shall ~~give notice by mail to each stockholder entitled to vote on a dissolution~~ cause notice of the adoption of the resolution and of a meeting of stockholders to take action upon the resolution to be mailed to each stockholder entitled to vote thereon as of the record date for determining the stockholders entitled to notice of the meeting.

(b) At the meeting a vote shall be taken ~~for and against the proposed dissolution. If a majority of the outstanding stock of the corporation entitled to vote votes for the proposed dissolution, a certificate stating that the dissolution has been authorized in accordance with the provisions of this section and setting forth the names and residences of the directors and officers shall be executed and filed in accordance with K.S.A. 17-6003 and amendments thereto. The secretary of state, upon being satisfied that the requirements of this section have been complied with, shall issue a certificate that the certificate has been filed, and thereupon, the corporation shall be dissolved~~ upon the proposed dissolution. If a majority of the outstanding stock of the corporation entitled to vote thereon shall vote for the proposed dissolution, a certificate of dissolution shall be filed with the secretary of state pursuant to subsection (d).

(c) ~~Whenever all the stockholders entitled to vote on a dissolution shall consent in writing to a dissolution, either in person or by duly authorized attorney, no meeting of directors or stockholders shall be necessary, but on filing the consent in the office of the secretary of state in accordance with K.S.A. 17-6003, and amendments thereto, the secretary of state, upon being satisfied that the requirements of this section have been complied with, shall issue a certificate that the consent to dissolution has been filed, and thereupon the corporation shall be dissolved. In the event that the consent is signed by an attorney, the original power of attorney or a photocopy thereof shall be attached to and filed with the consent. The consent filed with the secretary of state shall have attached to it the affidavit of the secretary or some other officer of the corporation stating that the consent has been signed by or on behalf of all the stockholders entitled to vote on a dissolution; in addition there shall be attached to the consent a certification by the secretary or some officer of the corporation setting forth the names and residences of the directors and officers of the corporation~~ Dissolution of a corporation may also be authorized without action of the directors if all the stockholders entitled to vote thereon shall consent in writing and a certificate of dissolution shall be filed with the secretary of state pursuant to subsection (d).

(d) If dissolution is authorized in accordance with this section, a certificate of dissolution shall be executed and filed, and shall become effective, in accordance with K.S.A. 2015 Supp. 17-7908 through 17-7911, and amendments thereto. Such certificate of dissolution shall set forth:

(1) The name of the corporation;

(2) the date dissolution was authorized;

(3) that the dissolution has been authorized by the board of directors and stockholders of the corporation, in accordance with subsections (a) and (b), or that the dissolution has been authorized by all of the stockholders of the corporation entitled to vote on a dissolution, in accordance with subsection (c); and

(4) the names and addresses of the directors and officers of the corporation.

(e) The resolution authorizing a proposed dissolution may provide that notwithstanding authorization or consent to the proposed dissolution by the stockholders, or the members of a nonstock corporation pursuant to K.S.A. 17-6805, and amendments thereto, the board of directors or governing body may abandon such proposed dissolution without further action by the stockholders or members.

(f) Upon a certificate of dissolution becoming effective in accordance with K.S.A. 2015 Supp. 17-7911, and amendments thereto, the corporation shall be dissolved.

(g) If the stockholders of a corporation having only two stockholders, each of which owns 50% of the stock therein, are unable to agree upon the desirability of dissolving the corporation and disposing of the corporate assets, either stockholder may file with the district court a petition stating that it desires to dissolve the corporation and to dispose of the assets thereof in accordance with a plan to be agreed upon by both stockholders. Such petition shall have attached thereto a copy of the proposed plan of dissolution and distribution and a certificate stating that copies of such petition and plan have been transmitted in writing to the other stockholder and to the directors and officers of such corporation.

Unless both stockholders file with the district court: (1) Within three months of the date of the filing of such petition, a certificate stating that they have agreed on such plan, or a modification thereof; and (2) within one year from the date of the filing of such petition, a certificate stating that the distribution provided by such plan has been completed, the court may either: (A) Dissolve such corporation and, by appointment of one or more receivers with all the powers and title of a receiver appointed under K.S.A. 17-6808, and amendments thereto, may administer and wind up its affairs; (B) order the redemption of the stock of one of the stockholders on such terms as are just and equitable; or (C) decline to grant any relief. Either or both of the above periods of time may be extended by agreement of the stockholders, evidenced by a certificate filed with the court prior to the expiration of such period.

Sec. 81. K.S.A. 17-6805 is hereby amended to read as follows: 17-6805. (a) Whenever it shall be desired to dissolve any nonstock corporation ~~having no capital stock~~, the governing body shall perform all the acts necessary for dissolution which are required by K.S.A. 17-6804, and amendments thereto, to be performed by the board of directors of a corporation having capital stock. ~~If~~ The following members of a nonstock corporation ~~having no capital stock are entitled to vote for the election of members of its governing body, they~~ shall perform all the acts necessary for dissolution which are required by K.S.A. 17-6804, and amendments thereto, to be performed by the stockholders of a corporation having capital stock, including dissolution without action

of the members of the governing body if all the members of the corporation entitled to vote thereon shall consent in writing and a certificate of dissolution shall be filed with the secretary of state pursuant to K.S.A. 17-6804(d), and amendments thereto: (1) Any members entitled to vote for the election of the members of its governing body and any other members entitled to vote for dissolution under the articles of incorporation or the bylaws of such corporation, except those corporations that are the subject of the next paragraph; or (2) in the case of a nonprofit nonstock corporation, other than a nonprofit dental service corporation organized and operated under the nonprofit dental service corporation act, K.S.A. 40-19a01 et seq., and amendments thereto, any members entitled to vote for the election of the members of its governing body and any other members entitled to vote for dissolution under the articles of incorporation or the bylaws of such corporation voting at the meeting. If there is no member entitled to vote ~~on such dissolution~~ thereon, the dissolution of the corporation shall be authorized at a meeting of the governing body, upon the adoption of a resolution to dissolve by the vote of a majority of members of its governing body then in office. In all other respects, the method and proceedings for the dissolution of a nonstock corporation ~~having no capital stock~~ shall conform as nearly as may be ~~possible~~ to the proceedings prescribed by K.S.A. 17-6804, and amendments thereto, for the dissolution of corporations having capital stock.

(b) If a nonstock corporation ~~having no capital stock~~ has not commenced the business for which the corporation was organized, a majority of the governing body or, if none, a majority of the incorporators may surrender all of the corporation's rights and franchises by filing in the office of the secretary of state a certificate, executed by a majority of the incorporators or governing body, conforming as nearly as may be ~~possible~~ to the certificate prescribed by K.S.A. 17-6803, and amendments thereto.

Sec. 82. K.S.A. 17-6805a is hereby amended to read as follows: 17-6805a. Notwithstanding any provision of law or the articles of incorporation, the articles of incorporation of each nonprofit corporation that qualifies otherwise for an exemption under section 501(c)(3) of the internal revenue code of 1986, ~~as amended (~~26 U.S.C. § 501(c)(3)~~)~~, shall be considered to contain the following provision:

Upon the dissolution of the corporation, ~~the board of directors or governing body of the corporation, after paying or providing for the payment of all liabilities of the corporation, shall dispose of all the assets of the corporation exclusively: (1) In accordance with the purposes of the corporation, in the manner determined by the board of directors or governing body; or (2) to organizations qualified for exemption under section 501(c)(3) of the internal revenue code of 1986, as amended (26 U.S.C. § 501(c)(3)), and specified by the board of directors or governing body. Any assets of the corporation not so disposed of shall be disposed of by the district court of the county where the principal office of the corporation is then located, exclusively for the purposes or to the organizations provided above, as determined by the court~~ assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the internal revenue code of 1986 or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by the district court of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as the court shall determine, which are organized and operated exclusively for such purposes.

Sec. 83. K.S.A. 17-6807 is hereby amended to read as follows: 17-6807. (a) All corporations, whether they expire by their own limitation or are otherwise dissolved, including revocation or forfeiture of articles of incorporation pursuant to K.S.A. 17-6812 or 17-7510, and amendments thereto, shall be continued, nevertheless, for the term of three years from such expiration or dissolution or for such longer period as the district court in its discretion shall direct, bodies corporate for the purpose of prosecuting and defending suits, whether civil, criminal or administrative, by or against them, and of enabling them gradually to settle and close their business, to dispose of and convey their property, to discharge their liabilities and to distribute to their stockholders any remaining assets, but not for the purpose of continuing the business for which the corporation was organized. With respect to any action, suit or proceeding begun by or against the corporation either prior to or within three years after the date of its expiration or dissolution, the action shall not abate by reason of the dissolution of the corporation~~; and~~. The corporation shall, solely for the purpose of such action, suit or proceeding, be continued as a body corporate beyond the three-year period and until any judgments, orders or decrees ~~thereon~~ therein shall be fully executed, without the necessity for any special direction to that effect by the district court.

(b) K.S.A. 17-6808 through 17-6811 and section 6, and amendments thereto, shall apply to any corporation that has expired by its own limitation, and when so applied, all references in those sections to a dissolved corporation or dissolution shall include a corporation that has expired by its own limitation and to such expiration, respectively.

Sec. 84. K.S.A. 17-6808 is hereby amended to read as follows: 17-6808. When any corporation organized under this ~~act~~ code shall be dissolved in any manner whatever, the district court, on application of any creditor, stockholder or director of the corporation, or any other person who shows good cause therefor, at any time, may either ~~may~~ appoint one or more of the directors of the corporation to be trustees, or appoint one or more ~~other~~ persons to be receivers, of and for the corporation, ~~or both,~~ to take charge of the corporation's property, and to collect the debts and property due and belonging to the corporation, with power to prosecute and defend, in the name of the corporation, or otherwise, all such suits as may be necessary or proper for the purposes aforesaid, and to appoint an agent or agents under them, and to do all other acts which might be done by the corporation, if in being, that may be necessary for the final settlement of the unfinished business of the corporation. The powers of the trustees or receivers may be continued as long as the court shall think necessary for the purposes aforesaid.

Sec. 85. K.S.A. 17-6809 is hereby amended to read as follows: 17-6809. The district court shall have jurisdiction of ~~the~~ any application prescribed in ~~K.S.A. 17-6808~~ this article and of all questions arising in the proceedings thereon, and may make such orders and decrees and issue injunctions therein as justice and equity shall require.

Sec. 86. K.S.A. 17-6810 is hereby amended to read as follows: 17-6810. ~~The directors or, if appointed by the district court, the receivers of a dissolved corporation, after payment of all allowances, expenses and costs, and the satisfaction of all special and general liens upon the funds of the corporation to the extent of their lawful priority, shall pay the other debts due from the corporation, if the funds in their hands shall be sufficient therefor, and if not, they shall distribute the same ratably among all the creditors who shall prove their debts in the manner that shall be directed by an order or decree of the court for that purpose. If there shall be any balance remaining after the~~

~~payment of the debts and necessary expenses, they shall distribute and pay the same to and among those who shall be justly entitled thereto, as having been stockholders of the corporation or their legal representatives~~

(a) (1) A dissolved corporation or successor entity which has followed the procedures described in section 6, and amendments thereto, shall:

(A) Pay the claims made and not rejected in accordance with section 6(a), and amendments thereto;

(B) post the security offered and not rejected pursuant to section 6(b)(2), and amendments thereto;

(C) post any security ordered by the district court in any proceeding under section 6(c), and amendments thereto; and

(D) pay or make provision for all other claims that are mature, known and uncontested or that have been finally determined to be owing by the corporation or such successor entity.

(2) Such claims or obligations shall be paid in full and any such provision for payment shall be made in full if there are sufficient assets. If there are insufficient assets, such claims and obligations shall be paid or provided for according to their priority, and, among claims of equal priority, ratably to the extent of assets legally available therefor. Any remaining assets shall be distributed to the stockholders of the dissolved corporation, except that such distribution shall not be made before the expiration of 150 days from the date of the last notice of rejections given pursuant to section 6(a)(4), and amendments thereto. In the absence of actual fraud, the judgment of the directors of the dissolved corporation or the governing persons of such successor entity as to the provision made for the payment of all obligations under subsection (a)(1)(D) shall be conclusive.

(b) (1) A dissolved corporation or successor entity which has not followed the procedures described in section 6, and amendments thereto, shall, prior to the expiration of the period described in K.S.A. 17-6807, and amendments thereto, adopt a plan of distribution pursuant to which the dissolved corporation or successor entity shall:

(A) Pay or make reasonable provision to pay all claims and obligations, including all contingent, conditional or unmatured contractual claims known to the corporation or such successor entity;

(B) make such provision as will be reasonably likely to be sufficient to provide compensation for any claim against the corporation which is the subject of a pending action, suit or proceeding to which the corporation is a party; and

(C) make such provision as will be reasonably likely to be sufficient to provide compensation for claims that have not been made known to the corporation or that have not arisen but that, based on facts known to the corporation or successor entity, are likely to arise or to become known to the corporation or successor entity within 10 years after the date of dissolution.

(2) The plan of distribution shall provide that such claims shall be paid in full and any such provision for payment made shall be made in full if there are sufficient assets. If there are insufficient assets, such plan shall provide that such claims and obligations shall be paid or provided for according to their priority and, among claims of equal priority, ratably to the extent of assets legally available therefor. Any remaining assets shall be distributed to the stockholders of the dissolved corporation.

(c) Directors of a dissolved corporation or governing persons of a successor entity

which has complied with subsection (a) or (b) shall not be personally liable to the claimants of the dissolved corporation.

(d) As used in this section, the term "successor entity" has the meaning set forth in section 6(e), and amendments thereto.

(e) As used in this section, the term "priority" does not refer either to the order of payments set forth in subsection (a)(1) or to the relative times at which any claims mature or are reduced to judgment.

(f) In the case of a nonprofit nonstock corporation, provisions of this section regarding distributions to members shall not apply to the extent that those provisions conflict with any other applicable law or with that corporation's articles of incorporation or bylaws.

Sec. 87. K.S.A. 17-6811 is hereby amended to read as follows: 17-6811. ~~If any corporation becomes dissolved in any manner whatever before final judgment is obtained in any action pending or commenced in any court of this state against the corporation, the action shall not abate by reason thereof, but the dissolution of the corporation being suggested upon the record, and the names of the receivers of the corporation being entered upon the record, and notice thereof served upon the receivers, or if such service be impracticable, upon the counsel of record in such case, the action shall proceed to final judgment against the receivers in the name of the corporation~~

(a) A stockholder of a dissolved corporation the assets of which were distributed pursuant to K.S.A. 17-6810(a) or (b), and amendments thereto, shall not be liable for any claim against the corporation in an amount in excess of such stockholder's pro rata share of the claim or the amount so distributed to such stockholder, whichever is less.

(b) A stockholder of a dissolved corporation the assets of which were distributed pursuant to K.S.A. 17-6810(a), and amendments thereto, shall not be liable for any claim against the corporation on which an action, suit or proceeding is not begun prior to the expiration of the period described in K.S.A. 17-6807, and amendments thereto.

(c) The aggregate liability of any stockholder of a dissolved corporation for claims against the dissolved corporation shall not exceed the amount distributed to such stockholder in dissolution.

Sec. 88. K.S.A. 17-6812 is hereby amended to read as follows: 17-6812. (a) The district court shall have jurisdiction to revoke or forfeit the articles of incorporation of any corporation for abuse, misuse or nonuse of its corporate powers, privileges or franchises. The attorney general shall, upon ~~his~~ the attorney general's own motion or upon the relation of a proper party, ~~shall~~ proceed for this purpose by ~~commencing a quo warranto action~~ petition in the district court of the county in which the registered office of the corporation is located.

(b) The district court shall have power, by appointment of receivers or otherwise, to administer and wind up the affairs of any corporation whose articles of incorporation shall be revoked or forfeited by any court under any section of this ~~act~~ code or otherwise, and to make such orders and decrees with respect thereto as shall be just and equitable respecting its affairs and assets and the rights of its stockholders and creditors.

(c) No proceeding shall be instituted under this section for nonuse of any corporation's powers, privileges or franchises during the first two ~~(2)~~ years after its incorporation.

Sec. 89. K.S.A. 17-6813 is hereby amended to read as follows: 17-6813. Whenever any corporation is dissolved or its articles of incorporation forfeited by decree or

judgment of the district court, the decree or judgment shall be forthwith filed by the clerk of such district court in which the decree or judgment was entered and in the office of the secretary of state, and a note thereof shall be made by the secretary of state on the corporation's articles of incorporation.

Sec. 90. K.S.A. 17-6902 is hereby amended to read as follows: 17-6902. (a) Trustees or receivers appointed by the district court of and for any corporation, and their respective survivors and successors, upon their appointment and qualification or upon the death, resignation or discharge of any co-trustee or co-receiver, shall be vested by operation of law and without any act or deed with the title of the corporation to all of its property, real, personal or mixed of whatsoever nature, kind, class or description, and wheresoever situate, except real estate situated outside this state.

(b) Within 20 days after the date of their qualification, trustees or receivers appointed by the court shall file in the office of the register of deeds of each county in this state in which any real estate belonging to the corporation may be situated, a certified copy of the order of their appointment and evidence of their qualification.

(c) This section shall not apply to receivers appointed pendente lite.

Sec. 91. K.S.A. 17-6903 is hereby amended to read as follows: 17-6903. All notices required to be given to stockholders and creditors in any action in which a trustee or receiver for a corporation was appointed shall be given by the clerk of the district court or in the manner provided by any applicable section of the code of civil procedure, unless otherwise ordered by the district court.

Sec. 92. K.S.A. 17-6904 is hereby amended to read as follows: 17-6904. As soon as convenient, trustees or receivers shall file in the office of the clerk of the district court of the county in which the proceeding is pending, a full and complete itemized inventory of all the assets of the corporation, which shall show their nature and probable value, and an account of all debts due from and to the corporation, as nearly as the same can be ascertained. They shall make a report to the court of their proceedings whenever and as often as the court shall direct.

Sec. 93. K.S.A. 17-6905 is hereby amended to read as follows: 17-6905. All creditors shall make proof under oath of their respective claims against the corporation and shall cause such proof of claim to be filed in the office of the clerk of the district court of the county in which the proceeding is pending within ~~six months from the date of the appointment of a receiver for the corporation, or within such other period of time if the court shall so order and direct~~ the time fixed by and in accordance with the procedure established by the district court. All creditors and claimants failing to do so, within the time limited by this section, or the time prescribed by the order of the court, may be barred by the court from participating in the distribution of the assets of the corporation. The court also may prescribe what notice, by publication or otherwise, shall be given to the creditors of the time fixed for the filing and making proof of claims.

Sec. 94. K.S.A. 17-6906 is hereby amended to read as follows: 17-6906. (a) The clerk of the district court, immediately upon the expiration of the time fixed for the filing of claims, in compliance with the provisions of K.S.A. 17-6905, and amendments thereto, shall notify the trustee or receiver of the filing of the claims, and the trustee or receiver, within 30 days after receiving the notice, shall inspect the claims, and if the trustee or receiver or any creditor shall not be satisfied with the validity or correctness of the same, or any of them, the trustee or receiver shall forthwith notify the creditors

whose claims are disputed of such decision. The trustee or receiver shall require all creditors whose claims are disputed to submit themselves to such examination in relation to their claims as the trustee or receiver shall direct, and the creditors shall produce such books and papers relating to their claims as shall be required. The trustee or receiver shall have power to examine, under oath or affirmation, all witnesses produced before the trustee or receiver touching the claims, and shall ~~recommend to the court the allowance or disallowance of~~ pass upon and allow or disallow the claims, or any part thereof, and notify the claimants of such determination.

(b) ~~The court shall approve, disapprove or modify the recommendations of the receiver and shall cause notice thereof to be given to the claimants. Within 30 days after receipt of such notice, any creditor or claimant dissatisfied with the court's determination shall have the right to a hearing thereon~~ Every creditor or claimant who shall have received notice from the receiver or trustee that such creditor's or claimant's claim has been disallowed in whole or in part may appeal to the district court within 30 days thereafter. The court, after hearing, shall determine the rights of the parties. ~~Any party aggrieved thereby may appeal to the supreme court as a matter of right from the order or decree expressing such determination.~~

Sec. 95. K.S.A. 17-6907 is hereby amended to read as follows: 17-6907. Whenever the property of a corporation is at the time of the appointment of a trustee or receiver encumbered with liens of any character, and the validity, extent or legality of any such lien is disputed or brought in question, and the property of the corporation is of a character which will deteriorate in value pending the litigation respecting the lien, the district court may order the receiver or trustee to sell the property of the corporation, clear of all encumbrances, at public or private sale, for the best price that can be obtained therefor. The net proceeds arising from the sale thereof, after deducting the costs of the sale, shall be paid into the court, there to remain subject to the order of the court, and to be disposed of as the court shall direct.

Sec. 96. K.S.A. 17-6908 is hereby amended to read as follows: 17-6908. The district court, before making distribution of the assets of a corporation among the creditors or stockholders thereof, shall allow and pay out of the assets: ~~(1)~~ (a) A reasonable compensation to the trustee or receiver for the trustee's or receiver's services; ~~(2)~~ (b) the cost and expenses incurred in and about the execution of ~~the receivership~~ such trustee's or receiver's trust, including reasonable ~~attorneys'~~ attorney fees; and ~~(3)~~ (c) the costs of the proceedings in the court.

Sec. 97. K.S.A. 17-6909 is hereby amended to read as follows: 17-6909. A trustee or receiver, upon application by the trustee or receiver in the court in which any suit is pending, shall be substituted as party plaintiff in the place of the corporation in any suit or proceeding which was so pending at the time of the trustee's or receiver's appointment. No action against a trustee or receiver of a corporation shall abate by reason of the trustee's or receiver's death, but, upon suggestion of the facts on the record, shall be continued against the trustee's or receiver's successor or against the corporation in case no new trustee or receiver is appointed.

Sec. 98. K.S.A. 17-6910 is hereby amended to read as follows: 17-6910. Whenever any corporation of this state, or any foreign corporation doing business in this state, shall become insolvent, the employees doing labor or service of whatever character in the regular employ of the corporation, shall have a lien upon the assets thereof for the amount of the wages due to them, not exceeding two months' wages, respectively,

which shall be paid prior to any other debt or debts of the corporation. The word "employee" as used in this section shall not be construed to include ~~anyone owning or controlling a majority of the voting stock or voting power~~ any of the officers of the corporation.

Sec. 99. K.S.A. 17-6911 is hereby amended to read as follows: 17-6911. The liquidation of the assets and business of an insolvent corporation may be discontinued at any time during the liquidation proceedings when it is established that cause for liquidation no longer exists. In such event the district court in its discretion, and subject to such condition as it may deem appropriate, may dismiss the proceedings and direct the trustee or receiver to redeliver to the corporation all of its remaining property and assets.

Sec. 100. K.S.A. 17-6913 is hereby amended to read as follows: 17-6913. (a) Any corporation of this state, ~~a plan of reorganization of which, pursuant to the provisions of any applicable statute of the United States relating to reorganizations of corporations, has been or shall be confirmed by the decree or order of a court of competent jurisdiction~~ an order for relief with respect to which has been entered pursuant to the federal bankruptcy reform act of 1978 (11 U.S.C. §§ 101 et seq.), may put into effect and carry out ~~the plan and the~~ any decrees and orders of the court or judge ~~relative thereto~~ in such bankruptcy proceeding, and may take any ~~proceeding and do any act provided in the plan~~ corporate action provided or directed by such decrees and orders, without further action by its directors or stockholders. Such power and authority may be exercised, and such ~~proceedings and acts~~ corporate action may be taken, as may be directed by such decrees or orders, by the trustee or trustees of such corporation appointed or elected in the ~~reorganization~~ bankruptcy proceedings, or a majority thereof, or if none be appointed or elected and acting, by designated officers of the corporation, or by a ~~master or other~~ representative appointed by the court or judge, with like effect as if exercised and taken by unanimous action of the directors and stockholders of the corporation.

(b) In the manner provided in subsection (a) ~~of this section~~, but without limiting the generality or effect of the foregoing, such corporation may: Alter, amend or repeal its bylaws; constitute or reconstitute and classify or reclassify its board of directors, and name, constitute or appoint directors and officers in place of or in addition to all or some of the directors or officers then in office; amend its articles of incorporation, and make any change in its capital or capital stock, or any other amendment, change or alteration, or provision, authorized by this ~~act~~ code; be dissolved, transfer all or part of its assets, merge or consolidate as permitted by this ~~act~~ code, except that no stockholder shall have any statutory right of appraisal of such stockholder's stock; change the location of its registered office, change its resident agent and remove or appoint any agent to receive service of process; authorize and fix the terms, manner and conditions of, the issuance of bonds, debentures or other obligations, whether or not convertible into stock of any class, or bearing warrants or other evidences of optional rights to purchase or subscribe for stock of any class; or lease its property and franchises to any corporation, if permitted by law.

(c) A certificate of any amendment, change or alteration, or of dissolution, or any agreement of merger or consolidation, made by such corporation pursuant to the provisions of this section, shall be filed with the secretary of state in accordance with K.S.A. ~~17-6003~~ 2015 Supp. 17-7910, and amendments thereto, and, subject to

~~subsection (d) of~~ K.S.A. ~~17-6003~~ 2015 Supp. 17-7911, and amendments thereto, shall thereupon become effective in accordance with its terms and the provisions of ~~the instrument as provided in~~ this subsection. Such certificate, agreement of merger or other instrument shall be made and executed, as may be directed by such decrees or orders, by the trustee or trustees appointed or elected in the ~~reorganization~~ bankruptcy proceedings, or a majority thereof, or, if none be appointed or elected and acting, by the officers of the corporation, or by a ~~master or other~~ representative appointed by the court, and shall certify that provision for the making of such certificate, agreement or instrument is contained in a decree or order of a court having jurisdiction of a proceeding under ~~such applicable statute of the United States for the reorganization of such corporation~~ the federal bankruptcy reform act of 1978 (11 U.S.C. §§ 101 et seq.).

(d) The provisions of this section shall cease to apply to such corporation upon the entry of a final decree in the ~~reorganization~~ bankruptcy proceedings closing the case and discharging the trustee or trustees, if any, will not affect the validity of any act previously performed pursuant to subsections (a) through (c).

(e) On filing any certificate, agreement, report or other paper made or executed pursuant to the provisions of this section, there shall be paid to the secretary of state for the use of the state the same fees as are payable by corporations not in ~~reorganization~~ bankruptcy upon the filing of like certificates, agreements, reports or other papers.

Sec. 101. K.S.A. 17-7001 is hereby amended to read as follows: 17-7001. (a) At any time prior to the expiration of three years following the dissolution of a corporation pursuant to K.S.A. 17-6804, and amendments thereto, or, at any time prior to the expiration of such longer period as the court may have directed pursuant to K.S.A. 17-6807, and amendments thereto, a corporation may revoke the dissolution theretofore effected by it in the following manner:

(1) For purposes of this section, the term "stockholders" shall mean the stockholders of record on the date the dissolution became effective.

(2) The board of directors shall adopt a resolution recommending that the dissolution be revoked and directing that the question of the revocation be submitted to a vote at a special meeting of stockholders.

~~(2)~~ (3) Notice of the special meeting of stockholders shall be given in accordance with K.S.A. 17-6512, and amendments thereto, to each ~~stockholder whose shares were entitled to vote upon a proposed dissolution before the corporation was dissolved~~ of the stockholders.

~~(3)~~ (4) At the meeting, a vote of the stockholders shall be taken on ~~the~~ a resolution to revoke the dissolution. If a majority of the stock of the corporation which was outstanding and entitled to vote upon a dissolution at the time of its dissolution shall be voted for the resolution, a certificate of revocation of dissolution shall be executed in accordance with K.S.A. ~~17-6003~~ 2015 Supp. 17-7908 through 17-7910, and amendments thereto, which shall state:

~~(i)~~ (A) The name of the corporation;

(B) the address of the corporation's registered office in this state, which shall be stated in accordance with K.S.A. 2015 Supp. 17-7924(c), and amendments thereto, and the name of its resident agreement at such address;

~~(ii)~~ (C) the names and respective addresses of its officers;

~~(iii)~~ (D) the names and respective addresses of its directors; and

~~(iv)~~ (E) that a majority of the stock of the corporation which was outstanding and

entitled to vote upon a dissolution at the time of its dissolution have voted in favor of a resolution to revoke the dissolution, or that, if applicable, in lieu of a meeting and vote of stockholders, the stockholders have given their written consent to the revocation in accordance with K.S.A. 17-6518, and amendments thereto.

(b) Upon the filing in the office of the secretary of state of the certificate of revocation of dissolution ~~in the office of the secretary of state~~, the revocation of the dissolution shall become effective and the corporation may again carry on its business.

(c) ~~If, after the dissolution of any such corporation became effective, any other corporation organized under the laws of this state shall have adopted the same name as such corporation, or shall have adopted a name so nearly similar thereto as not to distinguish it from such corporation, or any foreign corporation shall have qualified to do business in this state under the same name as such corporation or under a name so nearly similar thereto as not to distinguish it from such corporation, then such corporation shall not be reinstated under the same name which it bore when its dissolution became effective. In such case, it shall adopt and be reinstated under some other name, and the certificate to be filed under the provisions of this section shall set forth the name borne by such corporation at the time its dissolution became effective and the new name under which it is to be reinstated.~~

~~(d)~~ Upon the filing of the certificate with the secretary of state to which subsection (b) refers, the provisions of ~~subsection (d) of~~ K.S.A. 17-6501(c), and amendments thereto, shall govern, and the period of time the corporation was in dissolution shall be included within the calculation of the 30-day and 13-month periods to which ~~subsection (d) of~~ K.S.A. 17-6501(c), and amendments thereto, refers. An election of directors, however, may be held at the special meeting of stockholders to which subsection (a) refers, and~~,~~ in that event, that meeting of stockholders shall be deemed an annual meeting of stockholders for purposes of ~~subsection (d) of~~ K.S.A. 17-6501(c), and amendments thereto.

(d) If, after the dissolution became effective, any other entity identified in K.S.A. 2015 Supp. 17-7918, and amendments thereto, shall have adopted the same name as the corporation, or shall have adopted a name so nearly similar thereto as not to distinguish it from the corporation, or any foreign covered entity shall have qualified to do business in this state under the same name as the corporation or under a name so nearly similar thereto as not to distinguish it from the corporation, then, in such case, the corporation shall not be reinstated under the same name which it bore when its dissolution became effective, but shall adopt and be reinstated under some other name, and in such case the certificate to be filed under this section shall set forth the name borne by the corporation at the time its dissolution became effective and the new name under which the corporation is to be reinstated.

(e) Nothing in this section shall be construed to affect the jurisdiction or power of the district court under K.S.A. 17-6808 and 17-6809, and amendments thereto.

(f) At any time prior to the expiration of three years following the dissolution of a nonstock corporation pursuant to K.S.A. 17-6805, and amendments thereto, or, at any time prior to the expiration of such longer period as the district court may have directed pursuant to K.S.A. 17-6807, and amendments thereto, a nonstock corporation may revoke the dissolution effected by it in a manner analogous to that by which the dissolution was authorized, including: (1) If applicable, a vote of the members entitled to vote, if any, on the dissolution; and (2) the filing of a certificate of revocation of

dissolution containing information comparable to that required by subsection (a)(4). Notwithstanding the foregoing, only subsections (b), (d) and (e) shall apply to nonstock corporations.

Sec. 102. K.S.A. 2015 Supp. 17-7002 is hereby amended to read as follows: 17-7002. (a) As used in this section, the term: (1) "Articles of incorporation" includes the articles of incorporation of a corporation organized under any special act or any law of this state; and (2) "authority to engage in business" includes the registration of any foreign corporation under K.S.A. 2015 Supp. 17-7931, and amendments thereto.

(b) Any corporation may ~~procure an extension, renewal or reinstatement~~, at any time before the expiration of the time limited for its existence and any corporation whose articles of incorporation or authority to engage in business has become forfeited or void pursuant to this code and any corporation whose articles of incorporation or authority to engage in business has expired by reason of failure to renew it or whose articles of incorporation or authority to engage in business has been renewed, but, through failure to comply strictly with the provisions of this code, the validity of whose renewal has been brought into question, at any time procure an extension, renewal or reinstatement of its articles of incorporation, if a domestic corporation, or its authority to engage in business, if a foreign corporation, together with all the rights, franchises, privileges and immunities and subject to all of its duties, debts and liabilities which had been secured or imposed by its original articles of incorporation, and all amendments thereto, or by its authority to engage in business, as the case may be, ~~and may designate a new registered office and resident agent in the following instances:~~

~~(1) At any time before the expiration of the time limited for the corporation's existence;~~

~~(2) at any time, where the corporation's articles of incorporation, if a domestic corporation, or the authority to engage in business, if a foreign corporation, has become inoperative by law for nonpayment of taxes or fees, or failure to file its annual report;~~

~~(3) at any time, where the articles of incorporation of a domestic corporation or the authority to engage in business of a foreign corporation has expired by reason of failure to renew it;~~

~~(4) at any time, where the articles of incorporation of a domestic corporation or the authority to engage in business of a foreign corporation has been renewed, but through failure to comply strictly with the provisions of this act, the validity of such renewal has been brought into question; and~~

~~(5) at any time, where the articles of incorporation of a domestic corporation or the authority to engage in business of a foreign corporation has been forfeited pursuant to K.S.A. 2015 Supp. 17-7929 or 17-7934, and amendments thereto~~ by complying with the requirements of this section.

~~(b)~~ (c) The extension, renewal or reinstatement of the articles of incorporation or authority to engage in business may be procured by executing and filing a certificate in accordance with K.S.A. 2015 Supp. 17-7908 through 17-7910, and amendments thereto.

~~(c)~~ (d) The certificate required by subsection ~~(b)~~ (c) shall state:

(1) The name of the corporation, which shall be the existing name of the corporation or the name it bore when its articles of incorporation or authority to engage in business expired, except as provided in subsection ~~(e)~~ (f) and the date of filing of its original articles of incorporation with the secretary of state;

(2) ~~if a new registered office and resident agent is designated,~~ the address of the corporation's registered office in this state, which shall ~~include the street, city and zip code~~ be stated in accordance with K.S.A. 2015 Supp. 17-7924(c), and amendments thereto, and the name of its resident agent at such address;

(3) whether or not the renewal, or reinstatement is to be perpetual and, if not perpetual, the time for which the renewal or reinstatement is to continue~~;~~ and, in case of renewal before the expiration of the time limited for its existence, the date when the renewal is to commence, which shall be prior to the date of the expiration of the old articles of incorporation or authority to engage in business which it is desired to renew;

(4) that the corporation desiring to be renewed or reinstated and so renewing or reinstating its corporate existence was duly organized under the laws of the state of its original incorporation;

(5) the date when the articles of incorporation or the authority to engage in business would expire, if such is the case, or such other facts as may show that the articles of incorporation or the authority to engage in business has become ~~inoperative~~ forfeited or void pursuant to this code, or that the validity of any renewal has been brought into question; and

(6) that the certificate for reinstatement is filed by authority of those who were directors or members of the governing body of the corporation at the time its articles of incorporation or the authority to engage in business expired, or who were elected directors or members of the governing body of the corporation as provided in subsection ~~(g)~~ (h).

~~(d)~~ (e) Upon the filing of the certificate in accordance with K.S.A. 2015 Supp. 17-7908 through 17-7910, and amendments thereto, the corporation shall be renewed or reinstated with the same force and effect as if its articles of incorporation or authority to engage in business had not ~~become inoperative and void~~ been forfeited or void pursuant to this code or had not expired by limitation. Such reinstatement shall validate all contracts, acts, matters and things made, done and performed within the scope of its articles of incorporation or authority to engage in business by the corporation, its officers and agents during the time when its articles of incorporation ~~were inoperative~~ or authority to engage in business was forfeited or void pursuant to this code, or after their expiration by limitation, with the same force and effect and to all intents and purposes as if the articles of incorporation had at all times remained in full force and effect. All real and personal property, rights and credits, which belonged to the corporation at the time its articles of incorporation ~~became inoperative~~ or authority to engage in business became forfeited or void pursuant to this code, or expired by limitation and which were not disposed of prior to the time of its renewal or reinstatement shall be vested in the corporation after its renewal or reinstatement, as fully and amply as they were held by the corporation at and before the time its articles of incorporation ~~became inoperative~~ or authority to engage in business became forfeited or void pursuant to this code, or expired by limitation, and the corporation after its renewal or reinstatement shall be as exclusively liable for all contracts, acts, matters and things made, done or performed in its name and on its behalf by its officers and agents prior to its reinstatement, as if its articles of incorporation or authority to engage in business had ~~remained~~ at all times remained in full force and effect.

~~(e)~~ (f) If, since the articles of incorporation became ~~inoperative or void for nonpayment of taxes or fees, or, failure to file annual reports~~ forfeited or void pursuant

to this code, or expired by limitation, any other corporation organized under the laws of this state shall have adopted the same name as the corporation sought to be renewed or reinstated or shall have adopted a name so nearly similar thereto as not to distinguish it from the corporation to be renewed or reinstated, or any foreign corporation registered in accordance with K.S.A. 2015 Supp. 17-7931, and amendments thereto, shall have adopted the same name as the corporation sought to be renewed or reinstated, or shall have adopted a name so nearly similar thereto as not to distinguish it from the corporation to be renewed or reinstated, then in such case the corporation to be renewed or reinstated shall not be renewed under the same name which it bore when its articles of incorporation became ~~inoperative~~ forfeited or void pursuant to this code or expired, but shall adopt or be renewed under some other name; and in such case the certificate to be filed under the provisions of this section shall set forth the name borne by the corporation at the time its articles of incorporation became ~~inoperative~~ forfeited or void pursuant to this code, or expired and the new name under which the corporation is to be renewed or reinstated.

~~(f)~~ (g) Any corporation ~~seeking to renew or reinstate~~ that renews or reinstates its articles of incorporation ~~under the provisions of this act~~ or authority to engage in business under this code shall file all annual reports and pay to the secretary of state an amount equal to all fees and any penalties thereon due. Nonprofit corporations shall file only the annual reports for the three most recent reporting periods, but shall pay all fees due.

~~(g)~~ (h) If a sufficient number of the last acting officers of any corporation desiring to renew or reinstate its articles of incorporation are not available by reason of death, unknown address or refusal or neglect to act, the directors of the corporation or those remaining on the board, even if only one, may elect successors to such officers. In any case where there shall be no directors of the corporation available for the purposes aforesaid, the stockholders may elect a full board of directors, as provided by the bylaws of the corporation, and the board shall then elect such officers as are provided by law, by the articles of incorporation or by the bylaws to carry on the business and affairs of the corporation. A special meeting of the stockholders for the ~~purpose~~ purposes of electing directors may be called by any officer, director or stockholder upon notice given in accordance with K.S.A. 17-6512, and amendments thereto.

~~(h)~~ (i) After a reinstatement of the articles of incorporation of the corporation shall have been effected, ~~except where~~ the provisions of K.S.A. 17-6501(c), and amendments thereto, shall govern and the period of time the articles of incorporation of the corporation was forfeited pursuant to this code, or after its expiration by limitation, shall be included within the calculation of the 30-day and 13-month periods to which K.S.A. 17-6501(c), and amendments thereto, refers. A special meeting of stockholders ~~has been called~~ held in accordance with ~~the provisions of subsection (g), the officers who signed the certificate of reinstatement jointly shall call forthwith a special~~ subsection (h) shall be deemed an annual meeting of the stockholders ~~of the corporation upon notice given in accordance with K.S.A. 17-6512, and amendments thereto, and at the special meeting the stockholders shall elect a full board of directors, which board shall then elect such officers as are provided by law, by the articles of incorporation or the bylaws to carry on the business and affairs of the corporation~~ for purposes of K.S.A. 17-6501(c), and amendments thereto.

~~(i)~~ (j) Whenever it shall be desired to renew or reinstate the articles of incorporation

or authority to engage in business of any nonstock corporation ~~not for profit and having no capital stock~~, the governing body shall perform all the acts necessary for the renewal or reinstatement of the articles of incorporation of the corporation or its authority to engage in business which are performed by the board of directors in the case of a corporation having capital stock~~.~~, and the members of any nonstock corporation ~~not for profit and having no capital stock~~ who are entitled to vote for the election of members of its governing body and any other members entitled to vote for dissolution under the articles of incorporation or bylaws of such corporation, shall perform all the acts necessary for the renewal or reinstatement of the articles of incorporation of the corporation or its authority to engage in business which are performed by the stockholders in the case of a corporation having capital stock. In all other respects, the procedure for the renewal or reinstatement of the articles of incorporation ~~of a corporation not for profit and having no capital stock~~ or authority to engage in business of a nonstock corporation shall conform, as nearly as may be applicable, to the procedure prescribed in this section for the renewal or ~~reinstatement~~ revival of the articles of incorporation of a corporation having capital stock, except that subsection (i) shall not apply to nonstock corporations.

Sec. 103. K.S.A. 17-7003 is hereby amended to read as follows: 17-7003. Any corporation desiring to renew, extend and continue its corporate existence, shall, upon complying with the provisions of K.S.A. 17-7002, and amendments thereto, ~~shall be and~~ continue ~~as a corporation~~ for the time stated in its certificate of renewal, as a corporation and shall, in addition to the rights, privileges and immunities conferred by its articles of incorporation, ~~shall~~ possess and enjoy all the benefits of this ~~act~~ code, which are applicable to the nature of its business, and shall be subject to the restrictions and liabilities ~~imposed~~ by this ~~act~~ code imposed on such corporations.

Sec. 104. K.S.A. 17-7101 is hereby amended to read as follows: 17-7101. (a) When the officers, directors or stockholders of any corporation shall be liable by the provisions of this ~~act~~ code to pay the debts of the corporation, or any part thereof, any person to whom they are liable may have an action against any one or more of them. The petition in any such action shall state the claim against the corporation and the ground on which the plaintiff expects to charge the defendants personally.

(b) No suit shall be brought against any officer, director or stockholder for any debt of a corporation of which ~~he~~ such person is an officer, director or stockholder, until judgment be obtained therefor against the corporation and execution thereon returned unsatisfied.

Sec. 105. K.S.A. 17-7102 is hereby amended to read as follows: 17-7102. When any officer, director or stockholder shall pay any debt of a corporation for which ~~he~~ such person is made liable by the provisions of this ~~act, he~~ code, such person may recover the amount so paid in an action against the corporation for money paid for its use. In any such action, only the property of the corporation shall be liable to be taken, and not the property of any stockholder.

Sec. 106. K.S.A. 17-7201 is hereby amended to read as follows: 17-7201. (a) K.S.A. 17-7201 ~~to~~ through 17-7216, ~~inclusive~~ and amendments thereto, apply to all close corporations, as defined in K.S.A. 17-7202, and amendments thereto. Unless a corporation elects to become a close corporation under the foregoing sections in the manner prescribed therein, it shall be subject in all respects to the provisions of this ~~act~~ code, except the provisions of K.S.A. 17-7201 ~~to~~ through 17-7216, ~~inclusive~~ and

amendments thereto.

(b) All provisions of this ~~act~~ code shall be applicable to all close corporations, as defined in K.S.A. 17-7202, and amendments thereto, except as otherwise provided in K.S.A. 17-7201 ~~to~~ through 17-7216, ~~inclusive~~ and amendments thereto.

Sec. 107. K.S.A. 17-7203 is hereby amended to read as follows: 17-7203. A close corporation shall be formed in accordance with K.S.A. 17-6001, and 17-6002 and ~~17-6003~~ K.S.A. 2015 Supp. 17-7908 through 17-7910, and amendments thereto, except that:

(a) Its articles of incorporation shall contain a heading stating the name of the corporation and that it is a close corporation; and

(b) Its articles of incorporation shall contain the provisions required by K.S.A. 17-7202, and amendments thereto.

Sec. 108. K.S.A. 17-7204 is hereby amended to read as follows: 17-7204. Any corporation organized under the ~~laws of this state~~ Kansas general corporation code may become a close corporation under K.S.A. 17-7201 through 17-7216, and amendments thereto, by executing and filing, in accordance with K.S.A. ~~17-6003~~ 2015 Supp. 17-7908 through 17-7910, and amendments thereto, a certificate of amendment of its articles of incorporation which shall contain: ~~(1)~~ (a) A statement that it elects to become a close corporation; ~~(2)~~ (b) the provisions required by K.S.A. 17-7202, and amendments thereto, to appear in the articles of incorporation of a close corporation; and ~~(3)~~ (c) a heading stating the name of the corporation and that it is a close corporation. Such amendment shall be adopted in accordance with the requirements of K.S.A. 17-6601 or 17-6602, and amendments thereto, except that it must be approved by a vote of the holders of record of at least $^2/_3$ of the shares of each class of stock of the corporation which are outstanding.

Sec. 109. K.S.A. 17-7205 is hereby amended to read as follows: 17-7205. A close corporation continues to be such and to be subject to the provisions of K.S.A. 17-7201 ~~to~~ through 17-7216, ~~inclusive~~ and amendments thereto, until:

(a) It files with the secretary of state a certificate of amendment deleting from its articles of incorporation the provisions required or permitted by K.S.A. 17-7202, and amendments thereto, to be stated in the articles of incorporation to qualify it as a close corporation; or

(b) any one of the provisions or conditions required or permitted by K.S.A. 17-7202, and amendments thereto, to be stated in the articles of incorporation to qualify a corporation as a close corporation has been breached, in fact, and neither the corporation nor any of its stockholders takes the steps required by K.S.A. 17-7208, and amendments thereto, to prevent such loss of status or to remedy such breach.

Sec. 110. K.S.A. 17-7206 is hereby amended to read as follows: 17-7206. (a) A corporation may voluntarily terminate its status as a close corporation and cease to be subject to the provisions of this ~~act~~ code relating thereto by amending its articles of incorporation to delete therefrom the additional provisions required or permitted by K.S.A. 17-7202, and amendments thereto, to be stated in the articles of incorporation of a close corporation. Any such amendment shall be adopted and shall become effective in accordance with K.S.A. 17-6602, and amendments thereto, except that it must be approved by vote of the holders of record of at least ~~two-thirds (~~$^2/_3$~~)~~ of the shares of each class of stock of the corporation which are outstanding.

(b) The articles of incorporation of a close corporation may provide that on any

amendment to terminate its status as a close corporation, a vote greater than ~~two-thirds (2/3)~~ or a vote of all shares of any class shall be required; and if the articles of incorporation contain such a provision, that provision shall not be amended, repealed or modified by any vote less than ~~that required to terminate the corporation's status as a close corporation~~ such greater vote.

Sec. 111. K.S.A. 2015 Supp. 17-7207 is hereby amended to read as follows: 17-7207. (a) If stock of a close corporation is issued or transferred to any person who is not entitled under any provision of the articles of incorporation permitted by ~~subsection (b) of~~ K.S.A. 17-7202(b), and amendments thereto, to be a holder of record of stock of such corporation, and if the certificate for such stock conspicuously notes or the corporation has notified the registered owner of uncertificated stock pursuant to K.S.A. 17-6401(f), and amendments thereto, of the qualifications of the persons entitled to be holders of record thereof, such person is conclusively presumed to have notice of the fact of ~~his~~ such person's ineligibility to be a stockholder.

(b) If the articles of incorporation of a close corporation state the number of persons, not in excess of 35, who are entitled to be holders of record of its stock, and if the certificate for such stock conspicuously states or the corporation has notified the registered owner of uncertificated stock pursuant to K.S.A. 17-6401(f), and amendments thereto, of such number, and if the issuance or transfer of stock to any person would cause the stock to be held by more than such number of persons, the person to whom such stock is issued or transferred is conclusively presumed to have notice of this fact.

(c) If a stock certificate of any close corporation conspicuously notes or the corporation has notified the registered owner of uncertificated stock pursuant to K.S.A. 17-6401(f), and amendments thereto, of the fact of a restriction on transfer of stock of the corporation, and the restriction is one which is permitted by K.S.A. 17-6426, and amendments thereto, the transferee of the stock is conclusively presumed to have notice of the fact that ~~he~~ such person has acquired stock in violation of the restriction, if such acquisition violates the restriction.

(d) Whenever any person to whom stock of a close corporation has been issued or transferred has, or is conclusively presumed under this section to have, notice either that: (1) ~~that he~~ Such person is a person not eligible to be a holder of stock of the corporation~~, or~~; (2) ~~that~~ transfer of stock to ~~him~~ such person would cause the stock of the corporation to be held by more than the number of persons permitted by its articles of incorporation to hold stock of the corporation~~,~~; or (3) ~~that~~ the transfer of stock is in violation of a restriction on transfer of stock, the corporation, at its option, may refuse to register transfer of the stock into the name of the transferee.

(e) The provisions of subsection (d) shall not be applicable if the transfer of stock, even though otherwise contrary to subsection (a), (b) or (c), has been consented to by all the stockholders of the close corporation, or if the close corporation has amended its articles of incorporation in accordance with K.S.A. 17-7206, and amendments thereto.

(f) The term "transfer," as used in this section, is not limited to a transfer for value.

(g) The provisions of this section do not impair in any way any rights of a transferee regarding any right to rescind the transaction or to recover under any applicable warranty, express or implied.

Sec. 112. K.S.A. 17-7208 is hereby amended to read as follows: 17-7208. (a) If any event occurs, as a result of which one or more of the provisions or conditions included

in a close corporation's articles of incorporation, pursuant to K.S.A. 17-7202, and amendments thereto, to qualify it as a close corporation has been breached, the corporation's status as a close corporation shall terminate unless:

(1) Within 30 days after the occurrence of the event, or within 30 days after the event has been discovered, whichever is later, the corporation files with the secretary of state a certificate, executed in accordance with K.S.A. ~~17-6003~~ 2015 Supp. 17-7908 through 17-7910, and amendments thereto, stating that a specified provision or condition included in its articles of incorporation pursuant to K.S.A. 17-7202, and amendments thereto, to qualify it as a close corporation has ceased to be applicable, and furnishes a copy of such certificate to each stockholder; and

(2) the corporation concurrently with the filing of such certificate takes such steps as are necessary to correct the situation which threatens its status as a close corporation, including, without limitation, the refusal to register the transfer of stock which has been wrongfully transferred as provided by K.S.A. 17-7207, and amendments thereto, or a proceeding under subsection (b).

(b) The district court, upon the suit of the corporation or any stockholder, shall have jurisdiction to issue all orders necessary to prevent the corporation from losing its status as a close corporation, or to restore its status as a close corporation, by enjoining or setting aside any act or threatened act on the part of the corporation or a stockholder which would be inconsistent with any of the provisions or conditions required or permitted by K.S.A. 17-7202, and amendments thereto, to be stated in the articles of incorporation for a close corporation, unless it is an act approved in accordance with K.S.A. 17-7206, and amendments thereto. The district court may enjoin or set aside any transfer or threatened transfer of stock of a close corporation which is contrary to the terms of its articles of incorporation or of any transfer restriction permitted by K.S.A. 17-6426, and amendments thereto, and may enjoin any public offering, as defined in K.S.A. 17-7202, and amendments thereto, or threatened public offering of stock of the close corporation.

Sec. 113. K.S.A. 17-7209 is hereby amended to read as follows: 17-7209. If a restriction on the transfer of a security of a close corporation is held not to be authorized by K.S.A. 17-6426, and amendments thereto, the corporation, nevertheless, shall have an option, for a period of ~~thirty (~~30~~)~~ days after the judgment setting aside the restriction becomes final, to acquire the restricted security at a price which is agreed upon by the parties, or if no agreement is reached as to price, then at the fair value as determined by the district court. In order to determine fair value, the court may appoint an appraiser to receive evidence and report to the court ~~his~~ such appraiser's findings and recommendation as to fair value. ~~The appraiser shall have such powers and shall proceed, so far as applicable, in the same manner as appraisers appointed under K.S.A. 17-6712.~~

Sec. 114. K.S.A. 17-7211 is hereby amended to read as follows: 17-7211. (a) The articles of incorporation of a close corporation may provide that the business of the corporation shall be managed by the stockholders of the corporation, rather than by a board of directors. So long as this provision continues in effect: (1) No meeting of stockholders need be called to elect directors; (2) unless the context clearly requires otherwise, the stockholders of the corporation shall be deemed to be directors for purposes of applying provisions of this ~~act~~ code; (3) unless provided otherwise in the articles of incorporation or by agreement made between the stockholders, action by

stockholders shall be taken by the voting of shares of stock in the same manner as provided in K.S.A. 17-6502(a), and amendments thereto; and (4) the stockholders of the corporation shall be subject to all liabilities of directors. Such a provision may be inserted in the articles of incorporation by amendment, if all incorporators and subscribers or all holders of record of all of the outstanding stock, whether or not having voting power, authorize such a provision. An amendment to the articles of incorporation to delete such a provision shall be adopted by a vote of the holders of a majority of all outstanding stock of the corporation, whether or not otherwise entitled to vote.

(b) If the articles of incorporation contain a provision authorized by this section, the existence of such provision shall be noted conspicuously on the face or back of every stock certificate issued by such corporation or, in the case of uncertificated shares, contained in the notice sent pursuant to K.S.A. 17-6401(f), and amendments thereto.

Sec. 115. K.S.A. 17-7212 is hereby amended to read as follows: 17-7212. (a) In addition to the provisions of K.S.A. 17-6516, and amendments thereto, respecting the appointment of a custodian for any corporation, the district court, upon application of any stockholder, may appoint one or more persons to be custodians, and, if the corporation is insolvent, to be receivers, of any close corporation when:

(1) Pursuant to K.S.A. 17-7211, and amendments thereto, the business and affairs of the corporation are managed by the stockholders and they are so divided that the business of the corporation is suffering or is threatened with irreparable injury, and any remedy with respect to such deadlock provided in the articles of incorporation or bylaws or in any written agreement of the stockholders has failed; or

(2) The petitioning stockholder has the right to dissolution of the corporation under a provision of the articles of incorporation permitted by K.S.A. 17-7215, and amendments thereto.

(b) In lieu of appointing a custodian for a close corporation under this section or K.S.A. 17-6516, and amendments thereto, the court may appoint a provisional director, whose powers and status shall be as provided in K.S.A. 17-7213, and amendments thereto, if the court determines that it would be in the best interest of the corporation. Such appointment shall not preclude any subsequent order of the court appointing a custodian for such corporation.

Sec. 116. K.S.A. 17-7213 is hereby amended to read as follows: 17-7213. (a) Notwithstanding any contrary provision of the articles of incorporation or the bylaws or agreement of the stockholders, the district court may appoint a provisional director for a close corporation, if the directors are so divided respecting the management of the corporation's business and affairs that the votes required for action by the board of directors cannot be obtained, with the consequence that the business and affairs of the corporation can no longer be conducted to the advantage of the stockholders generally.

(b) An application for relief under this section must be filed: (1) By at least ~~one-half ($^1/_2$)~~ of the number of directors then in office~~,~~; (2) by the holders of at least ~~one-third ($^1/_3$)~~ of all stock then entitled to elect directors~~,~~; or (3) if there be more than one class of stock then entitled to elect one or more directors, by the holders of ~~two-thirds ($^2/_3$)~~ of the stock of any such class~~; but~~. The articles of incorporation of a close corporation may provide that a lesser proportion of the directors or of the stockholders or of a class of stockholders may apply for relief under this section.

(c) A provisional director shall be an impartial person who is neither a stockholder

nor a creditor of the corporation or of any subsidiary or affiliate of the corporation, and whose further qualifications, if any, may be determined by the district court. A provisional director is not a receiver of the corporation and does not have the title and powers of a custodian or receiver appointed under K.S.A. 17-6516 or 17-6901, and amendments thereto. A provisional director shall have all the rights and powers of a duly elected director of the corporation, including the right to notice of and to vote at meetings of directors, until such time as ~~he~~ such person shall be removed by order of the court, or by the holders of a majority of all shares then entitled to vote to elect directors, or by the holders of ~~two-thirds (~~$^2/_3$~~)~~ of the shares of that class of voting shares which filed the application for appointment of a provisional director. ~~His~~ A provisional director's compensation shall be determined by agreement between ~~him~~ such person and the corporation, subject to approval of the court, which may fix ~~his~~ such person's compensation in the absence of agreement or in the event of disagreement between the provisional director and the corporation.

(d) Even though the requirements of subsection (b) ~~of this section~~, relating to the number of directors or stockholders who may petition for appointment of a provisional director are not satisfied, the district court, nevertheless, may appoint a provisional director if permitted by ~~subsection (b) of~~ K.S.A. 17-7212(b), and amendments thereto.

Sec. 117. K.S.A. 17-7215 is hereby amended to read as follows: 17-7215. (a) The articles of incorporation of any close corporation may include a provision granting to any stockholder, or to the holders of any specified number or percentage of shares of any class of stock, an option to have the corporation dissolved at will or upon the occurrence of any specified event or contingency. Whenever any such option to dissolve is exercised, the stockholders exercising such option shall give written notice thereof to all other stockholders. After the expiration of ~~thirty (~~30~~)~~ days following the sending of such notice, the dissolution of the corporation shall proceed as if the required number of stockholders having voting power had voted in favor thereof.

(b) If the articles of incorporation, as originally filed, do not contain a provision authorized by subsection (a), the articles may be amended to include such provision if adopted by the affirmative vote of the holders of all the outstanding stock, whether or not entitled to vote, unless the articles of incorporation specifically authorize such an amendment by a vote which shall be not less than ~~two-thirds (~~$^2/_3$~~)~~ of all the outstanding stock whether or not entitled to vote.

(c) Each stock certificate in any corporation whose articles of incorporation authorize dissolution, as permitted by this section, shall conspicuously note on the face thereof or, in the case of uncertificated shares, contained in the notice sent pursuant to K.S.A. 17-6401(f), and amendments thereto, the existence of the provision. Unless noted conspicuously on the face of the stock certificate or in the notice sent pursuant to K.S.A. 17-6401(f), and amendments thereto, or unless the transferee had actual knowledge of or consented to the dissolution, the provision is ineffective.

Sec. 118. K.S.A. 17-7302 is hereby amended to read as follows: 17-7302. (a) Whenever any foreign corporation admitted to do business in this state is a party to a merger or consolidation with any other foreign corporation, whether or not admitted to do business in this state, such foreign corporation shall file with the secretary of state of this state, within 30 days after the time the merger or consolidation becomes effective, a certificate of the proper officer of the jurisdiction under the laws of which the merger or consolidation was effected, attesting to such merger or consolidation and stating:

(1) The corporate parties thereto;

(2) the time when such merger or consolidation became effective; and

(3) that the resulting or surviving corporation is a corporation in good standing in such jurisdiction.

(b) Whenever any foreign corporation admitted to do business in this state shall amend its articles of incorporation in a manner which affects any of the information contained on such corporation's application to do business in Kansas, the corporation shall file with the secretary of state, within 30 days after the amendment is adopted, a certificate of the proper officer of the jurisdiction in which such corporation has been incorporated attesting to such amendment. In the alternative, any foreign corporation may amend its original application for authority to do business in Kansas by filing a certificate of amendment certifying that such amendment has been duly adopted and executed in accordance with K.S.A. ~~17-6003~~ 2015 Supp. 17-7908 through 17-7910, and amendments thereto.

Sec. 119. K.S.A. 17-7305 is hereby amended to read as follows: 17-7305. (a) Unless authority is expressly conferred by another law of this state, no foreign corporation shall possess the power of issuing bills, notes or other evidences of debt for circulation as money, or the power of carrying on the business of receiving deposits of money.

(b) Foreign corporations authorized to do business in this state which are organized to buy, sell and otherwise deal in notes, open accounts and other similar evidences of debt, or to loan money and to take notes, open accounts and other similar evidences of debt as collateral security therefor, shall not be deemed to be engaging in the business of banking.

(c) Any corporation organized under the laws of another state, territory or foreign country, and authorized to do business in this state, shall be subject to the same provisions, judicial control, restrictions and penalties, except as otherwise provided in K.S.A. ~~17-7301 to~~ 17-7302 through 17-7308 and K.S.A. 2015 Supp. 17-7930 through 17-7937, ~~inclusive~~ and amendments thereto, as corporations organized under the laws of this state.

Sec. 120. K.S.A. 17-7307 is hereby amended to read as follows: 17-7307. (a) A foreign corporation which is required to comply with the provisions of K.S.A. ~~17-7301 and~~ 17-7302 and K.S.A. 2015 Supp. 17-7930 through 17-7934, and amendments thereto, and which has done business in this state without authority shall not maintain any action or special proceeding in this state, unless and until such corporation has been authorized to do business in this state and has paid to the state all taxes, fees and penalties which would have been due for the years or parts thereof during which it did business in this state without authority. This prohibition shall not apply to any successor in interest of any such foreign corporation.

(b) The failure of a foreign corporation to obtain authority to do business in this state shall not impair the validity of any contract or act of the foreign corporation or the right of any other party to the contract to maintain any action or special proceeding thereon, and shall not prevent the foreign corporation from defending any action or special proceeding in this state.

(c) Any person having a cause of action against any foreign corporation, whether or not such corporation is qualified to do business in this state, which cause of action arose in Kansas out of such corporation doing business in Kansas, or arose while such

corporation was doing business in Kansas, may file suit against the corporation in the proper court of a county in which there is proper venue. Service of process in any action shall be made in the manner prescribed by K.S.A. 60-304, and amendments thereto.

Sec. 121. K.S.A. 17-7404 is hereby amended to read as follows: 17-7404. ~~This act~~ Articles 60 through 74 of chapter 17 of the Kansas Statutes Annotated, and amendments thereto, shall be known and may be cited as the "Kansas general corporation code."

Sec. 122. K.S.A. 17-7503 is hereby amended to read as follows: 17-7503. (a) Every domestic corporation organized for profit shall make an annual report in writing to the secretary of state, stating the prescribed information concerning the corporation at the close of business on the last day of its tax period next preceding the date of filing, but if a corporation's tax period is other than the calendar year, it shall give notice thereof to the secretary of state prior to December 31 of the year it commences such tax period. The reports shall be made on forms prescribed by the secretary of state. The report shall be filed at the time prescribed by law for filing the corporation's annual Kansas income tax return. The report shall contain the following information:

(1) The name of the corporation;

(2) the location of the principal office;

(3) the names and addresses of the president, secretary, treasurer or equivalent of such officers and members of the board of directors;

(4) the number of shares of capital stock issued;

(5) the nature and kind of business in which the corporation is engaged; and

(6) if the corporation is a parent corporation holding more than 50% equity ownership in any other business entity registered with the secretary of state, the name and identification number of any such subsidiary business entity.

(b) Every corporation subject to the provisions of this section which holds agricultural land, as defined in K.S.A. 17-5903, and amendments thereto, within this state shall show the following additional information on the report:

(1) The acreage and location listed by section, range, township and county of each lot, tract or parcel of agricultural land in this state owned or leased by or to the corporation;

(2) the purposes for which such agricultural land is owned or leased and, if leased, to whom such agricultural land is leased;

(3) the value of the nonagricultural assets and the agricultural assets, stated separately, owned and controlled by the corporation both within and without the state of Kansas and where situated;

(4) the total number of stockholders of the corporation;

(5) the number of acres owned or operated by the corporation, the number of acres leased by the corporation and the number of acres leased to the corporation;

(6) the number of acres of agricultural land, held and reported in each category under ~~provision~~ paragraph (5), stated separately, being irrigated; and

(7) whether any of the agricultural land held and reported under this subsection was acquired after July 1, 1981.

(c) The report shall be executed in accordance with the provisions of K.S.A. ~~17-6003~~ 2015 Supp. 17-7908 through 17-7910, and amendments thereto. The fact that an individual's name is signed on such report shall be prima facie evidence that such individual is authorized to sign the report on behalf of the corporation; however, the official title or position of the individual signing the report shall be designated. This

report shall be ~~dated and~~ subscribed by the person as true, under penalty of perjury. At the time of filing such annual report it shall be the duty of each domestic corporation organized for profit to pay to the secretary of state an annual report fee in an amount equal to $40.

Sec. 123. K.S.A. 17-7504 is hereby amended to read as follows: 17-7504. (a) Every corporation organized not for profit shall make an annual report in writing to the secretary of state, stating the prescribed information concerning the corporation at the close of business on the last day of its tax period next preceding the date of filing, but if a corporation's tax period is other than the calendar year, it shall give notice thereof to the secretary of state prior to December 31 of the year it commences such tax period. The reports shall be made on forms prescribed by the secretary of state. The report shall be filed on the 15th day of the sixth month following the close of the taxable year. The report shall contain the following information:

(1) The name of the corporation;

(2) the location of the principal office;

(3) the names and addresses of the president, secretary and treasurer or equivalent of such officers, and the members of the governing body;

(4) the number of memberships or the number of shares of capital stock issued; and

(5) if the corporation is a parent corporation holding more than 50% equity ownership in any other business entity registered with the secretary of state, the name and identification number of any such subsidiary business entity.

(b) Every corporation subject to the provisions of this section which holds agricultural land, as defined in K.S.A. 17-5903, and amendments thereto, within this state shall show the following additional information on the report:

(1) The acreage and location listed by section, range, township and county of each lot, tract or parcel of agricultural land in this state owned or leased by or to the corporation;

(2) the purposes for which such agricultural land is owned or leased and, if leased, to whom such agricultural land is leased;

(3) the value of the nonagricultural assets and the agricultural assets, stated separately, owned and controlled by the corporation both within and without the state of Kansas and where situated;

(4) the total number of stockholders or members of the corporation;

(5) the number of acres owned or operated by the corporation, the number of acres leased by the corporation and the number of acres leased to the corporation;

(6) the number of acres of agricultural land, held and reported in each category under paragraph (5) ~~of this subsection (b)~~, stated separately, being irrigated; and

(7) whether any of the agricultural land held and reported under this subsection was acquired after July 1, 1981.

(c) The report shall be executed in accordance with the provisions of K.S.A. ~~17-6003~~ 2015 Supp. 17-7908 through 17-7910, and amendments thereto. The fact that an individual's name is signed on such report shall be prima facie evidence that such individual is authorized to sign the report on behalf of the corporation; however, the official title or position of the individual signing the report shall be designated. This report shall be ~~dated and~~ subscribed by the person as true, under penalty of perjury.

(d) At the time of filing such report, each nonprofit corporation shall pay an annual report fee in an amount equal to $40 for all tax years commencing after December 31,

2003.

Sec. 124. K.S.A. 17-7505 is hereby amended to read as follows: 17-7505. (a) Every foreign corporation organized for profit, or organized under the cooperative type statutes of the state, territory or foreign country of incorporation, now or hereafter doing business in this state, and owning or using a part or all of its capital in this state, and subject to compliance with the laws relating to the admission of foreign corporations to do business in Kansas, shall make an annual report in writing to the secretary of state, stating the prescribed information concerning the corporation at the close of business on the last day of its tax period next preceding the date of filing, but if a corporation operates on a fiscal year other than the calendar year it shall give written notice thereof to the secretary of state prior to December 31 of the year commencing such fiscal year. The report shall be made on a form prescribed by the secretary of state. The report shall be filed at the time prescribed by law for filing the corporation's annual Kansas income tax return. The report shall contain the following facts:

(1) The name of the corporation and under the laws of what state or country it is incorporated;

(2) the location of its principal office;

(3) the names and addresses of the president, secretary, treasurer, or equivalent of such officers, and members of the board of directors;

(4) the number of shares of capital stock issued;

(5) the nature and kind of business in which the company is engaged; and

(6) if the corporation is a parent corporation holding more than 50% equity ownership in any other business entity registered with the secretary of state, the name and identification number of any such subsidiary business entity.

(b) Every corporation subject to the provisions of this section which holds agricultural land, as defined in K.S.A. 17-5903, and amendments thereto, within this state shall show the following additional information on the report:

(1) The acreage and location listed by section, range, township and county of each lot, tract or parcel of agricultural land in this state owned or leased by or to the corporation;

(2) the purposes for which such agricultural land is owned or leased and, if leased, to whom such agricultural land is leased;

(3) the value of the nonagricultural assets and the agricultural assets, stated separately, owned and controlled by the corporation both within and without the state of Kansas and where situated;

(4) the total number of stockholders of the corporation;

(5) the number of acres owned or operated by the corporation, the number of acres leased by the corporation and the number of acres leased to the corporation;

(6) the number of acres of agricultural land, held and reported in each category under paragraph (5)~~ of this subsection (b)~~, stated separately, being irrigated; and

(7) whether any of the agricultural land held and reported under this subsection was acquired after July 1, 1981.

(c) The report shall be executed in accordance with the provisions of K.S.A.~~ 17-6003~~ 2015 Supp. 17-7908 through 17-7910, and amendments thereto. The fact that an individual's name is signed on such report shall be prima facie evidence that such individual is authorized to sign the report on behalf of the corporation; however, the official title or position of the individual signing the report shall be designated. This

report shall be ~~dated and~~ subscribed by the person as true, under penalty of perjury.

(d) At the time of filing its annual report, each such foreign corporation shall pay to the secretary of state an annual report fee in an amount equal to $40.

Sec. 125. K.S.A. 2015 Supp. 17-7506 is hereby amended to read as follows: 17-7506. (a) The secretary of state shall charge each corporation a fee established pursuant to rules and regulations, but not exceeding $250, for issuing or filing and indexing articles of incorporation of a for-profit or a foreign corporation application.

(b) The secretary of state shall charge each corporation a fee established by rules and regulations, but not exceeding $50, for articles of incorporation of a nonprofit corporation.

(c) The secretary of state shall charge each corporation a fee established by rules and regulations, but not exceeding $150, for issuing or filing and indexing any of the corporate documents described below:

(1) Certificate of extension, restoration, renewal or revival of articles of incorporation;

(2) certificate of amendment of articles of incorporation, either prior to or after payment of capital;

(3) certificate of designation of preferences;

(4) certificate of retirement of preferred stock;

(5) certificate of increase or reduction of capital;

(6) certificate of dissolution, either prior to or after beginning business;

(7) certificate of revocation of voluntary dissolution;

(8) certificate of change of location of registered office and resident agent;

(9) agreement of merger or consolidation;

(10) certificate of ownership and merger;

(11) certificate of extension, restoration, renewal or revival of a certificate of authority of foreign corporation to do business in Kansas;

(12) change of resident agent or amendment by foreign corporation;

(13) certificate of withdrawal of foreign corporation;

(14) certificate of correction of any of the instruments designated in this section;

(15) reservation of corporate name;

(16) restated articles of incorporation; ~~and~~

(17) annual report extension; and

(18) certificate of validation.

(d) The secretary of state shall charge each corporation a fee established pursuant to rules and regulations but not exceeding $50 for issuing certified copies, photocopies, certificates of good standing and certificates of fact; and any other certificate or filing for which a filing or indexing fee is not prescribed by law.

(e) The secretary of state shall not charge fees for providing the following information: Name of the corporation; address of its registered office and the name of its resident agent; the amount of its authorized capital stock; the state of its incorporation; date of filing of articles of incorporation, foreign corporation application or annual report; and date of expiration.

(f) The secretary of state shall prescribe by rules and regulations any fees required by this act.

Sec. 126. K.S.A. 17-7510 is hereby amended to read as follows: 17-7510. (a) In addition to any other penalties, the failure of any domestic corporation to file the annual

report in accordance with the provisions of this act or to pay the annual report fee provided for within 90 days of the time for filing and paying the same or, in the case of an annual report filing and fee received by mail, postmarked within 90 days of the time for filing and paying the same, shall work the forfeiture of the articles of incorporation of such domestic corporation. Within 60 days after the date such annual report and fee are due, the secretary of state, by mail, shall notify any corporation that has failed to submit such report and fee when due that its articles of incorporation shall be forfeited unless the annual report is filed and the fee is paid within 90 days from the date such report and fee were due. Any corporation that fails to submit such report and fee within such time shall forfeit its articles of incorporation, and the secretary of state shall notify the attorney general that the articles of incorporation of such corporation have been forfeited.

(b) In addition to any other penalties, the failure of any foreign corporation to file the annual report or pay the annual report fee prescribed by this act within 90 days from the time provided for filing and paying the same or, in the case of an annual report filing and fee received by mail, postmarked within 90 days of the time for filing and paying the same, shall work a forfeiture of its right or authority to do business in this state. Within 60 days after the date such annual report and fee are due, the secretary of state, by mail, shall notify any corporation that has failed to submit such report and fee when due that its authority to do business in this state shall be forfeited unless the annual report and fee is paid within 90 days from the date such report and fee were due. Any corporation that fails to submit such report and fees within such time shall forfeit its authority to do business in this state, and the secretary of state shall publish a notice of such forfeiture in the Kansas register.

(c) This section shall not be construed to restrict the state from invoking any other remedies provided by law.

~~(c)~~ (d) The secretary of state shall not issue certificates of good standing for any corporation that has failed to file its annual report or pay its annual report fee.

Sec. 127. K.S.A. 17-7512 is hereby amended to read as follows: 17-7512. The provisions of this act relating to the filing of annual reports and the payment of ~~franchise taxes and~~ annual report fees shall not apply to banking, insurance or savings and loan corporations, credit unions, any firemen's relief association under the jurisdiction and supervision of the insurance commissioner or to Kansas venture capital, inc. or venture capital companies certified by the secretary of commerce pursuant to article 83 of chapter 74 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 128. K.S.A. 2015 Supp. 17-76,139 is hereby amended to read as follows: 17-76,139. (a) Every limited liability company organized under the laws of this state shall make an annual report in writing to the secretary of state, stating the prescribed information concerning the limited liability company at the close of business on the last day of its tax period next preceding the date of filing. If the limited liability company's tax period is other than the calendar year, it shall give notice of its different tax period in writing to the secretary of state prior to December 31 of the year it commences the different tax period. The annual report shall be filed at the time prescribed by law for filing the limited liability company's annual Kansas income tax return. The annual report shall be made on a form prescribed by the secretary of state. The report shall contain the following information:

(1) The name of the limited liability company; and

(2) a list of the members owning at least 5% of the capital of the limited liability company, with the post office address of each.

(b) Every foreign limited liability company shall make an annual report in writing to the secretary of state, stating the prescribed information concerning the limited liability company at the close of business on the last day of its tax period next preceding the date of filing. If the limited liability company's tax period is other than the calendar year, it shall give notice in writing of its different tax period to the secretary of state prior to December 31 of the year it commences the different tax period. The annual report shall be filed at the time prescribed by law for filing the limited liability company's annual Kansas income tax return. The annual report shall be made on a form prescribed by the secretary of state. The report shall contain the name of the limited liability company.

(c) The annual report required by this section shall be ~~dated,~~ executed by one or more authorized persons, and filed with the secretary of state. The execution of such annual report by a person who is authorized by this act to execute such annual report, upon filing such annual report with the secretary of state, constitutes an oath or affirmation, under penalties of perjury that, to the best of such person's knowledge and belief, the facts stated therein are true. At the time of filing the report, the limited liability company shall pay to the secretary of state an annual report fee in an amount equal to $40.

(d) The provisions of K.S.A. 17-7509, and amendments thereto, relating to penalties for failure of a corporation to file an annual report or pay the required annual report fee, and the provisions of ~~subsection (a) of~~ K.S.A. 17-7510(a), and amendments thereto, relating to penalties for failure of a corporation to file an annual report or pay the required annual report fee, shall be applicable to the articles of organization of any domestic limited liability company or to the authority of any foreign limited liability company which fails to file its annual report or pay the annual report fee within 90 days of the time prescribed in this section for filing and paying the same or, in the case of an annual report filing and fee received by mail, postmarked within 90 days of the time for filing and paying the same. Whenever the articles of organization of a domestic limited liability company or the authority of any foreign limited liability company are forfeited for failure to file an annual report or to pay the required annual report fee, the domestic limited liability company or the authority of a foreign limited liability company may be reinstated by filing a certificate of reinstatement, pursuant to K.S.A. 2015 Supp. 17-76,146, and amendments thereto, and paying to the secretary of state all fees, including any penalties thereon, due to the state.

(e) No limited liability company shall be required to file its first annual report under this act, or pay any annual report fee required to accompany such report, unless such limited liability company has filed its articles of organization or application for authority at least six months prior to the last day of its tax period.

(f) All copies of applications for extension of the time for filing income tax returns submitted to the secretary of state pursuant to law shall be maintained by the secretary of state in a confidential file and shall not be disclosed to any person except as authorized pursuant to the provisions of K.S.A. 79-3234, and amendments thereto, a proper judicial order, or subsection (g). All copies of such applications shall be preserved for one year and thereafter until the secretary of state orders that they be destroyed.

(g) A copy of such application shall be open to inspection by or disclosure to any person who was a member of such limited liability company during any part of the period covered by the extension.

Sec. 129. K.S.A. 2015 Supp. 17-7903 is hereby amended to read as follows: 17-7903. ~~(a)~~ The following documents related to corporations shall be filed with the secretary of state:

~~(1)~~ (a) For-profit filings:

~~(A)~~ (1) For-profit articles of incorporation as set forth in K.S.A. 17-6002, and amendments thereto;

~~(B)~~ (2) professional association articles of incorporation as set forth in K.S.A. 17-2709, 17-2711 and 17-6002, and amendments thereto;

~~(C)~~ (3) close corporation articles of incorporation as set forth in K.S.A. 17-6426, 17-7201, 17-7202 and 17-7203, and amendments thereto;

(4) certificate of validation as set forth in section 8, and amendments thereto;

~~(D)~~ (5) foreign for-profit application for authority as set forth in K.S.A. 2015 Supp. 17-7931 and K.S.A. 17-7307 through 17-7510, and amendments thereto;

~~(E)~~ (6) for-profit annual report as set forth in K.S.A. 17-7503 and 17-7505, and amendments thereto;

~~(F)~~ (7) professional association annual report as set forth in K.S.A. 17-2718, and amendments thereto;

~~(G)~~ (8) for-profit certificate of amendment as set forth in K.S.A. 17-6003, 17-6401, 17-6601, 17-6602 and 17-6603, and amendments thereto;

~~(H)~~ (9) amendment to professional associations as set forth in K.S.A. 17-2709, and amendments thereto;

~~(I)~~ (10) foreign for-profit corporation certificate of amendment as set forth in K.S.A. 17-7302, and amendments thereto;

~~(J)~~ (11) restated articles of incorporation as set forth in K.S.A. 17-6605, and amendments thereto;

~~(K)~~ (12) change of registered office or resident agent as set forth in sections K.S.A. 2015 Supp. 17-7926, 17-7927, 17-7928 and 17-7929, and amendments thereto;

~~(L)~~ (13) for-profit certificate of correction as set forth in K.S.A. 2015 Supp. 17-7912, and amendments thereto;

~~(M)~~ (14) mergers as set forth in K.S.A. 17-6701 through 17-6708, and amendments thereto;

~~(N)~~ (15) foreign mergers as set forth in K.S.A. 17-7302, and amendments thereto;

~~(O)~~ (16) certificate of amendment or termination of merger as set forth in K.S.A. 17-6701, and amendments thereto;

~~(P)~~ (17) foreign corporation merger as set forth in K.S.A. 17-7302, and amendments thereto;

~~(Q)~~ (18) certificate of reinstatement as set forth in K.S.A. 17-7002, and amendments thereto;

~~(R)~~ (19) certificate of dissolution prior to commencing business as set forth in K.S.A. 17-6803, and amendments thereto;

~~(S)~~ (20) certificate of dissolution by stockholder's meeting as set forth in K.S.A. 17-6804, and amendments thereto;

~~(T)~~ (21) certificate of dissolution by written consent as set forth in K.S.A. 17-6804, and amendments thereto;

~~(U)~~ (22) foreign certificate of cancellation as set forth in K.S.A. 2015 Supp. 17-7936, and amendments thereto; and

~~(V)~~ (23) certificate of revocation of dissolution as set forth in K.S.A. 17-7001, and amendments thereto.

~~(2)~~ (b) Not-for-profit filings:

~~(A)~~ (1) Not-for-profit articles of incorporation as set forth in K.S.A. 17-6002, and amendments thereto;

~~(B)~~ (2) foreign not-for-profit application for authority as set forth in K.S.A. 2015 Supp. 17-7931, and amendments thereto;

~~(C)~~ (3) not-for-profit annual report as set forth in K.S.A. 17-7504, and amendments thereto;

~~(D)~~ (4) not-for-profit certificate of amendment as set forth in K.S.A. 17-6602, and amendments thereto;

~~(E)~~ (5) not-for-profit certificate of correction as set forth in K.S.A. 2015 Supp. 17-7912, and amendments thereto;

~~(F)~~ (6) not-for-profit change of registered office or resident agent as set forth in K.S.A. 2015 Supp. 17-7926, 17-7927, 17-7928 and 17-7929, and amendments thereto;

~~(G)~~ (7) not-for-profit certificate of reinstatement as set forth in K.S.A. 17-7002, and amendments thereto; and

~~(H)~~ (8) certificate of dissolution as set forth in K.S.A. 17-6803, 17-6804 and 17-6805, and amendments thereto.

~~(b) This section shall take effect on and after January 1, 2015.~~

Sec. 130. K.S.A. 2015 Supp. 17-7908 is hereby amended to read as follows: 17-7908. All documents required by this act to be filed with the secretary of state shall be executed as follows:

(a) Documents related to corporations shall be executed in the following manner:

(1) The articles of incorporation for all corporations~~ shall be signed by the incorporator or incorporators~~, and any other document to be filed before the election of the initial board of directors, if the initial directors were not named in the articles of incorporation, shall be signed by the incorporator or incorporators or, in the case of any such other document, such incorporator's or incorporators' successors and assigns. If any incorporator is not available~~ by reason of death, incapacity or refusal or neglect to act~~, then~~ the~~ any such other document may be signed, with the same effect as if such incorporator had signed it, by any person for whom or on whose behalf such incorporator, in executing the articles of incorporation, was acting directly or indirectly as an employee or agent~~. The~~, except that such other document shall state that~~ the~~ such incorporator is not available and the reason therefore, that such incorporator in executing the articles of incorporation was acting directly or indirectly as an employee or agent for or on behalf of such person and that such person's signature on such instrument is otherwise authorized and not wrongful.

(2) All documents related to a corporation that are not addressed by subsection (a)(1), shall be signed: (A) By any authorized officer of the corporation; (B) if it appears from the document that there are no such officers, by a majority of the directors or by such directors as may be designated by the board; (C) if it appears from the document that there are no such officers or directors, by the holders of record, or such of them as may be designated by the holders of record, of a majority of all outstanding shares of stock; or (D) by the holders of record of all outstanding shares of stock.

(b) Documents related to limited liability companies shall be executed in the following manner: All documents shall be signed by one or more authorized persons. Unless otherwise provided in an operating agreement, any person may sign the articles, any certificate, any amendment thereof, or enter into an operating agreement or amendment thereof by an agent.

(c) Documents related to limited partnerships shall be executed in the following manner:

(1) An initial certificate of limited partnership must be signed by all general partners;

(2) a certificate of amendment must be signed by at least one general partner and by each other general partner who is designated in the certificate of amendment as a new general partner; and

(3) a certificate of cancellation must be signed by all general partners or, if there is no general partner, by a majority of the limited partners.

(d) Documents related to limited liability partnerships shall be executed by an authorized person.

~~(e) This section shall take effect on and after January 1, 2015.~~

Sec. 131. K.S.A. 2015 Supp. 17-7918 is hereby amended to read as follows: 17-7918. (a) Except as otherwise provided in subsection (b), the names of all covered entities, except for banks, savings and loan associations and savings banks, must be distinguishable on the records of the office of the secretary of state from:

(1) The name of any other covered entity or foreign covered entity;

(2) the name of any non-covered entity, other than a general partnership, that has filed with the office of the secretary of state;

(3) any entity name reserved pursuant to K.S.A. 2015 Supp. 17-7923, and amendments thereto; and

(4) the name of any other covered entity or foreign covered entity whose public organic documents or foreign registration has been canceled or forfeited for any reason within the previous one year.

(b) A covered entity may register under any name that is not distinguishable on the records of the office of the secretary of state from the name of any other covered entity or non-covered entity that has filed with the office of the secretary of state with the written consent of the other entity, which written consent shall be filed with the secretary of state.

(c) A covered entity may use a name that is not distinguishable from a name described in subsection (a)(1) through (3) if the entity delivers to the secretary of state a certified copy of a final judgment of a court of competent jurisdiction establishing the right of the entity to use the name in this state.

Sec. 132. K.S.A. 2015 Supp. 17-7919 is hereby amended to read as follows: 17-7919. The name of a corporation, except for banks, savings and loan associations and savings banks, shall contain:

(a) One of the following words: "Association"; "church"; "college"; "company"; "corporation"; "club"; "foundation"; "fund"; "incorporated"; "institute"; "society"; "union"; "university"; "syndicate" or "limited";

(b) one of the following abbreviations: "Co."; "corp."; "inc." or "ltd."; or

(c) words or abbreviations of like import in other languages if they are written in Roman characters or letters.

~~(d) This section shall take effect on and after January 1, 2015.~~

Sec. 133. K.S.A. 2015 Supp. 17-7924 is hereby amended to read as follows: 17-7924. (a) Every covered entity shall have and maintain in this state a registered office which may, but need not be, the same as its place of business.

(b) ~~Unless the context otherwise requires,~~ Whenever the term "principal office or place of business in this state" or "principal office or place of business of the (applicable covered entity) in this state," or other term of like import, is or has been used in the covered entity's public organic documents, or in any other document or in any statute other than the Kansas uniform commercial code, unless the context indicates otherwise, it shall be deemed to mean and refer to the covered entity's registered office required by this section, and it shall not be necessary for any covered entity to amend its public organic documents or any other document to comply with this section.

(c) ~~This section shall take effect on and after January 1, 2015~~ As contained in any covered entity's organic documents or other document filed with the secretary of state under the business entity standard treatment act, the address of a registered office shall include the street, number, city and postal code.

Sec. 134. K.S.A. 2015 Supp. 17-7925 is hereby amended to read as follows: 17-7925.(a) Every covered entity shall have and maintain in this state a resident agent, which agent may be either:

(1) The covered entity itself;

(2) an individual resident in this state;

(3) a domestic corporation, a domestic limited partnership, a domestic limited liability partnership, a domestic limited liability company or a domestic business trust; or

(4) a foreign corporation, a foreign limited partnership, a foreign limited liability partnership, a foreign limited liability company or a foreign business trust ~~authorized to transact business in this state~~.

(b) Every resident agent for a covered entity shall:

(1) ~~The resident agent shall have~~ If a domestic entity, maintain a business office identical with the registered office which is generally open ~~during normal business hours~~, or if an individual, be generally present at a designated location in this state at sufficiently frequent times to accept service of process and otherwise perform the functions of a resident agent;

(2) if a foreign entity, be authorized to transact business in this state;

(3) accept service of process and other communications directed to the covered entity for which it serves as resident agent and forward the same to the covered entity to which the service or communication is directed; and

(4) forward to the covered entity for which it serves as a resident agent documents sent by the secretary of state.

(c) Unless the context otherwise requires, whenever the term "resident agent" or "registered agent" or "resident agent in charge of a (applicable covered entity's) principal office or place of business in this state," or other term of like import which refers to a covered entity's agent required by statute to be located in this state, is or has been used in a covered entity's public organic documents, or in any other document, or in any statute, it shall be deemed to mean and refer to the covered entity's resident agent required by this section, and it shall not be necessary for any covered entity to amend its public organic documents, or any other document, to comply with this section.

~~(d) This section shall take effect on and after January 1, 2015.~~

Sec. 135. K.S.A. 2015 Supp. 17-7927 is hereby amended to read as follows: 17-7927.(a) A resident agent may change the address of the registered office of any covered entities for which such agent is resident agent to another address in this state by paying a fee if authorized by law, as provided by K.S.A. 2015 Supp. 17-7910, and amendments thereto, and filing with the secretary of state a certificate, executed by such resident agent, setting forth the names of all the covered entities represented by such resident agent, and the address at which such resident agent has maintained the registered office for each of such covered entities, and further certifying to the new address to which each such registered office will be changed on a given day, and at which new address such resident agent will thereafter maintain the registered office for each of the covered entities recited in the certificate. ~~Upon the filing of such certificate, the secretary of state shall furnish to the resident agent a certified copy of the certificate, and~~ Thereafter, or until further change of address, as authorized by law, the registered office in this state of each of the covered entities ~~recited in the certificate~~ for which it is a resident agent shall be located at the new address of the resident agent thereof as given in the certificate.

(b) Whenever the location of a resident agent's office is moved to another room or suite within the same structure and such change is reported in writing to the secretary of state, no fee shall be charged for recording such change on the appropriate records on file with the secretary of state.

(c) In the event of a change of name of any person or entity acting as resident agent in this state, such resident agent shall pay a fee if authorized by law, as provided by K.S.A. 2015 Supp. 17-7910, and amendments thereto, and file with the secretary of state a certificate, executed by such resident agent, setting forth the new name of such resident agent, the name of such resident agent before it was changed, the names of all the covered entities represented by such resident agent, and the address at which such resident agent has maintained the registered office for each of such covered entities. A change of name of any person or entity acting as a resident agent as a result of a merger or consolidation of the resident agent, with or into another entity which succeeds to its assets by operation of law, shall be deemed a change of name for purposes of this section.

(d) In the event of both a change of name of any person or entity acting as resident agent for any covered entity and a change of address, such resident agent shall pay a fee if authorized by law, as provided by K.S.A. 2015 Supp. 17-7910, and amendments thereto, and file with the secretary of state a certificate, executed by such resident agent, setting forth the new name of such resident agent, the name of such resident agent before it was changed, the names of all the covered entities represented by such resident agent and the address at which such resident agent has maintained the registered office for each such covered entity, and further certifying to the new address to which each such registered office will be changed on a given day, and at which new address such resident agent will thereafter maintain the registered office for each of the covered entities recited in the certificate. Upon the filing of such certificate, and thereafter, or until further change of address or change of name, as authorized by law, the registered office in this state of each of the covered entities recited in the certificate shall be located at the new address of the resident agent as given in the certificate and the change of name shall be effective.

~~(c) This section shall take effect on and after January 1, 2015.~~

Sec. 136. K.S.A. 2015 Supp. 17-7928 is hereby amended to read as follows: 17-7928. (a) The resident agent of one or more covered entities may resign and appoint a successor resident agent by paying a fee if authorized by law, as provided by K.S.A. 2015 Supp. 17-7910, and amendments thereto, and filing a certificate with the secretary of state, stating that the resident agent resigns and the name and address of the successor agent in accordance with K.S.A. 2015 Supp. 17-7924, and amendments thereto. There shall be attached to such certificate a statement executed by each affected covered entity ratifying and approving such change of resident agent. Upon such filing, the successor resident agent shall become the resident agent of such covered entities as have ratified and approved such substitution and the successor resident agent's address, as stated in such certificate, shall become the address of each such covered entity's registered office in this state.

(b) Any covered entity affected by the filing of a certificate under this section shall not be required to take any further action to amend its public organic documents to reflect a change of registered office or resident agent.

~~(c) This section shall take effect on and after January 1, 2015.~~

Sec. 137. K.S.A. 2015 Supp. 17-7929 is hereby amended to read as follows: 17-7929. (a) The resident agent of one or more covered entities may resign without appointing a successor by paying a fee if authorized by law, as provided by K.S.A. 2015 Supp. 17-7910, and amendments thereto, and filing a certificate of resignation, with the secretary of state stating that the resident agent resigns as resident agent for the covered entities identified in the certificate, but such resignation shall not become effective until ~~60~~ 30 days after the certificate is filed. ~~There shall be attached to such certificate an affidavit of such resident agent, if an individual, or of an authorized governor, if an entity, that at least 30 days prior to the filing of such certificate, due notice was sent by certified or registered mail to the covered entities for which such resident agent is resigning as resident agent, at the principal office thereof within or outside the state of Kansas, if known to such resident agent, or if not so known, to the last known address of the individual at whose request such resident agent was appointed for such entity, of the resignation of such resident agent~~ The certificate shall be executed by the resident agent, shall contain a statement that written notice of resignation was given to each affected covered entity at least 30 days prior to the filing of the certificate by mailing or delivering such notice to the covered entity at its address last known to the resident agent and shall set forth the date of such notice.

(b) After receipt of the notice of the resignation of its resident agent, provided for in subsection (a), any covered entity for which such resident agent was acting shall obtain and designate a new resident agent to ~~succeed~~ take the place of the resident agent so resigning. Such covered entity shall pay a fee if authorized by law, as provided by K.S.A. 2015 Supp. 17-7910, and amendments thereto, and file with the secretary of state a certificate setting forth the name and address of the successor resident agent. Upon such filing, the successor resident agent shall become the resident agent of such covered entity and the successor resident agent's address, as stated in such certificate, shall become the address of the covered entity's registered office in this state. If such covered entity fails to obtain and designate a new resident agent as aforesaid, prior to the expiration of the period of 60 days after the filing by the resident agent of the certificate of resignation, ~~such covered entity fails to obtain and designate a new~~

~~resident agent, as required by this subsection,~~ the secretary of state ~~may~~ shall declare the entity's organizing documents forfeited ~~or, in the case of a foreign entity, the secretary may declare the foreign entity's authority to do business in this state forfeited~~.

(c) After the resignation of the resident agent shall have become effective, as provided in subsection (a), and if no new resident agent shall have been obtained and designated in the time and manner provided for in subsection (b), service of legal process against the covered entity for which the resigned resident agent had been acting shall thereafter be upon the secretary of state in the manner prescribed by K.S.A. 60-304, and amendments thereto.

(d) Any covered entity affected by the filing of a certificate under this section shall not be required to take any further action to amend its public organic documents to reflect a change of registered office or resident agent.

~~(e) This section shall take effect on and after January 1, 2015.~~

Sec. 138. K.S.A. 2015 Supp. 17-7931 is hereby amended to read as follows: 17-7931. Before doing business in the state of Kansas, a foreign covered entity shall register with the secretary of state. In order to register, a foreign covered entity shall submit to the secretary of state, together with payment of a fee if authorized by law, as provided by K.S.A. 2015 Supp. 17-7910, and amendments thereto, an original copy executed by a governor, of an application for registration as a foreign covered entity, setting forth:

(a) The name of the foreign covered entity;

(b) the ~~state or other~~ jurisdiction ~~or country~~ where organized;

(c) the date of its organization;

(d) a statement issued within 90 days of the date of application by the proper officer of the jurisdiction where such foreign entity is organized, or by a third-party agent authorized by such proper officer, that the foreign covered entity exists in good standing under the laws of the jurisdiction of its organization;

(e) the nature of the business or purposes to be conducted or promoted in the state of Kansas, including whether the covered entity operates for-profit or not-for-profit;

(f) the address of the registered office and the name and address of the resident agent for service of process required to be maintained by this act;

(g) an irrevocable written consent of the foreign covered entity that actions may be commenced against it in the proper court of any county where there is proper venue by the service of process on the secretary of state as provided for in K.S.A. 60-304, and amendments thereto, and stipulating and agreeing that such service shall be taken and held, in all courts, to be as valid and binding as if due service had been made upon the governors of the foreign covered entity; and

(h) ~~the name and business, residence or mailing address of each of the governors; and~~

~~(i)~~ the date on which the foreign covered entity first did, or intends to do, business in the state of Kansas.

Sec. 139. K.S.A. 2015 Supp. 17-7934 is hereby amended to read as follows: 17-7934. (a) ~~Each foreign covered entity shall have and maintain in the state of Kansas:~~

~~(1) A registered office which may, but need not, be its place of business in the state of Kansas; and~~

~~(2) a resident agent for service of process on the covered entity, which agent may be the foreign covered entity itself, an individual resident of the state of Kansas, a~~

~~domestic corporation, a domestic limited partnership, a domestic limited liability company, a domestic business trust, or a foreign corporation, foreign limited partnership, foreign limited liability company or foreign business trust authorized to do business in the state of Kansas whose business office is identical with the covered entity's registered office~~ Every foreign covered entity shall have and maintain in this state a registered office and a resident agent in the same manner as prescribed by K.S.A. 2015 Supp. 17-7924 and 17-7925, and amendments thereto.

(b) ~~A resident agent may change the address of the registered office of the foreign covered entity for which the resident agent is resident agent to another address in the state of Kansas by:~~

~~(1) Paying a fee if authorized by law, as provided by K.S.A. 2015 Supp. 17-7910, and amendments thereto;~~

~~(2) filing with the secretary of state a certificate executed by the resident agent, setting forth the names of all the foreign covered entities represented by the resident agent and the address at which the resident agent has maintained the registered office for each of such foreign covered entity; and~~

~~(3) certifying to the new address to which each such registered office will be changed on a given day and at which the resident agent will thereafter maintain the registered office for each of the foreign covered entities recited in the certificate. Upon the filing of the certificate, the secretary of state shall furnish to the resident agent a certified copy of such certificate. Thereafter, or until further change of address, as authorized by law, the registered office in the state of Kansas of each of the foreign covered entities recited in the certificate shall be located at the new address of the resident agent of the entity given in the certificate. Filing of the certificate shall be considered an amendment of the application of each foreign covered entity affected by the certificate, and the foreign covered entity shall not be required to take any further action with respect thereto, to amend its application. Any resident agent filing a certificate under this section, upon such filing, shall deliver promptly a copy of such certificate to each foreign covered entity affected thereby~~ Any foreign covered entity that has qualified to do business in this state may change its registered office or resident agent in the manner prescribed in K.S.A. 2015 Supp. 17-7926, and amendments thereto.

(c) ~~In the event of a change of name of any person acting as resident agent for a foreign covered entity in this state, such resident agent shall pay a fee if authorized by law, as provided by K.S.A. 2015 Supp. 17-7910, and amendments thereto, and file with the secretary of state a certificate, executed by such resident agent, setting forth the new name of such resident agent, the name of such resident agent before it was changed, the names of all the foreign covered entities represented by such resident agent, and the address at which such resident agent has maintained the registered office for each of such foreign covered entities~~ Any resident agent may change the address of the foreign covered entity's registered office in the manner prescribed by K.S.A. 2015 Supp. 17-7927, and amendments thereto.

(d) ~~In the event of both a change of name of any person acting as resident agent for any foreign covered entity and a change of address, such resident agent shall pay a fee if authorized by law, as provided by K.S.A. 2015 Supp. 17-7910, and amendments thereto, and file with the secretary of state a certificate, executed by such resident agent, setting forth the new name of such resident agent, the name of such resident agent before it was changed, the names of all the foreign covered entities represented by such~~

~~resident agent and the address at which such resident agent has maintained the registered office for each such foreign covered entity, and further certifying to the new address to which each such registered office will be changed on a given day, and at which new address such resident agent will thereafter maintain the registered office for each of the foreign covered entities recited in the certificate. Upon the filing of such certificate, and thereafter, or until further change of address or change of name, as authorized by law, the registered office in this state of each of the foreign covered entities recited in the certificate shall be located at the new address of the resident agent as given in the certificate and the change of name shall be effective~~ Any resident agent designated by a foreign covered entity as its resident agent for service of process may resign pursuant to the provisions of K.S.A. 2015 Supp. 17-7928 or 17-7929, and amendments thereto.

~~(e) The resident agent of one or more foreign covered entities may resign and appoint a successor resident agent by paying a fee if authorized by law, as provided by K.S.A. 2015 Supp. 17-7910, and amendments thereto, and filing a certificate with the secretary of state, stating that the resident agent resigns as resident agent for the foreign covered entity identified in the certificate and giving the name and address of the successor resident agent. There shall be attached to the certificate a statement executed by each affected foreign covered entity ratifying and approving the change of resident agent. Upon the filing, the successor resident agent shall become the resident agent of those foreign covered entities that have ratified and approved the substitution and the successor resident agent's address, as stated in the certificate, shall become the address of each such foreign covered entities' registered office in the state of Kansas. Filing of the certificate of resignation shall be deemed to be an amendment of the application of each foreign covered entity affected by the certificate, and the foreign covered entity shall not be required to take any further action with respect thereto, to amend its application.~~

~~(f) The resident agent of one or more foreign covered entities may resign without appointing a successor resident agent by paying a fee if authorized by law, as provided by K.S.A. 2015 Supp. 17-7910, and amendments thereto, and filing a certificate with the secretary of state stating that the resident agent resigns as resident agent for the foreign covered entities identified in the certificate, but the resignation shall not become effective until 60 days after the certificate is filed. There shall be attached to the certificate an affidavit that, at least 30 days prior to the date of the filing of the certificate, notice of the resignation of the resident agent was sent by certified or registered mail to each foreign covered entity for which the resident agent is resigning as resident agent. The affidavit shall state that the notice was sent to the principal office of each of the foreign covered entities within or outside the state of Kansas, if known to the resident agent or, if not, to the last known address of the individual at whose request the resident agent was appointed for the foreign covered entity. After receipt of the notice of the resignation of its resident agent, the foreign covered entity for which the resident agent was acting shall obtain and designate a new resident agent, to take the place of the resident agent resigning. If a foreign covered entity fails to obtain and designate a new resident agent within 60 days after the filing by the resident agent of the certificate of resignation, that foreign covered entity shall not be permitted to do business in the state of Kansas and its registration shall be considered forfeited.~~

Sec. 140. K.S.A. 2015 Supp. 56-1a606 is hereby amended to read as follows: 56-

1a606. (a) Every limited partnership organized under the laws of this state shall make an annual report in writing to the secretary of state, stating the prescribed information concerning the limited partnership at the close of business on the last day of its tax period next preceding the date of filing. If the limited partnership's tax period is other than the calendar year, it shall give notice of its different tax period to the secretary of state prior to December 31 of the year it commences the different tax period. The annual report shall be filed at the time prescribed by law for filing the limited partnership's annual Kansas income tax return.

(b) The annual report shall be made on a form prescribed by the secretary of state. The report shall contain the following information:

(1) The name of the limited partnership; and

(2) a list of the partners owning at least 5% of the capital of the partnership, with the address of each.

(c) Every limited partnership subject to the provisions of this section which is a limited agricultural partnership, as defined in K.S.A. 17-5903, and amendments thereto, and which holds agricultural land, as defined in K.S.A. 17-5903, and amendments thereto, within this state shall show the following additional information on the report:

(1) The number of acres and location, listed by section, range, township and county of each lot, tract or parcel of agricultural land in this state owned or leased by the limited partnership; and

(2) whether any of the agricultural land held and reported under subsection (c)(1) was acquired after July 1, 1981.

(d) The annual report shall be ~~dated,~~ signed by the general partner or partners of the limited partnership under penalty of perjury and forwarded to the secretary of state. At the time of filing the report, the limited partnership shall pay to the secretary of state an annual report fee in an amount equal to $40.

(e) The provisions of K.S.A. 17-7509, and amendments thereto, relating to penalties for failure of a corporation to file an annual report or pay the required annual report fee, and the provisions of ~~subsection (a) of~~ K.S.A. 17-7510(a), and amendments thereto, relating to forfeiture of a domestic corporation's articles of incorporation for failure to file an annual report or pay the required annual report fee, shall be applicable to the certificate of partnership of any limited partnership which fails to file its annual report or pay the annual report fee within 90 days of the time prescribed in this section for filing and paying the same or, in the case of an annual report filing and fee received by mail, postmarked within 90 days of the time prescribed in this section for filing and paying the same. Whenever the certificate of partnership of a limited partnership is forfeited for failure to file an annual report or to pay the required annual report fee, the limited partnership may be reinstated by filing a certificate of reinstatement, in the manner and form to be prescribed by the secretary of state and paying to the secretary of state all fees, including any penalties thereon, due to the state. The fee for filing a certificate of reinstatement shall be the same as that prescribed by K.S.A. 17-7506, and amendments thereto, for filing a certificate of reinstatement of a corporation's articles of incorporation.

Sec. 141. K.S.A. 2015 Supp. 56-1a607 is hereby amended to read as follows: 56-1a607. (a) Every foreign limited partnership shall make an annual report in writing to the secretary of state, stating the prescribed information concerning the limited partnership at the close of business on the last day of its tax period next preceding the

date of filing. If the limited partnership's tax period is other than the calendar year, it shall give notice of its different tax period to the secretary of state prior to December 31 of the year it commences the different tax period. The annual report shall be filed at the time prescribed by law for filing the limited partnership's annual Kansas income tax return.

(b) The annual report shall be made on a form prescribed by the secretary of state. The report shall contain the name of the limited partnership.

(c) Every foreign limited partnership subject to the provisions of this section which is a limited agricultural partnership, as defined in K.S.A. 17-5903, and amendments thereto, and which holds agricultural land, as defined in K.S.A. 17-5903, and amendments thereto, within this state shall show the following additional information on the report:

(1) The number of acres and location, listed by section, range, township and county of agricultural land in this state owned or leased by the limited partnership; and

(2) whether any of the agricultural land held and reported under subsection (c)(1) was acquired after July 1, 1981.

(d) The annual report shall be ~~dated,~~ signed by the general partner or partners of the limited partnership under penalty of perjury and forwarded to the secretary of state. At the time of filing the report, the foreign limited partnership shall pay to the secretary of state an annual report fee in an amount equal to $40.

(e) The provisions of K.S.A. 17-7509, and amendments thereto, relating to penalties for failure of a corporation to file an annual report or pay the required annual report fee, and the provisions of ~~subsection (b) of~~ K.S.A. 17-7510(b), and amendments thereto, relating to forfeiture of a foreign corporation's authority to do business in this state for failure to file an annual report or pay the required annual report fee, shall be applicable to the authority of any foreign limited partnership which fails to file its annual report or pay the annual report fee within 90 days of the time prescribed in this section for filing and paying the same or, in the case of an annual report filing and fee received by mail, postmarked within 90 days of the time prescribed in this section for filing and paying the same. Whenever the authority of a foreign limited partnership to do business in this state is forfeited for failure to file an annual report or to pay the required annual report fee, the foreign limited partnership's authority to do business in this state may be reinstated by filing a certificate of reinstatement, in the manner and form to be prescribed by the secretary of state and paying to the secretary of state all fees, including any penalties thereon, due to the state. The fee for filing a certificate of reinstatement shall be the same as that prescribed by K.S.A. 17-7506, and amendments thereto, for filing a certificate of reinstatement of a corporation's articles of incorporation.

Sec. 142. K.S.A. 2015 Supp. 56a-1201 is hereby amended to read as follows: 56a-1201. (a) Every limited liability partnership organized under the laws of this state shall make an annual report in writing to the secretary of state, stating the prescribed information concerning the limited liability partnership at the close of business on the last day of its tax period next preceding the date of filing. If the limited liability partnership's tax period is other than the calendar year, it shall give notice of its different tax period in writing to the secretary of state prior to December 31 of the year it commences the different tax period. The annual report shall be filed at the time prescribed by law for filing the limited liability partnership's annual Kansas income tax

return.

(b) The annual report shall be made on a form prescribed by the secretary of state. The report shall contain the following information:

(1) The name of the limited liability partnership; and

(2) a list of the partners owning at least 5% of the capital of the partnership, with the address of each.

(c) The annual report shall be ~~dated,~~ signed by a partner of the limited liability partnership under penalty of perjury and forwarded to the secretary of state. At the time of filing the report, the limited liability partnership shall pay to the secretary of state an annual report fee in an amount equal to $40.

(d) The provisions of K.S.A. 17-7509, and amendments thereto, relating to penalties for failure of a corporation to file an annual report or pay the required annual report fee, and the provisions of ~~subsection (a) of~~ K.S.A. 17-7510(a), and amendments thereto, relating to penalties for failure of a corporation to file an annual report or pay the required annual report fee, shall be applicable to the statement of qualification of any limited liability partnership which fails to file its annual report or pay the annual report fee within 90 days of the time prescribed in this section for filing and paying the same or, in the case of an annual report filing and fee received by mail, postmarked within 90 days of the time prescribed in this section for filing and paying the same. Whenever the statement of qualification of a limited liability partnership is forfeited for failure to file an annual report or to pay the required annual report fee, the limited liability partnership may be reinstated by filing a certificate of reinstatement, in the manner and form to be prescribed by the secretary of state and paying to the secretary of state all fees, including any penalties thereon, due to the state. The fee for filing a certificate of reinstatement shall be the same as that prescribed by K.S.A. 17-7506, and amendments thereto, for filing a certificate of reinstatement of a corporation's articles of incorporation.

Sec. 143. K.S.A. 2015 Supp. 56a-1202 is hereby amended to read as follows: 56a-1202. (a) Every foreign limited liability partnership shall make an annual report in writing to the secretary of state, stating the prescribed information concerning the foreign limited liability partnership at the close of business on the last day of its tax period next preceding the date of filing. If the foreign limited liability partnership's tax period is other than the calendar year, it shall give notice in writing of its different tax period to the secretary of state prior to December 31 of the year it commences the different tax period. The annual report shall be filed at the time prescribed by law for filing the foreign limited liability partnership's annual Kansas income tax return.

(b) The annual report shall be made on a form prescribed by the secretary of state. The report shall contain the name of the foreign limited liability partnership.

(c) The annual report shall be ~~dated,~~ signed by a partner of the foreign limited liability partnership under penalty of perjury and forwarded to the secretary of state. At the time of filing the report, the foreign limited liability partnership shall pay to the secretary of state an annual report fee in an amount equal to $40.

(d) The provisions of K.S.A. 17-7509, and amendments thereto, relating to penalties for failure of a corporation to file an annual report or pay the required annual report fee, and the provisions of ~~subsection (a) of~~ K.S.A. 17-7510(a), and amendments thereto, relating to penalties for failure of a corporation to file an annual report or pay the required annual report fee, shall be applicable to the statement of foreign

qualification of any foreign limited liability partnership which fails to file its annual report or pay the annual report fee within 90 days of the time prescribed in this section for filing and paying the same or, in the case of an annual report filing and fee received by mail, postmarked within 90 days of the time prescribed in this section for filing and paying the same. Whenever the statement of foreign qualification of a foreign limited liability partnership is forfeited for failure to file an annual report or to pay the required annual report fee, the statement of foreign qualification of the foreign limited liability partnership may be reinstated by filing a certificate of reinstatement, in the manner and form to be prescribed by the secretary of state and paying to the secretary of state all fees, including any penalties thereon, due to the state. The fee for filing a certificate of reinstatement shall be the same as that prescribed by K.S.A. 17-7506, and amendments thereto, for filing a certificate of reinstatement of a corporation's articles of incorporation.

Sec. 144. K.S.A. 17-1289, 17-12,100, 17-12,101, 17-12,102, 17-12,103, 17-12,104, 17-2036, 17-2718, 17-4634, 17-6001, 17-6004, 17-6006, 17-6007, 17-6008, 17-6009, 17-6010, 17-6101, 17-6102, 17-6104, 17-6106, 17-6301, 17-6302, 17-6304, 17-6401, 17-6402, 17-6404, 17-6405, 17-6407, 17-6408, 17-6409, 17-6410, 17-6412, 17-6413, 17-6414, 17-6415, 17-6416, 17-6420, 17-6422, 17-6425, 17-6426, 17-6501, 17-6502, 17-6503, 17-6505, 17-6506, 17-6508, 17-6509, 17-6510, 17-6512, 17-6513, 17-6514, 17-6515, 17-6516, 17-6517, 17-6518, 17-6521, 17-6522, 17-6523, 17-6603, 17-6605, 17-6701, 17-6702, 17-6703, 17-6704, 17-6705, 17-6706, 17-6707, 17-6708, 17-6710, 17-6712, 17-6801, 17-6803, 17-6804, 17-6805, 17-6805a, 17-6807, 17-6808, 17-6809, 17-6810, 17-6811, 17-6812, 17-6813, 17-6902, 17-6903, 17-6904, 17-6905, 17-6906, 17-6907, 17-6908, 17-6909, 17-6910, 17-6911, 17-6913, 17-7001, 17-7003, 17-7101, 17-7102, 17-7201, 17-7203, 17-7204, 17-7205, 17-7206, 17-7208, 17-7209, 17-7211, 17-7212, 17-7213, 17-7215, 17-7302, 17-7305, 17-7307, 17-7404, 17-7503, 17-7504, 17-7505, 17-7510 and 17-7512 and K.S.A. 2015 Supp. 17-6002, 17-6305, 17-6601, 17-6602, 17-7002, 17-7207, 17-7506, 17-76,139, 17-7903, 17-7908, 17-7918, 17-7919, 17-7924, 17-7925, 17-7927, 17-7928, 17-7929, 17-7931, 17-7934, 56-1a606, 56-1a607, 56a-1201 and 56a-1202 are hereby repealed."

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; in line 2, by striking all before the period and inserting "corporations; relating to the Kansas general corporation code; business entity standard treatment act; amending K.S.A. 17-1289, 17-2036, 17-2718, 17-4634, 17-6001, 17-6004, 17-6006, 17-6007, 17-6008, 17-6009, 17-6010, 17-6101, 17-6102, 17-6104, 17-6106, 17-6301, 17-6302, 17-6304, 17-6401, 17-6402, 17-6404, 17-6405, 17-6407, 17-6408, 17-6409, 17-6410, 17-6412, 17-6413, 17-6414, 17-6415, 17-6416, 17-6420, 17-6422, 17-6425, 17-6426, 17-6501, 17-6502, 17-6503, 17-6505, 17-6506, 17-6508, 17-6509, 17-6510, 17-6512, 17-6513, 17-6514, 17-6515, 17-6516, 17-6517, 17-6518, 17-6521, 17-6522, 17-6523, 17-6603, 17-6605, 17-6701, 17-6702, 17-6703, 17-6705, 17-6706, 17-6707, 17-6708, 17-6710, 17-6712, 17-6801, 17-6803, 17-6804, 17-6805, 17-6805a, 17-6807, 17-6808, 17-6809, 17-6810, 17-6811, 17-6812, 17-6813, 17-6902, 17-6903, 17-6904, 17-6905, 17-6906, 17-6907, 17-6908, 17-6909, 17-6910, 17-6911, 17-6913, 17-7001, 17-7003, 17-7101, 17-7102, 17-7201, 17-7203, 17-7204, 17-7205, 17-7206, 17-7208, 17-7209, 17-7211, 17-7212, 17-7213, 17-7215, 17-7302, 17-7305, 17-7307, 17-7404, 17-7503, 17-7504, 17-7505, 17-7510 and 17-7512 and K.S.A. 2015 Supp. 17-6002, 17-6305, 17-6601, 17-6602, 17-

7002, 17-7207, 17-7506, 17-76,139, 17-7903, 17-7908, 17-7918, 17-7919, 17-7924, 17-7925, 17-7927, 17-7928, 17-7929, 17-7931, 17-7934, 56-1a606, 56-1a607, 56a-1201 and 56a-1202 and repealing the existing sections; also repealing K.S.A. 17-12,100, 17-12,101, 17-12,102, 17-12,103, 17-12,104 and 17-6704";-

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

Jeff King
Greg Smith
David Haley
Conferees on part of Senate

John E. Barker
Charles Macheers
John Carmichael
Conferees on part of House

On motion of Rep. Macheers, the conference committee report on **S Sub for HB 2112** was adopted.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Edmonds, Ewy, Schroeder.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 280** submits the following report:

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

On page 1, in line 19, after "amended" by inserting ", shall be exempt from all property or ad valorem taxes levied under the laws of this state"; by striking lines 21 through 36;

By striking all on pages 2 through 7;

On page 8, by striking all in lines 1 through10;

On page 9, by striking all in lines 7 through 43;

By striking all on pages 10 through 14;

On page 15, by striking all in lines 1 through 28;

On page 16, in line 27, by striking all following "(A)"; by striking all in lines 28 and 29; in line 30, by striking "de novo";

On page 31, in line 26, before "prior" by inserting "at least 10 business days"; in line 29, by striking "or" and inserting "and"; also in line 29 after "website" by inserting ", if the county maintains a county website,";

On page 41, by striking all in lines 7 through 43;

By striking all on page 42;

On page 43, by striking all in lines 1 through 3; in line 4, by striking "exceeds the statewide average" and inserting "fails to meet the minimum appraisal standards for commercial real property established by the official Kansas appraisal/sales ratio study conducted for the preceding year by the division of property valuation of the department of revenue"; in line 10, by striking all following "selected"; in line 11, by striking all before the period and inserting "so to represent a sample of the commercial property types which failed to meet statistical compliance in the county"; by striking all in line 26 and inserting "74-2433f, 79-1448, 79-1609 or 79-"; in line 31, by striking all after "shall"; by striking all in lines 32 through 39; in line 40, by striking all before the period and inserting "review and consider such appraisal in the determination of valuation or classification of the taxpayer's property and mail a supplemental notice of final determination. If the final determination is not in favor of the taxpayer then the county appraiser shall notify the taxpayer that the county is required to perform its own, or commission a fee simple single property appraisal. The county appraiser shall then have 90 days to furnish that appraisal along with a new supplemental notice of determination and if not in favor of the taxpayer include an explanation of the reasons the county appraiser did not rely upon the taxpayer's fee simple single property appraisal. Whenever a taxpayer submits a fee simple single property appraisal the burden of proof shall be on the county appraiser to dispute the value of that appraisal. Any taxpayer aggrieved by the final determination of the county appraiser may appeal to the state board of tax appeals as provided in K.S.A. 79-1609, and amendments thereto, within 30 days subsequent to the date of mailing of the supplemental notice of final determination";

On page 44, by striking all in lines 6 through 8 and inserting:

"Sec. 25. K.S.A. 2015 Supp. 12-1927 is hereby amended to read as follows: 12-1927. (a) (1) The recreation commission shall prepare an annual budget for the operation of the recreation system. Prior to the certification of its budget to the city or school district, the recreation commission shall meet for the purpose of answering and hearing objections of taxpayers relating to the proposed budget and for the purpose of considering amendments to such proposed budget. The recreation commission shall give at least 10 days' notice of the time and place of the meeting by publication in a weekly or daily newspaper having a general circulation in the taxing district. Such notice shall include the proposed budget and shall set out all essential items in the budget except such groupings as designated by the director of accounts and reports on a special publication form prescribed by the director of accounts and reports and

furnished with the regular budget form. The public hearing required to be held herein shall be held not less than 10 days prior to the date on which the recreation commission is required to certify its budget to the city or school district.

(2) Except as provided in subsection (b), after such hearing the budget shall be adopted or amended and adopted by the recreation commission. In order to provide funds to carry out the provisions of this act and to pay a portion of the principal and interest on bonds issued pursuant to K.S.A. 12-1774, and amendments thereto, the recreation commission shall annually, not later than August 1 of any year, certify its budget to such city or school district which shall levy a tax sufficient to raise the amount required by such budget on all the taxable tangible property within the taxing district.

(3) Each year a copy of the budget adopted by the recreation commission shall be filed with the city clerk in the case of a city-established recreation system or with the clerk of the school district in the case of a school district-established recreation system or with the clerk of the taxing district in the case of a jointly established recreation system. A copy of such budget also shall be filed with the county clerk of the county in which the recreation system is located. If the recreation system is located in more than one county, a copy of the budget shall be filed with the clerk of the county in which the greater portion of the assessed valuation of the recreation system is located. The city or school district shall not be required to levy a tax in excess of the maximum tax levy set by the city or school district by current resolution. In the case of a new recreation commission established under the provisions of this act, such levy shall not be required to exceed one mill. Whenever the recreation commission determines that the tax currently being levied for the commission, as previously established by the city or school district, is insufficient to operate the recreation system and the commission desires to increase the mill levy above the current levy, the commission shall request that the city or school district authorize an increase by adopting a resolution declaring it necessary to increase the annual levy. The city or school district may authorize the increase by resolution, but such increase shall not exceed one mill per year. The maximum annual mill levy for the recreation commission general fund shall not exceed a total of four mills.

(b) Prior to adopting the budget pursuant to subsection (a)(2), the Blue Valley recreation commission appointed by the Blue Valley unified school district no. 229 shall submit its proposed budget to the board of education of the school district. The board either shall approve or modify and approve the proposed budget. The recreation commission shall adopt the budget as approved or modified and approved by the school district board.

(c) Any resolution adopted under subsection (a) shall state the total amount of the tax to be levied for the recreation system and shall be published once each week for two consecutive weeks in the official newspaper of the taxing district. Whereupon, such annual levy in an amount not to exceed the amount stated in the resolution may be made for the ensuing budget year and each successive budget year unless a petition requesting an election upon the proposition to increase the tax levy in excess of the current tax levy, signed by at least 5% of the qualified voters of the taxing district, is filed with the county election officer within 30 days following the date of the last publication of the resolution. In the event a valid petition is filed, no such increased levy shall be made without such proposition having been submitted to and having been approved by a

majority of the voters of the taxing district voting at an election called and held thereon. All such elections shall be called and held in the manner provided by the general bond law, and the cost of the election shall be borne by the recreation commission. Such taxes shall be levied and collected in like manner as other taxes, which levy the city or school district shall certify, on or before August 25 of each year, to the county clerk who is hereby authorized and required to place the same on the tax roll of the county to be collected by the county treasurer and paid over by the county treasurer to the ex officio treasurer of the recreation commission.

~~(c)~~(d) The tax levy provided in this section shall not be considered a levy of such city or school district under any of the statutes of this state, but shall be in addition to all other levies authorized by law and, with respect to any such levy made for the first time in 1989, shall not be subject to the provisions of K.S.A. 79-5021 et seq., and amendments thereto.

~~(d)~~(e) (1) At any time after the making of the first tax levy pursuant to this act, the amount of such tax levy may be reduced by a majority of the voters of the taxing district voting at an election called pursuant to a petition and conducted in the same manner as that prescribed by subsection ~~(b)~~ (c). The authority of any recreation commission in existence on the effective date of this act or any recreation commission established under the provisions of this act to operate and conduct its activities may be revoked in any year following the third year of its operation by a majority of the voters of the taxing district voting at an election called pursuant to a petition and conducted in the same manner as that prescribed by subsection ~~(b)~~ (c). If the petition submitted is for the purpose of reducing the mill levy, it shall state the mill levy reduction desired. Upon revocation, all property and money belonging to the recreation commission shall become the property of the taxing authority levying the tax for the commission, and the recreation commission shall be dissolved. In the event the authority of a recreation commission is revoked pursuant to this subsection, the taxing authority may continue to levy a tax in the manner prescribed by the petition language for the purpose of paying any outstanding obligations of the recreation commission which exist on the date such authority is revoked. The authority to levy a tax for this purpose shall continue only as long as such outstanding obligations exist.

(2) If the recreation district whose authority is revoked owns any real property at the time of such revocation, title to such real property shall revert to the taxing authority.

~~(e)~~ (f) All financial records of the recreation commission shall be audited as provided in K.S.A. 75-1122, and amendments thereto, and a copy of such annual audit report shall be filed with the governing body of the city or school district, or both, in the case of a jointly established recreation system. A copy of such audit also shall be filed with the county clerk of the county in which the recreation system is located. If the recreation system is located in more than one county, a copy of the budget shall be filed with the clerk of the county in which the greater portion of the assessed valuation of the recreation system is located. The cost of each audit shall be borne by the recreation commission.";

Also on page 44, in line 10, following "Supp." by inserting "12-1927,";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "property"; in line 7, by striking "3-114, 12-1688,"; also in line 7, by striking "19-3557,"; in line 8, by striking all before "79-

504"; in line 9, by striking the first comma and inserting "and"; also in line 9, by striking ", 80-1520 and 80-1548"; in line 10, by striking ", 12-1928, 12-1936, 27-323";

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

Marvin Kleeb
Gene Suellentrop
Tom Sawyer
Conferees on part of House

Les Donovan
Caryn Tyson
Tom Holland
Conferees on part of Senate

On motion of Rep. Kleeb, the conference committee report on **H Sub for SB 280** was adopted.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Edmonds, Ewy, Schroeder.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2615** 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 10, following line 38, by inserting:

"(j) "Community mental health center" means any community mental health center organized pursuant to K.S.A. 19-4001 through 19-4015, and amendments thereto, or a mental health clinic organized pursuant to K.S.A. 65-211 through 65-215, and amendments thereto, and licensed in accordance with K.S.A. 75-3307b, and

amendments thereto.";

On page 11, following line 29, by inserting:

"Sec. 5. K.S.A. 75-6115 is hereby amended to read as follows: 75-6115. (a) The Kansas tort claims act shall not be applicable to claims arising from the rendering of or failure to render professional services by a health care provider other than:

(1) A charitable health care provider;

(2) a hospital owned by a municipality and the employees thereof;

(3) a local health department and the employees thereof;

(4) an indigent health care clinic and the employees thereof; ~~or~~

(5) a district coroner or deputy district coroner appointed pursuant to K.S.A. 22a-226, and amendments thereto; or

(6) a community mental health center and the employees thereof.

(b) Claims for damages against a health care provider that is a governmental entity or an employee of a governmental entity other than those health care providers enumerated in subsection (a), arising out of the rendering of or failure to render professional services by such health care provider, may be recovered in the same manner as claims for damages against any other health care provider.

(c) As used in this section:

(1) "Indigent health care clinic" shall have the meaning ascribed to such term under K.S.A. 75-6102, and amendments thereto.

(2) "Charitable health care provider" shall have the meaning ascribed to such term under K.S.A. 75-6102, and amendments thereto.

(3) "Health care provider" shall have the meaning ascribed to such term under K.S.A. 40-3401, and amendments thereto.

(4) "Hospital" means a medical care facility as defined in K.S.A. 65-425, and amendments thereto, and includes within its meaning any clinic, school of nursing, long-term care facility, child-care facility and emergency medical or ambulance service operated in connection with the operation of the medical care facility.

(5) "Local health department" shall have the meaning ascribed to such term under K.S.A. 65-241, and amendments thereto.

New Sec. 6. Sections 6 through 29, and amendments thereto, shall be known and may be cited as the acupuncture practice act.

New Sec. 7. As used in the acupuncture practice act:

(a) "ACAOM" means the national accrediting agency recognized by the U.S. department of education that provides accreditation for educational programs for acupuncture and oriental medicine. For purposes of the acupuncture practice act, the term ACAOM shall also include any entity deemed by the board to be the equivalent of ACAOM.

(b) "Act" means the acupuncture practice act.

(c) "Acupuncture" means the use of needles inserted into the human body by piercing of the skin and related modalities for the assessment, evaluation, prevention, treatment or correction of any abnormal physiology or pain by means of controlling and regulating the flow and balance of energy in the body and stimulating the body to restore itself to its proper functioning and state of health.

(d) "Board" means the state board of healing arts.

(e) "Council" means the acupuncture advisory council established by section 18, and amendments thereto.

(f) "Licensed acupuncturist" means any person licensed to practice acupuncture under the acupuncture practice act.

(g) "NCCAOM" means the national certification commission for acupuncture and oriental medicine. NCCAOM is a national organization that validates entry-level competency in the practice of acupuncture and oriental medicine through the administration of professional certification examinations. For purposes of the acupuncture practice act, the term NCCAOM shall also include any entity deemed by the board to be the equivalent of the NCCAOM.

(h) "Physician" means a person licensed to practice medicine and surgery or osteopathy in Kansas.

(i) "Practice of acupuncture" includes, but is not limited to:

(1) Techniques sometimes called "dry needling," "trigger point therapy," "intramuscular therapy," "auricular detox treatment" and similar terms;

(2) mechanical, thermal, pressure, suction, friction, electrical, magnetic, light, sound, vibration, manual and electromagnetic treatment;

(3) the use, application or recommendation of therapeutic exercises, breathing techniques, meditation and dietary and nutritional counselings; and

(4) the use and recommendation of herbal products and nutritional supplements, according to the acupuncturist's level of training and certification by the NCCAOM or its equivalent.

(j) "Practice of acupuncture" does not include:

(1) Prescribing, dispensing or administering of any controlled substances as defined in K.S.A. 65-4101 et seq., and amendments thereto, or any prescription-only drugs;

(2) the practice of medicine and surgery, including obstetrics and the use of lasers or ionizing radiation;

(3) the practice of osteopathic medicine and surgery or osteopathic manipulative treatment;

(4) the practice of chiropractic;

(5) the practice of dentistry; or

(6) the practice of podiatry.

New Sec. 8. (a) On and after July 1, 2017, except as otherwise provided in this act, no person shall practice acupuncture unless such person possesses a current and valid acupuncture license issued under this act.

(b) (1) No person shall depict oneself orally or in writing, expressly or by implication, as a holder of a license who does not hold a current license under this act.

(2) Only persons licensed under this act shall be entitled to use the title "licensed acupuncturist" or the designated letters "L.Ac."

(3) Nothing in this section shall be construed to prohibit an acupuncturist licensed under this act from listing or using in conjunction with their name any letters, words, abbreviations or other insignia to denote any educational degrees, certifications or credentials which such licensed acupuncturist has earned.

(4) Violation of this section shall constitute a class B misdemeanor.

New Sec. 9. Needles used in the practice of acupuncture shall only be prepackaged, single-use and sterile. These needles shall only be used on an individual patient in a single treatment session.

New Sec. 10. (a) The following shall be exempt from the requirements for an acupuncture license pursuant to this act:

(1) Any person licensed in this state to practice medicine and surgery, osteopathy, dentistry or podiatry, a licensed chiropractor or a licensed naturopathic doctor, if the person confines the person's acts or practice to the scope of practice authorized by their health professional licensing laws and does not represent to the public that the person is licensed under this act;

(2) any herbalist or herbal retailer who does not hold oneself out to be a licensed acupuncturist;

(3) any health care provider in the United States armed forces, federal facilities and other military service when acting in the line of duty in this state;

(4) any student, trainee or visiting teacher of acupuncture, oriental medicine or herbology who is designated as a student, trainee or visiting teacher while participating in a course of study or training under the supervision of a licensed acupuncturist licensed under this act in a program that the council has approved. This includes continuing education programs and any acupuncture or herbology programs that are a recognized route by the NCCAOM, or its equivalent, to certification;

(5) any person rendering assistance in the case of an emergency or disaster relief;

(6) any person practicing self-care or any family member providing gratuitous care, so long as such person or family member does not represent or hold oneself out to the public to be an acupuncturist;

(7) any person who massages, so long as such person does not practice acupuncture or hold oneself out to be a licensed acupuncturist;

(8) any person whose professional services are performed pursuant to delegation by and under the supervision of a practitioner licensed under this act;

(9) any team acupuncturist or herbology practitioner, who is traveling with and treating those associated with an out-of-state or national team that is temporarily in the state for training or competition purposes; and

(10) any person licensed as a physical therapist when performing dry needling, trigger point therapy or services specifically authorized in accordance with the provisions of the physical therapy practice act.

(b) This section shall take effect on and after July 1, 2017.

New Sec. 11. An applicant for licensure as an acupuncturist shall file an application, on forms provided by the board, showing to the satisfaction of the board that the applicant:

(a) Is at least 21 years of age;

(b) has successfully completed secondary schooling or its equivalent;

(c) has satisfactorily completed a course of study involving acupuncture from an accredited school of acupuncture which the board shall determine to have educational standards substantially equivalent to the minimum educational standards for acupuncture colleges as established by the ACAOM or NCCAOM;

(d) has satisfactorily passed a license examination approved by the board;

(e) has the reasonable ability to communicate in English; and

(f) has paid all fees required for licensure pursuant to section 16, and amendments thereto.

New Sec. 12. (a) The board, without examination, may issue a license to a person who has been in the active practice of acupuncture in some other state, territory, the District of Columbia or other country upon certification by the proper licensing authority of that state, territory, District of Columbia or other country certifying that the

applicant is duly licensed, that the applicant's license has never been limited, suspended or revoked, that the licensee has never been censured or received other disciplinary actions and that, so far as the records of such authority are concerned, the applicant is entitled to such licensing authority's endorsement. The applicant shall also present proof satisfactory to the board:

(1) That the state, territory, District of Columbia or country in which the applicant last practiced has and maintains standards at least equal to those maintained in Kansas;

(2) that the applicant's original license was based upon an examination at least equal in quality to the examination required in this state and that the passing grade required to obtain such original license was comparable to that required in this state;

(3) the date of the applicant's original license and all endorsed licenses and the date and place from which any license was attained;

(4) the applicant has been actively engaged in practice under such license or licenses since issued. The board may adopt rules and regulations establishing qualitative and quantitative practice activities which qualify as active practice;

(5) that the applicant has a reasonable ability to communicate in English; and

(6) that the applicant has paid all the application fees as prescribed by section 16, and amendments thereto.

(b) An applicant for a license by endorsement shall not be licensed unless, as determined by the board, the applicant's individual qualifications are substantially equivalent to the Kansas requirements for licensure under the acupuncture practice act.

New Sec. 13. The board shall waive the education and examination requirements for an applicant who submits an application on or before January 1, 2018, and who, on or before July 1, 2017:

(a) Is 21 years of age or older;

(b) has successfully completed secondary schooling or its equivalent;

(c) (1) (A) has completed a minimum of 1,350 hours of study, excluding online study in the field of acupuncture; and

(B) has been engaged in the practice of acupuncture with a minimum of 1,500 patient visits during a period of at least three of the five years immediately preceding July 1, 2017, as evidenced by two affidavits from office partners, clinic supervisors or other individuals approved by the board, who have personal knowledge of the years of practice and number of patients visiting the applicant for acupuncture. The board may adopt rules and regulations for further verification of the applicant's practice of acupuncture; or

(2) has satisfactorily passed a license examination approved by the board;

(d) has a reasonable ability to communicate in English; and

(e) has paid all fees required for licensure as prescribed by section 16, and amendments thereto.

New Sec. 14. (a) The license shall be canceled on March 31 of each year unless renewed in the manner prescribed by the board. In each case in which a license is renewed for a period of time of less than 12 months, the board may prorate the amount of the fee established under section 16, and amendments thereto. The request for renewal shall be on a form provided by the board and shall be accompanied by the prescribed fee, which shall be paid not later than the renewal date of the license.

(b) There is hereby created a designation of an active license. The board is authorized to issue an active license to any licensee who makes written application for

such license on a form provided by the board and remits the fee established pursuant to section 16, and amendments thereto. The board shall require every active licensee to submit evidence of satisfactory completion of a program of continuing education required by the board. The requirements for continuing education for licensed acupuncturists shall be established by rules and regulations adopted by the board.

(c) The board, prior to renewal of a license, shall require an active licensee to submit to the board evidence satisfactory to the board that the licensee is maintaining a policy of professional liability insurance. The board shall fix by rules and regulations the minimum level of coverage for such professional liability insurance.

(d) At least 30 days before the renewal date of a licensee's license, the board shall notify the licensee of the renewal date by mail addressed to the licensee's last known mailing address. If the licensee fails to submit the renewal application and pay the renewal fee by the renewal date of the license, the licensee shall be given notice that the licensee has failed to submit the renewal application and pay the renewal fee by the renewal date of the license, that the license will be deemed canceled if not renewed within 30 days following the renewal date, that upon receipt of the renewal application and renewal fee and an additional late fee established by rules and regulations not to exceed $500 within the 30-day period, the license will not be canceled and that, if both fees are not received within the 30-day period, the license shall be deemed canceled by operation of law and without further proceedings.

(e) Any license canceled for failure to renew may be reinstated within two years of cancellation upon recommendation of the board and upon payment of the renewal fees then due and upon proof of compliance with the continuing education requirements established by the board by rules and regulations. Any person who has not been in the active practice of acupuncture for which reinstatement is sought or who has not been engaged in a formal educational program during the two years preceding the application for reinstatement may be required to complete such additional testing, training or education as the board may deem necessary to establish the licensee's present ability to practice with reasonable skill and safety.

(f) There is hereby created a designation of an exempt license. The board is authorized to issue an exempt license to any licensee who makes written application for such license on a form provided by the board and remits the fee established pursuant to section 16, and amendments thereto. The board may issue an exempt license to a person who is not regularly engaged in the practice of acupuncture in Kansas and who does not hold oneself out to the public as being professionally engaged in such practice. An exempt license shall entitle the holder to all privileges attendant to the practice of acupuncture for which such license is issued. Each exempt license may be renewed subject to the provisions of this section. Each exempt licensee shall be subject to all provisions of the acupuncture practice act, except as otherwise provided in this subsection. The holder of an exempt license may be required to submit evidence of satisfactory completion of a program of continuing education required by this section. The requirements for continuing education for exempt licensees shall be established by rules and regulations adopted by the board. Each exempt licensee may apply for an active license to regularly engage in the practice of acupuncture upon filing a written application with the board. The request shall be on a form provided by the board and shall be accompanied by the license fee established pursuant to section 16, and amendments thereto. For the licensee whose license has been exempt for less than two

years, the board shall adopt rules and regulations establishing appropriate continuing education requirements for exempt licensees to become licensed to regularly practice acupuncture within Kansas. Any licensee whose license has been exempt for more than two years and who has not been in the active practice of acupuncture since the license has been exempt may be required to complete such additional testing, training or education as the board may deem necessary to establish the licensee's present ability to practice with reasonable skill and safety. Nothing in this subsection shall be construed to prohibit a person holding an exempt license from serving as a paid employee of: (1) A local health department as defined by K.S.A. 65-241, and amendments thereto; or (2) an indigent health care clinic as defined by K.S.A. 75-6102, and amendments thereto.

(g) There is hereby created the designation of inactive license. The board is authorized to issue an inactive license to any licensee who makes written application for such license on a form provided by the board and remits the fee established pursuant to section 16, and amendments thereto. The board may issue an inactive license only to a person who is not regularly engaged in the practice of acupuncture in Kansas and who does not hold oneself out to the public as being professionally engaged in such practice. An inactive license shall not entitle the holder to practice acupuncture in this state. Each inactive license may be renewed subject to the provisions of this section. Each inactive licensee shall be subject to all provisions of the acupuncture practice act, except as otherwise provided in this subsection. The holder of an inactive license shall not be required to submit evidence of satisfactory completion of a program of continuing education required by subsection (b). Each inactive licensee may apply for an active license upon filing a written application with the board. The request shall be on a form provided by the board and shall be accompanied by the license fee established pursuant to section 16, and amendments thereto. For those licensees whose licenses have been inactive for less than two years, the board shall adopt rules and regulations establishing appropriate continuing education requirements for inactive licensees to become licensed to regularly practice acupuncture within Kansas. Any licensee whose license has been inactive for more than two years and who has not been in the active practice of acupuncture or engaged in a formal education program since the license has been inactive may be required to complete such additional testing, training or education as the board may deem necessary to establish the licensee's present ability to practice with reasonable skill and safety.

(h) This section shall take effect on and after July 1, 2017.

New Sec. 15. A person whose license has been revoked may apply for reinstatement after the expiration of three years from the effective date of the revocation. Application for reinstatement shall be on a form provided by the board and shall be accompanied by the fee established by the board in accordance with section 16, and amendments thereto. The burden of proof by clear and convincing evidence shall be on the applicant to show sufficient rehabilitation to justify reinstatement. If the board determines that a license should not be reinstated, the person shall not be eligible to reapply for reinstatement for three years from the effective date of the denial. All proceedings conducted on an application for reinstatement shall be in accordance with the Kansas administrative procedure act and shall be reviewable in accordance with the Kansas judicial review act. The board, on its own motion, may stay the effectiveness of an order of revocation of license.

New Sec. 16. The board shall charge and collect in advance nonrefundable fees for

acupuncturists as established by the board by rules and regulations, not to exceed:

Initial application for licensure.....$700

Annual renewal for active license - paper.....$300

Annual renewal for active license - online.....$250

Annual renewal for inactive license - paper.....$200

Annual renewal for inactive license - online.....$150

Annual renewal for exempt license - paper.....$200

Annual renewal for exempt license - online.....$150

Late renewal fee.....$100

Conversion from inactive to active license.....$300

Conversion from exempt to active license.....$300

Application for reinstatement of revoked license.....$1,000

Certified copy of license.....$25

Written verification of license.....$25

New Sec. 17. The board shall remit all moneys received by or for the board from fees, charges or penalties to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. Ten percent of such amount shall be credited to the state general fund and the balance shall be credited to the healing arts fee fund. All expenditures from the healing arts fee fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the board or by a person or persons designated by the president.

New Sec. 18. (a) There is hereby established the acupuncture advisory council to assist the state board of healing arts in carrying out the provisions of this act. The council shall consist of five members, all citizens and residents of the state of Kansas, appointed as follows:

(1) The board shall appoint one member who is a physician licensed to practice medicine and surgery or osteopathy. The member appointed by the board shall serve at the pleasure of the board. The governor shall appoint three acupuncturists who have at

least three years' experience in acupuncture preceding appointment and are actively engaged, in this state, in the practice of acupuncture or the teaching of acupuncture. At least two of the governor's appointments shall be made from a list of four nominees submitted by the Kansas association of oriental medicine. The governor shall appoint one member from the public sector who is not engaged, directly or indirectly, in the provision of health services. Insofar as possible, persons appointed by the governor to the council shall be from different geographic areas.

(2) The members appointed by the governor shall be appointed for terms of four years and until a successor is appointed. If a vacancy occurs on the council, the appointing authority of the position which has become vacant shall appoint a person of like qualifications to fill the vacant position for the unexpired term.

(b) The council shall meet at least once each year at a time of its choosing at the board's main office and at such other times as may be necessary on the chairperson's call or on the request of a majority of the council's members.

(c) A majority of the council constitutes a quorum. No action may be taken by the council except by affirmative vote of the majority of the members present and voting.

(d) Members of the council attending meetings of the council, or a subcommittee of the council, shall be paid amounts provided in K.S.A. 75-3223(e), and amendments thereto, from the healing arts fee fund.

New Sec. 19. The acupuncture advisory council shall advise the board regarding:

(a) Examination, licensing and other fees;

(b) rules and regulations to be adopted to carry out the provisions of this act;

(c) the number of yearly continuing education hours required to maintain active licensure;

(d) changes and new requirements taking place in the areas of acupuncture; and

(e) such other duties and responsibilities as the board may assign.

New Sec. 20. The board shall promulgate all necessary rules and regulations which may be necessary to administer the provisions of this act and to supplement the provisions herein.

New Sec. 21. (a) A licensee's license may be revoked, suspended, limited or placed on probation, or the licensee may be publicly censured, or an application for a license or for reinstatement of a license may be denied upon a finding of the existence of any of the following grounds:

(1) The licensee has committed an act of unprofessional conduct as defined by rules and regulations adopted by the board;

(2) the licensee has committed fraud or misrepresentation in applying for or securing an original, renewal or reinstated license;

(3) the licensee has committed an act of professional incompetency as defined by rules and regulations adopted by the board;

(4) the licensee has been convicted of a felony;

(5) the licensee has violated any provision of the acupuncture practice act;

(6) the licensee has violated any lawful order or rule and regulation of the board;

(7) the licensee has been found to be mentally ill, disabled, not guilty by reason of insanity, not guilty because the licensee suffers from a mental disease or defect or incompetent to stand trial by a court of competent jurisdiction;

(8) the licensee has failed to report to the board any adverse action taken against the licensee by another state or licensing jurisdiction, a peer review body, a health care

facility, a professional association or society, a governmental agency, a law enforcement agency or a court for acts or conduct similar to acts or conduct which would constitute grounds for disciplinary action under this section;

(9) the licensee has surrendered a license or authorization to practice as an acupuncturist in another state or jurisdiction, has agreed to a limitation or restriction of privileges at any medical care facility or has surrendered the licensee's membership on any professional staff or in any professional association or society while under investigation for acts or conduct similar to acts or conduct which would constitute grounds for disciplinary action under this section;

(10) the licensee has failed to report to the board the surrender of the licensee's license or authorization to practice as an acupuncturist in another state or jurisdiction or the surrender of the licensee's membership on any professional staff or in any professional association or society while under investigation for acts or conduct similar to acts or conduct which would constitute grounds for disciplinary action under this section;

(11) the licensee has an adverse judgment, award or settlement rendered against the licensee resulting from a medical liability claim related to acts or conduct similar to acts or conduct which would constitute grounds for disciplinary action under this section;

(12) the licensee has failed to report to the board any adverse judgment, settlement or award against the licensee resulting from a medical malpractice liability claim related to acts or conduct similar to acts or conduct which would constitute grounds for disciplinary action under this section; or

(13) the licensee's ability to practice with reasonable skill and safety to patients is impaired by reason of physical or mental illness, or use of alcohol, drugs or controlled substances. When reasonable suspicion of impairment exists, the board may take action in accordance with K.S.A. 65-2842, and amendments thereto. All information, reports, findings and other records relating to impairment shall be confidential and not subject to discovery by or release to any person or entity outside of a board proceeding. This provision regarding confidentiality shall expire on July 1, 2022, unless the legislature reviews and reenacts such provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2022.

(b) The denial, refusal to renew, suspension, limitation, probation or revocation of a license or other sanction may be ordered by the board upon a finding of a violation of the acupuncture practice act. All administrative proceedings conducted pursuant to this act shall be in accordance with the Kansas administrative procedure act and shall be reviewable in accordance with the Kansas judicial review act.

(c) This section shall take effect on and after July 1, 2017.

New Sec. 22. (a) The board shall have jurisdiction of proceedings to take disciplinary action against any licensee practicing under the acupuncture practice act. Any such action shall be taken in accordance with the Kansas administrative procedure act.

(b) Either before or after formal charges have been filed, the board and the licensee may enter into a stipulation which shall be binding upon the board and the licensee entering into such stipulation, and the board may enter its findings of fact and enforcement order based upon such stipulation without the necessity of filing any formal charges or holding hearings in the case. An enforcement order based upon a stipulation may order any disciplinary action against the licensee entering into such

stipulation.

(c) The board may temporarily suspend or temporarily limit the license of any licensee in accordance with the emergency adjudicative proceedings provisions under the Kansas administrative procedure act if the board determines that there is cause to believe that grounds exist for disciplinary action against the licensee and that the licensee's continuation of practice would constitute an imminent danger to public health and safety.

(d) Judicial review and civil enforcement of any agency action under this act shall be in accordance with the Kansas judicial review act.

New Sec. 23. The board or a committee of the board may implement non-disciplinary resolutions concerning a licensed acupuncturist consistent with the provisions of K.S.A. 65-2838a, and amendments thereto.

New Sec. 24. The state board of healing arts, in addition to any other penalty prescribed under the acupuncture practice act, may assess a civil fine, after proper notice and an opportunity to be heard, against a licensee for a violation of the acupuncture practice act in an amount not to exceed $2,000 for a first violation, $5,000 for a second violation and $10,000 for a third violation and any subsequent violation. All fines assessed and collected under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4218, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund. Fines collected under this section shall be considered administrative fines pursuant to 11 U.S.C. § 523.

New Sec. 25. (a) Any complaint or report, record or other information relating to a complaint which is received, obtained or maintained by the board shall be confidential and shall not be disclosed by the board or its employees in a manner which identifies or enables identification of the person who is the subject or source of the information, except the information may be disclosed:

(1) In any proceeding conducted by the board under the law or in an appeal of an order of the board entered in a proceeding, or to any party to a proceeding or appeal or the party's attorney;

(2) to the person who is the subject of the information or to any person or entity when requested by the person who is the subject of the information, but the board may require disclosure in such a manner that will prevent identification of any other person who is the subject or source of the information; or

(3) to a state or federal licensing, regulatory or enforcement agency with jurisdiction over the subject of the information or to an agency with jurisdiction over acts or conduct similar to acts or conduct which would constitute grounds for action under this act.

(b) Any confidential complaint or report, record or other information disclosed by the board as authorized by this section shall not be re-disclosed by the receiving agency except as otherwise authorized by law.

(c) This section regarding confidentiality shall expire on July 1, 2022, unless the legislature reviews and reenacts such provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2022.

New Sec. 26. (a) No person reporting to the state board of healing arts in good faith any information such person may have relating to alleged incidents of malpractice, or the qualifications, fitness or character of, or disciplinary action taken against a person

licensed, registered or certified by the board shall be subject to a civil action for damages as a result of reporting such information.

(b) Any state, regional or local association composed of persons licensed to practice acupuncture and the individual members of any committee thereof, which in good faith investigates or communicates information pertaining to the alleged incidents of malpractice, or the qualifications, fitness or character of, or disciplinary action taken against any licensee, registrant or certificate holder to the state board of healing arts or to any committee or agent thereof, shall be immune from liability in any civil action that is based upon such investigation or transmittal of information if the investigation and communication was made in good faith and did not represent as true any matter not reasonably believed to be true.

New Sec. 27. (a) The confidential relations and communications between a licensed acupuncturist and the acupuncturist's patient are placed on the same basis as those established between a physician and a physician's patient in K.S.A. 60-427, and amendments thereto.

(b) This section shall take effect on and after July 1, 2017.

New Sec. 28. (a) When it appears that any person is violating any provision of this act, the board may bring an action in the name of the state in a court of competent jurisdiction for an injunction against such violation without regard as to whether proceedings have been or may be instituted before the board or whether criminal proceedings have been or may be instituted.

(b) This section shall take effect on and after July 1, 2017.

New Sec. 29. If any provision of the acupuncture practice act or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the acupuncture practice act which can be given effect without the invalid provision or application, and to this end the provisions of the acupuncture practice act are declared to be severable.

Sec. 30. K.S.A. 2015 Supp. 65-2872 is hereby amended to read as follows: 65-2872. The practice of the healing arts shall not be construed to include the following persons:

(a) Persons rendering gratuitous services in the case of an emergency.

(b) Persons gratuitously administering ordinary household remedies.

(c) The members of any church practicing their religious tenets provided they shall not be exempt from complying with all public health regulations of the state.

(d) Students while in actual classroom attendance in an accredited healing arts school who after completing one year's study treat diseases under the supervision of a licensed instructor.

(e) Students upon the completion of at least three years study in an accredited healing arts school and who, as a part of their academic requirements for a degree, serve a preceptorship not to exceed 180 days under the supervision of a licensed practitioner.

(f) Persons who massage for the purpose of relaxation, muscle conditioning, or figure improvement, provided no drugs are used and such persons do not hold themselves out to be physicians or healers.

(g) Persons whose professional services are performed under the supervision or by order of or referral from a practitioner who is licensed under this act.

(h) Persons in the general fields of psychology, education and social work, dealing with the social, psychological and moral well-being of individuals or groups, or both,

provided they do not use drugs and do not hold themselves out to be the physicians, surgeons, osteopathic physicians or chiropractors.

(i) Practitioners of the healing arts in the United States army, navy, air force, public health service, and coast guard or other military service when acting in the line of duty in this state.

(j) Practitioners of the healing arts licensed in another state when and while incidentally called into this state in consultation with practitioners licensed in this state.

(k) Dentists practicing their professions, when licensed and practicing in accordance with the provisions of article 14 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, and any interpretation thereof by the supreme court of this state.

(l) Optometrists practicing their professions, when licensed and practicing under and in accordance with the provisions of article 15 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, and any interpretation thereof by the supreme court of this state.

(m) Nurses practicing their profession when licensed and practicing under and in accordance with the provisions of article 11 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, and any interpretation thereof by the supreme court of this state.

(n) Podiatrists practicing their profession, when licensed and practicing under and in accordance with the provisions of article 20 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, and any interpretation thereof by the supreme court of this state.

(o) Every act or practice falling in the field of the healing arts, not specifically excepted herein, shall constitute the practice thereof.

(p) Pharmacists practicing their profession, when licensed and practicing under and in accordance with the provisions of article 16 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, and any interpretation thereof by the supreme court of this state.

(q) A dentist licensed in accordance with the provisions of article 14 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, who administers general and local anesthetics to facilitate medical procedures conducted by a person licensed to practice medicine and surgery if such dentist is certified by the board of healing arts under K.S.A. 65-2899, and amendments thereto, to administer such general and local anesthetics.

(r) Practitioners of the healing arts duly licensed under the laws of another state who do not open an office or maintain or appoint a place to regularly meet patients or to receive calls within this state, but who order services which are performed in this state in accordance with rules and regulations of the board. The board shall adopt rules and regulations identifying circumstances in which professional services may be performed in this state based upon an order by a practitioner of the healing arts licensed under the laws of another state.

(s) Acupuncturists, when licensed and practicing in accordance with sections 6 through 29, and amendments thereto, rules and regulations adopted thereto, and interpretations thereof by the supreme court of this state.

(t) Persons licensed by the state board of cosmetology practicing their professions, when licensed and practicing under and in accordance with the provisions of article 19

of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, and any interpretation thereof by the supreme court of this state.

New Sec. 31. (a) The board shall adopt rules and regulations establishing minimum education and training requirements for the practice of dry needling by a licensed physical therapist.

(b) This section shall be part of and supplemental to the physical therapy practice act.

Sec. 32. K.S.A. 2015 Supp. 65-2901 is hereby amended to read as follows: 65-2901. As used in ~~article 29 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto~~ the physical therapy practice act:

(a) "Physical therapy" means examining, evaluating and testing individuals with mechanical, anatomical, physiological and developmental impairments, functional limitations and disabilities or other health and movement-related conditions in order to determine a diagnosis solely for physical therapy, prognosis, plan of therapeutic intervention and to assess the ongoing effects of physical therapy intervention. Physical therapy also includes alleviating impairments, functional limitations and disabilities by designing, implementing and modifying therapeutic interventions that may include, but are not limited to, therapeutic exercise; functional training in community or work integration or reintegration; manual therapy; dry needling; therapeutic massage; prescription, application and, as appropriate, fabrication of assistive, adaptive, orthotic, prosthetic, protective and supportive devices and equipment; airway clearance techniques; integumentary protection and repair techniques; debridement and wound care; physical agents or modalities; mechanical and electrotherapeutic modalities; patient-related instruction; reducing the risk of injury, impairments, functional limitations and disability, including the promotion and maintenance of fitness, health and quality of life in all age populations and engaging in administration, consultation, education and research. Physical therapy also includes the care and services provided by a physical therapist or a physical therapist assistant under the direction and supervision of a physical therapist who is licensed pursuant to ~~article 29 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto~~ the physical therapy practice act. Physical therapy does not include the use of roentgen rays and radium for diagnostic and therapeutic purposes, the use of electricity for surgical purposes, including cauterization, the practice of any branch of the healing arts and the making of a medical diagnosis.

(b) "Physical therapist" means a person who is licensed to practice physical therapy pursuant to ~~article 29 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto~~ the physical therapy practice act. Any person who successfully meets the requirements of K.S.A. 65-2906, and amendments thereto, shall be known and designated as a physical therapist and may designate or describe oneself, as appropriate, as a physical therapist, physiotherapist, licensed physical therapist, doctor of physical therapy, abbreviations thereof, or words similar thereto or use of the designated letters P.T., Ph. T., M.P.T., D.P.T. or L.P.T. Nothing in this section shall be construed to prohibit physical therapists licensed under K.S.A. 2015 Supp. 65-2906 and 65-2909, and amendments thereto, from listing or using in conjunction with their name any letters, words, abbreviations or other insignia to designate any educational degrees, certifications or credentials recognized by the board which such licensee has earned. Each licensee when using the letters or term "Dr." or "Doctor" in conjunction with such

licensee's professional practice, whether in any written or oral communication, shall identify oneself as a "physical therapist" or "doctor of physical therapy."

(c) "Physical therapist assistant" means a person who is certified pursuant to ~~article 29 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto,~~ the physical therapy practice act and who works under the direction of a physical therapist, and who assists the physical therapist in selected components of physical therapy intervention. Any person who successfully meets the requirements of K.S.A. 65-2906, and amendments thereto, shall be known and designated as a physical therapist assistant, and may designate or describe oneself as a physical therapist assistant, certified physical therapist assistant, abbreviations thereof, or words similar thereto or use of the designated letters P.T.A., C.P.T.A. or P.T. Asst. Nothing in this section shall be construed to prohibit physical therapist assistants certified under K.S.A. 2015 Supp. 65-2906 and 65-2909, and amendments thereto, from listing or using in conjunction with their name any letters, words, abbreviations or other insignia to designate any educational degrees, certifications or credentials which such physical therapist assistant has earned.

(d) "Board" means the state board of healing arts.

(e) "Council" means the physical therapy advisory council.

(f) "Dry needling" means a skilled intervention using a thin filiform needle to penetrate into or through the skin and stimulate underlying myofascial trigger points or muscular or connective tissues for the management of neuromuscular pain or movement impairments.

(g) "Physician" means a person licensed to practice medicine and surgery.

~~(g)~~ (h) "Recognized by the board" means an action taken by the board at an open meeting to recognize letters, words, abbreviations or other insignia to designate any educational degrees, certifications or credentials, consistent with the provisions of this act, which a physical therapist may appropriately use to designate or describe oneself and which shall be published in the official minutes of the board.

Sec. 33. K.S.A. 2015 Supp. 65-2913 is hereby amended to read as follows: 65-2913. (a) It shall be unlawful for any person who is not licensed under ~~article 29 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto,~~ the physical therapy practice act as a physical therapist or whose license has been suspended or revoked in any manner to represent oneself as a physical therapist or to use in connection with such person's name the words physical therapist, physiotherapist, licensed physical therapist or doctor of physical therapy or use the abbreviations P.T., Ph. T., M.P.T., D.P.T. or L.P.T., or any other letters, words, abbreviations or insignia, indicating or implying that such person is a physical therapist. A violation of this subsection shall constitute a class B nonperson misdemeanor. Nothing in this section shall be construed to prohibit physical therapists licensed under K.S.A. 2015 Supp. 65-2906 and 65-2909, and amendments thereto, from listing or using in conjunction with their name any letters, words, abbreviations or other insignia to designate any educational degrees, certifications or credentials recognized by the board which such licensee has earned. Each licensee when using the letters or term "Dr." or "Doctor" in conjunction with such licensee's professional practice, whether in any written or oral communication, shall identify oneself as a "physical therapist" or "doctor of physical therapy."

(b) Any person who, in any manner, represents oneself as a physical therapist

assistant, or who uses in connection with such person's name the words or letters physical therapist assistant, certified physical therapist assistant, P.T.A., C.P.T.A. or P.T. Asst., or any other letters, words, abbreviations or insignia, indicating or implying that such person is a physical therapist assistant, without a valid existing certificate as a physical therapist assistant issued to such person pursuant to ~~article 29 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto,~~ the physical therapy practice act shall be guilty of a class B nonperson misdemeanor. Nothing in this section shall be construed to prohibit physical therapist assistants certified under K.S.A. 2015 Supp. 65-2906 and 65-2909, and amendments thereto, from listing or using in conjunction with their name any letters, words, abbreviations or other insignia to designate any educational degrees, certifications or credentials which such physical therapist assistant has earned.

(c) Nothing in this act is intended to limit, preclude or otherwise interfere with the practices of other health care providers formally trained and practicing their profession. The provisions of ~~article 29 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto,~~ the physical therapy practice act shall not apply to the following individuals so long as they do not hold themselves out in a manner prohibited under subsection (a) or (b) ~~of this section~~:

(1) Persons rendering assistance in the case of an emergency;

(2) members of any church practicing their religious tenets;

(3) persons whose services are performed pursuant to the delegation of and under the supervision of a physical therapist who is licensed under this act;

(4) health care providers in the United States armed forces, public health services, federal facilities and coast guard or other military service when acting in the line of duty in this state;

(5) licensees under the healing arts act, and practicing their professions, when licensed and practicing in accordance with the provisions of law or persons performing services pursuant to the delegation of a licensee under ~~subsection (g) of~~ K.S.A. 65-2872(g), and amendments thereto;

(6) dentists practicing their professions, when licensed and practicing in accordance with the provisions of law;

(7) nurses practicing their professions, when licensed and practicing in accordance with the provisions of law or persons performing services pursuant to the delegation of a licensed nurse under ~~subsection (m) of~~ K.S.A. 65-1124(m), and amendments thereto;

(8) health care providers who have been formally trained and are practicing in accordance with their training or have received specific training in one or more functions included in this act pursuant to established educational protocols or both;

(9) students while in actual attendance in an accredited health care educational program and under the supervision of a qualified instructor;

(10) self-care by a patient or gratuitous care by a friend or family member;

(11) optometrists practicing their profession when licensed and practicing in accordance with the provisions of article 15 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto;

(12) podiatrists practicing their profession when licensed and practicing in accordance with the provisions of article 20 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto;

(13) occupational therapists practicing their profession when licensed and

practicing in accordance with the occupational therapy practice act and occupational therapy assistants practicing their profession when licensed and practicing in accordance with the occupational therapy practice act;

(14) respiratory therapists practicing their profession when licensed and practicing in accordance with the respiratory therapy practice act;

(15) physician assistants practicing their profession when licensed and practicing in accordance with the physician assistant licensure act;

(16) persons practicing corrective therapy in accordance with their training in corrective therapy;

(17) athletic trainers practicing their profession when licensed and practicing in accordance with the athletic trainers licensure act;

(18) persons who massage for the purpose of relaxation, muscle conditioning or figure improvement, so long as no drugs are used and such persons do not hold themselves out to be physicians or healers;

(19) barbers practicing their profession when licensed and practicing in accordance with the provisions of article 18 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto;

(20) cosmetologists practicing their profession when licensed and practicing in accordance with the provisions of article 19 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto;

(21) attendants practicing their profession when certified and practicing in accordance with the provisions of article 61 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto; ~~and~~

(22) naturopathic doctors practicing their profession when licensed and practicing in accordance with the naturopathic doctor licensure act; and

(23) acupuncturists practicing their profession when licensed and practicing in accordance with the acupuncture practice act.

(d) Any patient monitoring, assessment or other procedures designed to evaluate the effectiveness of prescribed physical therapy must be performed by or pursuant to the delegation of a licensed physical therapist or other health care provider.

(e) Nothing in this act shall be construed to permit the practice of medicine and surgery. No statute granting authority to licensees of the state board of healing arts shall be construed to confer authority upon physical therapists to engage in any activity not conferred by ~~article 29 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto~~ the physical therapy practice act.

New Sec. 34. (a) As part of an original application for or reinstatement of any license, registration, permit or certificate or in connection with any investigation of any holder of a license, registration, permit or certificate, the behavioral sciences regulatory board may require a person to be fingerprinted and submit to a state and national criminal history record check. The fingerprints shall be used to identify the person and to determine whether the person has a record of criminal history in this state or another jurisdiction. The behavioral sciences regulatory board is authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The behavioral sciences regulatory board may use the information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the person and in the official determination of the qualifications and fitness of the person to be issued or to

maintain a license, registration, permit or certificate.

(b) Local and state law enforcement officers and agencies shall assist the behavioral sciences regulatory board in the taking and processing of fingerprints of applicants for and holders of any license, registration, permit or certificate and shall release all records of adult convictions and nonconvictions and adult convictions or adjudications of another state or country to the behavioral sciences regulatory board.

(c) The behavioral sciences regulatory board may fix and collect a fee as may be required by the board in an amount equal to the cost of fingerprinting and the criminal history record check. Any moneys collected under this subsection shall be deposited in the state treasury and credited to the behavioral sciences regulatory board fee fund. The behavioral sciences regulatory board shall remit all moneys received by or for it from fees, charges or penalties to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the behavioral sciences regulatory board fee fund.

Sec. 35. K.S.A. 65-5806 is hereby amended to read as follows: 65-5806. (a) An applicant who meets the requirements for licensure pursuant to this act, has paid the license fee provided for by K.S.A. 65-5808, and amendments thereto, and has otherwise complied with the provisions of this act shall be licensed by the board.

(b) Licenses issued pursuant to this act shall expire 24 months from the date of issuance unless revoked prior to that time. A license may be renewed upon application and payment of the fee provided for by K.S.A. 65-5808, and amendments thereto. The application for renewal shall be accompanied by evidence satisfactory to the board that the applicant has completed during the previous 24 months the continuing education required by rules and regulations of the board. As part of such continuing education, a licensee shall complete not less than six continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics.

(c) A person whose license has been suspended or revoked may make written application to the board requesting reinstatement of the license upon termination of the period of suspension or revocation in a manner prescribed by the board, which application shall be accompanied by the fee provided for by K.S.A. 65-5808, and amendments thereto.

(d) Within 30 days after any change of permanent address, a licensee shall notify the board of such change.

Sec. 36. K.S.A. 2015 Supp. 65-5807 is hereby amended to read as follows: 65-5807. (a) The board may issue a license to an individual who is currently registered, certified or licensed to practice professional counseling in another jurisdiction if the board determines that:

(1) The standards for registration, certification or licensure to practice professional counseling in the other jurisdiction are substantially equivalent to the requirements of this state; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) ~~Continuous~~ Registration, certification or licensure to practice professional counseling ~~during the five years~~ for at least 60 of the last 66 months immediately preceding the application with at least the minimum professional experience as

established by rules and regulations of the board;

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) a ~~masters~~ master's degree in counseling from a regionally accredited university or college.

(b) Applicants for licensure as a clinical professional counselor shall additionally demonstrate competence to diagnose and treat mental disorders through meeting the requirements of either ~~paragraph (1) or (2) of~~ subsection (a)(1) or (a)(2) and at least two of the following areas acceptable to the board:

(1) Either graduate coursework as established by rules and regulations of the board or passing a national clinical examination approved by the board;

(2) three years of clinical practice with demonstrated experience in diagnosing or treating mental disorders; or

(3) attestation from a professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery stating that the applicant is competent to diagnose and treat mental disorders.

(c) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 65-5808, and amendments thereto, if required by the board.

Sec. 37. K.S.A. 65-5808 is hereby amended to read as follows: 65-5808. (a) The board ~~shall~~ may fix ~~by rules and regulations~~ the following fees, and any such fees shall be established by rules and regulations adopted by the board:

(1) For application for licensure as a professional counselor, not more than $100;

(2) for an original license as a professional counselor, not more than $175;

(3) for ~~examination~~ a temporary license as a professional counselor, not more than $175;

(4) for renewal ~~of a license~~ for licensure as a professional counselor, not more than $150;

(5) ~~for reinstatement of a license, not more than $175;~~

~~(6) for replacement of a license, not more than $20;~~

~~(7)~~ for application for licensure as a clinical professional counselor, not more than $175;

(6) for licensure as a clinical professional counselor, not more than $175;

~~(8)~~ (7) for renewal for licensure as a clinical professional counselor, not more than $175;

~~(9)~~ (8) for late renewal penalty, an amount equal to the fee for renewal of a license; ~~and~~

~~(10) for exchange of a license in lieu of registration pursuant to subsection (b) of K.S.A. 65-5811 and amendments thereto, not to exceed $150~~

(9) for reinstatement of a license, not more than $175;

(10) for replacement of a license, not more than $20; and

(11) for a wallet card license, not more than $5.

(b) Fees paid to the board are not refundable.

Sec. 38. K.S.A. 2015 Supp. 65-5809 is hereby amended to read as follows: 65-5809. (a) The board may refuse to issue, ~~suspend, limit, refuse to renew, condition or revoke any license granted under the professional counselors licensure act for any of the following reasons:~~

~~(a) Use of drugs or alcohol, or both, to an extent that impairs the individual's ability to engage in the practice of professional counseling;~~

~~(b) the individual has been convicted of a felony and, after investigation, the board finds that the individual has not been sufficiently rehabilitated to merit the public trust;~~

~~(c) use of fraud, deception, misrepresentation or bribery in securing any license issued pursuant to the provisions of the professional counselors licensure act or in obtaining permission to take any examination given or required pursuant to the provisions of the professional counselors licensure act;~~

~~(d) obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;~~

~~(e) incompetence, misconduct, fraud, misrepresentation or dishonesty in the performance of the functions or duties of a professional counselor or clinical professional counselor;~~

~~(f) violation of, or assisting or enabling any individual to violate, any provision of the professional counselors licensure act or any rule and regulation adopted under such act;~~

~~(g) impersonation of any individual holding a license or allowing any individual to use a license or diploma from any school of a person licensed under the professional counselors licensure act or a diploma from any school of an applicant for licensure under the professional counselors licensure act;~~

~~(h) revocation or suspension of a license or other authorization to practice counseling granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized by the professional counselors licensure act;~~

~~(i) the individual is mentally ill or physically disabled to an extent that impairs the individual's ability to engage in the practice of professional counseling;~~

~~(j) assisting or enabling any person to hold oneself out to the public or offer to hold oneself out to the public as a licensed professional counselor or a licensed clinical professional counselor who is not licensed under the provisions of the professional counselors licensure act;~~

~~(k) the issuance of the license was based upon a material mistake of fact;~~

~~(l) violation of any professional trust or confidence;~~

~~(m) use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;~~

~~(n) unprofessional conduct as defined by rules and regulations adopted by the board; or~~

~~(o) the licensee~~ renew or reinstate a license, may condition, limit, revoke or suspend a license, may publicly or privately censure a licensee or may impose a fine not to exceed $1,000 per violation upon a finding that a licensee or an applicant for licensure:

(1) Is incompetent to practice professional counseling, which means:

(A) One or more instances involving failure to adhere to the applicable standard of care to a degree that constitutes gross negligence, as determined by the board;

(B) repeated instances involving failure to adhere to the applicable standard of care to a degree that constitutes ordinary negligence, as determined by the board; or

(C) a pattern of practice or other behavior that demonstrates a manifest incapacity

or incompetence to practice professional counseling;

(2) has been convicted of a felony offense and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(3) has been convicted of a misdemeanor against persons and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(4) is currently listed on a child abuse registry or an adult protective services registry as the result of a substantiated finding of abuse or neglect by any state agency, agency of another state or the United States, territory of the United States or another country and the applicant or licensee has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(5) has violated a provision of the professional counselors licensure act or one or more rules and regulations of the board;

(6) has obtained or attempted to obtain a license or license renewal by bribery or fraudulent representation;

(7) has knowingly made a false statement on a form required by the board for a license or license renewal;

(8) has failed to obtain continuing education credits as required by rules and regulations adopted by the board;

(9) has been found to have engaged in unprofessional conduct as defined by applicable rules and regulations adopted by the board; or

(10) has had a registration, license or certificate as a professional counselor revoked, suspended or limited, or has had other disciplinary action taken, or an application for a registration, license or certificate denied, by the proper regulatory authority of another state, territory, District of Columbia, or other country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

(b) For issuance of a new license or reinstatement of a revoked or suspended license for a licensee or applicant for licensure with a felony conviction, the board may only issue or reinstate such license by a $^2/_3$ majority vote.

(c) Administrative proceedings and disciplinary actions regarding licensure under the professional counselors licensure act shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under the professional counselors licensure act shall be in accordance with the Kansas judicial review act.

New Sec. 39. On and after July 1, 2017, all licensees providing postgraduate clinical supervision for those working toward clinical licensure must be board-approved clinical supervisors.

(a) Applications for a board-approved clinical supervisor shall be made to the board on a form and in the manner prescribed by the board. Each application shall be accompanied by the fee fixed under K.S.A. 65-5808, and amendments thereto.

(b) Each applicant for board-approved clinical supervisor shall furnish evidence satisfactory to the board that the applicant:

(1) (A) Is currently licensed as a clinical professional counselor and has practiced as a clinical professional counselor for two years beyond the supervisor's licensure date; or

(B) is a person who is licensed at the graduate level to practice in one of the

behavioral sciences, and whose authorized scope of practice permits the independent practice of counseling, therapy, or psychotherapy and has practiced at least two years of clinical practice beyond the date of licensure at this level;

(2) does not have any disciplinary action that would prohibit providing clinical supervision; and

(3) (A) has completed the minimum number of semester hours of coursework related to the enhancement of supervision skills approved by the board; or

(B) has completed the minimum number of continuing education hours related to the enhancement of supervision skills approved by the board.

(c) Each board-approved clinical supervisor shall complete, as part of the continuing education required under K.S.A. 65-5806, and amendments thereto, at least three hours of continuing education related to the enhancement of supervisory skills, and at least one such hour must focus on ethics in supervision.

Sec. 40. K.S.A. 2015 Supp. 65-6309 is hereby amended to read as follows: 65-6309. (a) Except as provided in subsections (b) and (c), an applicant shall be exempted from the requirement for any examination provided for herein if:

(1) The applicant proves to the board that the applicant is licensed or registered under the laws of a state or territory of the United States that imposes substantially the same requirements as this act as determined by the board; and

(2) pursuant to the laws of any such state or territory, the applicant has taken and passed an examination similar to that for which exemption is sought, as determined by the board.

(b) The board may issue a license to an individual who is currently licensed to practice social work at the clinical level in another jurisdiction if the board determines that:

(1) The standards for licensure to practice social work at the clinical level in the other jurisdiction are substantially equivalent to the requirements of this state for licensure at the clinical level; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) ~~Continuous~~ Licensure to practice social work at the clinical level ~~during the five years~~ for at least 60 of the last 66 months immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board;

(B) the absence of disciplinary actions of a serious nature brought by a licensing board or agency; and

(C) a ~~masters~~ master's or doctoral degree in social work from a regionally accredited university or college and from an accredited graduate social work program recognized and approved by the board pursuant to rules and regulations adopted by the board.

(c) Applicants for licensure as a clinical specialist social worker shall additionally demonstrate competence to diagnose and treat mental disorders through meeting the following requirements:

(1) Passing a national clinical examination approved by the board or, in the absence of the national examination, continuous licensure to practice as a clinical social worker during the 10 years immediately preceding the application; and

(2) three years of clinical practice with demonstrated experience in diagnosing or

treating mental disorders.

(d) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 65-6314, and amendments thereto, if required by the board.

(e) Upon application, the board shall issue temporary licenses to persons who have submitted documentation and met all qualifications for licensure under provisions of this act, except passage of the required examination, and who have paid the required fee.

(f) ~~Such persons shall take the license examination within six months subsequent to the date of issuance of the temporary license unless there are extenuating circumstances approved by the board.~~

~~(g)~~ Absent extenuating circumstances approved by the board, a temporary license issued by the board shall expire upon the date the board issues or denies a license to practice social work or six months after the date of issuance of the temporary license. No temporary license will be renewed or issued again on any subsequent applications for the same license level. The preceding provisions in no way limit the number of times an applicant may take the examination.

~~(h)~~ (g) No person may work under a temporary license except under the supervision of a licensed social worker.

~~(i)~~ (h) Nothing in this section shall affect any temporary license to practice issued under this section prior to the effective date of this act and in effect on the effective date of this act. Such temporary license shall be subject to the provisions of this section in effect at the time of its issuance and shall continue to be effective until the date of expiration of the license as provided under this section at the time of issuance of such temporary license.

~~(j)~~ (i) Any individual employed by a hospital and working in the area of hospital social services to patients of such hospital on July 1, 1974, is exempt from the provisions of this act.

~~(k) If an applicant is denied licensure, the board shall provide the applicant with a written explanation of the denial within 10 days after the decision of the board, excluding Saturdays, Sundays and legal holidays.~~

Sec. 41. K.S.A. 2015 Supp. 65-6311 is hereby amended to read as follows: 65-6311. (a) The board may ~~suspend, limit, revoke, condition or refuse to issue or renew a license of any social worker upon proof that the social worker:~~

~~(1) Has been convicted of a felony and, after investigation, the board finds that the licensee has not been sufficiently rehabilitated to merit the public trust;~~

~~(2) has been found guilty of fraud or deceit in connection with services rendered as a social worker or in establishing needed qualifications under this act;~~

~~(3) has knowingly aided or abetted a person, not a licensed social worker, in representing such person as a licensed social worker in this state;~~

~~(4) has been found guilty of unprofessional conduct as defined by rules established by the board;~~

~~(5) has been found to have engaged in diagnosis as authorized under K.S.A. 65-6319, and amendments thereto, even though not authorized to engage in such diagnosis under K.S.A. 65-6319, and amendments thereto;~~

~~(6) has been found guilty of negligence or wrongful actions in the performance of duties; or~~

~~(7)~~ refuse to issue, renew or reinstate a license, may condition, limit, revoke or suspend a license, may publicly or privately censure a licensee or may impose a fine not to exceed $1,000 per violation upon a finding that a licensee or an applicant for license:

(1) Is incompetent to practice social work, which means:

(A) One or more instances involving failure to adhere to the applicable standard of care to a degree that constitutes gross negligence, as determined by the board;

(B) repeated instances involving failure to adhere to the applicable standard of care to a degree that constitutes ordinary negligence, as determined by the board; or

(C) a pattern of practice or other behavior that demonstrates a manifest incapacity or incompetence to practice social work;

(2) has been convicted of a felony offense and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(3) has been convicted of a misdemeanor against persons and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(4) is currently listed on a child abuse registry or an adult protective services registry as the result of a substantiated finding of abuse or neglect by any state agency, agency of another state or the United States, territory of the United States or another country and the applicant or licensee has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(5) has violated a provision of the social workers licensure act or one or more rules and regulations of the board;

(6) has obtained or attempted to obtain a license or license renewal by bribery or fraudulent representation;

(7) has knowingly made a false statement on a form required by the board for a license or license renewal;

(8) has failed to obtain continuing education credits as required by rules and regulations adopted by the board;

(9) has been found to have engaged in unprofessional conduct as defined by applicable rules and regulations adopted by the board; or

(10) has had a license, registration or certificate to practice social work revoked, suspended or limited, or has had other disciplinary action taken, or an application for a license, registration or certificate denied, by the proper ~~licensing~~ regulatory authority of another state, territory, District of Columbia, or other country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

(b) ~~Proceedings to consider the suspension, revocation or refusal to renew a license shall be conducted in accordance with the provisions of the Kansas administrative procedure act~~ For issuance of a new license or reinstatement of a revoked or suspended license for a licensee or applicant for licensure with a felony conviction, the board may only issue or reinstate such license by a $^{2}/_{3}$ majority vote.

(c) Administrative proceedings and disciplinary actions regarding licensure under the social workers licensure act shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under the social workers licensure act shall be in accordance with the Kansas judicial review act.

Sec. 42. K.S.A. 2015 Supp. 65-6313 is hereby amended to read as follows: 65-6313. (a) All licenses issued shall be effective upon the date issued and shall expire at

the end of 24 months from the date of issuance.

(b) (1) Except as otherwise provided in K.S.A. 65-6311, and amendments thereto, a license may be renewed by the payment of the renewal fee set forth in K.S.A. 65-6314, and amendments thereto, and the execution and submission of a signed statement, on a form to be provided by the board, attesting that the applicant's license has been neither revoked nor currently suspended and that applicant has met the requirements for continuing education established by the board including not less than three continuing education hours of professional ethics.

(2) An applicant for renewal of a license as a master social worker or a specialist clinical social worker, as part of such continuing education, shall complete not less than six continuing education hours relating to diagnosis and treatment of mental disorders.

(3) ~~On and after January 1, 2011,~~ An applicant for first time licensure renewal as a baccalaureate social worker, master social worker or specialist clinical social worker, as part of such continuing education, shall complete not less than six hours of social worker safety awareness training. If the applicant for first time licensure renewal has already taken such training, as part of a previous level of social work licensure renewal, then the applicant is not required to complete an additional six hours of social worker safety training.

(c) The application for renewal shall be made on or before the date of the expiration of the license or on or before the date of the termination of the period of suspension.

(d) If the application for renewal, including payment of the required renewal fee, is not made on or before the date of the expiration of the license, the license is void, and no license shall be reinstated except upon payment of the required renewal fee established under K.S.A. 65-6314, and amendments thereto, plus a penalty equal to the renewal fee, and proof satisfactory to the board of the completion of 40 hours of continuing education within two years prior to application for reinstatement. Upon receipt of such payment and proof, the board shall reinstate the license. A license shall be reinstated under this subsection, upon receipt of such payment and proof, at any time after the expiration of such license.

(e) In case of a lost or destroyed license, and upon satisfactory proof of the loss or destruction thereof, the board may issue a duplicate license and shall charge a fee as set forth in K.S.A. 65-6314, and amendments thereto, for such duplicate license.

(f) Within 30 days after any change of permanent address, a licensee shall notify the board of such change.

Sec. 43. K.S.A. 65-6314 is hereby amended to read as follows: 65-6314. (a) The following fees ~~shall~~ may be established by the board ~~by rules and regulations~~ in accordance with the following limitations, and any such fees shall be established by rules and regulations adopted by the board:

(1) Renewal or reinstatement fee for a license as a social work associate shall be not more than $150.

(2) Application, new license, reinstatement or renewal fee for a license as a baccalaureate social worker shall be not more than $150.

(3) Application, new license, reinstatement or renewal fee for a license as master social worker shall be not more than $150.

(4) Application, new license, reinstatement or renewal fee for a license in a social work specialty shall be not more than $150.

(5) ~~Examination fee for a license as a baccalaureate social worker, for a license as a~~

~~master social worker or for a license in a social work specialty shall be not more than $200. If an applicant fails an examination, such applicant may be admitted to subsequent examinations upon payment of an additional fee prescribed by the board of not more than $200.~~

~~(6)~~ Replacement fee for reissuance of a license certificate due to loss or name change shall be not more than $20.

(6) Replacement fee for reissuance of a wallet card shall be not more than $5.

(7) Temporary license fee for a baccalaureate social worker, master social worker or a social work specialty shall be not more than $50.

(8) Application fee for approval as board-approved continuing education sponsors shall be as follows:

(A) Initial application fee for one year provisionally approved providers shall be not more than $125;

(B) three-year renewal fees for approved providers shall be not more than $350; and

(C) application fees for single program providers shall be not more than $50 for each separately offered continuing education activity for which prior approval is sought.

(b) Fees paid to the board are not refundable.

New Sec. 44. K.S.A. 65-6301 through 65-6320, and this section, and amendments thereto, shall be known and may be cited as the social workers licensure act.

Sec. 45. K.S.A. 2015 Supp. 65-6405 is hereby amended to read as follows: 65-6405. (a) A person who is waiting to take the examination required by the board may apply to the board for a temporary license to practice as a licensed marriage and family therapist by:

(1) Paying an application fee~~ of no more than $150,~~ as established by the board under K.S.A. 65-6411, and amendments thereto; and

(2) meeting the application requirements as stated in~~ subsections (a)(1), (2) and (4) of~~ K.S.A. 65-6404(a)(1), (a)(2) and (a)(4), and amendments thereto.

(b) (1) A temporary license may be issued by the board after the application has been reviewed and approved by the board and the applicant has paid the appropriate fee set by the board for issuance of new licenses.

(2) Absent extenuating circumstances approved by the board, a temporary license issued by the board shall expire upon the date the board issues or denies the person a license to practice marriage and family therapy or 12 months after the date of issuance of the temporary license.

(3) ~~A temporary licensee shall take the license examination within six months subsequent to the date of issuance of the temporary license unless there are extenuating circumstances approved by the board or if the temporary licensee does not take the license examination within six months subsequent to the date of issuance of the temporary license and no extenuating circumstances have been approved by the board, the temporary license will expire after the first six months.~~

~~(4)~~ No temporary license will be renewed or issued again on any subsequent application for the same license level. The preceding provision in no way limits the number of times an applicant may take the examination.

(c) A person practicing marriage and family therapy with a temporary license may not use the title "licensed marriage and family therapist" or the initials "LMFT" independently. The word "licensed" may be used only when followed by the words "by

temporary license" such as licensed marriage and family therapist by temporary license, or marriage and family therapist, temporarily licensed.

(d) No person may practice marriage and family therapy under a temporary license except under the supervision of a person licensed by the behavioral sciences regulatory board at the independent level.

(e) Nothing in this section shall affect any temporary license to practice issued under this section prior to the effective date of this act and in effect on the effective date of this act. Such temporary license shall be subject to the provisions of this section in effect at the time of its issuance and shall continue to be effective until the date of expiration of the license as provided under this section at the time of issuance of such temporary license.

Sec. 46. K.S.A. 2015 Supp. 65-6406 is hereby amended to read as follows: 65-6406. (a) The board may issue a license to an individual who is currently registered, certified or licensed to practice marriage and family therapy in another jurisdiction if the board determines that:

(1) The standards for registration, certification or licensure to practice marriage and family therapy in the other jurisdiction are substantially the equivalent of the requirements of the marriage and family therapists licensure act and rules and regulations of the board;

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) ~~Continuous~~ Registration, certification or licensure to practice marriage and family therapy ~~during the five years~~ for at least 60 of the last 66 months immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board;

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) completion of a ~~masters~~ master's degree in marriage and family therapy from a regionally accredited university.

(b) Applicants for licensure as a clinical marriage and family therapist shall additionally demonstrate competence to diagnose and treat mental disorders through meeting the requirements of either ~~paragraph (1) or (2) of~~ subsection (a)(1) or (a)(2) and at least two of the following areas acceptable to the board:

(1) Either graduate coursework as established by rules and regulations of the board or passing a national clinical examination approved by the board;

(2) three years of clinical practice with demonstrated experience in diagnosing or treating mental disorders; or

(3) attestation from a professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery stating that the applicant is competent to diagnose and treat mental disorders.

(c) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 65-6411, and amendments thereto, if required by the board.

Sec. 47. K.S.A. 65-6407 is hereby amended to read as follows: 65-6407. (a) An applicant who meets the requirements for licensure pursuant to this act, has paid the license fee provided for by K.S.A. 65-6411, and amendments thereto, and has otherwise complied with the provisions of this act shall be licensed by the board.

(b) Licenses issued pursuant to this act shall expire 24 months from the date of issuance unless revoked prior to that time. A license may be renewed upon application and payment of the fee provided for by K.S.A. 65-6411, and amendments thereto. The application for renewal shall be accompanied by evidence satisfactory to the board that the applicant has completed during the previous 24 months the continuing education required by rules and regulations of the board. As part of such continuing education, the applicant shall complete not less than six continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics.

(c) A person whose license has been suspended or revoked may make written application to the board requesting reinstatement of the license upon termination of the period of suspension or revocation in a manner prescribed by the board, which application shall be accompanied by the fee provided for by K.S.A. 65-6411, and amendments thereto.

(d) Within 30 days after any change of permanent address, a licensee shall notify the board of such change.

Sec. 48. K.S.A. 65-6408 is hereby amended to read as follows: 65-6408. The board may refuse to ~~grant licensure to, or may suspend, revoke, condition, limit, qualify or restrict the licensure of any individual who the board, after a hearing, determines~~ issue, renew or reinstate a license, may condition, limit, revoke or suspend a license, may publicly or privately censure a licensee or may impose a fine not to exceed $1,000 per violation upon a finding that a licensee or an applicant for license:

(1) Is incompetent to practice marriage and family therapy, ~~or is found to engage in the practice of marriage and family therapy in a manner harmful or dangerous to a client or to the public~~ which means:

(A) One or more instances involving failure to adhere to the applicable standard of care to a degree that constitutes gross negligence, as determined by the board;

(B) repeated instances involving failure to adhere to the applicable standard of care to a degree that constitutes ordinary negligence, as determined by the board; or

(C) a pattern of practice or other behavior that demonstrates a manifest incapacity or incompetence to practice marriage and family therapy;

(2) ~~is~~ has been convicted ~~by a court of competent jurisdiction~~ of a ~~crime that the board determines is of a nature to render the convicted person unfit to practice marriage and family therapy~~ felony offense and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(3) has been convicted of a misdemeanor against persons and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(4) is currently listed on a child abuse registry or an adult protective services registry as the result of a substantiated finding of abuse or neglect by any state agency, agency of another state or the United States, territory of the United States or another country and the applicant or licensee has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

~~(3)~~ (5) has violated a provision of the marriage and family therapists licensure act or one or more of the rules and regulations of the board;

~~(4)~~ (6) has obtained or attempted to obtain a license or license renewal by bribery or fraudulent representation;

~~(5)~~ (7) has knowingly made a false statement on a form required by the board for license or license renewal;

~~(6)~~ (8) has failed to obtain continuing education credits required by rules and regulations of the board;

~~(7)~~ (9) has been found ~~guilty of~~ to have engaged in unprofessional conduct as defined by applicable rules and regulations ~~established~~ adopted by the board; or

~~(8)~~ (10) has had a registration, license or certificate as a marriage and family therapist revoked, suspended or limited, or has had other disciplinary action taken, or an application for registration, license or certificate denied, by the proper regulatory authority of another state, territory, District of Columbia or another country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

(b) For issuance of a new license or reinstatement of a revoked or suspended license for a licensee or applicant for licensure with a felony conviction, the board may only issue or reinstate such license by a $^2/_3$ majority vote.

(c) Administrative proceedings and disciplinary actions regarding licensure under the marriage and family therapists licensure act shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under the marriage and family therapists licensure act shall be in accordance with the Kansas judicial review act.

Sec. 49. K.S.A. 65-6411 is hereby amended to read as follows: 65-6411. (a) The board ~~shall~~ may fix ~~by rules and regulations and shall collect~~ the following fees, and any such fees shall be established by rules and regulations adopted by the board:

(1) For application for licensure as a marriage and family therapist, not to exceed $150;

(2) for original licensure as a marriage and family therapist, not to exceed $175;

~~(3) for examination, not to exceed $275;~~

~~(4)~~ for renewal ~~of a license~~ for licensure as a marriage and family therapist, not to exceed $175;

~~(5)~~ (4) for application for licensure as a clinical marriage and family therapist, not to exceed $175;

(5) for original licensure as a clinical marriage and family therapist, not to exceed $175;

(6) for renewal for licensure as a clinical marriage and family therapist, not to exceed $175;

(7) for reinstatement of a license, not to exceed $175;

(8) for replacement of a license, not to exceed $20; ~~and~~

(9) for ~~late charges, not to exceed $5 for each 30 days of delay beyond the date the renewal application was to be made~~ renewal penalty, an amount equal to the renewal of license; and

(10) for a wallet card license, not to exceed $5.

(b) Fees paid to the board are not refundable.

New Sec. 50. On and after July 1, 2017, all licensees providing postgraduate clinical supervision for those working toward clinical licensure must be board-approved clinical supervisors.

(a) Applications for board-approved clinical supervisor shall be made to the board on a form and in the manner prescribed by the board. Each application shall be

accompanied by the fee fixed under K.S.A. 65-6411, and amendments thereto.

(b) Each applicant for board-approved clinical supervisor shall furnish evidence satisfactory to the board that the applicant:

(1) (A) Is currently licensed as a clinical marriage and family therapist and has practiced as a clinical marriage and family therapist for two years beyond the supervisor's licensure date; or

(B) be a person who is licensed at the graduate level to practice in one of the behavioral sciences, and whose authorized scope of practice permits the diagnosis and treatment of mental disorders and shall have at least two years of professional experience in the independent practice of clinical marriage and family therapy beyond the date of licensure at this level;

(2) does not have any disciplinary action that would prohibit providing clinical supervision; and

(3) (A) has completed the minimum number of semester hours of coursework related to the enhancement of supervision skills approved by the board; or

(B) has completed the minimum number of continuing education hours related to the enhancement of supervision skills approved by the board.

(c) Each board-approved clinical supervisor shall complete, as part of the continuing education required under K.S.A. 65-6407, and amendments thereto, at least three hours of continuing education related to the enhancement of supervisory skills, and at least one such hour must focus on ethics in supervision.

Sec. 51. K.S.A. 2015 Supp. 65-6607 is hereby amended to read as follows: 65-6607. K.S.A. 2015 Supp. 65-6607 through 65-6620, and amendments thereto, shall be known and may be cited as the ~~addictions~~ addiction counselor licensure act.

Sec. 52. K.S.A. 2015 Supp. 65-6608 is hereby amended to read as follows: 65-6608. As used in the ~~addictions~~ addiction counselor licensure act:

(a) "Board" means the behavioral sciences regulatory board created under K.S.A. 74-7501, and amendments thereto.

(b) "Addiction counseling" means the utilization of special skills to assist persons with addictions, and to assist such persons' families and friends to achieve resolution of addiction through the exploration of the disease and its ramifications, the examination of attitudes and feelings, the consideration of alternative solutions and decision making, as these relate specifically to addiction. Evaluation and assessment, treatment including treatment plan development, crisis intervention, referral, record keeping and clinical consultation specifically related to addiction are within the scope of addiction counseling. Additionally, at the clinical level of licensure, addiction counseling includes independent practice and the diagnosis and treatment of substance use disorders.

(c) "Licensed addiction counselor" means a person who engages in the practice of addiction counseling limited to substance use disorders and who is licensed under this act. Such person shall engage in the practice of addiction counseling in a state-licensed or certified alcohol and other drug treatment program or in completing a Kansas domestic violence offender assessment for participants in a certified batterer intervention program pursuant to K.S.A. 2015 Supp. 75-7d01 through 75-7d13, and amendments thereto, unless otherwise exempt ~~for~~ from licensure under ~~subsection (m) of~~ K.S.A. 59-29b46(n), and amendments thereto.

(d) "Licensed master's addiction counselor" means a person who engages in the practice of addiction counseling limited to substance use disorders and who is licensed

under this act. Such person may diagnose substance use disorders only under the direction of a licensed clinical addiction counselor, a licensed psychologist, a person licensed to practice medicine and surgery or a person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of substance abuse disorders or mental disorders.

(e) "Licensed clinical addiction counselor" means a person who engages in the independent practice of addiction counseling and diagnosis and treatment of substance use disorders specified in the edition of the American psychiatric association's diagnostic and statistical manual of mental disorders (DSM) designated by the board by rules and regulations and is licensed under this act.

Sec. 53. K.S.A. 2015 Supp. 65-6609 is hereby amended to read as follows: 65-6609. (a) ~~On and after September 1, 2011,~~ No person shall engage in the practice of addiction counseling or represent that such person is a licensed addiction counselor or is an addiction counselor ~~or~~, a substance abuse counselor or an alcohol and drug counselor without having first obtained a license as an addiction counselor under the ~~addictions~~ addiction counselor licensure act.

(b) On and after September 1, 2016, no person shall engage in the practice of addiction counseling or represent that such person is a licensed master's addiction counselor, master's addiction counselor, master's substance abuse counselor or master's alcohol and drug counselor without having first obtained a license as a master's addiction counselor under the addiction counselor licensure act.

(c) ~~On and after September 1, 2011,~~ No person shall engage in the practice of addiction counseling as a clinical addiction counselor or represent that such person is a licensed clinical addiction counselor ~~or is~~, a clinical addiction counselor ~~or~~, a clinical substance abuse counselor or a clinical alcohol and drug counselor without having first obtained a license as a clinical addiction counselor under the addiction counselor licensure act.

~~(c)~~ (d) Violation of this section is a class B misdemeanor.

Sec. 54. K.S.A. 2015 Supp. 65-6610 is hereby amended to read as follows: 65-6610. (a) An applicant for licensure as an addiction counselor shall furnish evidence that the applicant:

(1) Has attained the age of 21; ~~and~~

(2) (A) has completed at least a baccalaureate degree from an addiction counseling program that is part of a college or university approved by the board; or

(B) has completed at least a baccalaureate degree from a college or university approved by the board ~~in a related field that includes~~. As part of, or in addition to, the baccalaureate degree coursework, such applicant shall also complete a minimum number of semester hours of coursework on substance use disorders as approved by the board; or

(C) ~~has completed at least a baccalaureate degree from a college or university approved by the board in a related field with additional coursework in addiction counseling from a college or university approved by the board, and such degree program and the additional coursework includes a minimum number of semester hours of coursework on substance use disorders as approved by the board; or~~

~~(D)~~ is currently licensed in Kansas as a licensed baccalaureate social worker and has completed a minimum number of semester hours of coursework on substance use disorders as approved by the board; ~~or~~ and

~~(E) is currently licensed in Kansas as a licensed master social worker, licensed professional counselor, licensed marriage and family therapist or licensed masters level psychologist; and~~

(3) has passed an examination approved by the board; ~~and~~

(4) has satisfied the board that the applicant is a person who merits the public trust; and

(5) ~~each applicant~~ has paid the application fee established by the board under K.S.A. 2015 Supp. 65-6618, and amendments thereto.

(b) Applications for licensure as a master's addiction counselor shall be made to the board on a form and in the manner prescribed by the board. Each applicant shall furnish evidence satisfactory to the board that the applicant:

(1) (A) Has attained the age of 21;

(B) (i) has completed at least a master's degree from an addiction counseling program that is part of a college or university approved by the board;

(ii) has completed at least a master's degree from a college or university approved by the board. As part of or in addition to the master's degree coursework, such applicant shall also complete a minimum number of semester hours of coursework supporting the diagnosis and treatment of substance use disorders as approved by the board; or

(iii) is currently licensed in Kansas as a licensed master social worker, licensed professional counselor, licensed marriage and family therapist or licensed master's level psychologist; and

(C) has passed an examination approved by the board;

(D) has satisfied the board that the applicant is a person who merits the public trust; and

(E) has paid the application fee fixed under K.S.A. 2015 Supp. 65-6618, and amendments thereto; or

(2) (A) has met the following requirements on or before July 1, 2016:

(i) Holds an active license by the board as an addiction counselor; and

(ii) has completed at least a master's degree in a related field from a college or university approved by the board; and

(B) has completed six hours of continuing education in the diagnosis and treatment of substance use disorders during the three years immediately preceding the application date.

(c) Applications for licensure as a clinical addiction counselor shall be made to the board on a form and in the manner prescribed by the board. Each applicant shall furnish evidence satisfactory to the board that the applicant:

(1) Has attained the age of 21; and

(2) (A) (i) has completed at least a master's degree from an addiction counseling program that is part of a college or university approved by the board; and

(ii) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 4,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 150 hours of clinical supervision, including not less than 50 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric

association; or has completed not less than ~~two years~~ one year of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 2,000 hours of supervised professional experience including at least 750 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 75 hours of clinical supervision, including not less than 25 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association, and such person has a doctoral degree in addiction counseling or a related field as approved by the board; or

(B) (i) has completed at least a master's degree from a college or university approved by the board ~~in a related field that includes~~. As part of or in addition to the master's degree coursework, such applicant shall also complete a minimum number of semester hours of coursework supporting the diagnosis and treatment of substance use disorders as approved by the board; and

(ii) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 4,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 150 hours of clinical supervision, including not less than 50 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association; or has completed not less than ~~two years~~ one year of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 2,000 hours of supervised professional experience including at least 750 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 75 hours of clinical supervision, including not less than 25 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association, and such person has a doctoral degree in addiction counseling or a related field as approved by the board; or

(C) (i) ~~has completed a master's degree from a college or university approved by the board in a related field with additional coursework in addiction counseling from a college or university approved by the board and such degree program and additional coursework includes a minimum number of semester hours of coursework supporting the diagnosis and treatment of substance use disorders as approved by the board; and~~

~~(ii) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 4,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 150 hours of clinical supervision, including not less than 50 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association; or has completed not less than two years of postgraduate supervised~~

~~professional experience in accordance with a clinical supervision plan approved by the board of not less than 2,000 hours of supervised professional experience including at least 750 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 75 hours of clinical supervision, including not less than 25 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association, and such person has a doctoral degree in addiction counseling or a related field as approved by the board; or~~

~~(D) (i)~~ has completed a master's degree ~~in a related field~~ from a college or university approved by the board and is licensed by the board as a licensed master's addiction counselor; and

(ii) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 4,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 150 hours of clinical supervision, including not less than 50 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association; or has completed not less than ~~two years~~ one year of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 2,000 hours of supervised professional experience including at least 750 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 75 hours of clinical supervision, including not less than 25 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association, and such person has a doctoral degree in addiction counseling or a related field as approved by the board; or

(E) is currently licensed in Kansas as a licensed psychologist, licensed specialist clinical social worker, licensed clinical professional counselor, licensed clinical psychotherapist or licensed clinical marriage and family therapist and provides to the board an attestation from a professional licensed to diagnose and treat mental disorders, or substance use disorders, or both, in independent practice or licensed to practice medicine and surgery stating that the applicant is competent to diagnose and treat substance use disorders; and

(3) has passed an examination approved by the board; and

(4) has satisfied the board that the applicant is a person who merits the public trust; and

(5) has paid the application fee fixed under K.S.A. 2015 Supp. 65-6618, and amendments thereto.

~~(c)~~ (d) Prior to July 1, 2017, a person who was registered by the behavioral sciences regulatory board as an alcohol and other drug counselor or credentialed by the Kansas department for aging and disability services as an alcohol and drug credentialed counselor or credentialed by the Kansas association of addiction professionals as an alcohol and other drug abuse counselor in Kansas at any time prior to the effective date

of this act, who was registered in Kansas as an alcohol and other drug counselor, an alcohol and drug credentialed counselor or a credentialed alcohol and other drug abuse counselor within three years prior to the effective date of this act and whose last registration or credential in Kansas prior to the effective date of this act was not suspended or revoked, upon application to the board, payment of fees and completion of applicable continuing education requirements, shall be licensed as a licensed addiction counselor by providing demonstration acceptable to the board of competence to perform the duties of an addiction counselor.

~~(d)~~ (e) Prior to July 1, 2017, any person who was registered by the behavioral sciences regulatory board as an alcohol and other drug counselor or credentialed by the department of social and rehabilitation services as an alcohol and drug credentialed counselor or credentialed by the Kansas association of addiction professionals as an alcohol and other drug abuse counselor in Kansas at any time prior to the effective date of this act, and who is also licensed to practice independently as a mental health practitioner or person licensed to practice medicine and surgery, and who was registered or credentialed in Kansas as an alcohol and other drug counselor within three years prior to the effective date of this act and whose last registration or credential in Kansas prior to the effective date of this act was not suspended or revoked, upon application to the board, payment of fees and completion of applicable continuing education requirements, shall be licensed as a licensed clinical addiction counselor and may engage in the independent practice of addiction counseling and is authorized to diagnose and treat substance use disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations.

~~(e)~~ (f) Prior to July 1, 2017, any person who was credentialed by the department of social and rehabilitation services as an alcohol and drug counselor and has been actively engaged in the practice, supervision or administration of addiction counseling in Kansas for not less than four years and holds a master's degree in a related field from a college or university approved by the board and whose last registration or credential in Kansas prior to the effective date of this act was not suspended or revoked, upon application to the board, payment of fees and completion of applicable continuing education requirements, shall be licensed as a clinical addiction counselor and may engage in the independent practice of addiction counseling and is authorized to diagnose and treat substance use disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations.

~~(f) A licensed addiction counselor shall engage in the practice of addiction counseling only in a state licensed or certified alcohol and other drug treatment program, unless otherwise exempt from licensure under subsection (m) of K.S.A. 59-29b46, and amendments thereto.~~

Sec. 55. K.S.A. 2015 Supp. 65-6611 is hereby amended to read as follows: 65-6611. (a) A person who is waiting to take the examination for licensure as an addiction counselor may apply to the board for a temporary license to practice as a licensed addiction counselor by: (1) Paying an application fee for a temporary license fixed under K.S.A. 2015 Supp. 65-6618, and amendments thereto~~,~~; and (2) meeting the application requirements as stated in ~~subsections (a)(1), (2) and (4) of~~ K.S.A. 2015 Supp. 65-6610(a)(1), (a)(2) and (a)(4), and amendments thereto.

(b) A person who is waiting to take the examination for licensure as a master's addiction counselor may apply to the board for a temporary license to practice as a licensed master's addiction counselor by: (1) Paying an application fee for a temporary license fixed under K.S.A. 2015 Supp. 65-6618, and amendments thereto; and (2) meeting the application requirements as stated in K.S.A 2015 Supp. 65-6610(b)(1), (b)(2) and (b)(4), and amendments thereto.

(c) (1) A temporary license may be issued by the board after the application has been reviewed and approved by the board and the applicant has paid the appropriate fee set by the board for issuance of new licenses.

(2) Absent extenuating circumstances approved by the board, a temporary license issued by the board shall expire upon the date the board issues or denies the person a license to practice addiction counseling or 12 months after the date of issuance of the temporary license.

(3) No temporary license will be renewed or issued again on any subsequent application for the same license level. The preceding provision in no way limits the number of times an applicant may take the examination.

~~(c)~~ (d) A person practicing addiction counseling with a temporary license may not use the title "licensed addiction counselor" or "licensed master's addiction counselor" or use the initials "LAC" or "LMAC" independently. The word "licensed" may be used only when followed by the words "by temporary license" such as licensed addiction counselor by temporary license, or addiction counselor, temporarily licensed.

~~(d)~~ (e) No person may practice addiction counseling under a temporary license except in a licensed or certified alcohol and other drug abuse program, under the direction of a person licensed by the behavioral sciences regulatory board at the clinical level or a person licensed to practice medicine and surgery.

~~(e)~~ (f) Nothing in this section shall affect any temporary license to practice issued under this section prior to the effective date of this act and in effect on the effective date of this act. Such temporary license shall be subject to the provisions of this section in effect at the time of its issuance and shall continue to be effective until the date of expiration of the license as provided under this section at the time of issuance of such license.

Sec. 56. K.S.A. 2015 Supp. 65-6612 is hereby amended to read as follows: 65-6612. (a) Upon written application and board approval, an individual who is licensed to engage in the independent clinical practice of addiction counseling at the clinical level in another jurisdiction and who is in good standing in that other jurisdiction may engage in the independent practice of clinical addiction counseling as provided by the ~~addictions~~ addiction counselor licensure act, in this state for not more than 15 days per year upon receipt of a temporary permit to practice issued by the board.

(b) Any clinical addiction counseling services rendered within any 24-hour period shall count as one entire day of clinical addiction counseling services.

(c) The temporary permit to practice shall be effective on the date of approval by the board and shall expire December 31 of that year. Upon written application and for good cause shown, the board may extend the temporary permit to practice no more than 15 additional days.

(d) The board shall charge a fee for a temporary permit to practice and a fee for an extension of a temporary permit to practice as fixed under K.S.A. 2015 Supp. 65-6618, and amendments thereto.

(e) A person who holds a temporary permit to practice clinical addiction counseling in this state shall be deemed to have submitted to the jurisdiction of the board and shall be bound by the statutes and regulations that govern the practice of clinical addiction counseling in this state.

(f) In accordance with the Kansas administrative procedure act, the board may issue a cease and desist order or assess a fine of up to $1,000 per day, or both, against a person licensed in another jurisdiction who engages in the independent practice of clinical addiction counseling in this state without complying with the provisions of this section.

Sec. 57. K.S.A. 2015 Supp. 65-6613 is hereby amended to read as follows: 65-6613. (a) The board may issue a license to an individual who is currently registered, certified or licensed to practice addiction counseling in another jurisdiction if the board determines that:

(1) The standards for registration, certification or licensure to practice addiction counseling in the other jurisdiction are substantially the equivalent of the requirements of the ~~addictions~~ addiction counselor licensure act and rules and regulations of the board; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) ~~Continuous~~ Registration, certification or licensure to practice as an addiction ~~counseling during the five years~~ counselor for at least 60 of the last 66 months immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board; ~~and~~

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) completion of at least a baccalaureate ~~or master's~~ degree ~~in addiction counseling~~ from a college or university approved by the board ~~or completion of a baccalaureate or master's degree in a related field that includes all required addiction coursework~~.

(b) The board may issue a license to an individual who is currently registered, certified or licensed to practice addiction counseling at the master's level in another jurisdiction if the board determines that:

(1) (A) The standards for registration, certification or licensure to practice addiction counseling at the master's level in the other jurisdiction are substantially the equivalent of the requirements of the addiction counselor licensure act and rules and regulations of the board; and

(B) completion of at least a master's degree from a college or university approved by the board; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) Registration, certification or licensure to practice addiction counseling at the master's level for at least 60 of the last 66 months immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board;

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) completion of at least a master's degree from a college or university approved

by the board.

(c) The board may issue a license to an individual who is currently registered, certified or licensed to practice ~~clinical~~ addiction counseling at the clinical level in another jurisdiction if the board determines that:

(1) (A) The standards for registration, certification or licensure to practice ~~clinical~~ addiction counseling at the clinical level in the other jurisdiction are substantially the equivalent of the requirements of the ~~addictions~~ addiction counselor licensure act and rules and regulations of the board; ~~or~~ and

(B) the applicant demonstrates completion of at least a master's degree from a college or university approved by the board; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) ~~Continuous~~ Registration, certification or licensure to practice ~~clinical~~ addiction counseling ~~during the five years~~ at the clinical level for at least 60 of the last 66 months immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board; ~~and~~

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; ~~and~~

(C) ~~(i)~~ completion of at least a master's degree ~~in clinical addiction counseling~~ from a college or university approved by the board; ~~or~~

~~(ii) completion of at least a master's degree from a college or university approved by the board in a related field that includes a minimum number of semester hours of coursework supporting the diagnosis and treatment of substance use disorders as approved by the board; or~~

~~(iii) completion of at least a master's degree from a college or university approved by the board in a related field with additional coursework in addiction counseling from a college or university approved by the board and such degree program and additional coursework includes a minimum number of semester hours of coursework supporting the diagnosis and treatment of substance use disorders as approved by the board;~~ and

(D) at least two of the following areas acceptable to the board:

(i) Either coursework as established by rules and regulations of the board or passing a national clinical examination approved by the board; ~~or~~

(ii) three years of clinical practice with demonstrated experience supporting diagnosing or treating substance use disorders; or

(iii) attestation from a professional licensed to diagnose and treat mental disorders, or substance use disorders, or both, in independent practice or licensed to practice medicine and surgery stating that the applicant is competent to diagnose and treat substance use disorders.

~~(c)~~ (d) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 2015 Supp. 65-6618, and amendments thereto, if required by the board.

Sec. 58. K.S.A. 2015 Supp. 65-6614 is hereby amended to read as follows: 65-6614. (a) An applicant who meets the requirements for licensure pursuant to this act, has paid the license fee provided for by K.S.A. 2015 Supp. 65-6618, and amendments thereto, and has otherwise complied with the provisions of this act shall be licensed by the board.

(b) Licenses issued pursuant to this act shall expire 24 months from the date of

issuance unless revoked prior to that time. A license may be renewed upon application and payment of the fee provided for by K.S.A. 2015 Supp. 65-6618, and amendments thereto. The application for renewal shall be accompanied by evidence satisfactory to the board that the applicant has completed during the previous 24 months the continuing education required by rules and regulations of the board, including not less than three hours in ethics. In addition, as part of such continuing education, the master's addiction counselor applicant and the clinical addiction counselor applicant shall complete not less than six continuing education hours relating to diagnosis and treatment of substance use disorders. ~~Both the clinical addiction counselor applicant and the addiction counselor applicant shall complete not less than three continuing education hours of professional ethics.~~

(c) A person whose license has been suspended or revoked may make written application to the board requesting reinstatement of the license upon termination of the period of suspension or revocation in a manner prescribed by the board, which application shall be accompanied by the fee provided for by K.S.A. 2015 Supp. 65-6618, and amendments thereto.

(d) Within 30 days after any change of permanent address, a licensee shall notify the board of such change.

Sec. 59. K.S.A. 2015 Supp. 65-6615 is hereby amended to read as follows: 65-6615. (a) The board may refuse to ~~grant licensure to, or may suspend, revoke, condition, limit, qualify or restrict the licensure issued under this act of any individual who the board, after the opportunity for a hearing, determines:~~

~~(a)~~ issue, renew or reinstate a license, may condition, limit, revoke or suspend a license, may publicly or privately censure a licensee or may impose a fine not to exceed $1,000 per violation upon a finding that a licensee or an applicant for license:

(1) Is incompetent to practice addiction counseling, ~~or is found to engage in the practice of addiction counseling in a manner harmful or dangerous to a client or to the public~~ which means:

(A) One or more instances involving failure to adhere to the applicable standard of care to a degree that constitutes gross negligence, as determined by the board;

(B) repeated instances involving failure to adhere to the applicable standard of care to a degree that constitutes ordinary negligence, as determined by the board; or

(C) a pattern of practice or other behavior that demonstrates a manifest incapacity or incompetence to practice addiction counseling;

~~(b)~~ (2) ~~is~~ has been convicted ~~by a court of competent jurisdiction~~ of a felony~~, misdemeanor crimes against persons or substantiation of abuse against a child, adult or resident of a care facility, even if not practice related~~ offense and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(3) has been convicted of a misdemeanor against persons and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(4) is currently listed on a child abuse registry or an adult protective services registry as the result of a substantiated finding of abuse or neglect by any state agency, agency of another state or the United States, territory of the United States or another country and the applicant or licensee has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

~~(c)~~ (5) has violated a provision of the ~~addictions~~ addiction counselor licensure act or one or more of the rules and regulations of the board;

~~(d)~~ (6) has obtained or attempted to obtain a license or license renewal by bribery or fraudulent representation;

~~(e)~~ (7) has knowingly made a false statement on a form required by the board for license or license renewal;

~~(f)~~ (8) has failed to obtain continuing education credits required by rules and regulations of the board;

~~(g)~~ (9) has been found ~~guilty of~~ to have engaged in unprofessional conduct as defined by applicable rules and regulations ~~established~~ adopted by the board; or

~~(h)~~ (10) has had a registration, license or certificate as an addiction counselor revoked, suspended or limited, or has had other disciplinary action taken, or an application for registration, license or certificate denied, by the proper regulatory authority of another state, territory, District of Columbia or another country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

(b) For issuance of a new license or reinstatement of a revoked or suspended license for a licensee or applicant for licensure with a felony conviction, the board may only issue or reinstate such license by a $^{2}/_{3}$ majority vote.

(c) Administrative proceedings and disciplinary actions regarding licensure under the addiction counselor licensure act shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under the addiction counselor licensure act shall be in accordance with the Kansas judicial review act.

Sec. 60. K.S.A. 2015 Supp. 65-6616 is hereby amended to read as follows: 65-6616. Nothing in the ~~addictions~~ addiction counselor licensure act shall be construed:

(a) To prevent addiction counseling practice by students or interns or individuals preparing for the practice of addiction counseling to practice under qualified supervision of a professional, recognized and approved by the board, in an educational institution or agency so long as they are designated by titles such as "student," "trainee," "intern" or other titles clearly indicating training status;

(b) to authorize the practice of psychology, medicine and surgery, professional counseling, marriage and family therapy, master's level psychology or social work or other professions licensed by the behavioral sciences regulatory board;

(c) to apply to the activities and services of a rabbi, priest, minister, clergy person or organized ministry of any religious denomination or sect, including a Christian-Science practitioner, unless such person or individual who is a part of the organized ministry is a licensed addiction counselor;

(d) to apply to the activities and services of qualified members of other professional groups including, but not limited to, attorneys, physicians, psychologists, master's level psychologists, marriage and family therapists, professional counselors, or other professions licensed by the behavioral sciences regulatory board, registered nurses or social workers performing services consistent with the laws of this state, their training and the code of ethics of their profession, so long as they do not represent themselves as being an addiction counselor; or

(e) to prevent qualified persons from doing work within the standards and ethics of their respective professions and callings provided they do not hold themselves out to the

public by any title or description of services as being an addiction counselor.

Sec. 61. K.S.A. 2015 Supp. 65-6617 is hereby amended to read as follows: 65-6617. (a) A person licensed under the ~~addictions~~ addiction counselor licensure act and employees and professional associates of the person shall not be required to disclose any information that the person, employee or associate may have acquired in rendering addiction counseling services, unless:

(1) Disclosure is required by other state laws;

(2) failure to disclose the information presents a clear and present danger to the health or safety of an individual;

(3) the person, employee or associate is a party defendant to a civil, criminal or disciplinary action arising from the therapy, in which case a waiver of the privilege accorded by this section is limited to that action;

(4) the client is a defendant in a criminal proceeding and the use of the privilege would violate the defendant's right to a compulsory process or the right to present testimony and witnesses in that person's behalf; or

(5) a client agrees to a waiver of the privilege accorded by this section, and in circumstances where more than one person in a family is receiving therapy, each such family member agrees to the waiver. Absent a waiver from each family member, an addiction counselor shall not disclose information received from a family member.

(b) Nothing in this section or in this act shall be construed to prohibit any person licensed under the ~~addictions~~ addiction counselor licensure act from testifying in court hearings concerning matters of adult abuse, adoption, child abuse, child neglect or other matters pertaining to the welfare of children or from seeking collaboration or consultation with professional colleagues or administrative superiors, or both, on behalf of a client. There is no privilege under this section for information which is required to be reported to a public official.

Sec. 62. K.S.A. 2015 Supp. 65-6618 is hereby amended to read as follows: 65-6618. (a) The board ~~shall~~ may fix ~~by rules and regulations and shall collect~~ the following fees, and any such fees shall be established by rules and regulations adopted by the board:

(1) For application for licensure as an addiction counselor, not to exceed $150;

(2) for original licensure as an addiction counselor, not to exceed $150;

(3) for renewal ~~of a license~~ for licensure as an addiction counselor, not to exceed $150;

(4) for a temporary license ~~as an addiction counselor~~, not to exceed $100;

(5) for application for licensure as a master's addiction counselor, not to exceed $150;

(6) for original licensure as a master's addiction counselor, not to exceed $150;

(7) for renewal for licensure as a master's addiction counselor, not to exceed $150;

(8) for application for licensure as a clinical addiction counselor, not to exceed $150;

~~(6)~~ (9) for original licensure as a clinical addiction counselor, not to exceed $150;

~~(7)~~ (10) for renewal for licensure as a clinical addiction counselor, not to exceed $150;

~~(8)~~ (11) for a temporary permit to practice clinical addiction counseling, not to exceed $200;

~~(9)~~ (12) for extension of a temporary permit to practice clinical addiction

counseling, not to exceed $200;

~~(10)~~ (13) for reinstatement of a license, not to exceed $150;

~~(11)~~ (14) for replacement of a license, not to exceed $20; ~~and~~

~~(12)~~ (15) for late renewal penalty, an amount equal to the fee for renewal; and

(16) for a wallet license, not more than $5.

(b) The board shall require that fees paid for any examination under the ~~addictions~~ addiction counselor licensure act be paid directly to the examination services by the person taking the examination.

(c) Fees paid to the board are not refundable.

Sec. 63. K.S.A. 2015 Supp. 65-6620 is hereby amended to read as follows: 65-6620. A licensee under the ~~addictions~~ addiction counselor licensure act, at the beginning of a client-therapist relationship, shall inform the client of the level of such licensee's training and the title or titles and license or licenses of such licensee. As a part of such obligation, such licensee shall disclose whether such licensee has a baccalaureate, master's degree or a doctoral degree. If such licensee has a doctoral degree, such licensee shall disclose whether or not such doctoral degree is a doctor of medicine degree or some other doctoral degree. If such licensee does not have a medical doctor's degree, such licensee shall disclose that the licensee is not authorized to practice medicine and surgery and is not authorized to prescribe drugs. As a part of such disclosure, such licensee shall advise the client that certain mental disorders can have medical or biological origins, and that the client should consult with a physician. Documentation of such disclosures to a client shall be made in the client's record.

Sec. 64. K.S.A. 2015 Supp. 74-5310 is hereby amended to read as follows: 74-5310. (a) The board shall issue a license as a psychologist to any person who pays an application fee prescribed by the board, if required by the board, not in excess of $225 and, if required by the board, an original license fee not in excess of $150, which shall not be refunded, who either satisfies the board as to such person's training and experience after a thorough review of such person's credentials and who passes a satisfactory examination in psychology. Any person paying the fee must also submit evidence verified by oath and satisfactory to the board that such person:

(1) Is at least 21 years of age;

(2) is of good moral character;

(3) has received the doctor's degree based on a program of studies in content primarily psychological from an educational institution having a graduate program with standards consistent with those of the state universities of Kansas, or the substantial equivalent of such program in both subject matter and extent of training; and

(4) has had at least two years of supervised experience, a significant portion of which shall have been spent in rendering psychological services satisfying the board's approved standards for the psychological service concerned.

(b) The board shall adopt rules and regulations establishing the criteria which an educational institution shall satisfy in meeting the requirements established under ~~item (3) of~~ subsection (a)(3). The board may send a questionnaire developed by the board to any educational institution for which the board does not have sufficient information to determine whether the educational institution meets the requirements of ~~item (3) of~~ subsection (a)(3) and rules and regulations adopted under this section. The questionnaire providing the necessary information shall be completed and returned to the board in order for the educational institution to be considered for approval. The

board may contract with investigative agencies, commissions or consultants to assist the board in obtaining information about educational institutions. In entering such contracts the authority to approve educational institutions shall remain solely with the board.

Sec. 65. K.S.A. 74-5311 is hereby amended to read as follows: 74-5311. ~~Examinations for applicants under this act shall be held by the board from time to time but not less than once each year.~~ The board shall adopt rules and regulations governing the subject, scope~~,~~ and form of ~~the~~ examinations for applicants under this act or shall contract with a national testing service to provide an examination approved by the board. ~~The board shall prescribe an initial examination fee not to exceed $350. If an applicant fails the first examination, such applicant may be admitted to any subsequent examination upon payment of an additional fee prescribed by the board not to exceed $350. The examination fees prescribed by the board under this section shall be fixed by rules and regulations of the board.~~

Sec. 66. K.S.A. 2015 Supp. 74-5315 is hereby amended to read as follows: 74-5315. (a) The board may grant a license to any person who, at the time of application, is registered, certified or licensed as a psychologist at the doctoral level in another jurisdiction if the board determines that:

(1) The requirements of such jurisdiction for such certification or licensure are substantially the equivalent of the requirements of this state; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) ~~Continuous~~ Registration, certification or licensure as a psychologist at the doctoral level ~~during the five years~~ for at least 60 of the last 66 months immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board;

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) a doctoral degree in psychology from a regionally accredited university or college.

(b) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 74-5310, and amendments thereto, if required by the board.

Sec. 67. K.S.A. 2015 Supp. 74-5316 is hereby amended to read as follows: 74-5316. (a) Upon application, the board may issue temporary licenses to persons who have met all qualifications for licensure under provisions of the licensure of psychologists act of the state of Kansas, except passage of the required examination, pursuant to K.S.A. 74-5310, and amendments thereto, who must wait for completion of the next examination, who have paid the required application, examination and temporary license fees and who have submitted documentation as required by the board, under the following:

(1) ~~The temporary license shall expire upon receipt and recording of the temporary licensee's second examination score by the board if such temporary licensee fails the examination after two attempts or upon the date the board issues or denies the temporary licensee a license to practice psychology if such temporary licensee passes the examination;~~

~~(2)~~ Such temporary licensee shall take the next license examination subsequent to the date of issuance of the temporary license unless there are extenuating circumstances

approved by the board;

~~(3)~~ (2) the board shall adopt rules and regulations prescribing continuing education requirements for temporary licensees, including, but not limited to, a requirement that temporary licensees shall complete a minimum of 25 contact hours of continuing education during the two-year period of temporary licensure, which shall include a minimum of three hours in psychology ethics;

~~(4)~~ (3) no person may work under a temporary license except under the supervision of a licensed psychologist as prescribed in rules and regulations adopted by the board; and

~~(5)~~ (4) the fee for such temporary license~~ shall~~ may be fixed~~ by rules and regulations adopted~~ by the board and shall not exceed $200, and any such fee shall be established by rules and regulations adopted by the board.

(b) Upon application, the board may issue temporary licenses not to exceed two years to persons who have completed all requirements for a doctoral degree approved by the board but have not received such degree conferral or who have met all qualifications for licensure under provisions of such act, except completion of the postdoctoral supervised work experience pursuant to~~ subsection (a)(4) of~~ K.S.A. 74-5310(a)(4), and amendments thereto, who have paid the required application and temporary license fees and who have submitted documentation as required by the board, under the following:

(1) The temporary license shall expire at the end of the two-year period after issuance or if such temporary licensee is denied a license to practice psychology;

(2) the temporary license may be renewed for one additional two-year period after expiration;

(3) temporary licensees shall take the license examination pursuant to~~ subsection (a)(4) of~~ K.S.A. 74-5310(a)(4), and amendments thereto, subsequent to the date of issuance and prior to expiration of the temporary license unless there are extenuating circumstances approved by the board;

(4) temporary licensees shall be working toward the completion of the postdoctoral supervised work experience prescribed in~~ subsection (a)(4) of~~ K.S.A. 74-5310(a)(4), and amendments thereto;

(5) the board shall adopt rules and regulations prescribing continuing education requirements for temporary licensees, including, but not limited to, a requirement that temporary licensees shall complete a minimum of 25 contact hours of continuing education during the two-year period of temporary licensure, which shall include a minimum of three hours in psychology ethics;

(6) no temporary licensee may work under a temporary license except under the supervision of a licensed psychologist as prescribed in rules and regulations adopted by the board; and

(7) the fee for a renewal of the temporary license~~ shall~~ may be fixed~~ by rules and regulations adopted~~ by the board and shall not exceed $200 per issuance, and any such fee shall be established by rules and regulations adopted by the board.

(c) A person practicing psychology with a temporary license may not use the title "licensed psychologist" or the initials "LP" independently. The word "licensed" may be used only when preceded by the word "temporary" such as temporary licensed psychologist, or the initials "TLP."

(d) This section shall be part of and supplemental to the provisions of article 53 of

chapter 74 of the Kansas Statutes Annotated, and amendments thereto.

(e) As used in this section, "temporary licensee" means any person practicing psychology with a temporary license pursuant to subsection (b) or (c)~~ of this section~~.

Sec. 68. K.S.A. 74-5318 is hereby amended to read as follows: 74-5318. ~~On or before the first day of April of alternate years, the board shall mail to every psychologist licensed in Kansas an application blank for renewal, which shall contain space for insertion of information as required for the application blank under K.S.A. 74-5317 and amendments thereto, addressing the same to the post office address given at the last previous renewal. In addition, The~~ (a) An application for renewal shall be accompanied by evidence satisfactory to the board that the applicant has completed, during the previous 24 months, the continuing education required by rules and regulations of the board. As part of such continuing education, a licensed psychologist shall complete not less than six continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics.

(b) A licensee shall submit the application to the board with a renewal fee fixed by rules and regulations of the board not to exceed $200. Upon receipt of such application and fee, the board shall issue a renewal license for the period commencing on the date on which the license is issued and expiring on June 30 of the next even-numbered year. Initial licenses shall be for the current biennium of registration.

(c) Applications for renewal of a license shall be made biennially on or before July 1 and, if not so made, an additional fee equal to the renewal fee shall be added to the regular renewal fee.

(d) Any psychologist who has failed to renew a license and continues to represent oneself as a psychologist after July 1 shall be in violation of the licensure of psychologists act of the state of Kansas. The board may suspend or revoke such psychologist's license under the provisions of K.S.A. 74-5324, and amendments thereto.

(e) Within 30 days after any change of permanent address, a licensee shall notify the board of such change.

Sec. 69. K.S.A. 2015 Supp. 74-5324 is hereby amended to read as follows: 74-5324. (a) The board may~~ suspend, limit, revoke, condition or refuse to issue or renew a license of any psychologist upon proof that the psychologist: (a) Has been convicted of a felony involving moral turpitude; or (b) has been guilty of fraud or deceit in connection with services rendered as a psychologist or in establishing qualifications under this act; or (c) has aided or abetted a person, not a licensed psychologist, in representing such person as a psychologist in this state; or (d) has been guilty of unprofessional conduct as defined by rules and regulations established by the board; or (e) has been guilty of negligence or wrongful actions in the performance of duties; or (f) has knowingly submitted a misleading, deceptive, untrue or fraudulent misrepresentation on a claim form, bill or statement or (g)~~ refuse to issue, renew or reinstate a license, may condition, limit, revoke or suspend a license, may publicly or privately censure a licensee or may impose a fine not to exceed $1,000 per violation upon a finding that a licensee or an applicant for a license:

(1) Is incompetent to practice psychology, which means:

(A) One or more instances involving failure to adhere to the applicable standard of care to a degree that constitutes gross negligence, as determined by the board;

(B) repeated instances involving failure to adhere to the applicable standard of care to a degree that constitutes ordinary negligence, as determined by the board; or

(C) a pattern of practice or other behavior that demonstrates a manifest incapacity or incompetence to practice psychology;

(2) has been convicted of a felony offense and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(3) has been convicted of a misdemeanor against persons and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(4) is currently listed on a child abuse registry or an adult protective services registry as the result of a substantiated finding of abuse or neglect by any state agency, agency of another state or the United States, territory of the United States or another country and the applicant or licensee has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(5) has violated a provision of the licensure of psychologists act of the state of Kansas or one or more rules and regulations of the board;

(6) has obtained or attempted to obtain a license or license renewal by bribery or fraudulent representation;

(7) has knowingly made a false statement on a form required by the board for a license or license renewal;

(8) has failed to obtain continuing education credits as required by rules and regulations of the board;

(9) has been found to have engaged in unprofessional conduct as defined by applicable rules and regulations adopted by the board; or

(10) has had a registration, license or certificate as a psychologist revoked, suspended or limited, or has had other disciplinary action taken, or an application for registration, license or certificate denied, by the proper regulatory authority of another state, territory, District of Columbia or another country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

(b) For issuance of a new license or reinstatement of a revoked or suspended license for a licensee or applicant for licensure with a felony conviction, the board may only issue or reinstate such license by a $^{2}/_{3}$ majority vote.

(c) Administrative proceedings and disciplinary actions regarding licensure under the licensure of psychologists act of the state of Kansas shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under the licensure of psychologists of the state of Kansas act shall be in accordance with the Kansas judicial review act.

Sec. 70. K.S.A. 74-5361 is hereby amended to read as follows: 74-5361. As used in this act:

(a) "Practice of psychology" shall have the meaning ascribed thereto in K.S.A. 74-5302 and amendments thereto.

(b) "Board" means the behavioral sciences regulatory board created by K.S.A. 74-7501 and amendments thereto.

(c) "Licensed ~~masters~~ master's level psychologist" means a person licensed by the board under the provisions of this act.

(d) "Licensed clinical psychotherapist" means a person licensed by the board under this act who engages in the independent practice of ~~masters~~ master's level psychology including the diagnosis and treatment of mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric

association designated by the board by rules and regulations.

(e) "~~Masters~~Master's level psychology" means the practice of psychology pursuant to the restrictions set out in K.S.A. 74-5362, and amendments thereto, and includes the diagnosis and treatment of mental disorders as authorized under K.S.A. 74-5361 et seq., and amendments thereto.

Sec. 71. K.S.A. 74-5362 is hereby amended to read as follows: 74-5362. (a) Any person who is licensed under the provisions of this act as a licensed ~~masters~~ master's level psychologist shall have the right to practice psychology ~~only insofar as such practice is part of the duties of such person's paid position and is performed solely on behalf of the employer,~~ so long as such practice is under the direction of a licensed clinical psychotherapist, a licensed psychologist, a person licensed to practice medicine and surgery or a person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of mental disorders. When a client has symptoms of a mental disorder, a ~~licensed masters level psychologist~~ licensee under the licensure of master's level psychologists act shall consult with the client's primary care physician or psychiatrist to determine if there may be a medical condition or medication that may be causing or contributing to the client's symptoms of a mental disorder. A client may request in writing that such consultation be waived and such request shall be made a part of the client's record. A licensed ~~masters~~ master's level psychologist may continue to evaluate and treat the client until such time that the medical consultation is obtained or waived.

(b) A licensed ~~masters~~ master's level psychologist may use the title licensed ~~masters~~ master's level psychologist and the abbreviation LMLP but may not use the title licensed psychologist or psychologist. A licensed clinical psychotherapist may use the title licensed clinical psychotherapist and the abbreviation LCP but may not use the title licensed psychologist or psychologist.

Sec. 72. K.S.A. 74-5363 is hereby amended to read as follows: 74-5363. (a) Any person who desires to be licensed under this act shall apply to the board in writing, on forms prepared and furnished by the board. Each application shall contain appropriate documentation of the particular qualifications required by the board and shall be accompanied by the required fee.

(b) The board shall license as a licensed ~~masters~~ master's level psychologist any applicant for licensure who pays the fee prescribed by the board under K.S.A. 74-5365, and amendments thereto, which shall not be refunded, who has satisfied the board as to such applicant's training and who complies with the provisions of this subsection ~~(b)~~. An applicant for licensure also shall submit evidence ~~verified under oath and~~ satisfactory to the board that such applicant:

(1) Is at least 21 years of age;

(2) has satisfied the board that the applicant is a person who merits public trust;

(3) has received at least 60 graduate hours including a master's degree in psychology based on a program of studies in psychology from an educational institution having a graduate program in psychology consistent with state universities of Kansas; or until July 1, 2003, has received at least a master's degree in psychology and during such master's or post-master's coursework completed a minimum of 12 semester hours or its equivalent in psychological foundation courses such as, but not limited to, philosophy of psychology, psychology of perception, learning theory, history of psychology, motivation, and statistics and 24 semester hours or its equivalent in

professional core courses such as, but not limited to, two courses in psychological testing, psychopathology, two courses in psychotherapy, personality theories, developmental psychology, research methods, social psychology; or has passed comprehensive examinations or equivalent final examinations in a doctoral program in psychology and during such graduate program completed a minimum of 12 semester hours or its equivalent in psychological foundation courses such as, but not limited to, philosophy of psychology, psychology of perception, learning theory, history of psychology, motivation, and statistics and 24 semester hours or its equivalent in professional core courses such as, but not limited to, two courses in psychological testing, psychopathology, two courses in psychotherapy, personality theories, developmental psychology, research methods, social psychology;

(4) has completed 750 clock hours of academically supervised practicum in the master's degree program or 1,500 clock hours of postgraduate supervised work experience;

(5) has passed an examination approved by the board with a minimum score set by the board by rules and regulations~~ at 10 percentage points below the score set by the board for licensed psychologists~~.

(c) (1) Applications for licensure as a clinical psychotherapist shall be made to the board on a form and in the manner prescribed by the board. Each applicant shall furnish evidence satisfactory to the board that the applicant:

(A) Is licensed by the board as a licensed~~ masters~~ master's level psychologist or meets all requirements for licensure as a~~ masters~~ master's level psychologist;

(B) has completed 15 credit hours as part of or in addition to the requirements under subsection (b) supporting diagnosis or treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, through identifiable study of~~ the following content areas~~: Psychopathology, diagnostic assessment, interdisciplinary referral and collaboration, treatment approaches and professional ethics;

(C) has completed a graduate level supervised clinical practicum of supervised professional experience including psychotherapy and assessment with individuals, couples, families or groups, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, with not less than 350 hours of direct client contact or additional postgraduate supervised experience as determined by the board;

(D) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 4,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting psychotherapy and assessments with individuals, couples, families or groups and not less than 150 hours of clinical supervision, including not less than 50 hours of person-to-person individual supervision, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual;

(E) for persons earning a degree under subsection (b) prior to July 1, 2003, in lieu of the education requirements under~~ parts~~ subparagraphs (B) and (C)~~ of this subsection~~, has completed the education requirements for licensure as a licensed~~ masters~~ master's level psychologist in effect on the day immediately preceding the effective date of this act;

(F) for persons who apply for and are eligible for a temporary ~~permit~~ license to practice as a licensed ~~masters~~ master's level psychologist on the day immediately preceding the effective date of this act, in lieu of the education and training requirements under ~~parts~~ subparagraphs (B), (C) and (D) ~~of this subsection~~, has completed the education and training requirements for licensure as a ~~masters~~ master's level psychologist in effect on the day immediately preceding the effective date of this act;

(G) has passed an examination approved by the board with the same minimum passing score as that set by the board for licensed psychologists; and

(H) has paid the application fee, if required by the board.

(2) A person who was licensed or registered as a ~~masters~~ master's level psychologist in Kansas at any time prior to the effective date of this act, who has been actively engaged in the practice of ~~masters~~ master's level psychology as a registered or licensed ~~masters~~ master's level psychologist within five years prior to the effective date of this act and whose last license or registration in Kansas prior to the effective date of this act was not suspended or revoked, upon application to the board, payment of fees and completion of applicable continuing education requirements, shall be licensed as a licensed clinical psychotherapist by providing demonstration of competence to diagnose and treat mental disorders through at least two of the following areas acceptable to the board:

(A) Either: (i) Graduate coursework; or (ii) passing a national, clinical examination;

(B) either: (i) Three years of clinical practice in a community mental health center, its contracted affiliate or a state mental hospital; or (ii) three years of clinical practice in other settings with demonstrated experience in diagnosing or treating mental disorders; or

(C) attestation from one professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery that the applicant is competent to diagnose and treat mental disorders.

(3) A licensed clinical psychotherapist may engage in the independent practice of ~~masters~~ master's level psychology and is authorized to diagnose and treat mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations. When a client has symptoms of a mental disorder, a licensed clinical psychotherapist shall consult with the client's primary care physician or psychiatrist to determine if there may be a medical condition or medication that may be causing or contributing to the client's symptoms of a mental disorder. A client may request in writing that such consultation be waived and such request shall be made a part of the client's record. A licensed clinical psychotherapist may continue to evaluate and treat the client until such time that the medical consultation is obtained or waived.

(d) The board shall adopt rules and regulations establishing the criteria which an educational institution shall satisfy in meeting the requirements established under ~~item (3) of~~ subsection (b)(3). The board may send a questionnaire developed by the board to any educational institution for which the board does not have sufficient information to determine whether the educational institution meets the requirements of ~~item (3) of~~ subsection (b)(3) and rules and regulations adopted under this section. The questionnaire providing the necessary information shall be completed and returned to the board in order for the educational institution to be considered for approval. The

board may contract with investigative agencies, commissions or consultants to assist the board in obtaining information about educational institutions. In entering such contracts the authority to approve educational institutions shall remain solely with the board.

Sec. 73. K.S.A. 74-5365 is hereby amended to read as follows: 74-5365. (a) The ~~application, issuance of a new license and renewal fee for licensure under this act shall~~ following fees may be fixed by the board ~~by rules and regulations in an amount not to exceed $200.~~ for licensure under the licensure of master's level psychologists act: For application, issuance of a new license and renewal of a license, an amount not to exceed $200; for replacement of a license, an amount not to exceed $20; and for a wallet card license, an amount not to exceed $5. Any such fees required by the board shall be established by rules and regulations adopted by the board.

(b) Fees paid to the board are not refundable.

(c) The application for renewal shall be accompanied by evidence satisfactory to the board that the applicant has completed, during the previous 24 months, the continuing education required by rules and regulations of the board. As part of such continuing education, a licensed ~~masters~~ master's level psychologist and a licensed clinical psychotherapist shall complete not less than six continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics.

(d) Within 30 days after any change of permanent address, a licensee shall notify the board of such change.

Sec. 74. K.S.A. 2015 Supp. 74-5367 is hereby amended to read as follows: 74-5367. (a) The board may issue a temporary license to practice as a licensed ~~masters~~ master's level psychologist to any person who pays a fee prescribed by the board under this section, which shall not be refunded, and who meets all the requirements for licensure under K.S.A. 74-5361 et seq., and amendments thereto, as a licensed ~~masters~~ master's level psychologist except the requirement of postgraduate supervised work experience or passing the licensing examination, or both.

(b) ~~(1)~~ Absent extenuating circumstances approved by the board, a temporary license issued by the board shall expire upon the date the board issues or denies a license to practice ~~masters~~ master's level psychology or 24 months after the date of issuance of the temporary license. No temporary license issued by the board will be renewed or issued again on any subsequent applications for the same license level. The preceding provision in no way limits the number of times an applicant may take the examination.

~~(2) A temporary licensee shall take the examination within the first 12 months subsequent to the issuance of the temporary license unless there are extenuating circumstances approved by the board or if the temporary licensee does not take the examination within the first 12 months subsequent to the issuance of the temporary license and no extenuating circumstances have been approved by the board, the temporary license will expire after the first 12 months.~~

(c) The board ~~shall~~ may fix ~~by rules and regulations~~ a fee for the application of the temporary license. The application fee shall not exceed $100. Any such fee shall be established by rules and regulations adopted by the board.

(d) A person practicing ~~masters~~ master's level psychology with a temporary license may not use the title "licensed ~~masters~~ master's level psychologist" or the initials "LMLP" independently. The word "licensed" may be used only when followed by the

words "by temporary license" such as licensed ~~masters~~ master's level psychologist by temporary license, or ~~masters~~ master's level psychologist licensed by temporary license.

(e) No person may work under a temporary license except under the supervision of a person licensed to practice psychology or ~~masters~~ master's level psychology in Kansas.

(f) The application for a temporary license may be denied or a temporary license which has been issued may be suspended or revoked on the same grounds as provided for suspension or revocation of a license under K.S.A. 74-5369, and amendments thereto.

(g) Nothing in this section shall affect any temporary license to practice issued under this section prior to the effective date of this act and in effect on the effective date of this act. Such temporary license shall be subject to the provisions of this section in effect at the time of its issuance and shall continue to be effective until the date of expiration of the license as provided under this section at the time of issuance of such temporary license.

Sec. 75. K.S.A. 2015 Supp. 74-5369 is hereby amended to read as follows: 74-5369. ~~An application for licensure under K.S.A. 74-5361 to 74-5371, inclusive, and amendments thereto, may be denied or a license granted under this act may be suspended, limited, revoked, have a condition placed on it or not renewed by the board upon proof that the applicant or licensee:~~

~~(a) Has been convicted of a felony involving moral turpitude;~~

~~(b) has been found guilty of fraud or deceit in connection with the rendering of professional services or in establishing such person's qualifications under this act;~~

~~(c) has aided or abetted a person not licensed as a psychologist, licensed under this act or an uncertified assistant, to hold oneself out as a psychologist in this state;~~

~~(d) has been guilty of unprofessional conduct as defined by rules and regulations of the board;~~

~~(e) has been guilty of neglect or wrongful duties in the performance of duties; or~~

~~(f)~~ (a) The board may refuse to issue, renew or reinstate a license, may condition, limit, revoke or suspend a license, may publicly or privately censure a licensee or may impose a fine not to exceed $1,000 per violation upon a finding that a licensee or an applicant for licensure:

(1) Is incompetent to practice psychology, which means:

(A) One or more instances involving failure to adhere to the applicable standard of care to a degree that constitutes gross negligence, as determined by the board;

(B) repeated instances involving failure to adhere to the applicable standard of care to a degree that constitutes ordinary negligence, as determined by the board; or

(C) a pattern of practice or other behavior that demonstrates a manifest incapacity or incompetence to practice master's level psychology;

(2) has been convicted of a felony offense and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(3) has been convicted of a misdemeanor against persons and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(4) is currently listed on a child abuse registry or an adult protective services registry as the result of a substantiated finding of abuse or neglect by any state agency, agency of another state or the United States, territory of the United States or another

country and the applicant or licensee has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(5) has violated a provision of the licensure of master's level psychologists act or one or more rules and regulations of the board;

(6) has obtained or attempted to obtain a license or license renewal by bribery or fraudulent representation;

(7) has knowingly made a false statement on a form required by the board for a license or license renewal;

(8) has failed to obtain continuing education credits as required by rules and regulations adopted by the board;

(9) has been found to have engaged in unprofessional conduct as defined by applicable rules and regulations of the board; or

(10) has had a registration, license or certificate as a ~~masters~~ master's level psychologist revoked, suspended or limited, or has had other disciplinary action taken, or an application for a registration, license or certificate denied, by the proper regulatory authority of another state, territory, District of Columbia or another country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

(b) For issuance of a new license or reinstatement of a revoked or suspended license for a licensee or applicant for licensure with a felony conviction, the board may only issue or reinstate such license by a $^{2}/_{3}$ majority vote.

(c) Administrative proceedings ~~under K.S.A. 74-5361 to 74-5371, inclusive, and amendments thereto,~~ and disciplinary actions regarding licensure under the licensure of master's level psychologists act shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under ~~K.S.A. 74-5361 to 74-5371, inclusive, and amendments thereto,~~ the licensure of master's level psychologists act shall be in accordance with the Kansas judicial review act.

Sec. 76. K.S.A. 74-5370 is hereby amended to read as follows: 74-5370. The board may adopt rules and regulations to administer the provisions of ~~K.S.A. 74-5361 to 74-5371, inclusive, and amendments thereto~~ the licensure of master's level psychologists act.

Sec. 77. K.S.A. 2015 Supp. 74-5375 is hereby amended to read as follows: 74-5375. (a) The behavioral sciences regulatory board may issue a license to an individual who is currently registered, certified or licensed to practice psychology at the ~~masters~~ master's level in another jurisdiction if the board determines that:

(1) The standards for registration, certification or licensure to practice psychology at the ~~masters~~ master's level in the other jurisdiction are substantially equivalent to the requirements of this state; or

(2) the applicant demonstrates, on forms provided by the board, compliance with the following standards adopted by the board:

(A) ~~Continuous~~ Registration, certification or licensure to practice psychology at the ~~masters~~ master's level ~~during the five years~~ for at least 60 of the last 66 months immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board;

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) a ~~masters~~ master's degree in psychology from a regionally accredited university or college.

(b) Applicants for licensure as a clinical psychotherapist shall additionally demonstrate competence to diagnose and treat mental disorders through meeting the requirements of either ~~paragraph (1) or (2) of~~ subsection (a)(1) or (a)(2) and at least two of the following areas acceptable to the board:

(1) Either graduate coursework as established by rules and regulations of the board or passing a national clinical examination approved by the board;

(2) three years of clinical practice with demonstrated experience in diagnosing or treating mental disorders; or

(3) attestation from a professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery stating that the applicant is competent to diagnose and treat mental disorders.

(c) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 74-5365, and amendments thereto, if required by the board.

Sec. 78. K.S.A. 2015 Supp. 74-5376 is hereby amended to read as follows: 74-5376. K.S.A. 74-5361 through ~~74-5375~~ 74-5374 and K.S.A. 2015 Supp. 74-5375, and amendments thereto, shall be known and may be cited as the licensure of ~~masters~~ master's level psychologists act.

Sec. 79. K.S.A. 2015 Supp. 74-7507 is hereby amended to read as follows: 74-7507. (a) The behavioral sciences regulatory board shall have the following powers, duties and functions:

(1) Recommend to the appropriate district or county attorneys prosecution for violations of this act, the licensure of psychologists act of the state of Kansas, the professional counselors licensure act, ~~K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto, K.S.A 74-5361 to 74-5374, inclusive, and K.S.A. 2015 Supp. 74-5375, and amendments thereto~~ the social workers licensure act, the licensure of master's level psychologists act, the applied behavior analysis licensure act, the marriage and family therapists licensure act or the ~~addictions~~ addiction counselor licensure act;

(2) compile and publish annually a list of the names and addresses of all persons who are licensed under this act, are licensed under the licensure of psychologists act of the state of Kansas, ~~are licensed under~~ the professional counselors licensure act, ~~are licensed under K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto, are licensed under K.S.A. 74-5361 to 74-5374, inclusive, and K.S.A. 2015 Supp. 74-5375, and amendments thereto~~ the social workers licensure act, the licensure of master's level psychologists act, the applied behavior analysis licensure act, ~~are licensed under~~ the marriage and family therapists licensure act or ~~are licensed under~~ the ~~addictions~~ addiction counselor licensure act;

(3) prescribe the form and contents of examinations required under this act, the licensure of psychologists act of the state of Kansas, the professional counselors licensure act, ~~K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto, K.S.A. 74-5361 to 74-5374, inclusive, and K.S.A. 2015 Supp. 74-5375, and amendments thereto~~ the social workers licensure act, the licensure of master's level psychologists act, the applied behavior analysis licensure act, the marriage and family therapists licensure act or the ~~addictions~~ addiction counselor licensure act;

(4) enter into contracts necessary to administer this act, the licensure of

psychologists act of the state of Kansas, the professional counselors licensure act, ~~K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto, K.S.A. 74-5361 to 74-5374, inclusive, and K.S.A. 2015 Supp. 74-5375, and amendments thereto~~ the social workers licensure act, the licensure of master's level psychologists act, the applied behavior analysis licensure act, the marriage and family therapists licensure act or the ~~addictions~~ addiction counselor licensure act;

(5) adopt an official seal;

(6) adopt and enforce rules and regulations for professional conduct of persons licensed under the licensure of psychologists act of the state of Kansas, ~~licensed under~~ the professional counselors licensure act, ~~licensed under K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto, licensed under K.S.A. 74-5361 to 74-5374, inclusive, and K.S.A. 2015 Supp. 74-5375, and amendments thereto~~ the social workers licensure act, the licensure of master's level psychologists act, the applied behavior analysis licensure act, ~~licensed under~~ the marriage and family therapists licensure act or ~~licensed under~~ the ~~addictions~~ addiction counselor licensure act;

(7) adopt and enforce rules and regulations establishing requirements for the continuing education of persons licensed under the licensure of psychologists act of the state of Kansas, ~~licensed under~~ the professional counselors licensure act, ~~licensed under K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto, licensed under K.S.A. 74-5361 to 74-5374, inclusive, and K.S.A. 2015 Supp. 74-5375, and amendments thereto~~ the social workers licensure act, the licensure of master's level psychologists act, the applied behavior analysis licensure act, ~~licensed under~~ the marriage and family therapists licensure act or ~~licensed under~~ the ~~addictions~~ addiction counselor licensure act;

(8) adopt rules and regulations establishing classes of social work specialties which will be recognized for licensure under K.S.A. 65-6301 to 65-6318, inclusive, and amendments thereto;

(9) adopt rules and regulations establishing procedures for examination of candidates for licensure under the licensure of psychologists act of the state of Kansas, ~~for licensure under~~ the professional counselors licensure act, ~~for licensure under K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto, for licensure under K.S.A. 74-5361 to 74-5374, inclusive, and K.S.A. 2015 Supp. 74-5375, and amendments thereto~~ the social workers licensure act, the licensure of master's level psychologists act, the applied behavior analysis licensure act, ~~for licensure under~~ the marriage and family therapists licensure act, ~~for licensure under~~ the ~~addictions~~ addiction counselor licensure act and for issuance of such certificates and such licenses;

(10) adopt rules and regulations as may be necessary for the administration of this act, the licensure of psychologists act of the state of Kansas, the professional counselors licensure act, ~~K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto, K.S.A. 74-5361 to 74-5374, inclusive, and K.S.A. 2015 Supp. 74-5375, and amendments thereto~~ the social workers licensure act, the licensure of master's level psychologists act, the applied behavior analysis licensure act, the marriage and family therapists licensure act and the ~~addictions~~ addiction counselor licensure act and to carry out the purposes thereof;

(11) appoint an executive director and other employees as provided in K.S.A. 74-7501, and amendments thereto; and

(12) exercise such other powers and perform such other functions and duties as

may be prescribed by law.

(b) ~~The behavioral sciences regulatory board, in addition to any other penalty, may assess an administrative penalty, after notice and an opportunity to be heard, against a licensee or registrant for a violation of any of the provisions of the licensure of psychologists act of the state of Kansas, the professional counselors licensure act, K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto, K.S.A. 74-5361 to 74-5374, inclusive, and K.S.A. 2015 Supp. 74-5375, and amendments thereto, the marriage and family therapists licensure act or the addictions counselor licensure act in an amount not to exceed $1,000. All fines assessed and collected under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.~~

~~(c)~~ If an order of the behavioral sciences regulatory board is adverse to a licensee or registrant of the board, the actual costs shall be charged to such person as in ordinary civil actions in the district court ~~in an amount not to exceed $200~~. The board shall pay any additional costs and, if the board is the unsuccessful party, the costs shall be paid by the board. Witness fees and costs may be taxed in accordance with statutes governing taxation of witness fees and costs in the district court.

Sec. 80. K.S.A. 2015 Supp. 74-7508 is hereby amended to read as follows: 74-7508. (a) In connection with any investigation, based upon a written complaint or other reasonably reliable written information, by the behavioral sciences regulatory board, the board or its duly authorized agents or employees shall at all reasonable times have access to, for the purpose of examination, and the right to copy any document, report, record or other physical evidence of any person being investigated, or any document, report, record or other evidence maintained by and in possession of any clinic or office of a practitioner of the behavioral sciences, or other public or private agency if such document, report, record or other physical evidence relates to practices which may be grounds for disciplinary action.

(b) In all matters pending before the behavioral sciences regulatory board, the board shall have the power to administer oaths and take testimony. For the purpose of all investigations and proceedings conducted by the behavioral sciences regulatory board:

(1) The board may issue subpoenas compelling the attendance and testimony of witnesses or the production for examination or copying of documents, reports, records or any other physical evidence if such documents, reports, records or other physical evidence relates to practices which may be grounds for disciplinary action. Within five days after the service of the subpoena on any person requiring the production of any documents, reports, records or other physical evidence in the person's possession or under the person's control, such person may petition the board to revoke, limit or modify the subpoena. The board shall revoke, limit or modify such subpoena if in its opinion the documents, reports, records or other physical evidence required does not relate to practices which may be grounds for disciplinary action, is not relevant to the allegation which is the subject matter of the proceeding or investigation, or does not describe with sufficient particularity the documents, reports, records or other physical evidence which is required to be produced. Any member of the board, or any agent designated by the board, may administer oaths or affirmations, examine witnesses and receive such documents, reports, records or other physical evidence.

(2) The district court, upon application by the board or by the person subpoenaed, shall have jurisdiction to issue an order:

(A) Requiring such person to appear before the board or the board's duly authorized agent to produce documents, reports, records or other physical evidence relating to the matter under investigation; or

(B) revoking, limiting or modifying the subpoena if in the court's opinion the evidence demanded does not relate to practices which may be grounds for disciplinary action, is not relevant to the allegation which is the subject matter of the hearing or investigation or does not describe with sufficient particularity the documents, reports, records or other physical evidence which is required to be produced.

(3) (A) If the board determines that an individual has practiced without a valid license a profession regulated by the board for which the practitioners of the profession are required by law to be licensed in order to practice the profession, in addition to any other penalties imposed by law, the board, in accordance with the Kansas administrative procedure act, may issue a cease and desist order against such individual.

(B) Whenever in the judgment of the behavioral sciences regulatory board any person has engaged, or is about to engage, in any acts or practices which constitute, or will constitute, a violation of K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto, 74-5361 to 74-5374, inclusive, and K.S.A. 2015 Supp. 74-5375, and amendments thereto, the licensure of psychologists act, the marriage and family therapists licensure act or the alcohol and other drug abuse counselor registration act, or any valid rule or regulation of the board, the board may make application to any court of competent jurisdiction for an order enjoining such acts or practices, and upon a showing by the board that such person has engaged, or is about to engage in any such acts or practices, an injunction, restraining order, or such other order as may be appropriate shall be granted by such court without bond.

(c) Any complaint or report, record or other information relating to a complaint which is received, obtained or maintained by the behavioral sciences regulatory board shall be confidential and shall not be disclosed by the board or its employees in a manner which identifies or enables identification of the person who is the subject or source of the information except the information may be disclosed:

(1) In any proceeding conducted by the board under the law or in an appeal of an order of the board entered in a proceeding, or to any party to a proceeding or appeal or the party's attorney;

(2) to the person who is the subject of the information or to any person or entity when requested by the person who is the subject of the information, but the board may require disclosure in such a manner that will prevent identification of any other person who is the subject or source of the information; or

(3) to a state or federal licensing, regulatory or enforcement agency with jurisdiction over the subject of the information or to an agency with jurisdiction over acts or conduct similar to acts or conduct which would constitute grounds for action under this act. Any confidential complaint or report, record or other information disclosed by the board as authorized by this section shall not be redisclosed by the receiving agency except as otherwise authorized by law.

(d) Nothing in this section or any other provision of law making communications between a practitioner of one of the behavioral sciences and the practitioner's client or patient a privileged or confidential communication shall apply to investigations or

proceedings conducted pursuant to this section. The behavioral sciences regulatory board and its employees, agents and representatives shall keep in confidence the content and the names of any clients or patients whose records are reviewed during the course of investigations and proceedings pursuant to this section.

(e) In all matters pending before the behavioral sciences regulatory board, the board shall have the power to revoke the license or registration of any licensee or registrant who voluntarily surrenders such person's license or registration pending investigation of misconduct or while charges of misconduct against the licensee are pending or anticipated.

(f) In all matters pending before the behavioral sciences regulatory board, the board shall have the option to censure the licensee or registrant in lieu of other disciplinary action.

Sec. 81. K.S.A. 2015 Supp. 59-29b46 is hereby amended to read as follows: 59-29b46. When used in the care and treatment act for persons with an alcohol or substance abuse problem:

(a) "Discharge" means the final and complete release from treatment, by either the head of a treatment facility acting pursuant to K.S.A. 59-29b50, and amendments thereto, or by an order of a court issued pursuant to K.S.A. 59-29b73, and amendments thereto.

(b) "Head of a treatment facility" means the administrative director of a treatment facility or such person's designee.

(c) "Law enforcement officer" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 22-2202, and amendments thereto.

(d) "Licensed addiction counselor" means a person who engages in the practice of addiction counseling limited to substance use disorders and who is licensed by the behavioral sciences regulatory board. Such person shall engage in the practice of addiction counseling in a state-licensed or certified alcohol and other drug treatment program or while completing a Kansas domestic violence offender assessment for participants in a certified batterer intervention program pursuant to K.S.A. 2015 Supp. 75-7d01 through 75-7d13, and amendments thereto, unless otherwise exempt from licensure under subsection (n).

(e) "Licensed clinical addiction counselor" means a person who engages in the independent practice of addiction counseling and diagnosis and treatment of substance use disorders specified in the edition of the American psychiatric association's diagnostic and statistical manual of mental disorders (DSM) designated by the board by rules and regulations and is licensed by the behavioral sciences regulatory board.

(f) "Licensed master's addiction counselor" means a person who engages in the practice of addiction counseling limited to substance use disorders and who is licensed under this act. Such person may diagnose substance use disorders only under the direction of a licensed clinical addiction counselor, a licensed psychologist, a person licensed to practice medicine and surgery or a person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of substance abuse disorders or mental disorders.

(g) "Other facility for care or treatment" means any mental health clinic, medical care facility, nursing home, the detox units at either Osawatomie state hospital or Larned state hospital, any physician or any other institution or individual authorized or licensed by law to give care or treatment to any person.

~~(e)~~ (h) "Patient" means a person who is a voluntary patient, a proposed patient or an involuntary patient.

(1) "Voluntary patient" means a person who is receiving treatment at a treatment facility pursuant to K.S.A. 59-29b49, and amendments thereto.

(2) "Proposed patient" means a person for whom a petition pursuant to K.S.A. 59-29b52 or 59-29b57, and amendments thereto, has been filed.

(3) "Involuntary patient" means a person who is receiving treatment under order of a court or a person admitted and detained by a treatment facility pursuant to an application filed pursuant to ~~subsection (b) or (c) of~~ K.S.A. 59-29b54(b) or (c), and amendments thereto.

~~(f)~~ (i) "Person with an alcohol or substance abuse problem" means a person who: (1) Lacks self-control as to the use of alcoholic beverages or any substance as defined in subsection ~~(k)~~ (m); or

(2) uses alcoholic beverages or any substance ~~as defined in subsection (k)~~ to the extent that the person's health may be substantially impaired or endangered without treatment.

~~(g)~~ (j) (1) "Person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment" means a person with an alcohol or substance abuse problem~~, as defined in subsection (f),~~ who also is incapacitated by alcohol or any substance and is likely to cause harm to self or others.

(2) "Incapacitated by alcohol or any substance" means that the person, as the result of the use of alcohol or any substance ~~as defined in subsection (k)~~, has impaired judgment resulting in the person:

(A) Being incapable of realizing and making a rational decision with respect to the need for treatment; or

(B) lacking sufficient understanding or capability to make or communicate responsible decisions concerning either the person's well-being or estate.

(3) "Likely to cause harm to self or others" means that the person, by reason of the person's use of alcohol or any substance: (A) Is likely, in the reasonably foreseeable future, to cause substantial physical injury or physical abuse to self or others or substantial damage to another's property, as evidenced by behavior threatening, attempting or causing such injury, abuse or damage; except that if the harm threatened, attempted or caused is only harm to the property of another, the harm must be of such a value and extent that the state's interest in protecting the property from such harm outweighs the person's interest in personal liberty; or

(B) is substantially unable, except for reason of indigency, to provide for any of the person's basic needs, such as food, clothing, shelter, health or safety, causing a substantial deterioration of the person's ability to function on the person's own.

~~(h)~~ (k) "Physician" means a person licensed to practice medicine and surgery as provided for in the Kansas healing arts act or a person who is employed by a state psychiatric hospital or by an agency of the United States and who is authorized by law to practice medicine and surgery within that hospital or agency.

~~(i)~~ (l) "Psychologist" means a licensed psychologist, as defined by K.S.A. 74-5302, and amendments thereto.

~~(j) "State certified alcohol and drug abuse counselor" means a person approved by the secretary for aging and disability services to perform assessments using the American Society of Addiction Medicine criteria and employed at a state funded and~~

~~designated assessment center.~~

~~(k)~~ (m) "Substance" means: (1) The same as the term "controlled substance" as defined in K.S.A. 2015 Supp. 21-5701, and amendments thereto; or

(2) fluorocarbons, toluene or volatile hydrocarbon solvents.

~~(l)~~ (n) "Treatment" means the broad range of emergency, outpatient, intermediate and inpatient services and care, including diagnostic evaluation, medical, psychiatric, psychological and social service care, vocational rehabilitation and career counseling, which may be extended to persons with an alcohol or substance abuse problem.

~~(m)~~ (o) (1) "Treatment facility" means a treatment program, public or private treatment facility, or any facility of the United States government available to treat a person for an alcohol or other substance abuse problem, but such term shall not include a licensed medical care facility, a licensed adult care home, a facility licensed under K.S.A. 75-3307b, and amendments thereto, a community-based alcohol and drug safety action program certified under K.S.A. 8-1008, and amendments thereto, and performing only those functions for which the program is certified to perform under K.S.A. 8-1008, and amendments thereto, or a professional licensed by the behavioral sciences regulatory board to diagnose and treat mental disorders at the independent level or a physician, who may treat in the usual course of the behavioral sciences regulatory board licensee's or physician's professional practice individuals incapacitated by alcohol or other substances, but who are not primarily engaged in the usual course of the individual's professional practice in treating such individuals, or any state institution, even if detoxification services may have been obtained at such institution.

(2) "Private treatment facility" means a private agency providing facilities for the care and treatment or lodging of persons with either an alcohol or other substance abuse problem and meeting the standards prescribed in either K.S.A. 65-4013 or 65-4603, and amendments thereto, and licensed under either K.S.A. 65-4014 or 65-4607, and amendments thereto.

(3) "Public treatment facility" means a treatment facility owned and operated by any political subdivision of the state of Kansas and licensed under either K.S.A. 65-4014 or 65-4603, and amendments thereto, as an appropriate place for the care and treatment or lodging of persons with an alcohol or other substance abuse problem.

~~(n)~~ (p) The terms defined in K.S.A. 59-3051, and amendments thereto, shall have the meanings provided by that section.

Sec. 82. K.S.A. 59-29b54 is hereby amended to read as follows: 59-29b54. (a) A treatment facility may admit and detain any person for emergency observation and treatment upon an ex parte emergency custody order issued by a district court pursuant to K.S.A. 59-29b58, and amendments thereto.

(b) A treatment facility or the detox unit at Osawatomie state hospital or at Larned state hospital may admit and detain any person presented for emergency observation and treatment upon written application of a law enforcement officer having custody of that person pursuant to K.S.A. 59-29b53, and amendments thereto. The application shall state:

(1) The name and address of the person sought to be admitted, if known;

(2) the name and address of the person's spouse or nearest relative, if known;

(3) the officer's belief that the person is or may be a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment and is likely to cause harm to self or others if not immediately detained;

(4) the factual circumstances in support of that belief and the factual circumstances under which the person was taken into custody including any known pending criminal charges; and

(5) the fact that the law enforcement officer will file the petition provided for in K.S.A. 59-29b57, and amendments thereto, by the close of business of the first day thereafter that the district court is open for the transaction of business, or that the officer has been informed by a parent, legal guardian or other person, whose name shall be stated in the application will file the petition provided for in K.S.A. 59-29b57, and amendments thereto, within that time.

(c) A treatment facility may admit and detain any person presented for emergency observation and treatment upon the written application of any individual. The application shall state:

(1) The name and address of the person sought to be admitted, if known;

(2) the name and address of the person's spouse or nearest relative, if known;

(3) the applicant's belief that the person may be a person with an alcohol or substance abuse problem subject to involuntary commitment and is likely to cause harm to self or others if not immediately detained;

(4) the factual circumstances in support of that belief;

(5) any pending criminal charges, if known;

(6) the fact that the applicant will file the petition provided for in K.S.A. 59-29b57, and amendments thereto, by the close of business of the first day thereafter that the district court is open for the transaction of business; and

(7) the application shall also be accompanied by a statement in writing of a physician, psychologist or ~~state certified alcohol and drug abuse~~ licensed addiction counselor finding that the person is likely to be a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment under this act.

(d) Any treatment facility or personnel thereof, who in good faith renders treatment in accordance with law to any person admitted pursuant to subsection (b) or (c), shall not be liable in a civil or criminal action based upon a claim that the treatment was rendered without legal consent.

Sec. 83. K.S.A. 59-29b61 is hereby amended to read as follows: 59-29b61. (a) The order for an evaluation required by ~~subsection (a)(5) of~~ K.S.A. 59-29b60(a)(5), and amendments thereto, shall be served in the manner provided for in ~~a subsections (c) and (d) of~~ K.S.A. 59-29b63(c) and (d), and amendments thereto. It shall order the proposed patient to submit to an evaluation to be conducted by a physician, psychologist or ~~state certified alcohol and drug abuse~~ licensed addiction counselor and to undergo such other medical examinations or evaluations as may be designated by the court in the order, except that any proposed patient who is not subject to a temporary custody order issued pursuant to K.S.A. 59-29b59, and amendments thereto, and who requests a hearing pursuant to K.S.A. 59-29b62, and amendments thereto, need not submit to such evaluations or examinations until that hearing has been held and the court finds that there is probable cause to believe that the proposed patient is a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment under this act. The evaluation may be conducted at a treatment facility, the home of the proposed patient or any other suitable place that the court determines is not likely to have a harmful effect on the welfare of the proposed patient.

(b) At the time designated by the court in the order, but in no event later than three

days prior to the date of the trial provided for in K.S.A. 59-29b65, and amendments thereto, the examiner shall submit to the court a report, in writing, of the evaluation which report also shall be made available to counsel for the parties at least three days prior to the trial. The report also shall be made available to the proposed patient and to whomever the patient directs, unless for good cause recited in the order, the court orders otherwise. Such report shall state that the examiner has made an examination of the proposed patient and shall state the opinion of the examiner on the issue of whether or not the proposed patient is a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment under this act and the examiner's opinion as to the least restrictive treatment alternative which will protect the proposed patient and others and allow for the improvement of the proposed patient if treatment is ordered.

Sec. 84. K.S.A. 2015 Supp. 59-3077 is hereby amended to read as follows: 59-3077. (a) At any time after the filing of the petition provided for in K.S.A. 59-3058, 59-3059, 59-3060 or 59-3061, and amendments thereto, any person may file in addition to that original petition, or as a part thereof, or at any time after the appointment of a temporary guardian as provided for in K.S.A. 59-3073, and amendments thereto, or a guardian as provided for in K.S.A. 59-3067, and amendments thereto, the temporary guardian or guardian may file, a verified petition requesting that the court grant authority to the temporary guardian or guardian to admit the proposed ward or ward to a treatment facility, as defined in subsection (h), and to consent to the care and treatment of the proposed ward or ward therein. The petition shall include:

(1) The petitioner's name and address, and if the petitioner is the proposed ward's or ward's court appointed temporary guardian or guardian, that fact;

(2) the proposed ward's or ward's name, age, date of birth, address of permanent residence, and present address or whereabouts, if different from the proposed ward's or ward's permanent residence;

(3) the name and address of the proposed ward's or ward's court appointed temporary guardian or guardian, if different from the petitioner;

(4) the factual basis upon which the petitioner alleges the need for the proposed ward or ward to be admitted to and treated at a treatment facility, or for the proposed ward or ward to continue to be treated at the treatment facility to which the proposed ward or ward has already been admitted, or for the guardian to have continuing authority to admit the ward for care and treatment at a treatment facility pursuant to ~~subsection (b)(3) of~~ K.S.A. 59-2949~~,~~(b)(3) or ~~subsection (b)(3) of~~ K.S.A. 59-29b49(b)(3), and amendments thereto;

(5) the names and addresses of witnesses by whom the truth of this petition may be proved; and

(6) a request that the court find that the proposed ward or ward is in need of being admitted to and treated at a treatment facility, and that the court grant to the temporary guardian or guardian the authority to admit the proposed ward or ward to a treatment facility and to consent to the care and treatment of the proposed ward or ward therein.

(b) The petition may be accompanied by a report of an examination and evaluation of the proposed ward or ward conducted by an appropriately qualified professional, which shows that the criteria set out in K.S.A. 39-1803, ~~subsection (e) of~~ K.S.A. 59-2946(e), ~~subsection (f) of~~ K.S.A. 59-29b46(i) or K.S.A. 76-12b03, and amendments thereto, are met.

(c) Upon the filing of such a petition, the court shall issue the following:

(1) An order fixing the date, time and place of a hearing on the petition. Such hearing, in the court's discretion, may be conducted in a courtroom, a treatment facility or at some other suitable place. The time fixed in the order shall in no event be earlier than seven days or later than 21 days after the date of the filing of the petition. The court may consolidate this hearing with the trial upon the original petition filed pursuant to K.S.A. 59-3058, 59-3059, 59-3060 or 59-3061, and amendments thereto, or with the trial provided for in the care and treatment act for mentally ill persons or the care and treatment act for persons with an alcohol or substance abuse problem, if the petition also incorporates the allegations required by, and is filed in compliance with, the provisions of either of those acts.

(2) An order requiring that the proposed ward or ward appear at the time and place of the hearing on the petition unless the court makes a finding prior to the hearing that the presence of the proposed ward or ward will be injurious to the person's health or welfare, or that the proposed ward's or ward's impairment is such that the person could not meaningfully participate in the proceedings, or that the proposed ward or ward has filed with the court a written waiver of such ward's right to appear in person. In any such case, the court shall enter in the record of the proceedings the facts upon which the court has found that the presence of the proposed ward or ward at the hearing should be excused. Notwithstanding the foregoing provisions of this subsection, if the proposed ward or ward files with the court at least one day prior to the date of the hearing a written notice stating the person's desire to be present at the hearing, the court shall order that the person must be present at the hearing.

(3) An order appointing an attorney to represent the proposed ward or ward. The court shall give preference, in the appointment of this attorney, to any attorney who has represented the proposed ward or ward in other matters, if the court has knowledge of that prior representation. The proposed ward, or the ward with the consent of the ward's conservator, if one has been appointed, shall have the right to engage an attorney of the proposed ward's or ward's choice and, in such case, the attorney appointed by the court shall be relieved of all duties by the court. Any appointment made by the court shall terminate upon a final determination of the petition and any appeal therefrom, unless the court continues the appointment by further order.

(4) An order fixing the date, time and a place that is in the best interest of the proposed ward or ward, at which the proposed ward or ward shall have the opportunity to consult with such ward's attorney. This consultation shall be scheduled to occur prior to the time at which the examination and evaluation ordered pursuant to subsection (d)(1), if ordered, is scheduled to occur.

(5) A notice similar to that provided for in K.S.A. 59-3066, and amendments thereto.

(d) Upon the filing of such a petition, the court may issue the following:

(1) An order for a psychological or other examination and evaluation of the proposed ward or ward, as may be specified by the court. The court may order the proposed ward or ward to submit to such an examination and evaluation to be conducted through a general hospital, psychiatric hospital, community mental health center, community developmental disability organization, or by a private physician, psychiatrist, psychologist or other person appointed by the court who is qualified to examine and evaluate the proposed ward or ward. The costs of this examination and

evaluation shall be assessed as provided for in K.S.A. 59-3094, and amendments thereto.

(2) If the petition is accompanied by a report of an examination and evaluation of the proposed ward or ward as provided for in subsection (b), an order granting temporary authority to the temporary guardian or guardian to admit the proposed ward or ward to a treatment facility and to consent to the care and treatment of the proposed ward or ward therein. Any such order shall expire immediately after the hearing upon the petition, or as the court may otherwise specify, or upon the discharge of the proposed ward or ward by the head of the treatment facility, if the proposed ward or ward is discharged prior to the time at which the order would otherwise expire.

(3) For good cause shown, an order of continuance of the hearing.

(4) For good cause shown, an order of advancement of the hearing.

(5) For good cause shown, an order changing the place of the hearing.

(e) The hearing on the petition shall be held at the time and place specified in the court's order issued pursuant to subsection (c), unless an order of advancement, continuance, or a change of place of the hearing has been issued pursuant to subsection (d). The petitioner and the proposed ward or ward shall each be afforded an opportunity to appear at the hearing, to testify and to present and cross-examine witnesses. If the hearing has been consolidated with a trial being held pursuant to either the care and treatment act for mentally ill persons or the care and treatment act for persons with an alcohol or substance abuse problem, persons not necessary for the conduct of the proceedings may be excluded as provided for in those acts. The hearing shall be conducted in as informal a manner as may be consistent with orderly procedure. The court shall have the authority to receive all relevant and material evidence which may be offered, including the testimony or written report, findings or recommendations of any professional or other person who has examined or evaluated the proposed ward or ward pursuant to any order issued by the court pursuant to subsection (d). Such evidence shall not be privileged for the purpose of this hearing.

(f) Upon completion of the hearing, if the court finds by clear and convincing evidence that the criteria set out in K.S.A. 39-1803, ~~subsection (c) of~~ K.S.A. 59-2946(e), ~~subsection (f) of~~ K.S.A. 59-29b46(i) or K.S.A. 76-12b03, and amendments thereto, are met, and after a careful consideration of reasonable alternatives to admission of the proposed ward or ward to a treatment facility, the court may enter an order granting such authority to the temporary guardian or guardian as is appropriate, including continuing authority to the guardian to readmit the ward to an appropriate treatment facility as may later become necessary. Any such grant of continuing authority shall expire two years after the date of final discharge of the ward from such a treatment facility if the ward has not had to be readmitted to a treatment facility during that two-year period of time. Thereafter, any such grant of continuing authority may be renewed only after the filing of another petition seeking authority in compliance with the provision of this section.

(g) Nothing herein shall be construed so as to prohibit the head of a treatment facility from admitting a proposed ward or ward to that facility as a voluntary patient if the head of the treatment facility is satisfied that the proposed ward or ward at that time has the capacity to understand such ward's illness and need for treatment, and to consent to such ward's admission and treatment. Upon any such admission, the head of the treatment facility shall give notice to the temporary guardian or guardian as soon as

possible of the ward's admission, and shall provide to the temporary guardian or guardian copies of any consents the proposed ward or ward has given. Thereafter, the temporary guardian or guardian shall timely either seek to obtain proper authority pursuant to this section to admit the proposed ward or ward to a treatment facility and to consent to further care and treatment, or shall otherwise assume responsibility for the care of the proposed ward or ward, consistent with the authority of the temporary guardian or guardian, and may arrange for the discharge from the facility of the proposed ward or ward, unless the head of the treatment facility shall file a petition requesting the involuntary commitment of the proposed ward or ward to that or some other facility.

(h) As used herein, "treatment facility" means the Kansas neurological institute, Larned state hospital, Osawatomie state hospital, Parsons state hospital and training center, the rainbow mental health facility, any intermediate care facility for people with intellectual disability, any psychiatric hospital licensed pursuant to K.S.A. 75-3307b, and amendments thereto, and any other facility for mentally ill persons or people with intellectual or developmental disabilities licensed pursuant to K.S.A. 75-3307b, and amendments thereto, if the proposed ward or ward is to be admitted as an inpatient or resident of that facility.

Sec. 85. K.S.A. 65-4016 is hereby amended to read as follows: 65-4016. The secretary shall adopt rules and regulations with respect to treatment facilities to be licensed and designed to further the accomplishment of the purposes of this law in promoting a safe and adequate treatment program for individuals in treatment facilities in the interest of public health, safety and welfare~~ including, but not limited to, minimum qualifications for employees of licensed or certified programs which are less than the qualifications required for a registered alcohol and other drug abuse counselor~~. Boards of trustees or directors of institutions licensed under this act shall have the right to select the professional staff members of such institutions and to select and employ interns, nurses and other personnel.

Sec. 86. K.S.A. 2015 Supp. 65-4024a is hereby amended to read as follows: 65-4024a. As used in this act:

(a) "Act" means the alcohol or other drug addiction treatment act.

(b) "Alcohol or other drug addiction" means a pattern of substance use, leading to significant impairment or distress, manifested by three or more of the following occurring at any time in the same 12-month period:

(1) Tolerance, defined as: (A) A need for markedly increased amounts of the substance to achieve intoxication or desired effect; or (B) a markedly diminished effect with continued use of the same amount of substance;

(2) withdrawal, as manifested by either of the following: (A) The characteristic withdrawal syndrome for the substance; or (B) the same or a closely related substance is taken to relieve or avoid withdrawal symptoms;

(3) the substance is often taken in larger amounts or over a longer period than was intended;

(4) there is a persistent desire or unsuccessful efforts to cut down or control substance use;

(5) a great deal of time is spent in activities necessary to obtain the substance, use the substance or recover from its effects;

(6) important social, occupational or recreational activities are given up or reduced

because of substance use;

(7) the substance use is continued despite knowledge of having a persistent or recurrent physical or psychological problem that is likely to have been caused or exacerbated by the substance.

(c) "Care or treatment" means such necessary services as are in the best interests of the physical and mental health of the patient.

(d) "Committee" means the Kansas citizens committee on alcohol and other drug abuse.

(e) ~~"Counselor" means an individual whose education, experience and training has been evaluated and approved by the Kansas department for aging and disability services to provide the scope of practice afforded to an alcohol and drug credentialed counselor or counselor assistant working in a licensed, certified alcohol and drug treatment program.~~

~~(f)~~ "Department" means the Kansas department for aging and disability services.

~~(g)~~ (f) "Designated state funded assessment center" or "assessment center" means a treatment facility designated by the secretary.

~~(h)~~ (g) "Discharge" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

~~(i)~~ (h) "Government unit" means any county, municipality or other political subdivision of the state; or any department, division, board or other agency of any of the foregoing.

~~(j)~~ (i) "Head of the treatment facility" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

~~(k)~~ (j) "Incapacitated by alcohol" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

~~(l)~~ (k) "Intoxicated individual" means an individual who is under the influence of alcohol or drugs or both.

~~(m)~~ (l) "Law enforcement officer" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

(m) "Licensed addiction counselor" means a person who engages in the practice of addiction counseling limited to substance use disorders and who is licensed by the behavioral sciences regulatory board. Such person shall engage in the practice of addiction counseling in a state-licensed or certified alcohol and other drug treatment program or while completing a Kansas domestic violence offender assessment for participants in a certified batterer intervention program pursuant to K.S.A. 2015 Supp. 75-7d01 through 75-7d13, and amendments thereto, unless otherwise exempt from licensure under K.S.A. 59-29b46(n), and amendments thereto.

(n) "Licensed clinical addiction counselor" means a person who engages in the independent practice of addiction counseling and diagnosis and treatment of substance use disorders specified in the edition of the American psychiatric association's diagnostic and statistical manual of mental disorders (DSM) designated by the board by rules and regulations and is licensed by the behavioral sciences regulatory board.

(o) "Licensed master's addiction counselor" means a person who engages in the practice of addiction counseling limited to substance use disorders and who is licensed under this act. Such person may diagnose substance use disorders only under the direction of a licensed clinical addiction counselor, a licensed psychologist, a person licensed to practice medicine and surgery or a person licensed to provide mental health

services as an independent practitioner and whose licensure allows for the diagnosis and treatment of substance abuse disorders or mental disorders.

(p) "Patient" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

~~(o)~~ (q) "Private treatment facility" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

~~(p)~~ (r) "Public treatment facility" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

~~(q)~~ (s) "Treatment" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

~~(r)~~ (t) "Treatment facility" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 59-29b46, and amendments thereto.

~~(s)~~ (u) "Secretary" means the secretary for aging and disability services.

New Sec. 87. This act shall be known and may be cited as the interstate medical licensure compact.

INTERSTATE MEDICAL LICENSURE COMPACT

SECTION 1

PURPOSE

In order to strengthen access to health care, and in recognition of the advances in the delivery of health care, the member states of the interstate medical licensure compact have allied in common purpose to develop a comprehensive process that complements the existing licensing and regulatory authority of state medical boards, provides a streamlined process that allows physicians to become licensed in multiple states, thereby enhancing the portability of a medical license and ensuring the safety of patients. The compact creates another pathway for licensure and does not otherwise change a state's existing medical practice act. The compact also adopts the prevailing standard for licensure and affirms that the practice of medicine occurs where the patient is located at the time of the physician-patient encounter, and therefore, requires the physician to be under the jurisdiction of the state medical board where the patient is located. State medical boards that participate in the compact retain the jurisdiction to impose an adverse action against a license to practice medicine in that state issued to a physician through the procedures in the compact.

SECTION 2

DEFINITIONS

In this compact:

(a) "Bylaws" means those bylaws established by the interstate commission pursuant to section 11 for its governance, or for directing and controlling its actions and conduct.

(b) "Commissioner" means the voting representative appointed by each member board pursuant to section 11.

(c) "Conviction" means a finding by a court that an individual is guilty of a criminal offense through adjudication, or entry of a plea of guilt or no contest to the charge by the offender. Evidence of an entry of a conviction of a criminal offense by the court shall be considered final for purposes of disciplinary action by a member board.

(d) "Expedited license" means a full and unrestricted medical license granted by a

member state to an eligible physician through the process set forth in the compact.

(e) "Interstate commission" means the interstate commission created pursuant to section 11.

(f) "License" means authorization by a state for a physician to engage in the practice of medicine, which would be unlawful without the authorization.

(g) "Medical practice act" means laws and regulations governing the practice of allopathic and osteopathic medicine within a member state.

(h) "Member board" means a state agency in a member state that acts in the sovereign interests of the state by protecting the public through licensure, regulation and education of physicians as directed by the state government.

(i) "Member state" means a state that has enacted the compact.

(j) "Practice of medicine" means the clinical prevention, diagnosis or treatment of human disease, injury or condition requiring a physician to obtain and maintain a license in compliance with the medical practice act of a member state.

(k) "Physician" means any person who:

(1) Is a graduate of a medical school accredited by the liaison committee on medical education, the commission on osteopathic college accreditation or a medical school listed in the international medical education directory or its equivalent;

(2) passed each component of the United States medical licensing examination (USMLE) or the comprehensive osteopathic medical licensing examination (COMLEX-USA) within three attempts, or any of its predecessor examinations accepted by a state medical board as an equivalent examination for licensure purposes;

(3) successfully completed graduate medical education approved by the accreditation council for graduate medical education or the American osteopathic association;

(4) holds specialty certification or a time-unlimited specialty certificate recognized by the American board of medical specialties or the American osteopathic association's bureau of osteopathic specialists;

(5) possesses a full and unrestricted license to engage in the practice of medicine issued by a member board;

(6) has never been convicted, received adjudication, deferred adjudication, community supervision or deferred disposition for any offense by a court of appropriate jurisdiction;

(7) has never held a license authorizing the practice of medicine subjected to discipline by a licensing agency in any state, federal or foreign jurisdiction, excluding any action related to non-payment of fees related to a license;

(8) has never had a controlled substance license or permit suspended or revoked by a state or the United States drug enforcement administration; and

(9) is not under active investigation by a licensing agency or law enforcement authority in any state, federal or foreign jurisdiction.

(l) "Offense" means a felony, gross misdemeanor or crime of moral turpitude.

(m) "Rule" means a written statement by the interstate commission promulgated pursuant to section 12 of the compact that is of general applicability, implements, interprets or prescribes a policy or provision of the compact, or an organizational, procedural or practice requirement of the interstate commission, and has the force and effect of statutory law in a member state, and includes the amendment, repeal or suspension of an existing rule.

(n) "State" means any state, commonwealth, district or territory of the United States.

(o) "State of principal license" means a member state where a physician holds a license to practice medicine and which has been designated as such by the physician for purposes of registration and participation in the compact.

SECTION 3
ELIGIBILITY

(a) A physician must meet the eligibility requirements as defined in section 2(k) to receive an expedited license under the terms and provisions of the compact.

(b) A physician who does not meet the requirements of section 2(k) may obtain a license to practice medicine in a member state if the individual complies with all laws and requirements, other than the compact, relating to the issuance of a license to practice medicine in that state.

SECTION 4
DESIGNATION OF STATE OF PRINCIPAL LICENSE

(a) A physician shall designate a member state as the state of principal license for purposes of registration for expedited licensure through the compact if the physician possesses a full and unrestricted license to practice medicine in that state, and the state is:

(1) The state of primary residence for the physician;

(2) the state where at least 25% of the practice of medicine occurs;

(3) the location of the physician's employer; or

(4) if no state qualifies under subsection (a)(1), subsection (a)(2) or subsection (a)(3), the state designated as state of residence for purpose of federal income tax.

(b) A physician may redesignate a member state as state of principal license at any time,as long as the state meets the requirements in subsection (a).

(c) The interstate commission is authorized to develop rules to facilitate redesignation of another member state as the state of principal license.

SECTION 5
APPLICATION AND ISSUANCE OF EXPEDITED LICENSURE

(a) A physician seeking licensure through the compact shall file an application for an expedited license with the member board of the state selected by the physician as the state of principal license.

(b) Upon receipt of an application for an expedited license, the member board within the state selected as the state of principal license shall evaluate whether the physician is eligible for expedited licensure and issue a letter of qualification, verifying or denying the physician's eligibility, to the interstate commission.

(1) Static qualifications, which include verification of medical education, graduate medical education, results of any medical or licensing examination and other qualifications as determined by the interstate commission through rule, shall not be subject to additional primary source verification where already primary source verified by the state of principal license.

(2) The member board within the state selected as the state of principal license

shall, in the course of verifying eligibility, perform a criminal background check of an applicant, including the use of the results of fingerprint or other biometric data checks compliant with the requirements of the federal bureau of investigation, with the exception of federal employees who have suitability determination in accordance with 5 C.F.R. § 731.202.

(3) Appeal on the determination of eligibility shall be made to the member state where the application was filed and shall be subject to the law of that state.

(c) Upon verification in subsection (b), physicians eligible for an expedited license shall complete the registration process established by the interstate commission to receive a license in a member state selected pursuant to subsection (a), including the payment of any applicable fees.

(d) After receiving verification of eligibility under subsection (b) and any fees under subsection (c), a member board shall issue an expedited license to the physician. This license shall authorize the physician to practice medicine in the issuing state consistent with the medical practice act and all applicable laws and regulations of the issuing member board and member state.

(e) An expedited license shall be valid for a period consistent with the licensure period in the member state and in the same manner as required for other physicians holding a full and unrestricted license within the member state.

(f) An expedited license obtained though the compact shall be terminated if a physician fails to maintain a license in the state of principal licensure for a non-disciplinary reason, without redesignation of a new state of principal licensure.

(g) The interstate commission is authorized to develop rules regarding the application process, including payment of any applicable fees, and the issuance of an expedited license.

SECTION 6
FEES FOR EXPEDITED LICENSURE

(a) A member state issuing an expedited license authorizing the practice of medicine in that state may impose a fee for a license issued or renewed through the compact.

(b) The interstate commission is authorized to develop rules regarding fees for expedited licenses.

SECTION 7
RENEWAL AND CONTINUED PARTICIPATION

(a) A physician seeking to renew an expedited license granted in a member state shall complete a renewal process with the interstate commission if the physician:

(1) Maintains a full and unrestricted license in a state of principal license;

(2) has not been convicted, received adjudication, deferred adjudication, community supervision or deferred disposition for any offense by a court of appropriate jurisdiction;

(3) has not had a license authorizing the practice of medicine subject to discipline by a licensing agency in any state, federal or foreign jurisdiction, excluding any action related to non-payment of fees related to a license; and

(4) has not had a controlled substance license or permit suspended or revoked by a state or the United States drug enforcement administration.

(b) Physicians shall comply with all continuing professional development or continuing medical education requirements for renewal of a license issued by a member state.

(c) The interstate commission shall collect any renewal fees charged for the renewal of a license and distribute the fees to the applicable member board.

(d) Upon receipt of any renewal fees collected in subsection (c), a member board shall renew the physician's license.

(e) Physician information collected by the interstate commission during the renewal process will be distributed to all member boards.

(f) The interstate commission is authorized to develop rules to address renewal of licenses obtained through the compact.

SECTION 8
COORDINATED INFORMATION SYSTEM

(a) The interstate commission shall establish a database of all physicians licensed, or who have applied for licensure, under section 5.

(b) Notwithstanding any other provision of law, member boards shall report to the interstate commission any public action or complaints against a licensed physician who has applied or received an expedited license through the compact.

(c) Member boards shall report disciplinary or investigatory information determined as necessary and proper by rule of the interstate commission.

(d) Member boards may report any non-public complaint, disciplinary or investigatory information not required by subsection (c) to the interstate commission.

(e) Member boards shall share complaint or disciplinary information about a physician upon request of another member board.

(f) All information provided to the interstate commission or distributed by member boards shall be confidential, filed under seal, and used only for investigatory or disciplinary matters.

(g) The interstate commission is authorized to develop rules for mandated or discretionary sharing of information by member boards.

SECTION 9
JOINT INVESTIGATIONS

(a) Licensure and disciplinary records of physicians are deemed investigative.

(b) In addition to the authority granted to a member board by its respective medical practice act or other applicable state law, a member board may participate with other member boards in joint investigations of physicians licensed by the member boards.

(c) A subpoena issued by a member state shall be enforceable in other member states.

(d) Member boards may share any investigative, litigation or compliance materials in furtherance of any joint or individual investigation initiated under the compact.

(e) Any member state may investigate actual or alleged violations of the statutes authorizing the practice of medicine in any other member state in which a physician holds a license to practice medicine.

SECTION 10
DISCIPLINARY ACTIONS

(a) Any disciplinary action taken by any member board against a physician licensed through the compact shall be deemed unprofessional conduct, which may be subject to discipline by other member boards, in addition to any violation of the medical practice act or regulations in that state.

(b) If a license granted to a physician by the member board in the state of principal license is revoked, surrendered or relinquished in lieu of discipline, or suspended, then all licenses issued to the physician by member boards shall automatically be placed, without further action necessary by any member board, on the same status. If the member board in the state of principal license subsequently reinstates the physician's license, a license issued to the physician by any other member board shall remain encumbered until that respective member board takes action to reinstate the license in a manner consistent with the medical practice act of that state.

(c) If disciplinary action is taken against a physician by a member board not in the state of principal license, any other member board may deem the action conclusive as to matter of law and fact decided, and:

(1) Impose the same or lesser sanctions against the physician so long as such sanctions are consistent with the medical practice act of that state; or

(2) pursue separate disciplinary action against the physician under its respective medical practice act, regardless of the action taken in other member states.

(d) If a license granted to a physician by a member board is revoked, surrendered or relinquished in lieu of discipline, or suspended, then any license issued to the physician by any other member board shall be suspended, automatically and immediately without further action necessary by the other member boards, for 90 days upon entry of the order by the disciplining board, to permit the member boards to investigate the basis for the action under the medical practice act of that state. A member board may terminate the automatic suspension of the license it issued prior to the completion of the 90-day suspension period in a manner consistent with the medical practice act of that state.

SECTION 11
INTERSTATE MEDICAL LICENSURE
COMPACT COMMISSION

(a) The member states hereby create the interstate medical licensure compact commission.

(b) The purpose of the interstate commission is the administration of the interstate medical licensure compact, which is a discretionary state function.

(c) The interstate commission shall be a body corporate and joint agency of the member states and shall have all the responsibilities, powers and duties set forth in the compact, and such additional powers as may be conferred upon it by a subsequent concurrent action of the respective legislatures of the member states in accordance with the terms of the compact.

(d) The interstate commission shall consist of two voting representatives appointed by each member state who shall serve as commissioners. In states where allopathic and osteopathic physicians are regulated by separate member boards, or if the licensing and disciplinary authority is split between multiple member boards within a member state, the member state shall appoint one representative from each member board. A commissioner shall be:

(1) An allopathic or osteopathic physician appointed to a member board;

(2) an executive director, executive secretary or similar executive of a member board; or

(3) a member of the public appointed to a member board.

(e) The interstate commission shall meet at least once each calendar year. A portion of this meeting shall be a business meeting to address such matters as may properly come before the commission, including the election of officers. The chairperson may call additional meetings and shall call for a meeting upon the request of a majority of the member states.

(f) The bylaws may provide for meetings of the interstate commission to be conducted by telecommunication or electronic communication.

(g) Each commissioner participating at a meeting of the interstate commission is entitled to one vote. A majority of commissioners shall constitute a quorum for the transaction of business, unless a larger quorum is required by the bylaws of the interstate commission. A commissioner shall not delegate a vote to another commissioner. In the absence of its commissioner, a member state may delegate voting authority for a specified meeting to another person from that state who shall meet the requirements of subsection (d).

(h) The interstate commission shall provide public notice of all meetings and all meetings shall be open to the public. The interstate commission may close a meeting, in full or in portion, where it determines by a two-thirds vote of the commissioners present that an open meeting would be likely to:

(1) Relate solely to the internal personnel practices and procedures of the interstate commission;

(2) discuss matters specifically exempted from disclosure by federal statute;

(3) discuss trade secrets, commercial or financial information that is privileged or confidential;

(4) involve accusing a person of a crime, or formally censuring a person;

(5) discuss information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(6) discuss investigative records compiled for law enforcement purposes; or

(7) specifically relate to the participation in a civil action or other legal proceeding.

(i) The interstate commission shall keep minutes which shall fully describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, including record of any roll call votes.

(j) The interstate commission shall make its information and official records, to the extent not otherwise designated in the compact or by its rules, available to the public for inspection.

(k) The interstate commission shall establish an executive committee, which shall include officers, members, and others as determined by the bylaws. The executive committee shall have the power to act on behalf of the interstate commission, with the exception of rulemaking, during periods when the interstate commission is not in session. When acting on behalf of the interstate commission, the executive committee shall oversee the administration of the compact including enforcement and compliance with the provisions of the compact, its bylaws and rules, and other such duties as necessary.

(l) The interstate commission may establish other committees for governance and administration of the compact.

SECTION 12
POWERS AND DUTIES OF
THE INTERSTATE COMMISSION

The interstate commission shall have the duty and power to:

(a) Oversee and maintain the administration of the compact;

(b) promulgate rules which shall be binding to the extent and in the manner provided for in the compact;

(c) issue, upon the request of a member state or member board, advisory opinions concerning the meaning or interpretation of the compact, its bylaws, rules and actions;

(d) enforce compliance with compact provisions, the rules promulgated by the interstate commission and the bylaws, using all necessary and proper means, including, but not limited to, the use of judicial process;

(e) establish and appoint committees including, but not limited to, an executive committee as required by section 11, which shall have the power to act on behalf of the interstate commission in carrying out its powers and duties;

(f) pay, or provide for the payment of the expenses related to the establishment, organization and ongoing activities of the interstate commission;

(g) establish and maintain one or more offices;

(h) borrow, accept, hire or contract for services of personnel;

(i) purchase and maintain insurance and bonds;

(j) employ an executive director who shall have such powers to employ, select or appoint employees, agents or consultants, and to determine their qualifications, define their duties and fix their compensation;

(k) establish personnel policies and programs relating to conflicts of interest, rates of compensation and qualifications of personnel;

(l) accept donations and grants of money, equipment, supplies, materials and services, and to receive, utilize and dispose of it in a manner consistent with the conflict of interest policies established by the interstate commission;

(m) lease, purchase, accept contributions or donations of, or otherwise to own, hold, improve or use, any property, real, personal or mixed;

(n) sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal, or mixed;

(o) establish a budget and make expenditures;

(p) adopt a seal and bylaws governing the management and operation of the interstate commission;

(q) report annually to the legislatures and governors of the member states concerning the activities of the interstate commission during the preceding year. Such reports shall also include reports of financial audits and any recommendations that may have been adopted by the interstate commission;

(r) coordinate education, training and public awareness regarding the compact, its implementation and its operation;

(s) maintain records in accordance with the bylaws;

(t) seek and obtain trademarks, copyrights and patents; and

(u) perform such functions as may be necessary or appropriate to achieve the purposes of the compact.

SECTION 13

FINANCE POWERS

(a) The interstate commission may levy on and collect an annual assessment from each member state to cover the cost of the operations and activities of the interstate commission and its staff. The total assessment must be sufficient to cover the annual budget approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated upon a formula to be determined by the interstate commission, which shall promulgate a rule binding upon all member states.

(b) The interstate commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same.

(c) The interstate commission shall not pledge the credit of any of the member states, except by, and with the authority of, the member state.

(d) The interstate commission shall be subject to a yearly financial audit conducted by a certified or licensed public accountant and the report of the audit shall be included in the annual report of the interstate commission.

SECTION 14
ORGANIZATION AND OPERATION OF
THE INTERSTATE COMMISSION

(a) The interstate commission shall, by a majority of commissioners present and voting, adopt bylaws to govern its conduct as may be necessary or appropriate to carry out the purposes of the compact within 12 months of the first interstate commission meeting.

(b) The interstate commission shall elect or appoint annually from among its commissioners a chairperson, a vice-chairperson and a treasurer, each of whom shall have such authority and duties as may be specified in the bylaws. The chairperson, or in the chairperson's absence or disability, the vice-chairperson, shall preside at all meetings of the interstate commission.

(c) Officers selected in subsection (b) shall serve without remuneration from the interstate commission.

(d) The officers and employees of the interstate commission shall be immune from suit and liability, either personally or in their official capacity, for a claim for damage to or loss of property or personal injury or other civil liability caused or arising out of, or relating to, an actual or alleged act, error or omission that occurred, or that such person had a reasonable basis for believing occurred, within the scope of interstate commission employment, duties or responsibilities; provided that such person shall not be protected from suit or liability for damage, loss, injury or liability caused by the intentional or willful and wanton misconduct of such person.

(1) The liability of the executive director and employees of the interstate commission or representatives of the interstate commission, acting within the scope of such person's employment or duties for acts, errors or omissions occurring within such person's state, may not exceed the limits of liability set forth under the constitution and laws of that state for state officials, employees and agents. The interstate commission is considered to be an instrumentality of the states for the purposes of any such action. Nothing in this subsection shall be construed to protect such person from suit or liability

for damage, loss, injury or liability caused by the intentional or willful and wanton misconduct of such person.

(2) The interstate commission shall defend the executive director, its employees, and subject to the approval of the attorney general or other appropriate legal counsel of the member state represented by an interstate commission representative, shall defend such interstate commission representative in any civil action seeking to impose liability arising out of an actual or alleged act, error or omission that occurred within the scope of interstate commission employment, duties or responsibilities, or that the defendant had a reasonable basis for believing occurred within the scope of interstate commission employment, duties or responsibilities, provided that the actual or alleged act, error or omission did not result from intentional or willful and wanton misconduct on the part of such person.

(3) To the extent not covered by the state involved, member state or the interstate commission, the representatives or employees of the interstate commission shall be held harmless in the amount of a settlement or judgment, including attorney fees and costs, obtained against such persons arising out of an actual or alleged act, error or omission that occurred within the scope of interstate commission employment, duties or responsibilities, or that such persons had a reasonable basis for believing occurred within the scope of interstate commission employment, duties or responsibilities, provided that the actual or alleged act, error or omission did not result from intentional or willful and wanton misconduct on the part of such persons.

SECTION 15
RULEMAKING FUNCTIONS OF
THE INTERSTATE COMMISSION

(a) The interstate commission shall promulgate reasonable rules in order to effectively and efficiently achieve the purposes of the compact. Notwithstanding the foregoing, in the event the interstate commission exercises its rulemaking authority in a manner that is beyond the scope of the purposes of the compact, or the powers granted hereunder, then such an action by the interstate commission shall be invalid and have no force or effect.

(b) Rules deemed appropriate for the operations of the interstate commission shall be made pursuant to a rulemaking process that substantially conforms to the "model state administrative procedure act" of 2010, and subsequent amendments thereto.

(c) Not later than 30 days after a rule is promulgated, any person may file a petition for judicial review of the rule in the United States district court for the District of Columbia or the federal district where the interstate commission has its principal offices, provided that the filing of such a petition shall not stay or otherwise prevent the rule from becoming effective unless the court finds that the petitioner has a substantial likelihood of success. The court shall give deference to the actions of the interstate commission consistent with applicable law and shall not find the rule to be unlawful if the rule represents a reasonable exercise of the authority granted to the interstate commission.

SECTION 16
OVERSIGHT OF INTERSTATE COMPACT

(a) The executive, legislative and judicial branches of state government in each member state shall enforce the compact and shall take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of the compact and the rules promulgated hereunder shall have standing as statutory law, but shall not override existing state authority to regulate the practice of medicine.

(b) All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of the compact, which may affect the powers, responsibilities or actions of the interstate commission.

(c) The interstate commission shall be entitled to receive all service of process in any such proceeding and shall have standing to intervene in the proceeding for all purposes. Failure to provide service of process to the interstate commission shall render a judgment or order void as to the interstate commission, the compact or promulgated rules.

SECTION 17
ENFORCEMENT OF INTERSTATE COMPACT

(a) The interstate commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of the compact.

(b) The interstate commission may, by majority vote of the commissioners, initiate legal action in the United States district court for the District of Columbia, or, at the discretion of the interstate commission, in the federal district where the interstate commission has its principal offices, to enforce compliance with the provisions of the compact, and its promulgated rules and bylaws, against a member state in default. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation including reasonable attorney fees.

(c) The remedies herein shall not be the exclusive remedies of the interstate commission. The interstate commission may avail itself of any other remedies available under state law or the regulation of a profession.

SECTION 18
DEFAULT PROCEDURES

(a) The grounds for default include, but are not limited to, failure of a member state to perform such obligations or responsibilities imposed upon it by the compact, or the rules and bylaws of the interstate commission promulgated under the compact.

(b) If the interstate commission determines that a member state has defaulted in the performance of its obligations or responsibilities under the compact, or the bylaws or promulgated rules, the interstate commission shall:

(1) provide written notice to the defaulting state and other member states, of the nature of the default, the means of curing the default, and any action taken by the interstate commission. The interstate commission shall specify the conditions by which the defaulting state must cure its default; and

(2) provide remedial training and specific technical assistance regarding the default.

(c) If the defaulting state fails to cure the default, the defaulting state shall be terminated from the compact upon an affirmative vote of a majority of the

commissioners and all rights, privileges and benefits conferred by the compact shall terminate on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of the default.

(d) Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to terminate shall be given by the interstate commission to the governor, the majority and minority leaders of the defaulting state's legislature, and each of the member states.

(e) The interstate commission shall establish rules and procedures to address licenses and physicians that are materially impacted by the termination of a member state, or the withdrawal of a member state.

(f) The member state, which has been terminated is responsible for all dues, obligations, and liabilities incurred through the effective date of termination including obligations, the performance of which extends beyond the effective date of termination.

(g) The interstate commission shall not bear any costs relating to any state that has been found to be in default or which has been terminated from the compact, unless otherwise mutually agreed upon in writing between the interstate commission and the defaulting state.

(h) The defaulting state may appeal the action of the interstate commission by petitioning the United States district court for the District of Columbia or the federal district where the interstate commission has its principal offices. The prevailing party shall be awarded all costs of such litigation including reasonable attorney fees.

SECTION 19
DISPUTE RESOLUTION

(a) The interstate commission shall attempt, upon the request of a member state, to resolve disputes which are subject to the compact and which may arise among member states or member boards.

(b) The interstate commission shall promulgate rules providing for both mediation and binding dispute resolution as appropriate.

SECTION 20
MEMBER STATES, EFFECTIVE
DATE AND AMENDMENT

(a) Any state is eligible to become a member state of the compact.

(b) The compact shall become effective and binding upon legislative enactment of the compact into law by no less than seven states. Thereafter, it shall become effective and binding on a state upon enactment of the compact into law by that state.

(c) The governors of non-member states, or their designees, shall be invited to participate in the activities of the interstate commission on a non-voting basis prior to adoption of the compact by all states.

(d) The interstate commission may propose amendments to the compact for enactment by the member states. No amendment shall become effective and binding upon the interstate commission and the member states unless and until it is enacted into law by unanimous consent of the member states.

SECTION 21
WITHDRAWAL

(a) Once effective, the compact shall continue in force and remain binding upon each and every member state; provided that a member state may withdraw from the compact by specifically repealing the statute which enacted the compact into law.

(b) Withdrawal from the compact shall be by the enactment of a statute repealing the same, but shall not take effect until one year after the effective date of such statute and until written notice of the withdrawal has been given by the withdrawing state to the governor of each other member state.

(c) The withdrawing state shall immediately notify the chairperson of the interstate commission in writing upon the introduction of legislation repealing the compact in the withdrawing state.

(d) The interstate commission shall notify the other member states of the withdrawing state's intent to withdraw within 60 days of its receipt of notice provided under subsection (c).

(e) The withdrawing state is responsible for all dues, obligations and liabilities incurred through the effective date of withdrawal, including obligations, the performance of which extend beyond the effective date of withdrawal.

(f) Reinstatement following withdrawal of a member state shall occur upon the withdrawing state reenacting the compact or upon such later date as determined by the interstate commission.

(g) The interstate commission is authorized to develop rules to address the impact of the withdrawal of a member state on licenses granted in other member states to physicians who designated the withdrawing member state as the state of principal license.

SECTION 22
DISSOLUTION

(a) The compact shall dissolve effective upon the date of the withdrawal or default of the member state, which reduces the membership in the compact to one member state.

(b) Upon the dissolution of the compact, the compact becomes null and void and shall be of no further force or effect, and the business and affairs of the interstate commission shall be concluded and surplus funds shall be distributed in accordance with the bylaws.

SECTION 23
SEVERABILITY AND CONSTRUCTION

(a) The provisions of the compact shall be severable, and if any phrase, clause, sentence or provision is deemed unenforceable, the remaining provisions of the compact shall be enforceable.

(b) The provisions of the compact shall be liberally construed to effectuate its purposes.

(c) Nothing in the compact shall be construed to prohibit the applicability of other interstate compacts to which the states are members.

SECTION 24
BINDING EFFECT OF COMPACT
AND OTHER LAWS

(a) Nothing herein prevents the enforcement of any other law of a member state that is not inconsistent with the compact.

(b) All laws in a member state in conflict with the compact are superseded to the extent of the conflict.

(c) All lawful actions of the interstate commission, including all rules and bylaws promulgated by the commission, are binding upon the member states.

(d) All agreements between the interstate commission and the member states are binding in accordance with their terms.

(e) In the event any provision of the compact exceeds the constitutional limits imposed on the legislature of any member state, such provision shall be ineffective to the extent of the conflict with the constitutional provision in question in that member state.

New Sec. 88. The provisions of sections 88 through 97, and amendments thereto, shall be known and may be cited as the independent practice of midwifery act.

New Sec. 89. As used in the independent practice of midwifery act:

(a) "Board" means the state board of healing arts.

(b) "Certified nurse-midwife" means an individual who:

(1) Is educated in the two disciplines of nursing and midwifery;

(2) is currently certified by a certifying board approved by the state board of nursing; and

(3) is currently licensed under the Kansas nurse practice act.

(c) "Independent practice of midwifery" means the provision of clinical services by a certified nurse-midwife without the requirement of a collaborative practice agreement with a person licensed to practice medicine and surgery when such clinical services are limited to those associated with a normal, uncomplicated pregnancy and delivery, including:

(1) The prescription of drugs and diagnostic tests;

(2) the performance of episiotomy or repair of a minor vaginal laceration;

(3) the initial care of the normal newborn; and

(4) family planning services, including treatment or referral of male partners for sexually-transmitted infections.

(d) The provisions of this section shall become effective on January 1, 2017.

New Sec. 90. (a) In order to obtain authorization to engage in the independent practice of midwifery, a certified nurse-midwife must meet the following requirements:

(1) Be licensed to practice professional nursing under the Kansas nurse practice act;

(2) have successfully completed a course of study in nurse-midwifery in a school of nurse-midwifery approved by the board;

(3) have successfully completed a national certification approved by the board;

(4) have successfully completed a refresher course as defined by rules and regulations of the board, if the individual has not been in active midwifery practice for five years immediately preceding the application;

(5) be authorized to perform the duties of a certified nurse-midwife by the state board of nursing;

(6) be licensed as an advanced practice registered nurse by the state board of nursing; and

(7) have paid all fees for licensure prescribed in section 92, and amendments thereto.

(b) Upon application to the board by any certified nurse-midwife and upon satisfaction of the standards and requirements established under this act, the board shall grant an authorization to the applicant to engage in the independent practice of midwifery.

(c) A person whose licensure has been revoked may make written application to the board requesting reinstatement of the license in a manner prescribed by the board, which application shall be accompanied by the fee prescribed in section 92, and amendments thereto.

(d) The provisions of this section shall become effective on January 1, 2017.

New Sec. 91. (a) Licenses issued under this act shall expire on the date of expiration established by rules and regulations of the board, unless renewed in the manner prescribed by the board. The request for renewal shall be accompanied by the fee prescribed in section 92, and amendments thereto.

(b) At least 30 days before the expiration of a licensee's license, the board shall notify the licensee of the expiration, by mail, addressed to the licensee's last known mailing address. If the licensee fails to submit an application for renewal on a form provided by the board, or fails to pay the renewal fee by the date of expiration, the board shall give a second notice to the licensee that the license has expired and the license may be renewed only if the application for renewal, the renewal fee, and the late renewal fee are received by the board within the 30-day period following the date of expiration and that, if both fees are not received within the 30-day period, the license shall be deemed canceled by operation of law and without further proceedings.

(c) The board may require any licensee, as a condition of renewal, to submit with the application of renewal evidence of satisfactory completion of a program of continuing education as required by rules and regulations of the board.

(d) The provisions of this section shall become effective on January 1, 2017.

New Sec. 92. (a) The board shall charge and collect, in advance, fees for certified nurse-midwives, as established by the board, not to exceed:

Application for license.....$100

License renewal.....$100

Late license renewal.....$100

License reinstatement fee.....$100

Revoked license fee.....$100

Certified copy of license.....$50

Verified copy of license.....$25

(b) The board shall remit all moneys received by or for the board from fees, charges or penalties to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state

treasurer shall deposit the entire amount in the state treasury. Ten percent of each such amount shall be credited to the state general fund, and the balance shall be credited to the healing arts fee fund. All expenditures from the healing arts fee fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the board or persons designated by the president.

(c) The provisions of this section shall become effective on January 1, 2017.

New Sec. 93. (a) It shall be unlawful for a person to engage in the independent practice of midwifery without a collaborative practice agreement with a person licensed to practice medicine and surgery, unless such certified nurse-midwife holds a license from the state board of nursing and the board.

(b) The provisions of this section shall become effective on January 1, 2017.

New Sec. 94. (a) The board, in consultation with the state board of nursing, shall adopt rules and regulations pertaining to certified nurse-midwives engaging in the independent practice of midwifery and governing the ordering of tests, diagnostic services and prescribing of drugs and referral or transfer to physicians in the event of complications or emergencies. Such rules and regulations shall not be adopted until the state board of nursing and the board have consulted and concurred on the content of each rule and regulation. Such rules and regulations shall be adopted no later than January 1, 2017.

(b) A certified nurse midwife engaging in the independent practice of midwifery shall be subject to the provisions of the independent practice of midwifery act with respect to the ordering of tests, diagnostic services and prescribing of drugs, and shall not be subject to the provisions of K.S.A. 65-1130, and amendments thereto.

(c) The standards of care for certified nurse-midwives in the ordering of tests, diagnostic services and the prescribing of drugs shall be those standards which protect patients and shall be standards comparable to persons licensed to practice medicine and surgery providing the same services.

(d) The board is hereby authorized to solely adopt those rules and regulations necessary to administer the administrative provisions of this act.

New Sec. 95. (a) The board may deny, revoke, limit or suspend any license or authorization issued to a certified nurse-midwife to engage in the independent practice of midwifery that is issued by the board or applied for under this act, or may publicly censure a licensee or holder of a temporary permit or authorization, if the applicant or licensee is found after a hearing:

(1) To be guilty of fraud or deceit while engaging in the independent practice of midwifery or in procuring or attempting to procure a license to engage in the independent practice of midwifery;

(2) to have been found guilty of a felony or to have been found guilty of a misdemeanor involving an illegal drug offense unless the applicant or licensee establishes sufficient rehabilitation to warrant the public trust, except that notwithstanding K.S.A. 74-120, and amendments thereto, no license or authorization to practice and engage in the independent practice of midwifery shall be granted to a person with a felony conviction for a crime against persons as specified in article 34 of chapter 21 of the Kansas Statutes Annotated, prior to its repeal, or article 54 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, or K.S.A. 2015 Supp. 21-6104, 21-6325, 21-6326 or 21-6418, and amendments thereto;

(3) to have committed an act of professional incompetence as defined in subsection (c);

(4) to be unable to practice the healing arts with reasonable skill and safety by reason of impairment due to physical or mental illness or condition or use of alcohol, drugs or controlled substances. All information, reports, findings and other records relating to impairment shall be confidential and not subject to discovery or release to any person or entity outside of a board proceeding. The provisions of this paragraph providing confidentiality of records shall expire on July 1, 2022, unless the legislature reviews and reenacts such provisions pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2022;

(5) to be a person who has been adjudged in need of a guardian or conservator, or both, under the act for obtaining a guardian or conservator, or both, and who has not been restored to capacity under that act;

(6) to be guilty of unprofessional conduct as defined by rules and regulations of the board;

(7) to have willfully or repeatedly violated the provisions of the Kansas nurse practice act or any rules and regulations adopted pursuant to that act;

(8) to have a license to practice nursing as a registered nurse or as a practical nurse denied, revoked, limited or suspended, or to have been publicly or privately censured, by a licensing authority of another state, agency of the United States government, territory of the United States or country, or to have other disciplinary action taken against the applicant or licensee by a licensing authority of another state, agency of the United States government, territory of the United States or country. A certified copy of the record or order of public or private censure, denial, suspension, limitation, revocation or other disciplinary action of the licensing authority of another state, agency of the United States government, territory of the United States or country shall constitute prima facie evidence of such a fact for purposes of this paragraph; or

(9) to have assisted suicide in violation of K.S.A. 21-3406, prior to its repeal, or K.S.A. 2015 Supp. 21-5407, and amendments thereto, as established by any of the following:

(A) A copy of the record of criminal conviction or plea of guilty to a felony in violation of K.S.A. 21-3406, prior to its repeal, or K.S.A. 2015 Supp. 21-5407, and amendments thereto;

(B) a copy of the record of a judgment of contempt of court for violating an injunction issued under K.S.A. 60-4404, and amendments thereto; or

(C) a copy of the record of a judgment assessing damages under K.S.A. 60-4405, and amendments thereto.

(b) No person shall be excused from testifying in any proceedings before the board under this act or in any civil proceedings under this act before a court of competent jurisdiction on the ground that such testimony may incriminate the person testifying, but such testimony shall not be used against the person for the prosecution of any crime under the laws of this state, except the crime of perjury as defined in K.S.A. 2015 Supp. 21-5903, and amendments thereto.

(c) As used in this section, "professional incompetency" means:

(1) One or more instances involving failure to adhere to the applicable standard of care to a degree which constitutes gross negligence, as determined by the board;

(2) repeated instances involving failure to adhere to the applicable standard of care

to a degree which constitutes ordinary negligence, as determined by the board; or

(3) a pattern of practice or other behavior which demonstrates a manifest incapacity or incompetence to engage in the independent practice of midwifery.

(d) The board, upon request, shall receive from the Kansas bureau of investigation such criminal history record information relating to arrests and criminal convictions, as necessary, for the purpose of determining initial and continuing qualifications of licensees and applicants for licensure by the board.

(e) The provisions of this section shall become effective on January 1, 2017.

New Sec. 96. (a) There is hereby established a nurse-midwives council to advise the board in carrying out the provisions of this act. The council shall consist of seven members, all residents of the state of Kansas appointed as follows: Two members shall be licensees of the board, appointed by the board, who are licensed to practice medicine and surgery and whose specialty and customary practice includes obstetrics; one member shall be the president of the board or a board member designated by the president; and four members shall be licensed certified nurse-midwives appointed by the board of nursing.

(b) If a vacancy occurs on the council, the appointing authority of the position which has become vacant shall appoint a person of like qualifications to fill the vacant position for the unexpired term, if any.

New Sec. 97. (a) Nothing in the independent practice of midwifery act should be construed to authorize a certified nurse-midwife engaging in the independent practice of midwifery under such act to perform, induce or prescribe drugs for an abortion.

(b) The provisions of this section shall become effective on January 1, 2017.

Sec. 98. On and after January 1, 2017, K.S.A. 2015 Supp. 65-1130 is hereby amended to read as follows: (a) No professional nurse shall announce or represent to the public that such person is an advanced practice registered nurse unless such professional nurse has complied with requirements established by the board and holds a valid license as an advanced practice registered nurse in accordance with the provisions of this section.

(b) The board shall establish standards and requirements for any professional nurse who desires to obtain licensure as an advanced practice registered nurse. Such standards and requirements shall include, but not be limited to, standards and requirements relating to the education of advanced practice registered nurses. The board may give such examinations and secure such assistance as it deems necessary to determine the qualifications of applicants.

(c) The board shall adopt rules and regulations applicable to advanced practice registered nurses which:

(1) Establish roles and identify titles and abbreviations of advanced practice registered nurses which are consistent with nursing practice specialties recognized by the nursing profession.

(2) Establish education and qualifications necessary for licensure for each role of advanced practice registered nurse established by the board at a level adequate to assure the competent performance by advanced practice registered nurses of functions and procedures which advanced practice registered nurses are authorized to perform. Advanced practice registered nursing is based on knowledge and skills acquired in basic nursing education, licensure as a registered nurse and graduation from or completion of a master's or higher degree in one of the advanced practice registered nurse roles

approved by the board of nursing.

(3) Define the role of advanced practice registered nurses and establish limitations and restrictions on such role. The board shall adopt a definition of the role under this ~~subsection (c)(3)~~ paragraph which is consistent with the education and qualifications required to obtain a license as an advanced practice registered nurse, which protects the public from persons performing functions and procedures as advanced practice registered nurses for which they lack adequate education and qualifications and which authorizes advanced practice registered nurses to perform acts generally recognized by the profession of nursing as capable of being performed, in a manner consistent with the public health and safety, by persons with postbasic education in nursing. In defining such role the board shall consider: (A) The education required for a licensure as an advanced practice registered nurse; (B) the type of nursing practice and preparation in specialized advanced practice skills involved in each role of advanced practice registered nurse established by the board; (C) the scope and limitations of advanced practice nursing prescribed by national advanced practice organizations; and (D) acts recognized by the nursing profession as appropriate to be performed by persons with postbasic education in nursing.

(d) An advanced practice registered nurse may prescribe drugs pursuant to a written protocol as authorized by a responsible physician. Each written protocol shall contain a precise and detailed medical plan of care for each classification of disease or injury for which the advanced practice registered nurse is authorized to prescribe and shall specify all drugs which may be prescribed by the advanced practice registered nurse. Any written prescription order shall include the name, address and telephone number of the responsible physician. The advanced practice registered nurse may not dispense drugs, but may request, receive and sign for professional samples and may distribute professional samples to patients pursuant to a written protocol as authorized by a responsible physician. In order to prescribe controlled substances, the advanced practice registered nurse shall (1) register with the federal drug enforcement administration; and (2) notify the board of the name and address of the responsible physician or physicians. In no case shall the scope of authority of the advanced practice registered nurse exceed the normal and customary practice of the responsible physician. An advanced practice registered nurse certified in the role of registered nurse anesthetist while functioning as a registered nurse anesthetist under K.S.A. 65-1151 ~~to~~ through 65-1164, ~~inclusive,~~ and amendments thereto, shall be subject to the provisions of K.S.A. 65-1151 ~~to~~ through 65-1164, ~~inclusive,~~ and amendments thereto, with respect to drugs and anesthetic agents and shall not be subject to the provisions of this subsection. For the purposes of this subsection, "responsible physician" means a person licensed to practice medicine and surgery in Kansas who has accepted responsibility for the protocol and the actions of the advanced practice registered nurse when prescribing drugs.

(e) As used in this section, "drug" means those articles and substances defined as drugs in K.S.A. 65-1626 and 65-4101, and amendments thereto.

(f) A person registered to practice as an advanced registered nurse practitioner in the state of Kansas immediately prior to the effective date of this act shall be deemed to be licensed to practice as an advanced practice registered nurse under this act and such person shall not be required to file an original application for licensure under this act. Any application for registration filed which has not been granted prior to the effective date of this act shall be processed as an application for licensure under this act.

(g) An advanced practice registered nurse certified in the role of certified nurse-midwife and engaging in the independent practice of midwifery under the independent practice of midwifery act with respect to prescribing drugs shall be subject to the provisions of the independent practice of midwifery act and shall not be subject to the provisions of this section.

Sec. 99. On and after January 1, 2017, K.S.A. 2015 Supp. 65-1626 is hereby amended to read as follows: 65-1626. For the purposes of this act:

(a) "Administer" means the direct application of a drug, whether by injection, inhalation, ingestion or any other means, to the body of a patient or research subject by:

(1) A practitioner or pursuant to the lawful direction of a practitioner;

(2) the patient or research subject at the direction and in the presence of the practitioner; or

(3) a pharmacist as authorized in K.S.A. 65-1635a, and amendments thereto.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor or dispenser but shall not include a common carrier, public warehouseman or employee of the carrier or warehouseman when acting in the usual and lawful course of the carrier's or warehouseman's business.

(c) "Application service provider" means an entity that sells electronic prescription or pharmacy prescription applications as a hosted service where the entity controls access to the application and maintains the software and records on its server.

(d) "Authorized distributor of record" means a wholesale distributor with whom a manufacturer has established an ongoing relationship to distribute the manufacturer's prescription drug. An ongoing relationship is deemed to exist between such wholesale distributor and a manufacturer when the wholesale distributor, including any affiliated group of the wholesale distributor, as defined in section 1504 of the internal revenue code, complies with any one of the following: (1) The wholesale distributor has a written agreement currently in effect with the manufacturer evidencing such ongoing relationship; and (2) the wholesale distributor is listed on the manufacturer's current list of authorized distributors of record, which is updated by the manufacturer on no less than a monthly basis.

(e) "Board" means the state board of pharmacy created by K.S.A. 74-1603, and amendments thereto.

(f) "Brand exchange" means the dispensing of a different drug product of the same dosage form and strength and of the same generic name as the brand name drug product prescribed.

(g) "Brand name" means the registered trademark name given to a drug product by its manufacturer, labeler or distributor.

(h) "Chain pharmacy warehouse" means a permanent physical location for drugs or devices, or both, that acts as a central warehouse and performs intracompany sales or transfers of prescription drugs or devices to chain pharmacies that have the same ownership or control. Chain pharmacy warehouses must be registered as wholesale distributors.

(i) "Co-licensee" means a pharmaceutical manufacturer that has entered into an agreement with another pharmaceutical manufacturer to engage in a business activity or occupation related to the manufacture or distribution of a prescription drug and the national drug code on the drug product label shall be used to determine the identity of the drug manufacturer.

(j) "DEA" means the U.S. department of justice, drug enforcement administration.

(k) "Deliver" or "delivery" means the actual, constructive or attempted transfer from one person to another of any drug whether or not an agency relationship exists.

(l) "Direct supervision" means the process by which the responsible pharmacist shall observe and direct the activities of a pharmacy student or pharmacy technician to a sufficient degree to assure that all such activities are performed accurately, safely and without risk or harm to patients, and complete the final check before dispensing.

(m) "Dispense" means to deliver prescription medication to the ultimate user or research subject by or pursuant to the lawful order of a practitioner or pursuant to the prescription of a mid-level practitioner.

(n) "Dispenser" means a practitioner or pharmacist who dispenses prescription medication, or a physician assistant who has authority to dispense prescription-only drugs in accordance with K.S.A. 65-28a08(b), and amendments thereto.

(o) "Distribute" means to deliver, other than by administering or dispensing, any drug.

(p) "Distributor" means a person who distributes a drug.

(q) "Drop shipment" means the sale, by a manufacturer, that manufacturer's co-licensee, that manufacturer's third party logistics provider, or that manufacturer's exclusive distributor, of the manufacturer's prescription drug, to a wholesale distributor whereby the wholesale distributor takes title but not possession of such prescription drug and the wholesale distributor invoices the pharmacy, the chain pharmacy warehouse, or other designated person authorized by law to dispense or administer such prescription drug, and the pharmacy, the chain pharmacy warehouse, or other designated person authorized by law to dispense or administer such prescription drug receives delivery of the prescription drug directly from the manufacturer, that manufacturer's co-licensee, that manufacturer's third party logistics provider, or that manufacturer's exclusive distributor, of such prescription drug. Drop shipment shall be part of the "normal distribution channel."

(r) "Drug" means: (1) Articles recognized in the official United States pharmacopoeia, or other such official compendiums of the United States, or official national formulary, or any supplement of any of them; (2) articles intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in ~~man~~ human or other animals; (3) articles, other than food, intended to affect the structure or any function of the body of ~~man~~ human or other animals; and (4) articles intended for use as a component of any articles specified in paragraph (1), (2) or (3) ~~of this subsection~~; but does not include devices or their components, parts or accessories, except that the term "drug" shall not include amygdalin (laetrile) or any livestock remedy, if such livestock remedy had been registered in accordance with the provisions of article 5 of chapter 47 of the Kansas Statutes Annotated, prior to its repeal.

(s) "Durable medical equipment" means technologically sophisticated medical devices that may be used in a residence, including the following: (1) Oxygen and oxygen delivery system; (2) ventilators; (3) respiratory disease management devices; (4) continuous positive airway pressure (CPAP) devices; (5) electronic and computerized wheelchairs and seating systems; (6) apnea monitors; (7) transcutaneous electrical nerve stimulator (TENS) units; (8) low air loss cutaneous pressure management devices; (9) sequential compression devices; (10) feeding pumps; (11) home phototherapy devices; (12) infusion delivery devices; (13) distribution of medical

gases to end users for human consumption; (14) hospital beds; (15) nebulizers; or (16) other similar equipment determined by the board in rules and regulations adopted by the board.

(t) "Electronic prescription" means an electronically prepared prescription that is authorized and transmitted from the prescriber to the pharmacy by means of electronic transmission.

(u) "Electronic prescription application" means software that is used to create electronic prescriptions and that is intended to be installed on the prescriber's computers and servers where access and records are controlled by the prescriber.

(v) "Electronic signature" means a confidential personalized digital key, code, number or other method for secure electronic data transmissions which identifies a particular person as the source of the message, authenticates the signatory of the message and indicates the person's approval of the information contained in the transmission.

(w) "Electronic transmission" means the transmission of an electronic prescription, formatted as an electronic data file, from a prescriber's electronic prescription application to a pharmacy's computer, where the data file is imported into the pharmacy prescription application.

(x) "Electronically prepared prescription" means a prescription that is generated using an electronic prescription application.

(y) "Exclusive distributor" means any entity that: (1) Contracts with a manufacturer to provide or coordinate warehousing, wholesale distribution or other services on behalf of a manufacturer and who takes title to that manufacturer's prescription drug, but who does not have general responsibility to direct the sale or disposition of the manufacturer's prescription drug; (2) is registered as a wholesale distributor under the pharmacy act of the state of Kansas; and (3) to be considered part of the normal distribution channel, must be an authorized distributor of record.

(z) "Facsimile transmission" or "fax transmission" means the transmission of a digital image of a prescription from the prescriber or the prescriber's agent to the pharmacy. "Facsimile transmission" includes, but is not limited to, transmission of a written prescription between the prescriber's fax machine and the pharmacy's fax machine; transmission of an electronically prepared prescription from the prescriber's electronic prescription application to the pharmacy's fax machine, computer or printer; or transmission of an electronically prepared prescription from the prescriber's fax machine to the pharmacy's fax machine, computer or printer.

(aa) "Generic name" means the established chemical name or official name of a drug or drug product.

(bb) (1) "Institutional drug room" means any location where prescription-only drugs are stored and from which prescription-only drugs are administered or dispensed and which is maintained or operated for the purpose of providing the drug needs of:

(A) Inmates of a jail or correctional institution or facility;

(B) residents of a juvenile detention facility, as defined by the revised Kansas code for care of children and the revised Kansas juvenile justice code;

(C) students of a public or private university or college, a community college or any other institution of higher learning which is located in Kansas;

(D) employees of a business or other employer; or

(E) persons receiving inpatient hospice services.

(2) "Institutional drug room" does not include:

(A) Any registered pharmacy;

(B) any office of a practitioner; or

(C) a location where no prescription-only drugs are dispensed and no prescription-only drugs other than individual prescriptions are stored or administered.

(cc) "Intermediary" means any technology system that receives and transmits an electronic prescription between the prescriber and the pharmacy.

(dd) "Intracompany transaction" means any transaction or transfer between any division, subsidiary, parent or affiliated or related company under common ownership or control of a corporate entity, or any transaction or transfer between co-licensees of a co-licensed product.

(ee) "Medical care facility" shall have the meaning provided in K.S.A. 65-425, and amendments thereto, except that the term shall also include facilities licensed under the provisions of K.S.A. 75-3307b, and amendments thereto, except community mental health centers and facilities for people with intellectual disability.

(ff) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a drug either directly or indirectly by extraction from substances of natural origin, independently by means of chemical synthesis or by a combination of extraction and chemical synthesis and includes any packaging or repackaging of the drug or labeling or relabeling of its container, except that this term shall not include the preparation or compounding of a drug by an individual for the individual's own use or the preparation, compounding, packaging or labeling of a drug by:

(1) A practitioner or a practitioner's authorized agent incident to such practitioner's administering or dispensing of a drug in the course of the practitioner's professional practice;

(2) a practitioner, by a practitioner's authorized agent or under a practitioner's supervision for the purpose of, or as an incident to, research, teaching or chemical analysis and not for sale; or

(3) a pharmacist or the pharmacist's authorized agent acting under the direct supervision of the pharmacist for the purpose of, or incident to, the dispensing of a drug by the pharmacist.

(gg) "Manufacturer" means a person licensed or approved by the FDA to engage in the manufacture of drugs and devices.

(hh) "Mid-level practitioner" means a certified nurse-midwife engaging in the independent practice of midwifery under the independent practice of midwifery act, an advanced practice registered nurse issued a license pursuant to K.S.A. 65-1131, and amendments thereto, who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-1130, and amendments thereto, or a physician assistant licensed pursuant to the physician assistant licensure act who has authority to prescribe drugs ~~prior to January 11, 2016, pursuant to a written protocol with a responsible physician under K.S.A. 65-28a08, and amendments thereto, and on and after January 11, 2016,~~ pursuant to a written agreement with a supervising physician under K.S.A. 65-28a08, and amendments thereto.

(ii) "Normal distribution channel" means a chain of custody for a prescription-only drug that goes from a manufacturer of the prescription-only drug, from that manufacturer to that manufacturer's co-licensed partner, from that manufacturer to that

manufacturer's third-party logistics provider or from that manufacturer to that manufacturer's exclusive distributor, directly or by drop shipment, to:

(1) A pharmacy to a patient or to other designated persons authorized by law to dispense or administer such drug to a patient;

(2) a wholesale distributor to a pharmacy to a patient or other designated persons authorized by law to dispense or administer such drug to a patient;

(3) a wholesale distributor to a chain pharmacy warehouse to that chain pharmacy warehouse's intracompany pharmacy to a patient or other designated persons authorized by law to dispense or administer such drug to a patient; or

(4) a chain pharmacy warehouse to the chain pharmacy warehouse's intracompany pharmacy to a patient or other designated persons authorized by law to dispense or administer such drug to a patient.

(jj) "Person" means individual, corporation, government, governmental subdivision or agency, partnership, association or any other legal entity.

(kk) "Pharmacist" means any natural person licensed under this act to practice pharmacy.

(ll) "Pharmacist-in-charge" means the pharmacist who is responsible to the board for a registered establishment's compliance with the laws and regulations of this state pertaining to the practice of pharmacy, manufacturing of drugs and the distribution of drugs. The pharmacist-in-charge shall supervise such establishment on a full-time or a part-time basis and perform such other duties relating to supervision of a registered establishment as may be prescribed by the board by rules and regulations. Nothing in this definition shall relieve other pharmacists or persons from their responsibility to comply with state and federal laws and regulations.

(mm) "Pharmacist intern" means: (1) A student currently enrolled in an accredited pharmacy program; (2) a graduate of an accredited pharmacy program serving an internship; or (3) a graduate of a pharmacy program located outside of the United States which is not accredited and who has successfully passed equivalency examinations approved by the board.

(nn) "Pharmacy," "drugstore" or "apothecary" means premises, laboratory, area or other place: (1) Where drugs are offered for sale where the profession of pharmacy is practiced and where prescriptions are compounded and dispensed; or (2) which has displayed upon it or within it the words "pharmacist," "pharmaceutical chemist," "pharmacy," "apothecary," "drugstore," "druggist," "drugs," "drug sundries" or any of these words or combinations of these words or words of similar import either in English or any sign containing any of these words; or (3) where the characteristic symbols of pharmacy or the characteristic prescription sign "Rx" may be exhibited. As used in this subsection, premises refers only to the portion of any building or structure leased, used or controlled by the licensee in the conduct of the business registered by the board at the address for which the registration was issued.

(oo) "Pharmacy prescription application" means software that is used to process prescription information, is installed on a pharmacy's computers or servers, and is controlled by the pharmacy.

(pp) "Pharmacy technician" means an individual who, under the direct supervision and control of a pharmacist, may perform packaging, manipulative, repetitive or other nondiscretionary tasks related to the processing of a prescription or medication order and who assists the pharmacist in the performance of pharmacy related duties, but who

does not perform duties restricted to a pharmacist.

(qq) "Practitioner" means a person licensed to practice medicine and surgery, dentist, podiatrist, veterinarian, optometrist or scientific investigator or other person authorized by law to use a prescription-only drug in teaching or chemical analysis or to conduct research with respect to a prescription-only drug.

(rr) "Preceptor" means a licensed pharmacist who possesses at least two years' experience as a pharmacist and who supervises students obtaining the pharmaceutical experience required by law as a condition to taking the examination for licensure as a pharmacist.

(ss) "Prescriber" means a practitioner or a mid-level practitioner.

(tt) "Prescription" or "prescription order" means: (1) An order to be filled by a pharmacist for prescription medication issued and signed by a prescriber in the authorized course of such prescriber's professional practice; or (2) an order transmitted to a pharmacist through word of mouth, note, telephone or other means of communication directed by such prescriber, regardless of whether the communication is oral, electronic, facsimile or in printed form.

(uu) "Prescription medication" means any drug, including label and container according to context, which is dispensed pursuant to a prescription order.

(vv) "Prescription-only drug" means any drug whether intended for use by ~~man~~ human or animal, required by federal or state law, including 21 U.S.C. § 353, to be dispensed only pursuant to a written or oral prescription or order of a practitioner or is restricted to use by practitioners only.

(ww) "Probation" means the practice or operation under a temporary license, registration or permit or a conditional license, registration or permit of a business or profession for which a license, registration or permit is granted by the board under the provisions of the pharmacy act of the state of Kansas requiring certain actions to be accomplished or certain actions not to occur before a regular license, registration or permit is issued.

(xx) "Professional incompetency" means:

(1) One or more instances involving failure to adhere to the applicable standard of pharmaceutical care to a degree which constitutes gross negligence, as determined by the board;

(2) repeated instances involving failure to adhere to the applicable standard of pharmaceutical care to a degree which constitutes ordinary negligence, as determined by the board; or

(3) a pattern of pharmacy practice or other behavior which demonstrates a manifest incapacity or incompetence to practice pharmacy.

(yy) "Readily retrievable" means that records kept by automatic data processing applications or other electronic or mechanized record-keeping systems can be separated out from all other records within a reasonable time not to exceed 48 hours of a request from the board or other authorized agent or that hard-copy records are kept on which certain items are asterisked, redlined or in some other manner visually identifiable apart from other items appearing on the records.

(zz) "Retail dealer" means a person selling at retail nonprescription drugs which are prepackaged, fully prepared by the manufacturer or distributor for use by the consumer and labeled in accordance with the requirements of the state and federal food, drug and cosmetic acts. Such nonprescription drugs shall not include: (1) A controlled substance;

(2) a prescription-only drug; or (3) a drug intended for human use by hypodermic injection.

(aaa) "Secretary" means the executive secretary of the board.

(bbb) "Third party logistics provider" means an entity that: (1) Provides or coordinates warehousing, distribution or other services on behalf of a manufacturer, but does not take title to the prescription drug or have general responsibility to direct the prescription drug's sale or disposition; (2) is registered as a wholesale distributor under the pharmacy act of the state of Kansas; and (3) to be considered part of the normal distribution channel, must also be an authorized distributor of record.

(ccc) "Unprofessional conduct" means:

(1) Fraud in securing a registration or permit;

(2) intentional adulteration or mislabeling of any drug, medicine, chemical or poison;

(3) causing any drug, medicine, chemical or poison to be adulterated or mislabeled, knowing the same to be adulterated or mislabeled;

(4) intentionally falsifying or altering records or prescriptions;

(5) unlawful possession of drugs and unlawful diversion of drugs to others;

(6) willful betrayal of confidential information under K.S.A. 65-1654, and amendments thereto;

(7) conduct likely to deceive, defraud or harm the public;

(8) making a false or misleading statement regarding the licensee's professional practice or the efficacy or value of a drug;

(9) commission of any act of sexual abuse, misconduct or exploitation related to the licensee's professional practice; or

(10) performing unnecessary tests, examinations or services which have no legitimate pharmaceutical purpose.

(ddd) "Vaccination protocol" means a written protocol, agreed to by a pharmacist and a person licensed to practice medicine and surgery by the state board of healing arts, which establishes procedures and recordkeeping and reporting requirements for administering a vaccine by the pharmacist for a period of time specified therein, not to exceed two years.

(eee) "Valid prescription order" means a prescription that is issued for a legitimate medical purpose by an individual prescriber licensed by law to administer and prescribe drugs and acting in the usual course of such prescriber's professional practice. A prescription issued solely on the basis of an internet-based questionnaire or consultation without an appropriate prescriber-patient relationship is not a valid prescription order.

(fff) "Veterinary medical teaching hospital pharmacy" means any location where prescription-only drugs are stored as part of an accredited college of veterinary medicine and from which prescription-only drugs are distributed for use in treatment of or administration to a nonhuman.

(ggg) "Wholesale distributor" means any person engaged in wholesale distribution of prescription drugs or devices in or into the state, including, but not limited to, manufacturers, repackagers, own-label distributors, private-label distributors, jobbers, brokers, warehouses, including manufacturers' and distributors' warehouses, co-licensees, exclusive distributors, third party logistics providers, chain pharmacy warehouses that conduct wholesale distributions, and wholesale drug warehouses, independent wholesale drug traders and retail pharmacies that conduct wholesale

distributions. Wholesale distributor shall not include persons engaged in the sale of durable medical equipment to consumers or patients.

(hhh) "Wholesale distribution" means the distribution of prescription drugs or devices by wholesale distributors to persons other than consumers or patients, and includes the transfer of prescription drugs by a pharmacy to another pharmacy if the total number of units of transferred drugs during a twelve-month period does not exceed 5% of the total number of all units dispensed by the pharmacy during the immediately preceding twelve-month period. Wholesale distribution does not include:

(1) The sale, purchase or trade of a prescription drug or device, an offer to sell, purchase or trade a prescription drug or device or the dispensing of a prescription drug or device pursuant to a prescription;

(2) the sale, purchase or trade of a prescription drug or device or an offer to sell, purchase or trade a prescription drug or device for emergency medical reasons;

(3) intracompany transactions, as defined in this section, unless in violation of own use provisions;

(4) the sale, purchase or trade of a prescription drug or device or an offer to sell, purchase or trade a prescription drug or device among hospitals, chain pharmacy warehouses, pharmacies or other health care entities that are under common control;

(5) the sale, purchase or trade of a prescription drug or device or the offer to sell, purchase or trade a prescription drug or device by a charitable organization described in 503(c)(3) of the internal revenue code of 1954 to a nonprofit affiliate of the organization to the extent otherwise permitted by law;

(6) the purchase or other acquisition by a hospital or other similar health care entity that is a member of a group purchasing organization of a prescription drug or device for its own use from the group purchasing organization or from other hospitals or similar health care entities that are members of these organizations;

(7) the transfer of prescription drugs or devices between pharmacies pursuant to a centralized prescription processing agreement;

(8) the sale, purchase or trade of blood and blood components intended for transfusion;

(9) the return of recalled, expired, damaged or otherwise non-salable prescription drugs, when conducted by a hospital, health care entity, pharmacy, chain pharmacy warehouse or charitable institution in accordance with the board's rules and regulations;

(10) the sale, transfer, merger or consolidation of all or part of the business of a retail pharmacy or pharmacies from or with another retail pharmacy or pharmacies, whether accomplished as a purchase and sale of stock or business assets, in accordance with the board's rules and regulations;

(11) the distribution of drug samples by manufacturers' and authorized distributors' representatives;

(12) the sale of minimal quantities of drugs by retail pharmacies to licensed practitioners for office use; or

(13) the sale or transfer from a retail pharmacy or chain pharmacy warehouse of expired, damaged, returned or recalled prescription drugs to the original manufacturer, originating wholesale distributor or to a third party returns processor in accordance with the board's rules and regulations.

Sec. 100. On and after January 1, 2017, K.S.A. 2015 Supp. 65-4101 is hereby amended to read as follows: 65-4101. As used in this act: (a) "Administer" means the

direct application of a controlled substance, whether by injection, inhalation, ingestion or any other means, to the body of a patient or research subject by:

(1) A practitioner or pursuant to the lawful direction of a practitioner; or

(2) the patient or research subject at the direction and in the presence of the practitioner.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor or dispenser. It does not include a common carrier, public warehouseman or employee of the carrier or warehouseman.

(c) "Application service provider" means an entity that sells electronic prescription or pharmacy prescription applications as a hosted service where the entity controls access to the application and maintains the software and records on its server.

(d) "Board" means the state board of pharmacy.

(e) "Bureau" means the bureau of narcotics and dangerous drugs, United States department of justice, or its successor agency.

(f) "Controlled substance" means any drug, substance or immediate precursor included in any of the schedules designated in K.S.A. 65-4105, 65-4107, 65-4109, 65-4111 and 65-4113, and amendments thereto.

(g) (1) "Controlled substance analog" means a substance that is intended for human consumption, and:

(A) The chemical structure of which is substantially similar to the chemical structure of a controlled substance listed in or added to the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto;

(B) which has a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto; or

(C) with respect to a particular individual, which such individual represents or intends to have a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto.

(2) "Controlled substance analog" does not include:

(A) A controlled substance;

(B) a substance for which there is an approved new drug application; or

(C) a substance with respect to which an exemption is in effect for investigational use by a particular person under section 505 of the federal food, drug and cosmetic act, 21 U.S.C. § 355, to the extent conduct with respect to the substance is permitted by the exemption.

(h) "Counterfeit substance" means a controlled substance which, or the container or labeling of which, without authorization bears the trademark, trade name or other identifying mark, imprint, number or device or any likeness thereof of a manufacturer, distributor or dispenser other than the person who in fact manufactured, distributed or dispensed the substance.

(i) "Cultivate" means the planting or promotion of growth of five or more plants which contain or can produce controlled substances.

(j) "DEA" means the U.S. department of justice, drug enforcement administration.

(k) "Deliver" or "delivery" means the actual, constructive or attempted transfer

from one person to another of a controlled substance, whether or not there is an agency relationship.

(l) "Dispense" means to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the packaging, labeling or compounding necessary to prepare the substance for that delivery, or pursuant to the prescription of a mid-level practitioner.

(m) "Dispenser" means a practitioner or pharmacist who dispenses, or a physician assistant who has authority to dispense prescription-only drugs in accordance with K.S.A. 65-28a08(b), and amendments thereto.

(n) "Distribute" means to deliver other than by administering or dispensing a controlled substance.

(o) "Distributor" means a person who distributes.

(p) "Drug" means: (1) Substances recognized as drugs in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary or any supplement to any of them; (2) substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in ~~man~~ human or animals; (3) substances (other than food) intended to affect the structure or any function of the body of ~~man~~ human or animals; and (4) substances intended for use as a component of any article specified in paragraph (1), (2) or (3) ~~of this subsection~~. It does not include devices or their components, parts or accessories.

(q) "Immediate precursor" means a substance which the board has found to be and by rule and regulation designates as being the principal compound commonly used or produced primarily for use and which is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance, the control of which is necessary to prevent, curtail or limit manufacture.

(r) "Electronic prescription" means an electronically prepared prescription that is authorized and transmitted from the prescriber to the pharmacy by means of electronic transmission.

(s) "Electronic prescription application" means software that is used to create electronic prescriptions and that is intended to be installed on the prescriber's computers and servers where access and records are controlled by the prescriber.

(t) "Electronic signature" means a confidential personalized digital key, code, number or other method for secure electronic data transmissions which identifies a particular person as the source of the message, authenticates the signatory of the message and indicates the person's approval of the information contained in the transmission.

(u) "Electronic transmission" means the transmission of an electronic prescription, formatted as an electronic data file, from a prescriber's electronic prescription application to a pharmacy's computer, where the data file is imported into the pharmacy prescription application.

(v) "Electronically prepared prescription" means a prescription that is generated using an electronic prescription application.

(w) "Facsimile transmission" or "fax transmission" means the transmission of a digital image of a prescription from the prescriber or the prescriber's agent to the pharmacy. "Facsimile transmission" includes, but is not limited to, transmission of a written prescription between the prescriber's fax machine and the pharmacy's fax machine; transmission of an electronically prepared prescription from the prescriber's

electronic prescription application to the pharmacy's fax machine, computer or printer; or transmission of an electronically prepared prescription from the prescriber's fax machine to the pharmacy's fax machine, computer or printer.

(x) "Intermediary" means any technology system that receives and transmits an electronic prescription between the prescriber and the pharmacy.

(y) "Isomer" means all enantiomers and diastereomers.

(z) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance either directly or indirectly or by extraction from substances of natural origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a controlled substance by an individual for the individual's own lawful use or the preparation, compounding, packaging or labeling of a controlled substance:

(1) By a practitioner or the practitioner's agent pursuant to a lawful order of a practitioner as an incident to the practitioner's administering or dispensing of a controlled substance in the course of the practitioner's professional practice; or

(2) by a practitioner or by the practitioner's authorized agent under such practitioner's supervision for the purpose of or as an incident to research, teaching or chemical analysis or by a pharmacist or medical care facility as an incident to dispensing of a controlled substance.

(aa) "Marijuana" means all parts of all varieties of the plant Cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil, or cake or the sterilized seed of the plant which is incapable of germination.

(bb) "Medical care facility" shall have the meaning ascribed to that term in K.S.A. 65-425, and amendments thereto.

(cc) "Mid-level practitioner" means a certified nurse-midwife engaging in the independent practice of midwifery under the independent practice of midwifery act, an advanced practice registered nurse issued a license pursuant to K.S.A. 65-1131, and amendments thereto, who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-1130, and amendments thereto, or a physician assistant licensed under the physician assistant licensure act who has authority to prescribe drugs ~~prior to January 11, 2016, pursuant to a written protocol with a responsible physician under K.S.A. 65-28a08, and amendments thereto, and on and after January 11, 2016,~~ pursuant to a written agreement with a supervising physician under K.S.A. 65-28a08, and amendments thereto.

(dd) "Narcotic drug" means any of the following whether produced directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis:

(1) Opium and opiate and any salt, compound, derivative or preparation of opium or opiate;

(2) any salt, compound, isomer, derivative or preparation thereof which is

chemically equivalent or identical with any of the substances referred to in paragraph (1) but not including the isoquinoline alkaloids of opium;

(3) opium poppy and poppy straw;

(4) coca leaves and any salt, compound, derivative or preparation of coca leaves, and any salt, compound, isomer, derivative or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves which do not contain cocaine or ecgonine.

(ee) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. It does not include, unless specifically designated as controlled under K.S.A. 65-4102, and amendments thereto, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). It does include its racemic and levorotatory forms.

(ff) "Opium poppy" means the plant of the species Papaver somniferum l. except its seeds.

(gg) "Person" means an individual, corporation, government, or governmental subdivision or agency, business trust, estate, trust, partnership or association or any other legal entity.

(hh) "Pharmacist" means any natural person licensed under K.S.A. 65-1625 et seq., and amendments thereto, to practice pharmacy.

(ii) "Pharmacist intern" means: (1) A student currently enrolled in an accredited pharmacy program; (2) a graduate of an accredited pharmacy program serving such person's internship; or (3) a graduate of a pharmacy program located outside of the United States which is not accredited and who had successfully passed equivalency examinations approved by the board.

(jj) "Pharmacy prescription application" means software that is used to process prescription information, is installed on a pharmacy's computers and servers, and is controlled by the pharmacy.

(kk) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(ll) "Practitioner" means a person licensed to practice medicine and surgery, dentist, podiatrist, veterinarian, optometrist, or scientific investigator or other person authorized by law to use a controlled substance in teaching or chemical analysis or to conduct research with respect to a controlled substance.

(mm) "Prescriber" means a practitioner or a mid-level practitioner.

(nn) "Production" includes the manufacture, planting, cultivation, growing or harvesting of a controlled substance.

(oo) "Readily retrievable" means that records kept by automatic data processing applications or other electronic or mechanized recordkeeping systems can be separated out from all other records within a reasonable time not to exceed 48 hours of a request from the board or other authorized agent or that hard-copy records are kept on which certain items are asterisked, redlined or in some other manner visually identifiable apart from other items appearing on the records.

(pp) "Ultimate user" means a person who lawfully possesses a controlled substance for such person's own use or for the use of a member of such person's household or for administering to an animal owned by such person or by a member of such person's household.";

Also on page 11, in line 30, after the first "K.S.A." by inserting "59-29b54, 59-29b61, 65-4016, 65-5806, 65-5808, 65-6314, 65-6407, 65-6408, 65-6411, 74-5311, 74-5318, 74-5319, 74-5320, 74-5321, 74-5325, 74-5326, 74-5327, 74-5328, 74-5332, 74-5333, 74-5334, 74-5336, 74-5338, 74-5361, 74-5362, 74-5363, 74-5365, 74-5370, 75-6115 and"; also in line 30, after "Supp." by inserting "59-29b46, 59-3077,"; in line 31, before "and" by inserting ", 65-2872, 65-2901, 65-2913, 65-4024a, 65-5807, 65-5809, 65-5815, 65-6309, 65-6311, 65-6313, 65-6405, 65-6406, 65-6412, 65-6607, 65-6608, 65-6609, 65-6610, 65-6611, 65-6612, 65-6613, 65-6614, 65-6615, 65-6616, 65-6617, 65-6618, 65-6619, 65-6620, 74-5310, 74-5315, 74-5316, 74-5324, 74-5337, 74-5367, 74-5369, 74-5375, 74-5376, 74-7507, 74-7508";

Also on page 11, following line 31, by inserting:

"Sec. 102. On and after January 1, 2017, K.S.A. 2015 Supp. 65-1130, 65-1626 and 65-4101 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, by striking all in lines 1 through 4 and inserting:

"AN ACT concerning healthcare providers; relating to powers, duties and functions thereof; licensure requirements; regulation; acupuncturists; certified nurse-midwives; physical therapists; professions regulated by the behavioral science regulatory board; amending K.S.A. 59-29b54, 59-29b61, 65-4016, 65-5806, 65-5808, 65-6314, 65-6407, 65-6408, 65-6411, 74-5311, 74-5318, 74-5361, 74-5362, 74-5363, 74-5365, 74-5370, 75-6115 and 75-6120 and K.S.A. 2015 Supp. 59-29b46, 59-3077, 65-1130, 65-1431, 65-1626, 65-2809, 65-2872, 65-2901, 65-2913, 65-4024a, 65-4101, 65-5807, 65-5809, 65-6309, 65-6311, 65-6313, 65-6405, 65-6406, 65-6607, 65-6608, 65-6609, 65-6610, 65-6611, 65-6612, 65-6613, 65-6614, 65-6615, 65-6616, 65-6617, 65-6618, 65-6620, 74-5310, 74-5315, 74-5316, 74-5324, 74-5367, 74-5369, 74-5375, 74-5376, 74-7507, 74-7508 and 75-6102 and repealing the existing sections; also repealing K.S.A. 74-5319, 74-5320, 74-5321, 74-5325, 74-5326, 74-5327, 74-5328, 74-5332, 74-5333, 74-5334, 74-5336 and 74-5338 and K.S.A. 2015 Supp. 65-5815, 65-6412, 65-6619 and 74-5337.";

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

Michael O'Donnell, II
Elaine Bowers
Conferees on part of Senate

Daniel R. Hawkins
Willie O. Dove
Conferees on part of House

On motion of Rep. Hawkins, the conference committee report on **HB 2615** was adopted.

On roll call, the vote was: Yeas 115; Nays 7; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber,

Goico, Gonzalez, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Wolfe Moore.

Nays: Grosserode, Houser, K. Jones, McPherson, Rubin, Schwab, Winn.

Present but not voting: None.

Absent or not voting: Edmonds, Ewy, Schroeder.

The House stood at ease until the sound of the gavel.

Rep. Merrick called the House to order.

PERSONAL PRIVILEGE

Rep. Hedke addressed remarks to the members of the House.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **SB 248**.

The Senate adopts the Conference Committee report on **H Sub for SB 280**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 402** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 402 as follows:

On page 1, by striking all in lines 6 through 36;

By striking all in pages 2 through 7;

On page 8, by striking all in lines 1 through 5; following line 5, by inserting:

"Section 1. K.S.A. 2015 Supp. 39-702 is hereby amended to read as follows: 39-702. The following words and phrases when used in this act shall, for the purposes of this act, have the meanings respectively ascribed to them in this section:

(a) "Secretary" means the secretary for children and families, unless otherwise specified.

(b) "Applicants" means all persons who, as individuals, or in whose behalf requests are made of the secretary for aid or assistance.

(c) "Social welfare service" may include such functions as giving assistance, the prevention of public dependency, and promoting the rehabilitation of dependent persons or those who are approaching public dependency.

(d) "Assistance" includes such items or functions as the giving or providing of money, food assistance, food, clothing, shelter, medicine or other materials, the giving of any service, including instructive or scientific. The definitions of social welfare service and assistance in this section shall be deemed as partially descriptive and not limiting.

(e) "Temporary assistance to needy families" means financial assistance with respect to or on behalf of a dependent child or dependent children and includes financial assistance for any month to meet the needs of the relative or qualifying caretaker with whom any dependent child is living.

(f) "Medical assistance" means the payment of all or part of the cost of necessary: (1) Medical, remedial, rehabilitative or preventive care and services ~~which~~ that are within the scope of services to be provided under a medical care plan developed by the secretary pursuant to this act and furnished by health care providers who have a current approved provider agreement with the secretary; and (2) transportation to obtain care and services ~~which~~ that are within the scope of services to be provided under a medical care plan developed by the secretary pursuant to this act.

(g) "Dependent children" means needy children under the age of 18, or who are under the age of 19 and are full-time students in secondary schools or the equivalent educational program who are in the care of a biological or adoptive parent, court appointed guardian, conservator or legal custodian and who are living with any relative, including first cousins, uncles, aunts, and persons of preceding generations are denoted by prefixes of grand, great, or great-great, and including the spouses or former spouses of any persons named in the above groups, in a place of residence maintained by one or more of such relatives as their own home.

(h) "The blind" means not only those who are totally and permanently devoid of vision, but also those persons whose vision is so defective as to prevent the performance of ordinary activities for which eyesight is essential.

(i) "Recipient" means a person who has received assistance under the terms of this act.

(j) "Intake office" means the place where the secretary shall maintain an office for receiving applications.

(k) "Adequate consideration" means consideration equal, or reasonably proportioned to the value of that for which it is given.

(l) "Title IV-D" means part D of title IV of the federal social security act, ~~(~~42 U.S.C. § 651 et seq.~~)~~, as in effect on May 1, 1997.

(m) "TANF diversion assistance" means a one-time voluntary payment option in lieu of ongoing TANF assistance. The diversion payment is available to applicants who have not received TANF assistance as an adult, and is designed to meet a crisis or emergency hardship that would endanger such applicants' ability to remain employed or to accept an offer of employment. Any household that includes such recipient accepting the diversion payment is ineligible to receive on-going TANF assistance for 12 months after receipt of the diversion payment. Any recipient who receives a diversion payment is limited to ~~42~~ 18 months of TANF cash assistance in a lifetime, unless such recipient shall meet a hardship criteria as defined by the secretary.

(n) "Non-cooperation" means the failure of the applicant or recipient to comply with all requirements provided in state and federal law, rules and regulations and agency policy.

Sec. 2. K.S.A. 2015 Supp. 39-709 is hereby amended to read as follows: 39-709. (a) *General eligibility requirements for assistance for which federal moneys are expended.* Subject to the additional requirements below, assistance in accordance with plans under which federal moneys are expended may be granted to any needy person who:

(1) Has insufficient income or resources to provide a reasonable subsistence compatible with decency and health. Where a husband and wife or cohabiting partners are living together, the combined income or resources of both shall be considered in determining the eligibility of either or both for such assistance unless otherwise prohibited by law. The secretary, in determining need of any applicant for or recipient of assistance shall not take into account the financial responsibility of any individual for any applicant or recipient of assistance unless such applicant or recipient is such individual's spouse, cohabiting partner or such individual's minor child or minor stepchild if the stepchild is living with such individual. The secretary in determining need of an individual may provide such income and resource exemptions as may be permitted by federal law. For purposes of eligibility for temporary assistance for needy families, for food assistance and for any other assistance provided through the Kansas department for children and families under which federal moneys are expended, the secretary for children and families shall consider one motor vehicle owned by the applicant for assistance, regardless of the value of such vehicle, as exempt personal property and shall consider any equity in any boat, personal water craft, recreational vehicle, recreational off-highway vehicle or all-terrain vehicle, as defined by K.S.A. 8-126, and amendments thereto, or any additional motor vehicle owned by the applicant for assistance to be a nonexempt resource of the applicant for assistance except that any additional motor vehicle used by the applicant, the applicant's spouse or the applicant's cohabiting partner for the primary purpose of earning income may be considered as exempt personal property in the secretary's discretion.

(2) Is a citizen of the United States or is an alien lawfully admitted to the United States and who is residing in the state of Kansas.

(b) *Temporary assistance for needy families.* Assistance may be granted under this act to any dependent child, or relative, subject to the general eligibility requirements as set out in subsection (a), who resides in the state of Kansas or whose parent or other relative with whom the child is living resides in the state of Kansas. Such assistance shall be known as temporary assistance for needy families. ~~On and after January 1, 2017, the department shall conduct an electronic check for any false information provided on an application for TANF and other benefits programs administered by the department.~~ Where the husband and wife or cohabiting partners are living together, both shall register for work under the program requirements for temporary assistance for needy families in accordance with criteria and guidelines prescribed by rules and regulations of the secretary.

(1) As used in this subsection, "family group" or "household" means the applicant or recipient for TANF, child care subsidy or employment services and all individuals living together in which there is a relationship of legal responsibility or a qualifying caretaker relationship. This will include a cohabiting boyfriend or girlfriend living with the person legally responsible for the child. The family group shall not be eligible for TANF if the family group contains at least one adult member who has received TANF, including the federal TANF assistance received in any other state, for ~~36~~ 24 calendar

months beginning on and after October 1, 1996, unless the secretary determines a hardship exists and grants an extension allowing receipt of TANF until the ~~48-month~~ 36-month limit is reached. No extension beyond ~~48~~ 36 months shall be granted. Hardship provisions for a recipient include:

(A) Is a caretaker of a disabled family member living in the household;

(B) has a disability which precludes employment on a long-term basis or requires substantial rehabilitation;

(C) needs a time limit extension to overcome the effects of domestic violence/sexual assault;

(D) is involved with prevention and protection services (PPS) and has an open social service plan; or

(E) is determined by the ~~36th~~ 24th month to have an extreme hardship other than what is designated in criteria listed in subparagraphs (A) through ~~(E)~~ (D). This determination will be made by the executive review team.

(2) All adults applying for TANF shall be required to complete a work program assessment as specified by the Kansas department for children and families, including those who have been disqualified for or denied TANF due to non-cooperation, drug testing requirements or fraud. Adults who are not otherwise eligible for TANF, such as ineligible aliens, relative/non-relative caretakers and adults receiving supplemental security income are not required to complete the assessment process. During the application processing period, applicants must complete at least one module or its equivalent of the work program assessment to be considered eligible for TANF benefits, unless good cause is found to be exempt from the requirements. Good cause exemptions shall only include:

(A) The applicant can document an existing certification verifying completion of the work program assessment;

(B) the applicant has a valid offer of employment or is employed a minimum of 20 hours a week;

(C) the applicant is a parenting teen without a GED or high school diploma;

(D) the applicant is enrolled in job corps;

(E) the applicant is working with a refugee social services agency; or

(F) the applicant has completed the work program assessment within the last 12 months.

(3) The department for children and families shall maintain a sufficient level of dedicated work program staff to enable the agency to conduct work program case management services to TANF recipients in a timely manner and in full accordance with state law and agency policy.

(4) TANF mandatory work program applicants and recipients shall participate in work components that lead to competitive, integrated employment. Components are defined by the federal government as being either primary or secondary. In order to meet federal work participation requirements, households need to meet at least 30 hours of participation per week, at least 20 hours of which need to be primary and at least 10 hours may be secondary components in one parent households where the youngest child is six years of age or older. Participation hours shall be 55 hours in two parent households (35 hours per week if child care is not used). The maximum assignment is 40 hours per week per individual. For two parent families to meet the federal work participation rate both parents must participate in a combined total of 55 hours per

week, 50 hours of which must be in primary components, or one or both parents could be assigned a combined total of 35 hours per week (30 hours of which must be primary components) if department for children and families paid child care is not received by the family. Single parent families with a child under age six meet the federal participation requirement if the parent is engaged in work or work activities for at least 20 hours per week in a primary work component. The following components meet federal definitions of primary hours of participation: Full or part-time employment, apprenticeship, work study, self-employment, job corps, subsidized employment, work experience sites, on-the-job training, supervised community service, vocational education, job search and job readiness. Secondary components include: Job skills training, education directly related to employment such as adult basic education and English as a second language, and completion of a high school diploma or GED.

(5) A parent or other adult caretaker personally providing care for a child under the age of three months in their TANF household is exempt from work participation activities until the month the child turns three months of age. Such three-month limitation shall not apply to a parent or other adult caretaker who is personally providing care for a child born significantly premature, with serious medical conditions or with a disability as defined by the secretary, in consultation with the secretary of health and environment, and adopted in the rules and regulations. The three-month period is defined as two consecutive months starting with the month after childbirth. The exemption for caring for a child under three months cannot be claimed:

(A) By either parent when two parents are in the home and the household meets the two-parent definition for federal reporting purposes;

(B) by one parent or caretaker when the other parent or caretaker is in the home, and available, capable and suitable to provide care and the household does not meet the two-parent definition for federal reporting purposes;

(C) by a person age 19 or younger when such person is pregnant or a parent of a child in the home and the person does not possess a high school diploma or its equivalent. Such person shall become exempt the month such person turns age 20; or

(D) ~~by any adult in the TANF assistance plan when at least one adult has reached the 36 months of TANF cash assistance; or~~

~~(E)~~ by any person assigned to a work participation activity for substance use disorders.

(6) TANF work experience placements shall be reviewed after 90 days and are limited to six months per ~~48-month~~ 24-month lifetime limit. A client's progress shall be reviewed prior to each new placement regardless of the length of time they are at the work experience site.

(7) TANF participants with disabilities shall engage in required employment activities to the maximum extent consistent with their abilities. TANF participants shall provide current documentation by a qualified medical practitioner that details the abilities to engage in employment and any limitations in work activities along with the expected duration of such limitations. Disability is defined as a physical or mental impairment constituting or resulting in a substantial impediment to employment for such individual.

(8) Non-cooperation is the failure of the applicant or recipient to comply with all requirements provided in state and federal law, federal and state rules and regulations and agency policy. The period of ineligibility for TANF benefits based on non-

cooperation with work programs shall be as follows:

(A) For a first penalty, three months and full cooperation with work program activities;

(B) for a second penalty, six months and full cooperation with work program activities;

(C) for a third penalty, one year and full cooperation with work program activities; and

(D) for a fourth or subsequent penalty, 10 years.

(9) Individuals that have not cooperated with TANF work programs shall be ineligible to participate in the food assistance program. The comparable penalty shall be applied to only the individual in the food assistance program who failed to comply with the TANF work requirement. The agency shall impose the same penalty to the member of the household who failed to comply with TANF requirements. The penalty periods are three months, six months, one year, or 10 years.

(10) Non-cooperation is the failure of the applicant or recipient to comply with all requirements provided in state and federal law, federal and state rules and regulations and agency policy. The period of ineligibility for child care subsidy or TANF benefits based on parents' non-cooperation with child support services shall be as follows:

(A) For the first penalty, three months and cooperation with child support services prior to regaining eligibility;

(B) for a second penalty, six months and cooperation with child support services prior to regaining eligibility;

(C) for a third penalty, one year and cooperation with child support services prior to regaining eligibility; and

(D) for a fourth penalty, 10 years.

(11) Individuals that have not cooperated without good cause with child support services shall be ineligible to participate in the food assistance program. The period of disqualification ends once it has been determined that such individual is cooperating with child support services.

(12) (A) Any individual who is found to have committed fraud or is found guilty of the crime of theft pursuant to K.S.A. 39-720 and K.S.A. 2015 Supp. 21-5801, and amendments thereto, in either the TANF or child care program shall render all adults in the family unit ineligible for TANF assistance. Adults in the household who were determined to have committed fraud or were convicted of the crime of theft pursuant to K.S.A. 39-720 and K.S.A. 2015 Supp. 21-5801, and amendments thereto, shall render themselves and all adult household members ineligible for their lifetime for TANF, even if fraud was committed in only one program. Households who have been determined to have committed fraud or were convicted of the crime of theft pursuant to K.S.A. 39-720 and K.S.A. 2015 Supp. 21-5801, and amendments thereto, shall be required to name a protective payee as approved by the secretary or the secretary's designee to administer TANF benefits or food assistance on behalf of the children. No adult in a household may have access to the TANF cash assistance benefit.

(B) Any individual that has failed to cooperate with a fraud investigation shall be ineligible to participate in the TANF cash assistance program and the child care subsidy program until the department for children and families determines that such individual is cooperating with the fraud investigation. The department for children and families shall maintain a sufficient level of fraud investigative staff to enable the department to

conduct fraud investigations in a timely manner and in full accordance with state law and department rules and regulations or policies.

(13) (A) Food assistance shall not be provided to any person convicted of a felony offense occurring on or after July 1, 2015, which includes as an element of such offense the manufacture, cultivation, distribution, possession or use of a controlled substance or controlled substance analog. For food assistance, the individual shall be permanently disqualified if they have been convicted of a state or federal felony offense occurring on or after July 1, 2015, involving possession or use of a controlled substance or controlled substance analog.

(B) Notwithstanding the provisions of subparagraph (A), an individual shall be eligible for food assistance if the individual enrolls in and participates in a drug treatment program approved by the secretary, submits to and passes a drug test and agrees to submit to drug testing if requested by the department pursuant to a drug testing plan.

An individual's failure to submit to testing or failure to successfully pass a drug test shall result in ineligibility for food assistance until a drug test is successfully passed. Failure to successfully complete a drug treatment program shall result in ineligibility for food assistance until a drug treatment plan approved by the secretary is successfully completed, the individual passes a drug test and agrees to submit to drug testing if requested by the department pursuant to a drug testing plan.

(C) The provisions of subparagraph (B) shall not apply to any individual who has been convicted for a second or subsequent felony offense as provided in subparagraph (A).

(14) No TANF cash assistance shall be used to purchase alcohol, cigarettes, tobacco products, lottery tickets, concert tickets, professional or collegiate sporting event tickets or tickets for other entertainment events intended for the general public or sexually oriented adult materials. No TANF cash assistance shall be used in any retail liquor store, casino, gaming establishment, jewelry store, tattoo parlor, massage parlor, body piercing parlor, spa, nail salon, lingerie shop, tobacco paraphernalia store, vapor cigarette store, psychic or fortune telling business, bail bond company, video arcade, movie theater, swimming pool, cruise ship, theme park, dog or horse racing facility, parimutuel facility, or sexually oriented business or any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment, or in any business or retail establishment where minors under age 18 are not permitted. ~~TANF cash assistance transactions for cash withdrawals from automated teller machines shall be limited to $25, per transaction and to one transaction per day.~~ No TANF cash assistance shall be used for purchases at points of sale outside the state of Kansas. ~~The secretary for children and families is authorized to raise or rescind the automated teller machine withdrawal limit established by this section in order to ensure continued appropriation of the TANF block grant through compliance with the provisions of the middle class tax relief and job creation act of 2012 which govern adequate access to cash assistance.~~

(15) (A) The secretary for children and families shall place a photograph of the recipient, if agreed to by such recipient of public assistance, on any Kansas benefits card issued by the Kansas department for children and families that the recipient uses in obtaining food, cash or any other services. When a recipient of public assistance is a minor or otherwise incapacitated individual, a parent or legal guardian of such recipient

may have a photograph of such parent or legal guardian placed on the card.

(B) Any Kansas benefits card with a photograph of a recipient shall be valid for voting purposes as a public assistance identification card in accordance with the provisions of K.S.A. 25-2908, and amendments thereto.

(C) As used in this paragraph and its subparagraphs, "Kansas benefits card" means any card issued to provide food assistance, cash assistance or child care assistance, including, but not limited to, the vision card, EBT card and Kansas benefits card.

(D) The Kansas department for children and families shall monitor all recipient requests for a Kansas benefits card replacement and, upon the fourth such request in a 12-month period, send a notice alerting the recipient that the recipient's account is being monitored for potential suspicious activity. If a recipient makes an additional request for replacement subsequent to such notice, the department shall refer the investigation to the department's fraud investigation unit.

(16) The secretary for children and families shall adopt rules and regulations:

(A) In determining eligibility for the child care subsidy program, including an income of a cohabiting partner in a child care household; and

(B) in determining and maintaining eligibility for non-TANF child care, requiring that all included adults shall be employed a minimum of 20 hours per week or more as defined by the secretary or meet the following specific qualifying exemptions:

(i) Adults who are not capable of meeting the requirement due to a documented physical or mental condition;

(ii) adults who are former TANF recipients who need child care for employment after their TANF case has closed and earned income is a factor in the closure in the two months immediately following TANF closure;

(iii) adult parents included in a case in which the only child receiving benefits is the child of a minor parent who is working on completion of high school or obtaining a GED; ~~or~~

(iv) adults who are participants in a ~~mandatory~~ food assistance ~~education~~ employment and training program; or

(v) adults who are participants in an early head start child care partnership program and are working or in school or training.

The department for children and families shall provide child care for the pursuit of any degree or certification if the occupation has at least an average job outlook listed in the occupational outlook of the U.S. department of labor, bureau of labor statistics. For occupations with less than an average job outlook, educational plans shall require approval of the secretary or secretary's designee. Child care may also be approved if the student provides verification of a specific job offer that will be available to such student upon completion of the program. Child care for post-secondary education shall be allowed for a lifetime maximum of 24 months per adult. The 24 months may not have to be consecutive. Students shall be engaged in paid employment for a minimum of 15 hours per week. In a two-parent adult household, child care would not be allowed if both parents are adults and attending a formal education or training program at the same time. The household may choose which one of the parents is participating as a post-secondary student. The other parent shall meet another approvable criteria for child care subsidy.

(17) (A) The secretary for children and families is prohibited from requesting or implementing a waiver or program from the U.S. department of agriculture for the time

limited assistance provisions for able-bodied adults aged 18 through 49 without dependents in a household under the food assistance program. The time on food assistance for able-bodied adults aged 18 through 49 without dependents in the household shall be limited to three months in a 36-month period if such adults are not meeting the requirements imposed by the U.S. department of agriculture that they must work for at least 20 hours per week or participate in a federally approved work program or its equivalent.

(B) Each food assistance household member who is not otherwise exempt from the following work requirements shall: Register for work; participate in an employment and training program, if assigned to such a program by the department; accept a suitable employment offer; and not voluntarily quit a job of at least 30 hours per week.

(C) Any recipient who has not complied with the work requirements under subparagraph (B) shall be ineligible to participate in the food assistance program for the following time period and until the recipient complies with such work requirements:

(i) For a first penalty, three months;

(ii) for a second penalty, six months; and

(iii) for a third penalty and any subsequent penalty, one year.

(18) Eligibility for the food assistance program shall be limited to those individuals who are citizens or who meet qualified non-citizen status as determined by U.S. department of agriculture. Non-citizen individuals who are unable or unwilling to provide qualifying immigrant documentation, as defined by the U.S. department of agriculture, residing within a household shall not be included when determining the household's size for the purposes of assigning a benefit level to the household for food assistance or comparing the household's monthly income with the income eligibility standards. The gross non-exempt earned and unearned income and resources of disqualified individuals shall be counted in its entirety as available to the remaining household members.

(19) The secretary for children and families shall not enact the state option from the U.S. department of agriculture for broad-based categorical eligibility for households applying for food assistance according to the provisions of 7 C.F.R. § 273.2(j)(2)(ii).

(20) No federal or state funds shall be used for television, radio or billboard advertisements that are designed to promote food assistance benefits and enrollment. No federal or state funding shall be used for any agreements with foreign governments designed to promote food assistance.

(21) (A) The secretary for children and families shall not apply gross income standards for food assistance higher than the standards specified in 7 U.S.C. § 2015(c) unless expressly required by federal law. Categorical eligibility exempting households from such gross income standards requirements shall not be granted for any non-cash, in-kind or other benefit unless expressly required by federal law.

(B) The secretary for children and families shall not apply resource limits standards for food assistance that are higher than the standards specified in 7 U.S.C. § 2015(g)(1) unless expressly required by federal law. Categorical eligibility exempting households from such resource limits shall not be granted for any non-cash, in-kind or other benefit unless expressly required by federal law.

(c) (1) On and after January 1, 2017, the department for children and families shall conduct an electronic check for any false information provided on an application for TANF and other benefits programs administered by the department. For TANF cash

assistance, food assistance and the child care subsidy program, the department shall verify the identity of all adults in the assistance household.

(2) The department of administration shall provide monthly to the Kansas department for children and families the social security numbers or alternate taxpayer identification numbers of all persons who claim a Kansas lottery prize in excess of $5,000 during the reported month. The Kansas department for children and families shall verify if individuals with such winnings are receiving TANF cash assistance, food assistance or assistance under the child care subsidy program and take appropriate action. The Kansas department for children and families shall use data received under this subsection solely, and for no other purpose, to determine if any recipient's eligibility for benefits has been affected by lottery prize winnings. The Kansas department for children and families shall not publicly disclose the identity of any lottery prize winner, including recipients who are determined to have illegally received benefits.

(d) *Temporary assistance for needy families; assignment of support rights and limited power of attorney.* By applying for or receiving temporary assistance for needy families such applicant or recipient shall be deemed to have assigned to the secretary on behalf of the state any accrued, present or future rights to support from any other person such applicant may have in such person's own behalf or in behalf of any other family member for whom the applicant is applying for or receiving aid. In any case in which an order for child support has been established and the legal custodian and obligee under the order surrenders physical custody of the child to a caretaker relative without obtaining a modification of legal custody and support rights on behalf of the child are assigned pursuant to this section, the surrender of physical custody and the assignment shall transfer, by operation of law, the child's support rights under the order to the secretary on behalf of the state. Such assignment shall be of all accrued, present or future rights to support of the child surrendered to the caretaker relative. The assignment of support rights shall automatically become effective upon the date of approval for or receipt of such aid without the requirement that any document be signed by the applicant, recipient or obligee. By applying for or receiving temporary assistance for needy families, or by surrendering physical custody of a child to a caretaker relative who is an applicant or recipient of such assistance on the child's behalf, the applicant, recipient or obligee is also deemed to have appointed the secretary, or the secretary's designee, as an attorney-in-fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments representing support payments received by the secretary in behalf of any person applying for, receiving or having received such assistance. This limited power of attorney shall be effective from the date the secretary approves the application for aid and shall remain in effect until the assignment of support rights has been terminated in full.

~~(d)~~ (e) *Requirements for medical assistance for which federal moneys or state moneys or both are expended.* (1) When the secretary has adopted a medical care plan under which federal moneys or state moneys or both are expended, medical assistance in accordance with such plan shall be granted to any person who is a citizen of the United States or who is an alien lawfully admitted to the United States and who is residing in the state of Kansas, whose resources and income do not exceed the levels prescribed by the secretary. In determining the need of an individual, the secretary may provide for income and resource exemptions and protected income and resource levels. Resources from inheritance shall be counted. A disclaimer of an inheritance pursuant to

K.S.A. 59-2291, and amendments thereto, shall constitute a transfer of resources. The secretary shall exempt principal and interest held in irrevocable trust pursuant to K.S.A. 16-303(c), and amendments thereto, from the eligibility requirements of applicants for and recipients of medical assistance. Such assistance shall be known as medical assistance.

(2) For the purposes of medical assistance eligibility determinations on or after July 1, 2004, if an applicant or recipient owns property in joint tenancy with some other party and the applicant or recipient of medical assistance has restricted or conditioned their interest in such property to a specific and discrete property interest less than 100%, then such designation will cause the full value of the property to be considered an available resource to the applicant or recipient. Medical assistance eligibility for receipt of benefits under the title XIX of the social security act, commonly known as medicaid, shall not be expanded, as provided for in the patient protection and affordable care act, public law 111-148, 124 stat. 119, and the health care and education reconciliation act of 2010, public law 111-152, 124 stat. 1029, unless the legislature expressly consents to, and approves of, the expansion of medicaid services by an act of the legislature.

(3) (A) Resources from trusts shall be considered when determining eligibility of a trust beneficiary for medical assistance. Medical assistance is to be secondary to all resources, including trusts, that may be available to an applicant or recipient of medical assistance.

(B) If a trust has discretionary language, the trust shall be considered to be an available resource to the extent, using the full extent of discretion, the trustee may make any of the income or principal available to the applicant or recipient of medical assistance. Any such discretionary trust shall be considered an available resource unless: (i) At the time of creation or amendment of the trust, the trust states a clear intent that the trust is supplemental to public assistance; and (ii) the trust: (a) Is funded from resources of a person who, at the time of such funding, owed no duty of support to the applicant or recipient of medical assistance; or (b) is funded not more than nominally from resources of a person while that person owed a duty of support to the applicant or recipient of medical assistance.

(C) For the purposes of this paragraph, "public assistance" includes, but is not limited to, medicaid, medical assistance or title XIX of the social security act.

(4) (A) When an applicant or recipient of medical assistance is a party to a contract, agreement or accord for personal services being provided by a nonlicensed individual or provider and such contract, agreement or accord involves health and welfare monitoring, pharmacy assistance, case management, communication with medical, health or other professionals, or other activities related to home health care, long term care, medical assistance benefits, or other related issues, any moneys paid under such contract, agreement or accord shall be considered to be an available resource unless the following restrictions are met: (i) The contract, agreement or accord must be in writing and executed prior to any services being provided; (ii) the moneys paid are in direct relationship with the fair market value of such services being provided by similarly situated and trained nonlicensed individuals; (iii) if no similarly situated nonlicensed individuals or situations can be found, the value of services will be based on federal hourly minimum wage standards; (iv) such individual providing the services will report all receipts of moneys as income to the appropriate state and federal governmental revenue agencies; (v) any amounts due under such contract, agreement or accord shall

be paid after the services are rendered; (vi) the applicant or recipient shall have the power to revoke the contract, agreement or accord; and (vii) upon the death of the applicant or recipient, the contract, agreement or accord ceases.

(B) When an applicant or recipient of medical assistance is a party to a written contract for personal services being provided by a licensed health professional or facility and such contract involves health and welfare monitoring, pharmacy assistance, case management, communication with medical, health or other professionals, or other activities related to home health care, long term care, medical assistance benefits or other related issues, any moneys paid in advance of receipt of services for such contracts shall be considered to be an available resource.

(5) Any trust may be amended if such amendment is permitted by the Kansas uniform trust code.

~~(e)~~ (f) *Eligibility for medical assistance of resident receiving medical care outside state.* A person who is receiving medical care including long-term care outside of Kansas whose health would be endangered by the postponement of medical care until return to the state or by travel to return to Kansas, may be determined eligible for medical assistance if such individual is a resident of Kansas and all other eligibility factors are met. Persons who are receiving medical care on an ongoing basis in a long-term medical care facility in a state other than Kansas and who do not return to a care facility in Kansas when they are able to do so, shall no longer be eligible to receive assistance in Kansas unless such medical care is not available in a comparable facility or program providing such medical care in Kansas. For persons who are minors or who are under guardianship, the actions of the parent or guardian shall be deemed to be the actions of the child or ward in determining whether or not the person is remaining outside the state voluntarily.

~~(f)~~ (g) *Medical assistance; assignment of rights to medical support and limited power of attorney; recovery from estates of deceased recipients.* (1) (A) Except as otherwise provided in K.S.A. 39-786 and 39-787, and amendments thereto, or as otherwise authorized on and after September 30, 1989, under section 303 of the federal medicare catastrophic coverage act of 1988, whichever is applicable, by applying for or receiving medical assistance under a medical care plan in which federal funds are expended, any accrued, present or future rights to support and any rights to payment for medical care from a third party of an applicant or recipient and any other family member for whom the applicant is applying shall be deemed to have been assigned to the secretary on behalf of the state. The assignment shall automatically become effective upon the date of approval for such assistance without the requirement that any document be signed by the applicant or recipient. By applying for or receiving medical assistance the applicant or recipient is also deemed to have appointed the secretary, or the secretary's designee, as an attorney in fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments, representing payments received by the secretary in on behalf of any person applying for, receiving or having received such assistance. This limited power of attorney shall be effective from the date the secretary approves the application for assistance and shall remain in effect until the assignment has been terminated in full. The assignment of any rights to payment for medical care from a third party under this subsection shall not prohibit a health care provider from directly billing an insurance carrier for services rendered if the provider has not submitted a claim covering such services to the

secretary for payment. Support amounts collected on behalf of persons whose rights to support are assigned to the secretary only under this subsection and no other shall be distributed pursuant to K.S.A. 39-756(d), and amendments thereto, except that any amounts designated as medical support shall be retained by the secretary for repayment of the unreimbursed portion of assistance. Amounts collected pursuant to the assignment of rights to payment for medical care from a third party shall also be retained by the secretary for repayment of the unreimbursed portion of assistance.

(B) Notwithstanding the provisions of subparagraph (A), the secretary of health and environment, or the secretary's designee, is hereby authorized to and shall exercise any of the powers specified in subparagraph (A) in relation to performance of such secretary's duties pertaining to medical subrogation, estate recovery or any other duties assigned to such secretary in article 74 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

(2) The amount of any medical assistance paid after June 30, 1992, under the provisions of subsection ~~(d)~~ (e) is: (A) A claim against the property or any interest therein belonging to and a part of the estate of any deceased recipient or, if there is no estate, the estate of the surviving spouse, if any, shall be charged for such medical assistance paid to either or both; and (B) a claim against any funds of such recipient or spouse in any account under K.S.A. 9-1215, 17-2263, 17-2264, 17-5828 or 17-5829, and amendments thereto. There shall be no recovery of medical assistance correctly paid to or on behalf of an individual under subsection ~~(d)~~ (e) except after the death of the surviving spouse of the individual, if any, and only at a time when the individual has no surviving child who is under 21 years of age or is blind or permanently and totally disabled. Transfers of real or personal property by recipients of medical assistance without adequate consideration are voidable and may be set aside. Except where there is a surviving spouse, or a surviving child who is under 21 years of age or is blind or permanently and totally disabled, the amount of any medical assistance paid under subsection ~~(d)~~ (e) is a claim against the estate in any guardianship or conservatorship proceeding. The monetary value of any benefits received by the recipient of such medical assistance under long-term care insurance, as defined by K.S.A. 40-2227, and amendments thereto, shall be a credit against the amount of the claim provided for such medical assistance under this subsection. The secretary of health and environment is authorized to enforce each claim provided for under this subsection. The secretary of health and environment shall not be required to pursue every claim, but is granted discretion to determine which claims to pursue. All moneys received by the secretary of health and environment from claims under this subsection shall be deposited in the social welfare fund. The secretary of health and environment may adopt rules and regulations for the implementation and administration of the medical assistance recovery program under this subsection.

(3) By applying for or receiving medical assistance under the provisions of article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, such individual or such individual's agent, fiduciary, guardian, conservator, representative payee or other person acting on behalf of the individual consents to the following definitions of estate and the results therefrom:

(A) If an individual receives any medical assistance before July 1, 2004, pursuant to article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, which forms the basis for a claim under paragraph (2), such claim is limited to the

individual's probatable estate as defined by applicable law; and

(B) if an individual receives any medical assistance on or after July 1, 2004, pursuant to article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, which forms the basis for a claim under paragraph (2), such claim shall apply to the individual's medical assistance estate. The medical assistance estate is defined as including all real and personal property and other assets in which the deceased individual had any legal title or interest immediately before or at the time of death to the extent of that interest or title. The medical assistance estate includes, without limitation assets conveyed to a survivor, heir or assign of the deceased recipient through joint tenancy, tenancy in common, survivorship, transfer-on-death deed, payable-on-death contract, life estate, trust, annuities or similar arrangement.

(4) The secretary of health and environment or the secretary's designee is authorized to file and enforce a lien against the real property of a recipient of medical assistance in certain situations, subject to all prior liens of record and transfers for value to a bona fide purchaser of record. The lien must be filed in the office of the register of deeds of the county where the real property is located within one year from the date of death of the recipient and must contain the legal description of all real property in the county subject to the lien.

(A) After the death of a recipient of medical assistance, the secretary of health and environment or the secretary's designee may place a lien on any interest in real property owned by such recipient.

(B) The secretary of health and environment or the secretary's designee may place a lien on any interest in real property owned by a recipient of medical assistance during the lifetime of such recipient. Such lien may be filed only after notice and an opportunity for a hearing has been given. Such lien may be enforced only upon competent medical testimony that the recipient cannot reasonably be expected to be discharged and returned home. A six-month period of compensated inpatient care at a nursing home or other medical institution shall constitute a determination by the department of health and environment that the recipient cannot reasonably be expected to be discharged and returned home. To return home means the recipient leaves the nursing or medical facility and resides in the home on which the lien has been placed for a continuous period of at least 90 days without being readmitted as an inpatient to a nursing or medical facility. The amount of the lien shall be for the amount of assistance paid by the department of health and environment until the time of the filing of the lien and for any amount paid thereafter for such medical assistance to the recipient. After the lien is filed against any real property owned by the recipient, such lien will be dissolved if the recipient is discharged, returns home and resides upon the real property to which the lien is attached for a continuous period of at least 90 days without being readmitted as an inpatient to a nursing or medical facility. If the recipient is readmitted as an inpatient to a nursing or medical facility for a continuous period of less than 90 days, another continuous period of at least 90 days shall be completed prior to dissolution of the lien.

(5) The lien filed by the secretary of health and environment or the secretary's designee for medical assistance correctly received may be enforced before or after the death of the recipient by the filing of an action to foreclose such lien in the Kansas district court or through an estate probate court action in the county where the real property of the recipient is located. However, it may be enforced only:

(A) After the death of the surviving spouse of the recipient;

(B) when there is no child of the recipient, natural or adopted, who is 20 years of age or less residing in the home;

(C) when there is no adult child of the recipient, natural or adopted, who is blind or disabled residing in the home; or

(D) when no brother or sister of the recipient is lawfully residing in the home, who has resided there for at least one year immediately before the date of the recipient's admission to the nursing or medical facility, and has resided there on a continuous basis since that time.

(6) The lien remains on the property even after a transfer of the title by conveyance, sale, succession, inheritance or will unless one of the following events occur:

(A) The lien is satisfied. The recipient, the heirs, personal representative or assigns of the recipient may discharge such lien at any time by paying the amount of the lien to the secretary of health and environment or the secretary's designee;

(B) the lien is terminated by foreclosure of prior lien of record or settlement action taken in lieu of foreclosure; or

(C) the value of the real property is consumed by the lien, at which time the secretary of health and environment or the secretary's designee may force the sale for the real property to satisfy the lien.

(7) If the secretary for aging and disability services or the secretary of health and environment, or both, or such secretary's designee has not filed an action to foreclose the lien in the Kansas district court in the county where the real property is located within 10 years from the date of the filing of the lien, then the lien shall become dormant, and shall cease to operate as a lien on the real estate of the recipient. Such dormant lien may be revived in the same manner as a dormant judgment lien is revived under K.S.A. 60-2403 et seq., and amendments thereto.

(8) Within seven days of receipt of notice by the secretary for children and families or the secretary's designee of the death of a recipient of medical assistance under this subsection, the secretary for children and families or the secretary's designee shall give notice of such recipient's death to the secretary of health and environment or the secretary's designee.

(9) All rules and regulations adopted on and after July 1, 2013, and prior to July 1, 2014, to implement this subsection shall continue to be effective and shall be deemed to be duly adopted rules and regulations of the secretary of health and environment until revised, amended, revoked or nullified pursuant to law.

~~(g)~~ (h) *Placement under the revised Kansas code for care of children or revised Kansas juvenile justice code; assignment of support rights and limited power of attorney.* In any case in which the secretary for children and families pays for the expenses of care and custody of a child pursuant to K.S.A. 2015 Supp. 38-2201 et seq. or 38-2301 et seq., and amendments thereto, including the expenses of any foster care placement, an assignment of all past, present and future support rights of the child in custody possessed by either parent or other person entitled to receive support payments for the child is, by operation of law, conveyed to the secretary. Such assignment shall become effective upon placement of a child in the custody of the secretary or upon payment of the expenses of care and custody of a child by the secretary without the requirement that any document be signed by the parent or other person entitled to receive support payments for the child. When the secretary pays for the expenses of

care and custody of a child or a child is placed in the custody of the secretary, the parent or other person entitled to receive support payments for the child is also deemed to have appointed the secretary, or the secretary's designee, as attorney in fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments representing support payments received by the secretary on behalf of the child. This limited power of attorney shall be effective from the date the assignment to support rights becomes effective and shall remain in effect until the assignment of support rights has been terminated in full.

~~(h)~~ (i) No person who voluntarily quits employment or who is fired from employment due to gross misconduct as defined by rules and regulations of the secretary or who is a fugitive from justice by reason of a felony conviction or charge or violation of a condition of probation or parole imposed under federal or state law shall be eligible to receive public assistance benefits in this state. Any recipient of public assistance who fails to timely comply with monthly reporting requirements under criteria and guidelines prescribed by rules and regulations of the secretary shall be subject to a penalty established by the secretary by rules and regulations.

~~(i)~~ (j) If the applicant or recipient of temporary assistance for needy families is a mother of the dependent child, as a condition of the mother's eligibility for temporary assistance for needy families the mother shall identify by name and, if known, by current address the father of the dependent child except that the secretary may adopt by rules and regulations exceptions to this requirement in cases of undue hardship. Any recipient of temporary assistance for needy families who fails to cooperate with requirements relating to child support services under criteria and guidelines prescribed by rules and regulations of the secretary shall be subject to a penalty established by the secretary.

~~(j)~~ (k) By applying for or receiving child care benefits or food assistance, the applicant or recipient shall be deemed to have assigned, pursuant to K.S.A. 39-756, and amendments thereto, to the secretary on behalf of the state only accrued, present or future rights to support from any other person such applicant may have in such person's own behalf or in behalf of any other family member for whom the applicant is applying for or receiving aid. The assignment of support rights shall automatically become effective upon the date of approval for or receipt of such aid without the requirement that any document be signed by the applicant or recipient. By applying for or receiving child care benefits or food assistance, the applicant or recipient is also deemed to have appointed the secretary, or the secretary's designee, as an attorney in fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments representing support payments received by the secretary in behalf of any person applying for, receiving or having received such assistance. This limited power of attorney shall be effective from the date the secretary approves the application for aid and shall remain in effect until the assignment of support rights has been terminated in full. An applicant or recipient who has assigned support rights to the secretary pursuant to this subsection shall cooperate in establishing and enforcing support obligations to the same extent required of applicants for or recipients of temporary assistance for needy families.

~~(k)~~ (l) (1) A program of drug screening for applicants for cash assistance as a condition of eligibility for cash assistance and persons receiving cash assistance as a condition of continued receipt of cash assistance shall be established, subject to

applicable federal law, by the secretary for children and families on and before January 1, 2014. Under such program of drug screening, the secretary for children and families shall order a drug screening of an applicant for or a recipient of cash assistance at any time when reasonable suspicion exists that such applicant for or recipient of cash assistance is unlawfully using a controlled substance or controlled substance analog. The secretary for children and families may use any information obtained by the secretary for children and families to determine whether such reasonable suspicion exists, including, but not limited to, an applicant's or recipient's demeanor, missed appointments and arrest or other police records, previous employment or application for employment in an occupation or industry that regularly conducts drug screening, termination from previous employment due to unlawful use of a controlled substance or controlled substance analog or prior drug screening records of the applicant or recipient indicating unlawful use of a controlled substance or controlled substance analog.

(2) Any applicant for or recipient of cash assistance whose drug screening results in a positive test may request that the drug screening specimen be sent to a different drug testing facility for an additional drug screening. Any applicant for or recipient of cash assistance who requests an additional drug screening at a different drug testing facility shall be required to pay the cost of drug screening. Such applicant or recipient who took the additional drug screening and who tested negative for unlawful use of a controlled substance and controlled substance analog shall be reimbursed for the cost of such additional drug screening.

(3) Any applicant for or recipient of cash assistance who tests positive for unlawful use of a controlled substance or controlled substance analog shall be required to complete a substance abuse treatment program approved by the secretary for children and families, secretary of labor or secretary of commerce, and a job skills program approved by the secretary for children and families, secretary of labor or secretary of commerce. Subject to applicable federal laws, any applicant for or recipient of cash assistance who fails to complete or refuses to participate in the substance abuse treatment program or job skills program as required under this subsection shall be ineligible to receive cash assistance until completion of such substance abuse treatment and job skills programs. Upon completion of both substance abuse treatment and job skills programs, such applicant for or recipient of cash assistance may be subject to periodic drug screening, as determined by the secretary for children and families. Upon a second positive test for unlawful use of a controlled substance or controlled substance analog, a recipient of cash assistance shall be ordered to complete again a substance abuse treatment program and job skills program, and shall be terminated from cash assistance for a period of 12 months, or until such recipient of cash assistance completes both substance abuse treatment and job skills programs, whichever is later. Upon a third positive test for unlawful use of a controlled substance or controlled substance analog, a recipient of cash assistance shall be terminated from cash assistance, subject to applicable federal law.

(4) If an applicant for or recipient of cash assistance is ineligible for or terminated from cash assistance as a result of a positive test for unlawful use of a controlled substance or controlled substance analog, and such applicant for or recipient of cash assistance is the parent or legal guardian of a minor child, an appropriate protective payee shall be designated to receive cash assistance on behalf of such child. Such parent or legal guardian of the minor child may choose to designate an individual to receive

cash assistance for such parent's or legal guardian's minor child, as approved by the secretary for children and families. Prior to the designated individual receiving any cash assistance, the secretary for children and families shall review whether reasonable suspicion exists that such designated individual is unlawfully using a controlled substance or controlled substance analog.

(A) In addition, any individual designated to receive cash assistance on behalf of an eligible minor child shall be subject to drug screening at any time when reasonable suspicion exists that such designated individual is unlawfully using a controlled substance or controlled substance analog. The secretary for children and families may use any information obtained by the secretary for children and families to determine whether such reasonable suspicion exists, including, but not limited to, the designated individual's demeanor, missed appointments and arrest or other police records, previous employment or application for employment in an occupation or industry that regularly conducts drug screening, termination from previous employment due to unlawful use of a controlled substance or controlled substance analog or prior drug screening records of the designated individual indicating unlawful use of a controlled substance or controlled substance analog.

(B) Any designated individual whose drug screening results in a positive test may request that the drug screening specimen be sent to a different drug testing facility for an additional drug screening. Any designated individual who requests an additional drug screening at a different drug testing facility shall be required to pay the cost of drug screening. Such designated individual who took the additional drug screening and who tested negative for unlawful use of a controlled substance and controlled substance analog shall be reimbursed for the cost of such additional drug screening.

(C) Upon any positive test for unlawful use of a controlled substance or controlled substance analog, the designated individual shall not receive cash assistance on behalf of the parent's or legal guardian's minor child, and another designated individual shall be selected by the secretary for children and families to receive cash assistance on behalf of such parent's or legal guardian's minor child.

(5) If a person has been convicted under federal or state law of any offense which is classified as a felony by the law of the jurisdiction and which has as an element of such offense the manufacture, cultivation, distribution, possession or use of a controlled substance or controlled substance analog, and the date of conviction is on or after July 1, 2013, such person shall thereby become forever ineligible to receive any cash assistance under this subsection unless such conviction is the person's first conviction. First-time offenders convicted under federal or state law of any offense which is classified as a felony by the law of the jurisdiction and which has as an element of such offense the manufacture, cultivation, distribution, possession or use of a controlled substance or controlled substance analog, and the date of conviction is on or after July 1, 2013, such person shall become ineligible to receive cash assistance for five years from the date of conviction.

(6) Except for hearings before the Kansas department for children and families or, the results of any drug screening administered as part of the drug screening program authorized by this subsection shall be confidential and shall not be disclosed publicly.

(7) The secretary for children and families may adopt such rules and regulations as are necessary to carry out the provisions of this subsection.

(8) Any authority granted to the secretary for children and families under this

subsection shall be in addition to any other penalties prescribed by law.

(9) As used in this subsection:

(A) "Cash assistance" means cash assistance provided to individuals under the provisions of article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, and any rules and regulations adopted pursuant to such statutes.

(B) "Controlled substance" means the same as in K.S.A. 2015 Supp. 21-5701, and amendments thereto, and 21 U.S.C. § 802.

(C) "Controlled substance analog" means the same as in K.S.A. 2015 Supp. 21-5701, and amendments thereto.

Sec. 3. K.S.A. 39-719b is hereby amended to read as follows: 39- 719b. (a) If at any time during the continuance of assistance to any person, the recipient thereof becomes possessed of any property or income in excess of the amount ascertained at the time of granting assistance, or if any of the recipient's circumstances which affect eligibility to receive assistance change from the time of determination of eligibility, it shall be the duty of the recipient to notify the secretary immediately of the receipt or possession of such property, income, or of such change in circumstances affecting eligibility and ~~said~~ the secretary may, after investigation, cancel or modify the assistance payment in accordance with the circumstances.

(b) Any assistance paid shall be recoverable by the secretary as a debt due to the state. If during the life or on the death of any person receiving assistance, it is found that the recipient was possessed of income or property in excess of the amount reported or ascertained at the time of granting assistance, and if it be shown that such assistance was obtained by an ineligible recipient, the total amount of the assistance may be recovered by the secretary as a fourth class claim from the estate of the recipient or in an action brought against the recipient while living.

(c) The total amount of any assistance that is sold, transferred or otherwise disposed of to others by a recipient or any other person, or the total amount of any assistance that is knowingly purchased, acquired or possessed by any person, except as authorized in state and federal law, rules and regulations and agency policy of the department for children and families or the department of health and environment is a debt due to the state and the total amount of such assistance that was improperly sold, transferred, disposed, purchased, acquired or possessed shall be recoverable by the secretary for children and families or the secretary of health and environment. Such debt may be recovered during the life or upon the death of any recipient or person who sold, transferred, disposed, purchased, acquired or possessed such assistance and may be recovered as a fourth class claim from the estate of the person or in an action brought against the recipient or person while living.

Sec. 4. K.S.A. 2015 Supp. 39-7,121 is hereby amended to read as follows: 39-7,121. (a) The department of health and environment shall establish and implement an electronic pharmacy claims management system in order to provide for the on-line adjudication of claims and for electronic prospective drug utilization review.

(b) The system shall provide for electronic point-of-sale review of drug therapy using predetermined standards to screen for potential drug therapy problems including incorrect drug dosage, adverse drug-drug interactions, drug-disease contraindications, therapeutic duplication, incorrect duration of drug treatment, drug-allergy interactions and clinical abuse or misuse.

(c) The department of health and environment shall not utilize ~~this~~ the system

established under this section, or any other system or program, to require that a recipient has utilized or failed with a drug usage or drug therapy prior to allowing the recipient to receive the product or therapy recommended by the recipient's physician:

(1) If such recommended drug usage or drug therapy commenced on or before July 1, 2016; or

(2) for a period of longer than 30 days, if the drug usage or drug therapy is used for the treatment of multiple sclerosis.

(d) (1) If the department of health and environment utilizes the system established under this section, or any other system or program, to require that a recipient has utilized or failed with a drug usage or drug therapy prior to allowing the recipient to receive any product or therapy recommended by the recipient's physician, the department shall provide access for prescribing physicians to a clear and convenient process to request an override of such requirement. The department shall expeditiously grant such request for an override if:

(A) The required drug usage or drug therapy is contraindicated for the patient or will likely cause an adverse reaction by or physical or mental harm to the patient;

(B) the required drug usage or drug therapy is expected to be ineffective based on the known relevant clinical characteristics of the patient and the known characteristics of the required drug usage or drug therapy;

(C) the patient has tried the required drug usage or drug therapy while under the patient's current or previous health insurance or health benefit plan, and such use was discontinued due to lack of efficacy or effectiveness, diminished effect or an adverse event. For purposes of this paragraph, use of pharmacy drug samples shall not constitute use and failure of such drug usage or drug therapy; or

(D) the patient has previously been found to be stable on a different drug usage or drug therapy selected by such patient's physician for treatment of the medical condition under consideration.

(2) The department of health and environment, or any managed care organization or other entity administering the system established under this section, or any other similar system or program, shall respond to and render a decision upon a prescribing physician's request for an override as provided in this subsection within 72 hours of receiving such request.

(e) (1) Any proposed department of health and environment policy or rule and regulation related to any use of the system established under this section, or any other system or program, to require that a recipient has utilized or failed with a drug usage or drug therapy prior to allowing the recipient to receive any product or therapy recommended by the recipient's physician, shall be reviewed and approved by the medicaid drug utilization review board established by K.S.A. 2015 Supp. 39-7,119, and amendments thereto, prior to implementation by the department.

(2) Any proposed policy or rule and regulation related to use of any such system related to any medication used to treat mental illness shall be reviewed and approved by the mental health medication advisory committee established by K.S.A. 2015 Supp. 39-7,121b, and amendments thereto, and the medicaid drug utilization review board established by K.S.A. 2015 Supp. 39-7,119, and amendments thereto, prior to implementation by the department.

of money saved by using such program that requires that a recipient utilized or failed a drug usage or drug therapy prior to allowing the recipient to receive any product or therapy recommended by the recipient's physician and the percentage and amount of such savings that are returned to the state of Kansas. The secretary shall submit such report to the senate committee on public health and welfare, the senate committee on ways and means, the house committee on appropriations and the house committee on health and human services on or before January 9, 2017 and on or before the first day of the regular session of the legislature each year thereafter.

Sec. 5. K.S.A. 39-719b and K.S.A. 2015 Supp. 39-702, 39-709 and 39-7,121 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "ACT"; by striking all in lines 2 and 3 and inserting "concerning public assistance; relating to cash assistance, food assistance, medical assistance and child care subsidies; eligibility; recovery of assistance debt; verification of identity and income; fraud investigations; work requirements; lifetime benefit limits; removing certain limitations under the electronic claims management system; amending K.S.A. 39-719b and K.S.A. 2015 Supp. 39-702, 39-709 and 39-7,121 and repealing the existing sections.";

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

DANIEL R. HAWKINS
WILLIE O. DOVE
Conferees on part of House

MICHAEL O'DONNELL, II
JIM DENNING
Conferees on part of Senate

On motion of Rep. Hawkins, the conference committee report on **H Sub for SB 402** was adopted.

On roll call, the vote was: Yeas 79; Nays 43; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Corbet, E. Davis, DeGraaf, Dierks, Dove, Esau, Estes, Finch, Francis, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Hibbard, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schwartz, Seiwert, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Nays: Alcala, Ballard, Becker, Bollier, Burroughs, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, Doll, Finney, Frownfelter, Gallagher, Henderson, Henry, Highberger, Hill, Hineman, Houston, Jennings, Kuether, Lewis, Lusk, Lusker, Moxley, Ousley, F. Patton, Rooker, Ruiz, Sawyer, Schwab, Scott, Sloan, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Edmonds, Ewy, Schroeder.

PERSONAL PRIVILEGE

Rep. Suellentrop addressed remarks to the members of the House.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 249** submits the following report:

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

On page 1, by striking all in lines 8 through 36;

By striking all on pages 2 through 7;

On page 8, by striking all in lines 1 through 23; following line 23, by inserting:

"Section 1. (a) For the fiscal years ending June 30, 2016, June 30, 2017, and June 30, 2018, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements, procedures and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

(b) The agencies named in this act are hereby authorized to initiate and complete the capital improvement projects specified and authorized by this act or for which appropriations are made by this act, subject to the restrictions and limitations imposed by this act.

(c) This act shall be known and may be cited as the omnibus appropriation act of 2016 and shall constitute the omnibus reconciliation spending limit bill for the 2016 regular session of the legislature for purposes of K.S.A. 75-6702(a), and amendments thereto.

(d) The appropriations made by this act shall not be subject to the provisions of K.S.A. 46-155, and amendments thereto.

Sec. 2. (a) The department of corrections is hereby authorized and directed to pay the following amount from the operating expenditures account of the state general fund for a refund of supervision fees to the following claimant:

Scott Davis
767 S Drury Lane
Wichita KS 67207.....$50.00

(b) The department of corrections is hereby authorized and directed to pay the following amounts from the Lansing correctional facility – facilities operations account of the state general fund for property lost to the following claimants:

Randy Pioletti # 39725
P. O. Box 2
Lansing, KS 66043.....$233.21

James E. Tackett # 59193
P. O. Box 2
Lansing, KS 66043.....$30.00

Jose Morales # 71954
P. O. Box 2
Lansing, KS 66043.....$50.28

Michael D. Wilkins # 108849
P. O. Box 2
Lansing, KS 66043.....$105.33

(c) The department of corrections is hereby authorized and directed to pay the following amounts from the Hutchinson correctional facility – facilities operations account of the state general fund for property lost to the following claimants:
Charles Denmark Wagner # 93947
P. O. Box 1568
Hutchinson, KS 67504.....$20.00

Davett Smith II # 784535
P. O. Box 1568
Hutchinson, KS 67504.....$199.35

Tyron James # 77522
P. O. Box 311
El Dorado, KS 67042.....$17.69

Andrew Zeiner # 72623
P. O. Box 2
Lansing, KS 66043.....$41.56

(d) The department of corrections is hereby authorized and directed to pay the following amounts from the El Dorado correctional facility – facilities operations account of the state general fund for property lost to the following claimants:
Vernon J. Amos # 55009
P. O. Box 311
El Dorado, KS 67042.....$5.17

Raymond D. Boothe # 79444
P. O. Box 311
El Dorado, KS 67042.....$4.00

(e) The department of corrections is hereby authorized and directed to pay the following amount from the correctional industries fund of the state general fund for incorrect invoicing to the following claimant:
Landers Segal Color Co. Inc. DBA Lansco Colors
1 Blue Hill Plaza, P. O. Box 1685
Pearl River, NY 10965.....$6,506.21

Sec. 3. The department for aging and disability services is hereby authorized and directed to pay the following amount from the Larned state hospital – operating expenditures account of the state general fund for property lost to the following claimant:
Donald W. Rhyne
2601 Gabriel Avenue
Parsons, KS 67357.....$636.23

Sec. 4. The adjutant general is hereby authorized and directed to pay the following amount from the operating expenditures account of the state general fund for a settlement agreement to the following claimant:
Michaela Isch
219 Park St.
Winfield, KS 67156.....$4,000.00

Sec. 5. There is hereby appropriated from the state general fund, as reimbursements for legal costs incurred for sexually violent predator proceedings, the following amounts to the following claimants:
County Treasurer
McPherson County
117 N Maple
McPherson, KS 67460.....$37,400.79

County Treasurer
Butler County
205 W Central
El Dorado, KS 67042.....$24,017.43

Sec. 6. The department of revenue is hereby authorized and directed to pay the following amounts from the motor-vehicle fuel tax refund fund, for claims not filed within the statutory filing period prescribed in K.S.A. 79-3458, and amendments thereto, to the following claimants:
Bell, Kenneth
1979 N 300 Rd.
Wellsville, KS 66092.....$51.00

Canaan Well Service Inc.
1401 N Park
Wellington, KS 67152.....$758.39

Dustrol Inc.
P.O. Box 309
Towanda, KS 67144.....$138.02

Garten Bros Inc.

2305 Fair Rd.
Abilene, KS 67410.....$280.80

Golf Club of Kansas
P.O. Box 6984
Lees Summit, MO 64064.....$702.22

Hasenkamp, Dan
375 F Road
Centralia, KS 66415.....$481.68

Horgan, Timothy P.
15700 Trowbridge Rd.
Wheaton, KS 66521.....$37.08

Katy Parsons Golf Club
P.O. Box 376
Parsons, KS 67357.....$33.00

Moxley, Tom J.
1852 S 200 Rd.
Council Grove, KS 66846.....$162.00

Pennys Concrete Inc.
23400 W 82nd St.
Shawnee Mission, KS 66227.....$6,073.70

Red Bee Ranch
953 S Greenwich Rd.
Wichita, KS 67207.....$104.28

Strobel, John R.
31464 N Hwy. 59
Garnett, KS 66032.....$366.34

USD 282 Howard
P.O. Box 607
Howard, KS 67349.....$4,188.94

USD 247 Cherokee
506 S Smelter
Cherokee, KS 40652.....$9,177.71

Vestring, Louis
9872 NE Stony Creek Rd.
Cassoday, KS 66842.....$282.96

White, John T.
P.O. Box 114
Allen, KS 66833.....$105.72

Sec. 7. (a) Except as otherwise provided in sections 2 through 6 of this act, the director of accounts and reports is hereby authorized and directed to draw warrants on the state treasurer in favor of the claimants specified in sections 2 through 6 of this act, upon vouchers duly executed by the state agencies directed to pay the amounts specified in such sections to the claimants or their legal representatives or duly authorized agents, as provided by law.

(b) The director of accounts and reports shall secure prior to the payment of any amount to any claimant, other than amounts authorized to be paid pursuant to section 6 of this act, as motor-vehicle fuel tax refunds or as transactions between state agencies as provided in sections 2 through 6 of this act, a written release and satisfaction of all claims and rights against the state of Kansas and any agencies, officers and employees of the state of Kansas regarding their respective claims.

Sec. 8.

STATE BOARD OF VETERINARY EXAMINERS

(a) On July 1, 2016, the director of accounts and reports shall transfer all moneys in the veterinary examiners fee fund of the Kansas department of agriculture to the veterinary examiners fee fund of the state board of veterinary examiners. On July 1, 2016, all liabilities of the veterinary examiners fee fund of the Kansas department of agriculture are hereby transferred to and imposed on the veterinary examiners fee fund of the state board of veterinary examiners and the veterinary examiners fee fund of the Kansas department of agriculture is hereby abolished.

Sec. 9.

LEGISLATIVE COORDINATING COUNCIL

(a) In addition to the other purposes for which expenditures may be made by the above agency from the legislative coordinating council – operations account of the state general fund for fiscal year 2017, expenditures shall be made by the above agency from the legislative coordinating council – operations account of the state general fund for fiscal year 2017 for the director of legislative administrative services, under the direction of the legislative coordinating council, to administer and supervise the live audio streaming of legislative proceedings: *Provided,* That in providing such live audio streaming, the director shall work in cooperation with the information network of Kansas, inc., created by K.S.A. 74-9303, and amendments thereto, which shall provide any services and equipment that the director and the board of the information network of Kansas, inc., have agreed upon and that the director determines to be necessary for the provision of such live audio streaming.

Sec. 10.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Publication of proposed constitutional amendments.....$29,833

Sec. 11.

DEPARTMENT OF ADMINISTRATION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2016, by section 80(c) of chapter 104 of the 2015 Session Laws of Kansas, on the Docking state office building rehab, repair and razing fund of the department of administration is hereby decreased from no limit to $0.

(b) On the effective date of this act, the provisions of section 80(d) of chapter 104 of the 2015 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

Sec. 12.

DEPARTMENT OF ADMINISTRATION

(a) On or before June 30, 2017, the secretary of administration: (1) Shall determine the amount of moneys appropriated in each account of the state general fund or each special revenue fund or funds appropriated for fiscal year 2017 for the executive branch agencies that are not required to be expended or encumbered due to the department of administration implementing procurement and risk management recommendations, modifying any state employee insurance and benefit program, or implementing any other efficiency recommendation made to the 2016 legislature by the Kansas statewide efficiency review; and (2) shall certify each such amount to the director of the budget, accompanied by such other information with respect thereto as may be prescribed by the director of the budget: *Provided,* That, on or before June 30, 2017, the director of the budget shall certify each amount appropriated from the state general fund, which is certified by the secretary of administration pursuant to this section, to the director of accounts and reports and upon receipt of each such certification, the amount so certified is hereby lapsed: *Provided further,* That, on or before June 30, 2017, the director of the budget shall certify each amount appropriated from each special revenue fund or funds, which is certified by the secretary of administration pursuant to this section, to the director of accounts and reports and upon receipt of each such certification, the amount so certified is hereby transferred to the state general fund: *And provided further,* That, at the same time as the director of the budget transmits each such certification to the director of accounts and reports, the director of the budget shall transmit a copy of each such certification to the director of legislative research: *And provided further,* That the aggregate of all amounts lapsed from appropriations from the state general fund and amounts transferred from special revenue funds pursuant to this subsection, shall be equal to $6,500,000 or more.

(b) During the fiscal year ending June 30, 2017, the director of the budget may transfer any part of any item of appropriation due to the department of administration implementing procurement and risk management recommendations; modifying any

state employee insurance and benefit program; or implementing any other efficiency recommendation made to the 2016 legislature by the Kansas statewide efficiency review in any executive branch agency account of the state general fund or any special revenue fund or funds appropriated for fiscal year 2017 for such executive branch agency to another item of appropriation for the same purposes in any other executive branch agency account of the state general fund or any special revenue fund or funds appropriated for fiscal year 2017 for such other executive branch agency. The director of the budget shall certify each such amount transferred and shall transmit a copy of each such certification to the director of legislative research.

(c) On July 1, 2016, the expenditure limitation established for the fiscal year ending June 30, 2017, by section 81(c) of chapter 104 of the 2015 Session Laws of Kansas, on the Docking state office building rehab, repair and razing fund of the department of administration is hereby decreased from no limit to $0.

(d) On July 1, 2016, the provisions of section 81(d) of chapter 104 of the 2015 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

(e) During the fiscal year ending June 30, 2017, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2017 by chapter 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this or other appropriation act of the 2016 or 2017 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2017, for the secretary of administration, as part of the system of payroll accounting formulated under K.S.A. 75-5501, and amendments thereto, to establish a payroll deduction plan for the purpose of allowing insurers, who are authorized to do business in the state of Kansas, to offer to state employees accident, disability, specified disease and hospital indemnity products which may be purchased by such employees: *Provided, however*, That any such insurer and indemnity product shall be approved by the Kansas state employees health care commission prior to the establishment of such payroll deduction: *Provided,* That upon notification of an employing agency's receipt of written authorization by any state employee, the director of accounts and reports shall make periodic deductions of amounts as specified in such authorization from the salary or wages of such state employee for the purpose of purchasing such indemnity products: *Provided further,* That, subject to the approval of the secretary of administration, the director of accounts and reports may prescribe procedures, limitations and conditions for making payroll deductions pursuant to this section.

Sec. 13.

DEPARTMENT OF ADMINISTRATION

(a) During the fiscal year ending June 30, 2018, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2018 by chapter 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this or other appropriation act of the 2016, 2017 or 2018 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year

2018, for the secretary of administration, as part of the system of payroll accounting formulated under K.S.A. 75-5501, and amendments thereto, to establish a payroll deduction plan, for the purpose of allowing insurers, who are authorized to do business in the state of Kansas, to offer to state employees accident, disability, specified disease and hospital indemnity products which may be purchased by such employees: *Provided, however*, That any such insurer and indemnity product shall be approved by the Kansas state employees health care commission prior to the establishment of such payroll deduction: *Provided,* That upon notification of an employing agency's receipt of written authorization by any state employee, the director of accounts and reports shall make periodic deductions of amounts as specified in such authorization from the salary or wages of such state employee for the purpose of purchasing such indemnity products: *Provided further,* That, subject to the approval of the secretary of administration, the director of accounts and reports may prescribe procedures, limitations and conditions for making payroll deductions pursuant to this section.

Sec. 14.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

MSA compliance compact ….....$450,000

(b) On July 1, 2016, the expenditure limitation established for the fiscal year ending June 30, 2017, pursuant to section 34(c) of 2016 House Substitute for Senate Bill No. 161 on the division of vehicles operating fund (565-00-2089-2020) of the department of revenue is hereby increased from $47,475,191 to $48,165,032.

(c) On July 1, 2016, the amount of $11,481,784 authorized by section 89(c) of chapter 104 of the 2015 Session Laws of Kansas to be transferred by the director of accounts and reports from the state highway fund of the department of transportation to the division of vehicles operating fund of the department of revenue on July 1, 2016, October 1, 2016, January 1, 2017, and April 1, 2017, is hereby increased to $11,513,742.

Sec. 15.

KANSAS LOTTERY

(a) On the effective date of this act, the aggregate of the amounts authorized by section 90(b) of chapter 104 of the 2015 Session Laws of Kansas to be transferred from the lottery operating fund to the state gaming revenues fund during the fiscal year ending June 30, 2016, is hereby increased from $74,700,000 to $76,500,000.

Sec. 16.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

KBA grant commitments.....$6,570,000

Provided, That, if 2016 Senate Bill No. 474, or any other legislation which allows the board of the Kansas bioscience authority to sell the authority or substantially all of the assets of the authority, is not passed by the legislature during the 2016 regular session and enacted into law, or if such legislation is enacted into law but such sale is not completed, then the $6,570,000 appropriated for the above agency for the fiscal year ending June 30, 2017, by this section from the state general fund in the KBA grant commitments account is hereby lapsed.

Sec. 17.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH CARE FINANCE

(a) On the effective date of this act, of the $661,573,849 appropriated for the above agency for the fiscal year ending June 30, 2016, by section 104(a) of chapter 104 of the 2015 Session Laws of Kansas from the state general fund in the other medical assistance account (264-00-1000-3026), the sum of $23,700,000 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2016, by section 43(e) of 2016 House Substitute for Senate Bill No. 161 on the medical programs fee fund (264-00-2395-0110) of the department of health and environment– division of health care finance is hereby increased from $91,292,513 to $127,692,349.

Sec. 18.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH CARE FINANCE

(a) On July 1, 2016, of the $676,570,074 appropriated for the above agency for the fiscal year ending June 30, 2017, by section 105(a) of chapter 104 of the 2015 Session Laws of Kansas from the state general fund in the other medical assistance account (264-00-1000-3026), the sum of $24,178,549 is hereby lapsed.

(b) On July 1, 2016, the expenditure limitation established for the fiscal year ending June 30, 2017, by section 44(c) of 2016 House Substitute for Senate Bill No. 161 on the medical programs fee fund (264-00-2395-0110) of the department of health and environment – division of health care finance is hereby increased from $86,370,660 to $130,241,472.

Sec. 19.

KANSAS DEPARTMENT FOR
AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

LTC – medicaid assistance – NF (039-00-1000-0520).....$20,054,000

Mental health and retardation services aid and assistance (039-00-1000-4001).....$3,500,000

Osawatomie state hospital-operating expenditures (494-00-1000-0100). .$9,503,982

Larned state hospital-operating expenditures (410-00-1000-0103).....$1,896,018

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2016, by section 47(g) of 2016 House Substitute for Senate Bill No. 161 on the Osawatomie state hospital fee fund (494-00-2079-4200) of the Kansas department for aging and disability services is hereby decreased from $10,076,414 to $7,667,778.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2016, by section 47(k) of 2016 House Substitute for Senate Bill No. 161 on the title XIX fund (039-00-2595-4130) of the Kansas department for aging and disability services is hereby decreased from $45,963,785 to $40,570,915.

Sec. 20.

KANSAS DEPARTMENT FOR
AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

State operations (039-00-1000-0801).....$3,855,852

LTC – Medicaid assistance – NF (039-00-1000-0520).....$23,859,549

Osawatomie state hospital-operating expenditures (494-00-1000-0100). .$1,289,537

Larned state hospital-operating expenditures (410-00-1000-0103).....$450,000

(b) In addition to the other purposes for which expenditures may be made by the above agency for the fiscal year ending June 30, 2017, by section 109 of chapter 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this or any other appropriation act of the 2016 or 2017 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated from the state general fund or from any special revenue fund or funds for the fiscal year ending June 30, 2017, to take the necessary steps to reinstate a policy to require mental health screenings for recipients under the Kansas program of medical assistance, prior to inpatient placement: *Provided,* That the above agency shall consult with the Kansas department of health and environment regarding the implementation of such policy.

(c) (1) Notwithstanding the provisions of K.S.A. 76-12a02, and amendments thereto, in addition to the other purposes for which expenditures may be made by the above agency for the fiscal year ending June 30, 2017, by chapter 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this or any other appropriation act of the 2016 or 2017 regular session of the legislature, expenditures may be made by the above agency from such moneys appropriated from the state general fund or from any special revenue fund or funds for the fiscal year ending June 30, 2017, for the secretary for aging and disability services to appoint the superintendent at any institution: *Provided,* That any superintendent appointed by a

person, entity or organization under contract with the secretary shall not receive a classification of service under the Kansas civil service act.

(2) Notwithstanding the provisions of K.S.A. 76-12a03, and amendments thereto, in addition to the other purposes for which expenditures may be made by the above agency for the fiscal year ending June 30, 2017, by chapter 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this or any other appropriation act of the 2016 or 2017 regular session of the legislature, expenditures may be made by the above agency from such moneys appropriated from the state general fund or from any special revenue fund or funds for the fiscal year ending June 30, 2017, for the secretary for aging and disability services or an institution's director, or such director's authorized designee, to appoint physicians at an institution: *Provided,* That any physician appointed by a person, entity or organization under contract with the secretary shall not receive a classification of service under the Kansas civil service act.

(3) Notwithstanding the provisions of K.S.A. 76-12a04, and amendments thereto, in addition to the other purposes for which expenditures may be made by the above agency for the fiscal year ending June 30, 2017, by chapter 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this or any other appropriation act of the 2016 or 2017 regular session of the legislature, expenditures may be made by the above agency from such moneys appropriated from the state general fund or from any special revenue fund or funds for the fiscal year ending June 30, 2017, for the secretary for aging and disability services or an institution's director, or such director's authorized designee, to appoint staff and other institution or commission personnel who are not assigned to a particular institution: *Provided,* That any staff or institution or commission personnel appointed on or after July 1, 2016, and on or before June 30, 2018, shall be in the unclassified service of the Kansas civil service act: *Provided, however,* That this paragraph shall not affect the classification of service under the Kansas civil service act for any staff or other personnel appointed prior to July 1, 2016: *And provided further,* That any staff or institution or commission personnel appointed by a person, entity or organization under contract with the secretary shall not receive a classification of service under the Kansas civil service act.

(4) Notwithstanding the provisions of K.S.A. 76-12a05, and amendments thereto, in addition to the other purposes for which expenditures may be made by the above agency for the fiscal year ending June 30, 2017, by chapter 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this or any other appropriation act of the 2016 or 2017 regular session of the legislature, expenditures may be made by the above agency from such moneys appropriated from the state general fund or from any special revenue fund or funds for the fiscal year ending June 30, 2017, for the superintendent of any institution to appoint employees at such institution: *Provided,* That any employee appointed on or after July 1, 2016, and on or before June 30, 2018, shall be in the unclassified service of the Kansas civil service act: *Provided, however,* That this paragraph shall not affect the classification of service under the Kansas civil service act for any employee appointed prior to July 1, 2016: *And provided further,* That any employee appointed by a person, entity or organization under contract with the secretary shall not receive a classification of service under the Kansas civil service act.

(5) For purposes of this subsection, "institution" means Osawatomie state hospital, Larned state hospital, Parsons state hospital and training center or Kansas neurological

institute.

(6) (A) Notwithstanding any other provision of law, during the fiscal year ending June 30, 2017, the above agency shall not expend any moneys appropriated for the fiscal year ending June 30, 2017, from the state general fund or in any special revenue fund or funds for such agency by chapter 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this or any other appropriation act of the 2016 or 2017 regular session of the legislature to outsource or privatize any operations or facilities of the Larned state hospital or Osawatomie state hospital without prior specific authorization by an act of the legislature or an appropriation act of the legislature.

(B) Nothing in this paragraph shall prevent any state agency from renewing, in substantially the same form as an existing agreement, any agreement in existence prior to March 4, 2016, for services at the Larned state hospital or the Osawatomie state hospital during the fiscal year ending June 30, 2017.

(C) Nothing in this paragraph shall prevent any state agency from entering into an agreement for services at the Larned state hospital or the Osawatomie state hospital with a different provider if such agreement is substantially similar to an agreement for services in existence prior to March 4, 2016, during the fiscal year ending June 30, 2017.

Sec. 21.

KANSAS DEPARTMENT FOR
AGING AND DISABILITY SERVICES

(a) (1) Notwithstanding the provisions of K.S.A. 76-12a02, and amendments thereto, in addition to the other purposes for which expenditures may be made by the above agency for the fiscal year ending June 30, 2018, by chapter 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this or any other appropriation act of the 2016, 2017 or 2018 regular session of the legislature, expenditures may be made by the above agency from such moneys appropriated from the state general fund or from any special revenue fund or funds for the fiscal year ending June 30, 2018, for the secretary for aging and disability services to appoint the superintendent at any institution: *Provided,* That any superintendent appointed by a person, entity or organization under contract with the secretary shall not receive a classification of service under the Kansas civil service act.

(2) Notwithstanding the provisions of K.S.A. 76-12a03, and amendments thereto, in addition to the other purposes for which expenditures may be made by the above agency for the fiscal year ending June 30, 2018, by chapter 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this or any other appropriation act of the 2016, 2017 or 2018 regular session of the legislature, expenditures may be made by the above agency from such moneys appropriated from the state general fund or from any special revenue fund or funds for the fiscal year ending June 30, 2018, for the secretary for aging and disability services or an institution's director, or such director's authorized designee, to appoint physicians at an institution: *Provided,* That any physician appointed by a person, entity or organization under contract with the secretary shall not receive a classification of service under the Kansas civil service act.

(3) Notwithstanding the provisions of K.S.A. 76-12a04, and amendments thereto,

in addition to the other purposes for which expenditures may be made by the above agency for the fiscal year ending June 30, 2018, by chapter 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this or any other appropriation act of the 2016, 2017 or 2018 regular session of the legislature, expenditures may be made by the above agency from such moneys appropriated from the state general fund or from any special revenue fund or funds for the fiscal year ending June 30, 2018, for the secretary for aging and disability services or an institution's director, or such director's authorized designee, to appoint staff and other institution or commission personnel who are not assigned to a particular institution: *Provided,* That any staff or institution or commission personnel appointed on or after July 1, 2016, and on or before June 30, 2018, shall be in the unclassified service of the Kansas civil service act: *Provided, however,* That this paragraph shall not affect the classification of service under the Kansas civil service act for any staff or other personnel appointed prior to July 1, 2016: *And provided further,* That any staff or institution or commission personnel appointed by a person, entity or organization under contract with the secretary shall not receive a classification of service under the Kansas civil service act.

(4) Notwithstanding the provisions of K.S.A. 76-12a05, and amendments thereto, in addition to the other purposes for which expenditures may be made by the above agency for the fiscal year ending June 30, 2018, by chapter 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this or any other appropriation act of the 2016, 2017 or 2018 regular session of the legislature, expenditures may be made by the above agency from such moneys appropriated from the state general fund or from any special revenue fund or funds for the fiscal year ending June 30, 2018, for the superintendent of any institution to appoint employees at such institution: *Provided,* That any employee appointed on or after July 1, 2016, and on or before June 30, 2018, shall be in the unclassified service of the Kansas civil service act: *Provided, however,* That this paragraph shall not affect the classification of service under the Kansas civil service act for any employee appointed prior to July 1, 2016: *And provided further,* That any employee appointed by a person, entity or organization under contract with the secretary shall not receive a classification of service under the Kansas civil service act.

(5) For purposes of this subsection, "institution" means Osawatomie state hospital, Larned state hospital, Parsons state hospital and training center or Kansas neurological institute.

(6) (A) Notwithstanding any other provision of law, during the fiscal year ending June 30, 2018, the above agency shall not expend any moneys appropriated for the fiscal year ending June 30, 2018, from the state general fund or in any special revenue fund or funds for such agency by chapter 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this or any other appropriation act of the 2016, 2017 or 2018 regular session of the legislature to enter into any agreement or take any action to outsource or privatize any operations or facilities of the Larned state hospital or Osawatomie state hospital without prior specific authorization by an act of the legislature or an appropriation act of the legislature.

(B) Nothing in this paragraph shall prevent any state agency from renewing, in substantially the same form as an existing agreement, any agreement in existence prior to March 4, 2016, for services at the Larned state hospital or the Osawatomie state

hospital during the fiscal year ending June 30, 2018.

(C) Nothing in this paragraph shall prevent any state agency from entering into an agreement for services at the Larned state hospital or the Osawatomie state hospital with a different provider if such agreement is substantially similar to an agreement for services in existence prior to March 4, 2016, during the fiscal year ending June 30, 2018.

Sec. 22.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) On the effective date of this act, of the $119,261,255 appropriated for the above agency for the fiscal year ending June 30, 2016, by section 110(a) of chapter 104 of the 2015 Session Laws of Kansas from the state general fund in the youth services aid and assistance account (629-00-1000-7020), the sum of $4,620,000 is hereby lapsed.

Sec. 23.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

State operations (including official hospitality) (629-00-1000-0013).....$902,000

(b) On July 1, 2016, of the $117,440,880 appropriated for the above agency for the fiscal year ending June 30, 2017, by section 111(a) of chapter 104 of the 2015 Session Laws of Kansas from the state general fund in the youth services aid and assistance account (629-00-1000-7020), the sum of $1,534,000 is hereby lapsed.

(c) On July 1, 2016, during the fiscal year ending June 30, 2017, in addition to any limitations established in section 50(e) of 2016 House Substitute for Senate Bill No. 161 on the temporary assistance to needy families federal fund of the above agency, any such programs, projects, improvements or services directly or indirectly beneficial to the physical and mental health, welfare, safety and overall well-being of children in Kansas pursuant to K.S.A. 38-2102 and 38-2103, and amendments thereto, shall be for those families that meet at least one risk criteria that qualifies under the purposes of the federal guidelines for temporary assistance to needy families program: *Provided,* That on July 1, 2016, the provisions of section 50(e)(1) of 2016 House Substitute for Senate Bill No. 161 are hereby declared to be null and void and shall have no force and effect.

Sec. 24.

DEPARTMENT OF EDUCATION

(a) If, during the fiscal year ending June 30, 2016, any item of appropriation for employer contributions for the state of Kansas and employers who are eligible employers as specified in K.S.A. 74-4931(1), (2) and (3), and amendments thereto, under the Kansas public employees retirement system pursuant to K.S.A. 74-4939, and amendments thereto, has been lapsed or transferred pursuant to the provisions of section 98(a)(1) of 2016 House Substitute for Senate Bill No. 161, then, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2016 by chapter 4 or 104 of the 2015 Session Laws of

Kansas, 2016 House Substitute for Senate Bill No. 161, this or other appropriation act of the 2016 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2016, to calculate the cost-of-living weighting pursuant to the provisions of K.S.A. 2015 Supp. 72-6475, and amendments thereto, for fiscal year 2016 as if such item of appropriation had not been lapsed or transferred.

Sec. 25.

KANSAS STATE UNIVERSITY

(a) On July 1, 2016, the Salina, college of technology account of the state general fund of Kansas state university is hereby redesignated as the Kansas state university polytechnic campus account of the state general fund of Kansas state university.

Sec. 26.

WICHITA STATE UNIVERSITY

(a) In addition to the other purposes for which expenditures may be made by Wichita state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or fiscal year 2017 authorized by chapter 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this or other appropriation act of the 2016 regular session of the legislature, expenditures shall be made by Wichita state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or for fiscal year 2017 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct parking garage 1: *Provided,* That such capital improvement project is hereby approved for Wichita state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further,* That Wichita state university may make expenditures from the money received from the issuance of any such bonds for such capital improvement project: *Provided, however,* That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed $7,200,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further,* That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further,* That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further,* That Wichita state university shall make provisions for the maintenance of parking garage 1.

Sec. 27.

DEPARTMENT OF CORRECTIONS

(a) On the effective date of this act, of the $20,124,000 appropriated for the above

agency for the fiscal year ending June 30, 2016, by section 144(a) of chapter 104 of the 2015 Session Laws of Kansas from the state general fund in the purchase of services account (521-00-1000-0300), the sum of $3,154,000 is hereby lapsed.

Sec. 28.

DEPARTMENT OF CORRECTIONS

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Purchase of services.....$319,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas juvenile justice improvement fund.....No limit

Juvenile alternatives to detention fund.....No limit

Provided, That notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, or any other statute, expenditures may be made by the above agency from the juvenile alternatives to detention fund for per diem payments to detention centers: *Provided, however,* That expenditures from the juvenile alternatives to detention fund for per diem payments to detention centers shall not exceed $2,258,988.

Sec. 29.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Fire management assistance grant – federal fund.....No limit

Sec. 30.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Fire management assistance grant – federal fund.....No limit

Sec. 31.

KANSAS HIGHWAY PATROL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Kansas highway patrol staffing and training fund.....No limit

Sec. 32.

EMERGENCY MEDICAL SERVICES BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2016, by section 154(a) of chapter 104 of the 2015 Session Laws of Kansas for the emergency medical services operating fund of the emergency medical services board is hereby increased from $1,322,955 to $1,362,955.

Sec. 33.

EMERGENCY MEDICAL SERVICES BOARD

(a) On July 1, 2016, the expenditure limitation established for the fiscal year ending June 30, 2017, by section 155(a) of chapter 104 of the 2015 Session Laws of Kansas for the emergency medical services operating fund of the emergency medical services board is hereby increased from $1,349,331 to $1,379,331.

Sec. 34.

DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Kansas conservation reserve enhancement program fund.....No limit

(b) Any unencumbered balance in excess of $100 as of June 30, 2016, in the conservation reserve enhancement program account of the state water plan fund is hereby reappropriated for the above agency for fiscal year 2017: *Provided,* That during fiscal year 2017, moneys in this account shall be expended only for the purposes for which expenditures may be made from the Kansas conservation reserve enhancement program fund of the department of agriculture pursuant to the provisions of 2016 Senate Bill No. 330.

Sec. 35.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) Notwithstanding the provisions of the provisos in section 167(a) of chapter 104 of the 2015 Session Laws of Kansas on the reimbursement for annual licenses issued to national guard members account, reimbursement for annual park permits issued to national guard members account or reimbursement for annual licenses issued to Kansas disabled veterans account of the state economic development initiatives fund for the

Kansas department of wildlife, parks and tourism, during the fiscal year ending June 30, 2017, the secretary of wildlife, parks and tourism, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2017, from the reimbursement for annual licenses issued to national guard members account, reimbursement for annual park permits issued to national guard members account or reimbursement for annual licenses issued to Kansas disabled veterans account of the state economic development initiatives fund for the Kansas department of wildlife, parks and tourism to another item of appropriation for fiscal year 2017 in the reimbursement for annual licenses issued to national guard members account, reimbursement for annual park permits issued to national guard members account or reimbursement for annual licenses issued to Kansas disabled veterans account of the state economic development initiatives fund for the Kansas department of wildlife, parks and tourism. The secretary of wildlife, parks and tourism shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 36.

DEPARTMENT OF TRANSPORTATION

(a) On July 1, 2016, the expenditure limitation established for the fiscal year ending June 30, 2017, by section 169(b) of chapter 104 of the 2015 Session Laws of Kansas for the agency operations account of the state highway fund of the department of transportation is hereby increased from $256,601,308 to $256,690,608.

(b) In addition to the other purposes for which expenditures may be made by the above agency from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 for such state agency as authorized by chapter 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this or other appropriation act of the 2016 or 2017 regular session of the legislature, expenditures may be made by such state agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 for the purposes of directing the director of unmanned aircraft systems (UAS) to focus on research and development efforts through and between state educational institutions, as defined in K.S.A. 76-711, and amendments thereto: *Provided*, That the director shall work with state educational institutions on the development and growth of new and existing UAS research and development programs: *Provided further*, That the director shall work with the state educational institutions on the creation of partnerships with the UAS industry to develop and sustain public-private partnerships focused on UAS research and development in Kansas: *And provided further*, That the director shall work in conjunction with the department of commerce to develop economic development initiatives related to the UAS program and the work of the state educational institutions: *And provided further*, That the director shall work with local governments and economic development groups, in conjunction with the state educational institutions, in the communities of the state educational institutions on local economic growth initiatives centered on the UAS industry: *And provided further*, That the director shall work with Kansas local governments to promote the benefits of a robust Kansas UAS industry to the general public and work to ensure any locally developed UAS policies or ordinances are consistent with state and federal regulation: *And provided further*, That the director shall work to position the state educational

institutions as national leaders for UAS research and development and the state of Kansas as a national leader within the UAS industry: *And provided further*, That the director shall develop relationships with national leaders within the UAS industry and national intergovernmental, transportation and UAS organizations to better position the state of Kansas and the state educational institutions as national leaders with the UAS industry: *And provided further*, That the director shall work, in conjunction with the state educational institutions, to seek out and apply for grants to advance UAS research and development programs: *And provided further*, That the director shall study the use of UAS for purposes of inspection and surveillance methods in conjunction with the UAS programs of the department of transportation, the Kansas national guard, the Kansas highway patrol, the Kansas bureau of investigation and state educational institutions in the UAS triangle: *And provided further,* That the director shall report to legislature on areas where cooperation in training and usage of UAS for inspection and surveillance methods is occurring or may occur in the future: *And provided further*, That the director shall use office space made available by Kansas state university polytechnic campus for at least half of the director's office time: *And provided further,* That the director shall make recommendations regarding state laws and rules and regulations which are complimentary to federal UAS regulatory and policy efforts and balance privacy concerns with the need for robust UAS economic development in the state of Kansas: *And provided further*, That the director shall develop a five-year strategic plan regarding research and development efforts through and between the state educational institutions and provide a report to the legislature on the implementation of this plan on or before the first day of the 2017 regular legislative session.

Sec. 37. (a) If any state agency is certified to administer a program or service funded by the CIF grants account of the children's initiatives fund previously administered by a different state agency pursuant to section 50(f) of 2016 House Substitute for Senate Bill No. 161, the director of the budget shall direct the director of accounts and reports to create any new required special revenue fund or funds in the newly appointed administering authority and transfer all associated appropriations and expenditure authority.

(b) In addition to the other purposes for which expenditures may be made by the Kansas children's cabinet from the children's cabinet administration account of the Kansas endowment for youth fund for fiscal year 2017 by section 111(d) of chapter 104 of the 2015 Session Laws of Kansas, section 50 of 2016 House Substitute for Senate Bill No. 161, this or other appropriation act of the 2016 or 2017 regular session of the legislature, expenditures shall be made by the Kansas children's cabinet from the children's cabinet administration account for fiscal year 2017 to determine which state agency shall be the administrative authority for the Kansas children's cabinet: *Provided,* That if the Kansas children's cabinet determines that the administrative authority for the Kansas children's cabinet is different than the administrative authority in fiscal year 2016, the Kansas children's cabinet shall certify such change to the director of the budget and the director of legislative research: *Provided further,* That upon receipt of such certification, the director of the budget shall direct the director of accounts and reports to create: (1) Any new, required special revenue fund or funds in the newly appointed administrative authority and transfer all associated appropriations and expenditure authority; and (2) any new, required account of the Kansas endowment for youth fund in the newly appointed administrative authority and transfer all associated

appropriations and reappropriations.

(c) If the Kansas department for children and families authorizes an expenditure of moneys from the temporary assistance for needy families federal fund in fiscal year 2017 for programs, projects, improvements, services and other purposes administered by another agency pursuant to section 50(e) of 2016 House Substitute for Senate Bill No. 161, the director of the budget shall direct the director of accounts and reports to create a temporary assistance for needy families federal fund with no limit expenditure authority in the agency designated to receive temporary assistance for needy families funding.

Sec. 38. (a) On the effective date of this act, during fiscal year 2016, the expenditure limitations on the accounts in the children's initiatives fund, the state economic development initiatives fund and the state water plan fund shall be decreased by the amount of moneys transferred to the state general fund pursuant to the certifications of section 80(s) of chapter 104 of the 2015 Session Laws of Kansas concerning information technology projects.

(b) On July 1, 2016, during fiscal year 2017, the expenditure limitations on the accounts in the children's initiatives fund, the state economic development initiatives fund and the state water plan fund shall be decreased by the amount of moneys transferred to the state general fund pursuant to the certifications of section 81(s) of chapter 104 of the 2015 Session Laws of Kansas concerning information technology projects.

(c) On July 1, 2016, during fiscal year 2017, the term "information technology projects" referred to in sections 81(s) and 170(c) of chapter 104 of the 2015 Session Laws of Kansas and section 95(b) of 2016 House Substitute for Senate Bill No. 161, shall include information technology-related expenditures including: (1) Services, labor (full-time, part-time or contract), contract payments, purchases related to planning, designing, developing, testing, implementing, training, operating, supporting, securing and maintaining any of the data, applications and/or technologies listed in this subsection; (2) all data under the custodianship of the executive branch; (3) all computer applications under the custodianship of the executive branch; and (4) all technology, digital information involving any form of computer storage, including, but not limited to, mainframes, servers, networks and network-related items, including switches, routers, cables, fiber, telecommunications and personal computer's, laptops, tablet computers, mobile phones, digital storage in any form or format, printers and fax machines, and cloud computing.

Sec. 39. (a) During the fiscal ending June 30, 2017, in addition to the other purposes for which expenditures may be made by the chief executive officer of the state board of regents, from moneys appropriated from the state general fund or any special revenue fund or funds for the state board of regents for fiscal year 2017 by chapter 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this or other appropriation act of the 2016 or 2017 regular session of the legislature, expenditures shall be made by the chief executive officer of the state board of regents from the state general fund or from any special revenue fund or funds for fiscal year 2017, for and on behalf of Kansas state university to sell and convey all of the rights, title and interest in the following described tracts of real estate, improvements thereon and easements, all located in Riley county, Kansas, subject to the provisions of this section:

A tract of land in the West Half of Section 1, Township 11 South, Range 07 East of the Sixth Principal Meridian, Riley County, Kansas described as follows:

Beginning at a point that is S 01º44'12" E 2518.00 feet from the Northwest Corner of the West Half of said Section 1, said point being the Northwest Corner of the Raleigh L. Eggers and Miriam Glee Eggers tract recorded in Book 693 pages 297-300 in the Riley County Registrar of Deeds Office: hence N 01º44'12" W 10.25 along the West Line of the Northwest Quarter of said Section 1: hence S 89º55'25" E 324.06 feet to a point on the North of the said Eggers tract: hence S 88º15'48" W 323.90 feet to the point of beginning, containing 1660 square feet. Subject to easements and restrictions of record.

(b) Conveyance of such rights, title and interest in such real estate, improvements thereon and easements, shall be in accordance with the procedures prescribed therefor by the state board of regents and shall be executed in the name of the state board of regents by its chairperson and chief executive officer. All proceeds from the sale of such real estate, improvements thereon and easements shall be deposited in the state treasury to the credit of the gifts account of the restricted fees fund of Kansas state university – extension systems and agriculture research programs.

(c) No conveyance of real estate, improvements thereon and easements authorized by this section shall be made or accepted by the state board of regents until the deeds, titles and conveyances have been reviewed and approved by the attorney general.

Sec. 40. (a) On the effective date of this act, the provisions of section 179 of chapter 104 of the 2015 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

Sec. 41. (a) During fiscal year 2016 and fiscal year 2017, notwithstanding any other provision of law, no state agency shall expend any moneys appropriated for fiscal year 2016 or fiscal year 2017 from the state general fund or from any special revenue fund or funds by chapter 4, 81 or 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this or other appropriation act of the 2016 or 2017 regular session of the legislature to integrate, consolidate or otherwise alter the structure of the following home and community based waiver services under the Kansas program of medical assistance, or to submit to the centers for medicare and medicaid services any proposal to integrate, consolidate or alter such waiver services, if such integration, consolidation or alteration is designed or intended to be implemented before fiscal year 2019: Medical services; behavioral health services; transportation; nursing facilities; other long-term care; autism; frail elderly; technology assistance; physical disability; traumatic brain injury; intellectual/developmental disability; or serious emotional disturbance: *Provided,* That the department for health and environment and the Kansas department for aging and disability services shall prepare and submit reports to the house committee on appropriations, the senate committee on ways and means and the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight on or before January 1, 2017, and March 1, 2017, describing the status of any plan to integrate, consolidate or structurally alter such waiver services, including any proposed waiver applications or amendments, any service definitions and the proposed rate structure for each such service.

Sec. 42. (a) In addition to the other purposes for which expenditures may be made by any executive branch state agency during fiscal year 2017, if expenditures are made by such state agency for a parent education grant program, then expenditures shall be made by such state agency from moneys appropriated for fiscal year 2017 by chapter

104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this or other appropriation act of the 2016 or 2017 regular session of the legislature to require that such program expenditures shall be matched by the school district in an amount which is equal to not less than 65% of the grant.

Sec. 43. (a) In addition to the exceptions established in section 98(c) of 2016 House Substitute for Senate Bill No. 161, during fiscal year 2016, the provisions of section 98(a)(1) of 2016 House Substitute for Senate Bill No. 161 and during fiscal year 2017, the provisions of section 98(a)(2) of 2016 House Substitute for Senate Bill No. 161 shall not apply to any item of appropriation which provides funding for any state agency for domestic violence prevention grants.

Sec. 44. During the fiscal year ending June 30, 2017, the provisions of section 99 of 2016 House Substitute for Senate Bill No. 161 establishing expenditure limitations for any special revenue fund for fiscal year 2017 shall not apply to the Johnson county education research triangle fund (682-00-2393-2390) of the university of Kansas.

Sec. 45. (a) In addition to the exceptions established in section 98(c) of 2016 House Substitute for Senate Bill No. 161, during fiscal year 2016, the provisions of section 98(a)(1) of 2016 House Substitute for Senate Bill No. 161 and during fiscal year 2017, the provisions of section 98(a)(2) of 2016 House Substitute for Senate Bill No. 161 shall not apply to any item of appropriation which provides funding to any state agency for school districts educating students in kindergarten or any of the grades one through 12.

Sec. 46. During fiscal year 2016 and fiscal year 2017, if any state agency submits a request for proposal for an entity to provide services and management at Larned state hospital or Osawatomie state hospital, such request for proposal shall include a requirement for an electronic medical record solution for records at Larned state hospital or Osawatomie state hospital: *Provided,* That any such electronic medical record solution shall: (a) Implement ongoing support of electronic health records developed on a fully integrated architecture that includes pharmacy and the revenue cycle; (b) provide a clinical, operational and financial system that meets federal regulatory standards, including standards for reimbursement; and (c) enable the exchange of health information with outside electronic medical record systems, public health organizations, clinicians, administrative staff and provider organizations and enable physicians to view health data within the physician's workflow from other providers across care delivery venues: *Provided further,* That any such electronic medical record solution may be hosted at a location remote from Larned state hospital or Osawatomie state hospital but shall not host patient data offshore: *Provided, however,* That the selection of any entity to provide such services and management at Larned state hospital or Osawatomie state hospital shall be approved in an act of the legislature or an appropriation act of the legislature pursuant to the provisions of section 100 of 2016 House Substitute for Senate Bill No. 161.

Sec. 47. On the effective date of this act, notwithstanding the provisions of any statute, no state agency shall expend any moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or fiscal year 2017 as authorized by chapters 4, 81 or 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this or other appropriation act of the 2016 or 2017 regular session of the legislature, to demolish the Docking state office building or to reconstruct, relocate, or renovate the power plant or energy center without prior specific

authorization by an act of the legislature or an appropriation act of the legislature: *Provided,* That no expenditures may be made from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or fiscal year 2017 as authorized by chapters 4, 81 or 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this or other appropriation act of the 2016 or 2017 regular session of the legislature by any state agency to sell, lease, transfer or otherwise convey the land on which building no. 3 (Docking state office building) is situated without prior specific authorization in an act of the legislature or an appropriation act of the legislature.

Sec. 48. During the fiscal year ending June 30, 2017, notwithstanding the provisions of Section 98(a) of 2016 House Substitute for Senate Bill No. 161, if the director of the budget uses the allotment authority granted under Section 98(a) of 2016 House Substitute for Senate Bill No. 161, which applies to any state educational institution, as defined in K.S.A. 76-711, and amendments thereto, such allotment shall be calculated as a uniform percentage amount from the total of all operating budget accounts of the state general fund and any special revenue fund or funds of each state educational institution.

Sec. 49. (a) In addition to the other purposes for which expenditures may be made by state agencies from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year as authorized by chapter 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this or other appropriation act of the 2016 or 2017 regular session of the legislature, expenditures shall be made by state agencies from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 for the purpose of identifying all surplus real estate of state agencies and seeking to market such surplus real estate in order to receive the best price for the state, as soon as practicable. All surplus real estate to be sold pursuant to this section shall be identified and approved for sale by the secretary of administration by November 1, 2016.

(b) Any sale of surplus real estate pursuant to this section shall not be subject to the provisions of K.S.A. 75-3043a, and amendments thereto. The secretary of administration or the secretary's designee shall approve any sale price of any surplus real estate before such property is offered for sale.

(c) (1) Notwithstanding the provisions of K.S.A. 75-6609(f), and amendments thereto, any proceeds from the sale of such surplus real estate, after deduction of the expenses of such sale, shall be deposited in the state treasury as prescribed by this subsection. All proceeds from each such sale deposited in the state treasury shall be credited to the surplus real estate fund or another appropriate special revenue fund of the state agency which owned the surplus real estate, as is prescribed by law or as may be determined by the state agency, unless otherwise required by restrictions of the state's title to the real estate being sold.

(2) The amount of expenses and the costs for each sale of surplus real estate pursuant to this section shall be transferred and credited to the property contingency fund created under K.S.A. 75-3652, and amendments thereto, and may be expended for any operations of the department of administration.

(3) Any state agency owning real estate may apply to the director of accounts and reports to establish a surplus real estate special revenue fund in the state treasury. Subject to the provisions of appropriation acts, moneys in a surplus real estate special

revenue fund may be expended for the operating expenditures of the state agency.

(d) The provisions of this section shall expire on June 30, 2017.

Sec. 50. (a) During the fiscal year ending June 30, 2016, if the director of the budget lapses or transfers any amount pursuant to section 98(a)(1) of 2016 House Substitute for Senate Bill No. 161 from the state general fund or from the expanded lottery act revenues fund that would be attributable to employer contributions for any state agency, pursuant to K.S.A. 2015 Supp. 74-4920, as amended by 2016 House Substitute for Senate Bill No. 161, the director of the budget shall certify such amount or amounts. Such amount or amounts shall be repaid with an interest rate of 8% per annum to the Kansas public employees retirement fund from the state general fund, in the manner prescribed in this section.

(b) On June 30, 2017, the director of the budget and the director of legislative research shall certify the amount which the actual tax receipt revenues to the state general fund exceed the April, 2017, joint estimate of revenue pursuant to K.S.A. 75-6701, and amendments thereto. Upon receipt of such certification, the director of accounts and reports shall transfer such certified amount from the state general fund to the Kansas public employees retirement fund to repay the amount lapsed or transferred pursuant to subsection (a), including any interest payments.

(c) If any amounts remain to be repaid from the amount lapsed or transferred pursuant to subsection (a), including any interest payments, on June 30, 2017, notwithstanding the provisions of K.S.A. 38-2102, and amendments thereto, or any other statute, the director of the budget and the director of legislative research shall certify the amount moneys received by the state pursuant to the tobacco litigation settlement agreements entered into by the attorney general on behalf of the state of Kansas, or pursuant to any judgment rendered, regarding the litigation against tobacco industry companies and related entities which are in excess of all expenditures or transfers that have been made from the Kansas endowment for youth fund, as provided by law in the fiscal year ending June 30, 2017. Upon receipt of such certification, the director of accounts and reports shall transfer such certified amount from the state general fund to the Kansas public employees retirement fund to repay the amount lapsed or transferred pursuant to subsection (a), including any interest payments.

(d) If any amounts remain to be repaid from the amount lapsed or transferred pursuant to subsection (a), including any interest payments, on June 30, 2018, the director of the budget and the director of legislative research shall certify the amount which the actual tax receipt revenues to the state general fund exceed the April, 2018, joint estimate of revenue pursuant to K.S.A. 75-6701, and amendments thereto. Upon receipt of such certification, the director of accounts and reports shall transfer such certified amount from the state general fund to the Kansas public employees retirement fund to repay the amount lapsed or transferred pursuant to subsection (a), including any interest payments.

(e) If any amounts remain to be repaid from the amount lapsed or transferred pursuant to subsection (a), including any interest payments, on June 30, 2018, notwithstanding the provisions of K.S.A. 38-2102, and amendments thereto, or any other statute, the director of the budget and the director of legislative research shall certify the amount moneys received by the state pursuant to the tobacco litigation settlement agreements entered into by the attorney general on behalf of the state of Kansas, or pursuant to any judgment rendered, regarding the litigation against tobacco

industry companies and related entities which are in excess of all expenditures or transfers that have been made from the Kansas endowment for youth fund, as provided by law in the fiscal year ending June 30, 2018. Upon receipt of such certification, the director of accounts and reports shall transfer such certified amount from the Kansas endowment for youth fund to the Kansas public employees retirement fund to repay the amount lapsed or transferred pursuant to subsection (a), including any interest payments.

(f) If any amounts remain to be repaid from the amount lapsed or transferred pursuant to subsection (a), including any interest payments, on June 30, 2018, after the transfers pursuant to subsections (b) through (e) have been made from the state general fund to the Kansas public employees retirement fund, the director of the budget and the director of legislative research shall certify the remaining amount to be repaid from the amount lapsed or transferred pursuant to subsection (a), including any interest payments. Upon receipt of such certification, the director of accounts and reports shall transfer such certified amount from the state general fund to the Kansas public employees retirement fund.

Sec. 51. K.S.A. 2015 Supp. 74-4914d, as amended by section 106 of House Substitute for Senate Bill No. 161, is hereby amended to read as follows: 74-4914d. (1) Any additional cost resulting from the normal retirement date and retirement before such normal retirement date for security officers as provided in K.S.A. 74-4914c, and amendments thereto, and disability benefits as provided in K.S.A. 74-4914e, and amendments thereto, shall be added to the employer rate of contribution for the department of corrections as otherwise determined under K.S.A. 74-4920, and amendments thereto, except that the employer rate of contribution for the department of corrections including any such additional cost added to such employer rate of contribution pursuant to this section shall in no event exceed the employer rate of contribution for the department of corrections for the immediately preceding fiscal year by more than the following amounts expressed as a percentage of compensation upon which security officers contribute during the period: (a) For the fiscal year commencing in calendar years 2010 through 2012, an amount not to exceed more than 0.6% of the amount of the immediately preceding fiscal year; (b) for the fiscal year commencing in calendar year 2013, an amount not to exceed more than 0.9% of the amount of the immediately preceding fiscal year; (c) for the fiscal year commencing in calendar year 2014, an amount not to exceed more than 1% of the amount of the immediately preceding fiscal year; (d) for the fiscal year commencing in calendar year 2015, the employer rate of contribution shall be 10.91%~~, except as provided by K.S.A. 74-4920(17), and amendments thereto~~; (e) for the fiscal year commencing in calendar year 2016, the employer rate of contribution shall be 10.81%~~, except as provided by K.S.A. 74-4920(18), and amendments thereto~~; and (f) in each subsequent calendar year, an amount not to exceed more than 1.2% of the amount of the immediately preceding fiscal year, to be calculated~~ as if no certification is made reducing or increasing the rate of employer contribution as provided in K.S.A. 74-4920(17) or (18), and amendments thereto~~ without regard to transfers made pursuant to section 50 of this act. As used in this section, "capitalized interest" means interest payments on the bonds that are prefunded or financed from bond proceeds as part of the issue for a specified period of time in order to offset one or more initial debt service payments.

Sec. 52. K.S.A. 2015 Supp. 74-4920, as amended by section 107 of House

Substitute for Senate Bill No. 161, is hereby amended to read as follows: 74-4920. (1) (a) Upon the basis of each annual actuarial valuation and appraisal as provided for in K.S.A. 74-4908(3)(a), and amendments thereto, the board shall certify, on or before July 15 of each year, to the division of the budget in the case of the state and to the agent for each other participating employer an actuarially determined estimate of the rate of contribution which will be required, together with all accumulated contributions and other assets of the system, to be paid by each such participating employer to pay all liabilities which shall exist or accrue under the system, including amortization of the actuarial accrued liability as determined by the board. The board shall determine the actuarial cost method to be used in annual actuarial valuations, to determine the employer contribution rates that shall be certified by the board. Such certified rate of contribution, amortization methods and periods and actuarial cost method shall be based on the standards set forth in K.S.A. 74-4908(3)(a), and amendments thereto, and shall not be based on any other purpose outside of the needs of the system.

(b) (i) For employers affiliating on and after January 1, 1999, upon the basis of an annual actuarial valuation and appraisal of the system conducted in the manner provided for in K.S.A. 74-4908, and amendments thereto, the board shall certify, on or before July 15 of each year to each such employer an actuarially determined estimate of the rate of contribution which shall be required to be paid by each such employer to pay all of the liabilities which shall accrue under the system from and after the entry date as determined by the board, upon recommendation of the actuary. Such rate shall be termed the employer's participating service contribution and shall be uniform for all participating employers. Such additional liability shall be amortized as determined by the board. For all participating employers described in this section, the board shall determine the actuarial cost method to be used in annual actuarial valuations to determine the employer contribution rates that shall be certified by the board.

(ii) The board shall determine for each such employer separately an amount sufficient to amortize all liabilities for prior service costs which shall have accrued at the time of entry into the system. On the basis of such determination the board shall annually certify to each such employer separately an actuarially determined estimate of the rate of contribution which shall be required to be paid by that employer to pay all of the liabilities for such prior service costs. Such rate shall be termed the employer's prior service contribution.

(2) The division of the budget and the governor shall include in the budget and in the budget request for appropriations for personal services the sum required to satisfy the state's obligation under this act as certified by the board and shall present the same to the legislature for allowance and appropriation.

(3) Each other participating employer shall appropriate and pay to the system a sum sufficient to satisfy the obligation under this act as certified by the board.

(4) Each participating employer is hereby authorized to pay the employer's contribution from the same fund that the compensation for which such contribution is made is paid from or from any other funds available to it for such purpose. Each political subdivision, other than an instrumentality of the state, which is by law authorized to levy taxes for other purposes, may levy annually at the time of its levy of taxes, a tax which may be in addition to all other taxes authorized by law for the purpose of making its contributions under this act and, in the case of cities and counties, to pay a portion of the principal and interest on bonds issued under the authority of

K.S.A. 12-1774, and amendments thereto, by cities located in the county, which tax, together with any other fund available, shall be sufficient to enable it to make such contribution. In lieu of levying the tax authorized in this subsection, any taxing subdivision may pay such costs from any employee benefits contribution fund established pursuant to K.S.A. 12-16,102, and amendments thereto. Each participating employer which is not by law authorized to levy taxes as described above, but which prepares a budget for its expenses for the ensuing year and presents the same to a governing body which is authorized by law to levy taxes as described above, may include in its budget an amount sufficient to make its contributions under this act which may be in addition to all other taxes authorized by law. Such governing body to which the budget is submitted for approval, may levy a tax sufficient to allow the participating employer to make its contributions under this act, which tax, together with any other fund available, shall be sufficient to enable the participating employer to make the contributions required by this act.

(5) (a) The rate of contribution certified to a participating employer as provided in this section shall apply during the fiscal year of the participating employer which begins in the second calendar year following the year of the actuarial valuation.

(b) (i) Except as specifically provided in this section, for fiscal years commencing in calendar year 1996 and in each subsequent calendar year, the rate of contribution certified to the state of Kansas shall in no event exceed the state's contribution rate for the immediately preceding fiscal year by more than 0.2% of the amount of compensation upon which members contribute during the period.

(ii) Except as specifically provided in this subsection, for the fiscal years commencing in the following calendar years, the rate of contribution certified to the state of Kansas and to the participating employers under K.S.A. 74-4931, and amendments thereto, shall in no event exceed the state's contribution rate for the immediately preceding fiscal year by more than the following amounts expressed as a percentage of compensation upon which members contribute during the period: (A) For the fiscal year commencing in calendar years 2010 through 2012, an amount not to exceed more than 0.6% of the amount of the immediately preceding fiscal year; (B) for the fiscal year commencing in calendar year 2013, an amount not to exceed more than 0.9% of the amount of the immediately preceding fiscal year; (C) for the fiscal year commencing in calendar year 2014, an amount not to exceed more than 1% of the amount of the immediately preceding fiscal year; (D) for the fiscal year commencing in calendar year 2015, the employer rate of contribution shall be 10.91%~~, except as provided by subsection (17)~~; (E) for the fiscal year commencing in calendar year 2016, the employer rate of contribution shall be 10.81%~~, except as provided by subsection (18)~~; and (F) in each subsequent calendar year, an amount not to exceed more than 1.2% of the amount of the immediately preceding fiscal year to be calculated~~ as if no certification is made reducing or increasing the rate of employer contribution as provided in subsection (17) or (18)~~ without regard to transfers made pursuant to section 50 of this act. As used in this subsection, "capitalized interest" means interest payments on the bonds that are pre-funded or financed from bond proceeds as part of the issue for a specified period of time in order to offset one or more initial debt service payments.

(iii) Except as specifically provided in this section, for fiscal years commencing in calendar year 1997 and in each subsequent calendar year, the rate of contribution certified to participating employers other than the state of Kansas shall in no event

exceed such participating employer's contribution rate for the immediately preceding fiscal year by more than 0.15% of the amount of compensation upon which members contribute during the period.

(iv) Except as specifically provided in this subsection, for the fiscal years commencing in the following calendar years, the rate of contribution certified to participating employers other than the state of Kansas shall in no event exceed the contribution rate for such employers for the immediately preceding fiscal year by more than the following amounts expressed as a percentage of compensation upon which members contribute during the period: (A) For the fiscal year commencing in calendar years 2010 through 2013, an amount not to exceed more than 0.6% of the amount of the immediately preceding fiscal year; (B) for the fiscal year commencing in calendar year 2014, an amount not to exceed more than 0.9% of the amount of the immediately preceding fiscal year; (C) for the fiscal year commencing in calendar year 2015, an amount not to exceed more than 1% of the amount of the immediately preceding fiscal year; (D) for the fiscal year commencing in calendar year 2016, an amount not to exceed more than 1.1% of the amount of the immediately preceding fiscal year; and (E) for the fiscal year commencing in calendar year 2017, and in each subsequent calendar year, an amount not to exceed more than 1.2% of the amount of the immediately preceding fiscal year.

(v) As part of the annual actuarial valuation, there shall be a separate employer rate of contribution calculated for the state of Kansas, a separate employer rate of contribution calculated for participating employers under K.S.A. 74-4931, and amendments thereto, a combined employer rate of contribution calculated for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, and a separate employer rate of contribution calculated for all other participating employers.

(vi) There shall be a combined employer rate of contribution certified to the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto. There shall be a separate employer rate of contribution certified to all other participating employers. (vii) If the combined employer rate of contribution calculated for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, is greater than the separate employer rate of contribution for the state of Kansas, the difference in the two rates applied to the actual payroll of the state of Kansas for the applicable fiscal year shall be calculated. This amount shall be certified by the board for deposit as additional employer contributions to the retirement benefit accumulation reserve for the participating employers under K.S.A. 74-4931, and amendments thereto.

(6) The actuarial cost of any legislation enacted in the 1994 session of the Kansas legislature will be included in the June 30, 1994, actuarial valuation in determining contribution rates for participating employers.

(7) The actuarial cost of the provisions of K.S.A. 74-4950i, and amendments thereto, will be included in the June 30, 1998, actuarial valuation in determining contribution rates for participating employers. The actuarial accrued liability incurred for the provisions of K.S.A. 74- 4950i, and amendments thereto, shall be amortized over 15 years.

(8) Except as otherwise provided by law, the actuarial cost of any legislation enacted by the Kansas legislature, except the actuarial cost of K.S.A. 74-49,114a, and amendments thereto, shall be in addition to the employer contribution rates certified for

the employer contribution rate in the fiscal year immediately following such enactment. Such actuarial cost shall be determined by the qualified actuary employed or retained by the system pursuant to K.S.A. 74-4908, and amendments thereto, and reported to the system and the joint committee on pensions, investments and benefits.

(9) Notwithstanding the provisions of subsection (8), the actuarial cost of the provisions of K.S.A. 74-49,109 et seq., and amendments thereto, shall be first reflected in employer contribution rates effective with the first day of the first payroll period for the fiscal year 2005. The actuarial accrued liability incurred for the provisions of K.S.A. 74-49,109 et seq., and amendments thereto, shall be amortized over 10 years. (10) The cost of the postretirement benefit payment provided pursuant to the provisions of K.S.A. 2015 Supp. 74-49,114b, and amendments thereto, for retirants other than local retirants as described in subsection

(11) or insured disability benefit recipients shall be paid in the fiscal year commencing on July 1, 2007. (11) The actuarial accrued liability incurred for the provisions of K.S.A. 2015 Supp. 74-49,114b, and amendments thereto, for the KPERS local group and retirants who were employees of local employers which affiliated with the Kansas police and firemen's retirement system shall be amortized over 10 years.

(12) The cost of the postretirement benefit payment provided pursuant to the provisions of K.S.A. 2015 Supp. 74-49,114c, and amendments thereto, for retirants other than local retirants as described in subsection (13) or insured disability benefit recipients shall be paid in the fiscal year commencing on July 1, 2008.

(13) The actuarial accrued liability incurred for the provisions of K.S.A. 2015 Supp. 74-49,114c, and amendments thereto, for the KPERS local group and retirants who were employees of local employers which affiliated with the Kansas police and firemen's retirement system shall be amortized over 10 years.

(14) The board with the advice of the actuary may fix the contribution rates for participating employers joining the system after one year from the first entry date or for employers who exercise the option contained in K.S.A. 74-4912, and amendments thereto, at rates different from the rate fixed for employers joining within one year of the first entry date.

(15) Employer contributions shall in no way be limited by any other act which now or in the future establishes or limits the compensation of any member.

(16) Notwithstanding any provision of law to the contrary, each participating employer shall remit quarterly, or as the board may otherwise provide, all employee deductions and required employer contributions to the executive director for credit to the Kansas public employees retirement fund within three days after the end of the period covered by the remittance by electronic funds transfer. Remittances of such deductions and contributions received after such date are delinquent. Delinquent payments due under this subsection shall be subject to interest at the rate established for interest on judgments under K.S.A. 16-204(a), and amendments thereto. At the request of the board, delinquent payments which are due or interest owed on such payments, or both, may be deducted from any other moneys payable to such employer by any department or agency of the state.

~~(17) On and after the effective date of this act, during the fiscal year ending June 30, 2016, if the director of the budget lapses or transfers any amount from the state general fund or from any special revenue fund or funds that would be attributable to employer contributions for any state agency pursuant to section 98(a)(1) of this act, the~~

~~director of the budget shall certify such amount or amounts and transmit such certification to the board. Upon receipt of such certification, the board shall certify the employer rate of contribution for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, for the fiscal year ending June 30, 2016, at 10.91% minus a percentage of compensation that corresponds to the dollar amount certified by the director of the budget pursuant to this subsection.~~

~~(18) On July 1, 2016, if the director of the budget lapsed or transferred any amount from the state general fund or from any special revenue fund or funds that would be attributable to employer contributions for any state agency during the fiscal year ending June 30, 2016, pursuant to section 98(a)(1) of this act, the board shall certify the employer rate of contribution for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, for the first quarter of the fiscal year ending June 30, 2017, at 10.81% plus a percentage of compensation that corresponds to four times the dollar amount, plus 8%, certified by the director of the budget pursuant to subsection (17). For the final three quarters of the fiscal year ending June 30, 2017, the board shall certify the employer rate of contribution for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, at 10.81%.~~

~~(19) An amount of money corresponding to the employer rate of contribution for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, for the first quarter of the fiscal year ending June 30, 2017, established in subsection (18) shall be paid by the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, to the Kansas public employees retirement fund on or before September 30, 2016.~~

Sec. 53. K.S.A. 2015 Supp. 74-99b34, as amended by section 109 of 2016 House Substitute for Senate Bill No. 161, is hereby amended to read as follows: 74-99b34. (a) The bioscience development and investment fund is hereby created. The bioscience development and investment fund shall not be a part of the state treasury and the funds in the bioscience development and investment fund shall belong exclusively to the authority.

(b) Distributions from the bioscience development and investment fund shall be for the exclusive benefit of the authority, under the control of the board and used to fulfill the purpose, powers and duties of the authority pursuant to the provisions of K.S.A. 2015 Supp. 74-99b01 et seq., and amendments thereto.

(c) The secretary of revenue and the authority shall establish the base year taxation for all bioscience companies and state universities. The secretary of revenue, the authority and the board of regents shall establish the number of bioscience employees associated with state universities and report annually and determine the increase from the taxation base annually. The secretary of revenue and the authority may consider any verifiable evidence, including, but not limited to, the NAICS code assigned or recorded by the department of labor for companies with employees in Kansas, when determining which companies should be classified as bioscience companies.

(d) (1) Except as provided in subsection (d)(2), (d)(3), (h), (i) or (j), for a period of 15 years from the effective date of this act, the state treasurer shall pay annually 95% of withholding above the base, as certified by the secretary of revenue, upon Kansas wages paid by bioscience employees to the bioscience development and investment fund. Such payments shall be reconciled annually. On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the

bioscience development and investment fund interest earnings based on:

(A) The average daily balance of moneys in the bioscience development and investment fund for the preceding month; and

(B) the net earnings rate of the pooled money investment portfolio for the preceding month.

(2) (A) For fiscal year 2016, fiscal year 2017 and fiscal year 2018, the first $1,000,000 that the secretary of revenue certifies to the state treasurer of the annual 95% of withholding above the base, upon Kansas wages paid by bioscience employees, shall be transferred by the director of accounts and reports from the state general fund to the following: The center of innovation for biomaterials in orthopaedic research – Wichita state university fund.

(B) There is hereby established in the state treasury the center of innovation for biomaterials in orthopaedic research – Wichita state university fund which shall be administered by Wichita state university. All moneys credited to the fund shall be used for research and development. All expenditures from the center of innovation for biomaterials in orthopaedic research – Wichita state university fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to expenditures approved by the president of Wichita state university or by the person or persons designated by the president of Wichita state university.

(3) (A) For fiscal year 2016, fiscal year 2017 and fiscal year 2018, the next $5,000,000 that the secretary of revenue certifies to the state treasurer of the annual 95% of withholding above the base, upon Kansas wages paid by bioscience employees above the first $1,000,000 certified pursuant to subsection (d)(2)(A), shall be transferred by the director of accounts and reports from the state general fund to the following: The national bio agro-defense facility fund at Kansas state university.

(B) There is hereby established in the state treasury the national bio agro-defense facility fund which shall be administered by Kansas state university in accordance with the strategic plan adopted by the governor's national bio agro-defense facility steering committee. All moneys credited to the fund shall be used in accordance with the governor's national bio agro-defense facility steering committee's plan with the approval of the president of Kansas state university. All expenditures from the national bio agro-defense facility fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to expenditures approved by the steering committee and the president of Kansas state university or by the person or persons designated by the president of Kansas state university.

(e) The cumulative amounts of funds paid by the state treasurer to the bioscience development and investment fund shall not exceed $581,800,000.

(f) The division of post audit is hereby authorized to conduct a post audit in accordance with the provisions of the legislative post audit act, K.S.A. 46-1106 et seq., and amendments thereto.

(g) At the direction of the authority, the fund may be held in the custody of and invested by the state treasurer, provided that the bioscience development and investment fund shall at all times be accounted for in a separate report from all other funds of the authority and the state.

(h) During the fiscal year ending June 30, 2016, the aggregate amount that is directed to be transferred from the state general fund to the bioscience development and

investment fund pursuant to subsection (d)(1) plus interest earnings pursuant to subsection (d)(1) shall not exceed ~~$8,000,000~~ $6,997,663 for such fiscal year.

(i) During the fiscal year ending June 30, 2017, the aggregate amount that is directed to be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1) plus interest earnings pursuant to subsection (d)(1) shall not exceed $6,000,000 for such fiscal year.

(j) During the fiscal year ending June 30, 2018, the aggregate amount that is directed to be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1) plus interest earnings pursuant to subsection (d)(1) shall not exceed $6,000,000 for such fiscal year.

Sec. 54. K.S.A. 2015 Supp. 74-4914d, as amended by section 106 of House Substitute for Senate Bill No. 161, 74-4920, as amended by section 107 of 2016 House Substitute for Senate Bill No. 161, and 74-99b34, as amended by section 109 of 2016 House Substitute for Senate Bill No. 161, are hereby repealed.

Sec. 55. *Severability.* If any provision or clause of this act or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Sec. 56. *Appeals to exceed expenditure limitations.* (a) Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

(b) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiative fund, the state water plan fund or the Kansas endowment for youth fund, or to any account of any such funds.

Sec. 57. *Savings*. (a) Any unencumbered balance as of June 30, 2016, in any special revenue fund, or account thereof, of any state agency named in chapter 4, 81 or 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161 or this act which is not otherwise specifically appropriated or limited for fiscal year 2017 by chapter 4, 81 or 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this act or any other appropriation act of the 2016 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2017, for the same use and purpose as the same was heretofore appropriated.

(b) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiatives fund, the state water plan fund, the Kansas endowment for youth fund, the Kansas educational building fund, the state institutions building fund, or the correctional institutions building fund, or to any account of any of such funds.

Sec. 58. (a) During the fiscal year ending June 30, 2017, all moneys which are lawfully credited to and available in any bond special revenue fund, which are not otherwise specifically appropriated or limited by chapter 4, 81 or 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this act or other appropriation act of the 2016 regular session of the legislature, are hereby appropriated for the fiscal year ending June 30, 2017, for the state agency for which the bond special revenue fund was established for the purposes authorized by law for expenditures from such bond special revenue fund.

(b) As used in this section, "bond special revenue fund" means any special revenue fund or account thereof established in the state treasury prior to or on or after the effective date of this act for the deposit of the proceeds of bonds issued by the Kansas development finance authority, for the payment of debt service for bonds issued by the Kansas development finance authority, or for any related purpose in accordance with applicable bond covenants.

Sec. 59. *Federal grants.* (a) During the fiscal year ending June 30, 2017, each federal grant or other federal receipt which is received by a state agency named in chapter 4, 81 or 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161 or this act and which is not otherwise appropriated to that state agency for fiscal year 2017 by chapter 4, 81 or 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this act or other appropriation act of the 2016 regular session of the legislature, is hereby appropriated for fiscal year 2017 for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, for fiscal year 2017, until the governor has authorized the state agency to make expenditures from such federal grant or other federal receipt for fiscal year 2017.

(b) In addition to the other purposes for which expenditures may be made by any state agency which is named in chapter 4, 81 or 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161 or this act and which is not otherwise authorized by law to apply for and receive federal grants, expenditures may be made by such state agency from moneys appropriated for fiscal year 2017 by chapter 4, 81 or 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this act or any other appropriation act of the 2016 regular session of the legislature to apply for and receive federal grants during fiscal year 2017, which federal grants are hereby authorized to be applied for and received by such state agencies: *Provided,* That no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

Sec. 60. (a) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in chapter 4, 81 or 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this act or other appropriation act of the 2016 regular session of the legislature, and having an unencumbered balance as of June 30, 2016, in excess of $100 is hereby reappropriated for the fiscal year ending June 30, 2017, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

(b) This subsection shall not apply to the unencumbered balance in any account of the correctional institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2015.

Sec. 61. (a) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in chapter 4, 81 or 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this act or other appropriation act of the 2016 regular session of the legislature and having an unencumbered balance as of June 30, 2016, in excess of $100 is hereby reappropriated

for the fiscal year ending June 30, 2017, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund that was encumbered for any fiscal year commencing prior to July 1, 2015.

Sec. 62. (a) Any state institutions building fund appropriation heretofore appropriated to any state agency named in chapter 4, 81 or 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161, this act or other appropriation act of the 2016 regular session of the legislature and having an unencumbered balance as of June 30, 2016, in excess of $100 is hereby reappropriated for the fiscal year ending June 30, 2017, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This subsection shall not apply to the unencumbered balance in any account of the state institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2015.

Sec. 63. (a) Any transfers of money during the fiscal year ending June 30, 2017, from any special revenue fund of any state agency named in chapter 4, 81 or 104 of the 2015 Session Laws of Kansas, 2016 House Substitute for Senate Bill No. 161 or this act to the audit services fund of the division of post audit under K.S.A. 46-1121, and amendments thereto, shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 2017.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "ACT"; by striking lines 2 through 5 and inserting "making and concerning appropriations for fiscal years ending June 30, 2016, June 30, 2017, and June 30, 2018, for state agencies; authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2015 Supp. 74-4914d, as amended by section 106 of House Substitute for Senate Bill No. 161, 74-4920, as amended by section 107 of 2016 House Substitute for Senate Bill No. 161, and 74-99b34, as amended by section 109 of 2016 House Substitute for Senate Bill No. 161, and repealing the existing sections.";

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

RONALD RYCKMAN
SHARON SCHWARTZ
Conferees on part of House

TY MASTERSON
JIM DENNING
Conferees on part of Senate

On motion of Rep. Ryckman, the conference committee report on **H Sub for SB 249** was adopted.

Call of the House was demanded.

On roll call, the vote was: Yeas 63; Nays 59; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Anthimides, Barker, Barton, Boldra, Bradford, Campbell, B. Carpenter, W. Carpenter, Claeys, Corbet, E. Davis, Dove, Esau, Estes, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Jennings, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, R. Powell, Proehl, Rahjes, Read, Rhoades, Ryckman, Ryckman Sr., Scapa, Schwab, Schwartz, Seiwert, C. Smith, Suellentrop, Sutton, Todd, Vickrey, Waymaster, Weber, C., Whitmer.

Nays: Alcala, Ballard, Becker, Billinger, Bollier, Bruchman, Burroughs, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, DeGraaf, Dierks, Doll, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Helgerson, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Hutton, Johnson, Kuether, Lewis, Lusk, Lusker, Moxley, Ousley, F. Patton, Peck, Phillips, Rooker, Rubin, Ruiz, Sawyer, Scott, Sloan, S. Swanson, Thimesch, Thompson, Tietze, Trimmer, Victors, Ward, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Edmonds, Ewy, Schroeder.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Vickrey, **HCR 5027,** by Representatives Merrick and Burroughs, as follows, was introduced and emergency adopted.

HCR 5027– A CONCURRENT RESOLUTION relating to the 2016 regular session of the legislature and providing for an adjournment thereof.

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the legislature shall adjourn at the close of business of the daily session convened on May 1, 2016, until the hour of 10:00 a.m. on June 1, 2016, at which time the legislature shall reconvene and shall continue in session until sine die adjournment at the close of business on June 1, 2016; and

Be it further resolved: That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend 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 President of the Senate, the Speaker of the House of Representatives or the Legislative Coordinating Council during the period of adjournment for which members are not authorized per diem compensation and subsistence allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation and travel expenses or allowances as provided by K.S.A. 75-3212, and amendments thereto.

REPORT ON ENGROSSED BILLS

Sub HB 2151 reported correctly engrossed April 30, 2016.

HB 2163 reported correctly re-engrossed April 30, 2016.

Sub HB 2289, HB 2456, HB 2490, HB 2522, HB 2622 reported correctly engrossed May 1, 2016.

S Sub for HB 2018, S Sub for HB 2088, S Sub for HB 2365, HB 2460, HB 2462 reported correctly re-engrossed May 1, 2016.

REPORT ON ENROLLED BILLS

S Sub for HB 2008, HB 2164, HB 2436, HB 2480, HB 2558, HB 2563, HB 2610 reported correctly enrolled, properly signed and presented to the Governor on May 1, 2016.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Wednesday, June 1, 2016.

Journal of the House

FIFTY-FOURTH DAY

Hall of the House of Representatives,
Topeka, KS, Wednesday, June 1, 2016, 10:00 a.m.

The House met pursuant to **HCR 5027** with Speaker Merrick in the chair.

The roll was called with 120 members present.
Rep. Victors was excused on verified illness.
Reps. Garber, Proehl, Smith and Wilson were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Gracious and loving Lord God,
I stand before You today and express gratitude
on behalf of this body
for Your guidance and assistance throughout this session.
Thank You for all that was accomplished.
We ask that You continue to work through the leaders
on that which was not completed.
Thank You for a spirit of unity
even though there has been a myriad of philosophical thought
on all the issues that have been addressed.
Thank You for your protection over them
as they have traveled back and forth for meetings.
Lord, we recognize that there are a couple of more concerns
that still need to be addressed in the coming days.
These are very difficult and complicated subjects.
Please give these leaders Your wisdom and strength
for we recognize that
"…the foolishness of God is wiser than man's wisdom,
and the weakness of God is stronger than man's strength."
May Your blessings be poured out upon these leaders.
This, I pray in Christ's Name, Amen.
(I Corinthians 1:25)

The Pledge of Allegiance was led by Rep. Schroeder.

PERSONAL PRIVILEGE

There being no objection, the following remarks of Reps. Burroughs and Dove are spread upon the Journal:

Rep. Dove's remarks:

On May 9, 2016, Detective Brad Lancaster, a member of the Kansas City, Kansas Police Department (KCKPD), was killed in the line of duty. Detective Brad Lancaster responded to a radio call on May 9, 2016, about a suspicious person near the Kansas Speedway. When Detective Lancaster arrived, the suspicious person fled into a field, where he and Detective Lancaster exchanged gunfire. The suspect was caught and taken into custody later that day, but Detective Lancaster ultimately died of his injuries.

Detective Brad Lancaster, who was 39 years old, is survived by his wife Jamie and two daughters, Brianna and Jillian, aged nine and 10. Detective Lancaster joined the KCKPD on July 12, 2007, graduating as valedictorian from his academy class and was later promoted to Detective in 2013. Detective Lancaster earned 13 commendations during his time with the KCKPD. Before joining the KCKPD, Detective Lancaster served in the United States Air Force and completed two tours of duty, including one in Kuwait during Operation Desert Shield.

This tragic loss took place just before National Police Week, a time in which we celebrate those who leave their homes and families each day and put their lives on the line to keep our neighborhoods safe.

We honor the life of Detective Brad Lancaster, who gave his life to keep his community safe and who deserves our highest respect and appreciation. We join the Kansas City community and law enforcement agencies across the country in our prayers for Detective Brad Lancaster and his family as we mourn his death.

We express our sincere thanks and appreciation to law enforcement officers, with the support of their families, for working tirelessly amid dangerous conditions to protect the innocent, for upholding the law, for the burdens they shoulder and for the sacrifices they make on a daily basis. We owe so much to these everyday heroes.

Rep. Burroughs' remarks:

Born on September 13, 1976 in Smithville, Missouri, Brad was always committed to serving others before himself. He was a U.S. Air Force Veteran and Top Gun Award Winner, who after his Basic Training in San Antonio, served a tour as a Military Policeman in Kuwait during Desert Shield, and then a tour in Saudi Arabia.

In addition to serving as a Platte County Sheriff's Deputy from 1998 to 2007, he was a West Platte Volunteer Firefighter. Brad has served the last decade with the Kansas City, Kansas Police Department. It was no surprise that as the Valedictorian Graduate of the Academy, he was a natural at police work and quickly rose to the rank of Detective.

Brad was a huge Kansas City Royals fan and thoroughly enjoyed being outdoors. He was an avid outdoorsman who loved camping, rafting, kayaking, and zip lining. He excelled at barbequeing and smoking, and he liked it so much he even made his own smokers.

He will always be remembered as a great dad, husband, son and brother, who loved spending time with his family.

With us today are: Jamie Lancaster (wife), Brianna Lancaster (daughter), Jillian

Lancaster (daughter), Carolynn Lancaster (mother), Lynn Johnson (close family friend), Christopher Blake (best friend), Caden Blake and Ryan Blake (Christopher's children), Chief Terry Zeigler, Officer / FOP President Scott Kirkpatrick, Deputy Chief Rodney Smith and Captain Pamela Waldeck.

Also in the gallery we have officers with the Kansas City, KS Wheel Unit.

Reps. Burroughs and Dove presented Mrs. Lancaster with a framed House certificate.

PERSONAL PRIVILEGE

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

Mr. Speaker, Leadership and Members of the House:

It does not get any better than this!

After 7 elections of walking the streets and asking for money from strangers, it is finally my turn to thank all the people that have made these 14 years possible.

First I want to thank my wife and my sons. Susan has stepped-in with many selfless sacrifices during my whole life. She filled-in for me when I have been away either in the legislature or deployed by the Air Force. Literally I can say that she has always been the wind beneath my wings and the afterburner in my engine.

I would also like to thank every one of you. I want to especially thank the staff, revisors, researchers and all the members that serve in my committee. My vice chair and my ranking "D" and all the members that worked hard together to provide the military and veterans the service that we owe them. Like that philosopher, Forest Gump, said "they all fit together like peas and carrots." When times have been difficult you all have been there with your support and prayers.

Next, I would like to thank all the ghosts in the capitol for never letting a bill die. These ghosts keep on telling us "Why can't you just copy what so and so did?" I think that if you want to be eternal, you need to become a bill in the Capitol.

I want to thank all the physicians and lawyers that have been part of the legislature since 1861. They have shown us that they can actually work without charging a fee.

I also have to thank all the lobbyists for helping the economy by giving us the opportunity to buy many pairs of ever expanding pants and suits. On that point, I would like to thank in advance whoever invents a one-size-fits-all legislature suit.

I want to thank that British philosopher, Mick Jagger, who said "You cannot always get what you want." That is the best advice for any legislator I have ever heard.

I also need to thank the guy that said that the way to happiness is to learn to want what you have and not want what you don't have. This is the only job where you don't see what the story is really about till you're at the end of it. I admire all of you for serving without consideration for personal wealth. Now that I have reached this moment, I have noticed that endings are hard and I will miss all of you.

PERSONAL PRIVILEGE

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

Today, we celebrate two extraordinary young men who deserve to be honored and

celebrated, Mitchell and Christopher Gingher. Since age 6, these young men have donated their birthdays to community needs. The first couple of years, they took in more than 250 unwrapped gifts for the Salvation Army to give to children in need at Christmas. They then turned their attention to the local food pantries by asking those who attended their birthday to bring canned goods. The first year's goal of 500 lbs of food was exceeded, reaching 800 lbs. The second year, with a new goal of 800 lbs, they collected around 1000 lbs. Then 1100 lbs, and this past year more than 1200 items for local pantries.

Avid volunteers at our area museum, taking meals to families who have either needs or illness, both Christopher and Mitchell are always active helping others and giving back. This year, they became aware of the need for basics among families facing challenges, so they began the Bread, Milk and Eggs Project whereby they provide these three basics to families in need. They partnered with a grocery in Arkansas City and put together certificates that can be handed out to assist families. They have amazed adults who have tried to start programs like this before by launching it in a matter of weeks and ensuring it has the financial backing from citizen donations to continue on.

Their giving hearts come naturally as mother, Kanyon, is an avid ambassador to families in need by raising money to assist with utility bills for those struggling to meet their obligations. And family friend, Bob Scott, who owns an automotive shop in Arkansas City quietly has helped countless families, at no cost, with their automobile needs. This family exemplifies the best in the human spirit and giving back.

Please help me recognize and congratulate them for their selfless acts of giving, at such a young age, with such incredible impact.

Rep. Kelley presented Mitchell and Christopher Gingher with framed House certificates.

PERSONAL PRIVILEGE

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

What a tremendously interesting time. The past four years of budget woes have given new meaning to the term “Bleeding Kansas.”

While I am extremely positive about the changes that I see in this coming election and the positive future that it will mean to every Kansan, I am here to announce that I will not be running for a sixth term. These ten years have gone by like a flash but I think we should self-regulate our term limits. I have reached my own conclusion, just as you will at some point.

I have and do enjoy tremendous support from my constituents and friends in both the old 68th and the new 68th districts. Representing them and the other great people of Kansas has been a pleasure. After the redistricting, 70 percent of my people changed. In my home of Morris County where people knew me, I garnered 75% of the vote but in Chase County where they didn’t know me, I got 81% of the vote.

I’ve always believed in making Kansas a better place. Through good leadership, we made real progress for a number of years during some extremely challenging times. Those opportunities now lie just ahead of us because hard times can and do set the plate for good times. Kansas has been through much harder times and I believe that positive

new leadership will put Kansas back on a track that is constructive for all Kansans not just the wealthy few.

Some things are bigger than any one of us and we just have to count on and encourage others to carry the torch to the finish line. I believe we will have a renaissance in Kansas that will be led by many of you in this room. At that point I will regret not being here as part of the solution.

I hope we can stay in touch and tell "Fox Hole" stories about the wars we fought together. The casino bill which had eight divisions of the question, 54 amendments and a debate which finished in the early morning.

In 2012 there was HB 2117. It was the infamous tax reduction bill where the sitting House Speaker broke 5 House rules to allow its passage. Including not allowing me to even call him on breaking the House rules.

On the positive side many of us in this room passed T-works, Clean Air Kansas, a nursing Home Provider Tax, and solving the "Great Recession" budget and funding crisis.

I thank you for being my friend in good times and bad. You and I each have memories to cherish. I hope that I played some small positive part in your life as you and this House body have played a positive role in mine.

May God Bless You and the Great State of Kansas.

PERSONAL PRIVILEGE

Rep. Estes addressed the body regarding his retirement from the House.

PERSONAL PRIVILEGE

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

Colleagues, please allow me to announce the birth of my fourteenth grandchild, Samuel Edward Carlin on May 27, 2016. He is the son of Ryan and Molly Carlin of Atlanta, Georgia. Samuel weighed 7 lbs. 14 oz and is 21 inches long. He was named for the historic Irish immigrant, Sam Carlin, who brought the Carlin family to Salina, Kansas in 1871. He joins older brother, Hugh James Carlin.

MESSAGES FROM THE GOVERNOR

S Sub for HB 2008, HB 2164, HB 2436, HB 2480, HB 2558, HB 2563, HB 2610 approved on May 6, 2016.

Also, **Sub HB 2062, S Sub for HB 2088, HB 2163, S Sub for HB 2285, Sub HB 2289** approved on May 9, 2016.

Also, **HB 2446, HB 2522, HB 2545, HB 2622** approved on May 10, 2016.

Also, **S Sub for HB 2056, Sub HB 2151, Sub HB 2473, HB 2502** approved on May 11, 2016.

Also, **HB 2632, HB 2696** approved on May 12, 2016.

Also, **HB 2456, HB 2462, HB 2615** approved on May 13, 2016.

Also, **S Sub for HB 2018, S Sub for HB 2049, S Sub for HB 2112, S Sub for HB 2156, S Sub for HB 2365, HB 2460, HB 2463, HB 2490, HB 2501, S Sub for HB 2509, HB 2617, HB 2739** approved on May 17, 2016.

COMMUNICATIONS FROM STATE OFFICERS

From Derek Schmidt, Kansas Attorney General, pursuant to K.S.A. 74-7316, 2015 Annual Report of The Crime Victims Compensation Board.

From Ruth Glover, Executive Director, pursuant to K.S.A. 44-1104(13), Kansas Human Rights Commission Annual Report, Fiscal Year 2015.

From Grace-Marie Turner, President, The Galen Institute, 2015 Annual Report.

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

MESSAGES FROM THE SENATE

Announcing adoption of **HCR 5027**.

The Senate adopts the Conference Committee report on **H Sub for SB 249**.

The Senate adopts the Conference Committee report on **H Sub for SB 402**.

Also, announcing the Senate herewith transmits a veto message from the Governor on **SB 338**. AN ACT concerning cities; relating to the rehabilitation of abandoned property; amending K.S.A. 2015 Supp. 12-1750 and 12-1756a and repealing the existing sections; also repealing K.S.A. 2015 Supp. 12-1756e., which was received on April 11, 2016 and was read before the Senate on April 27, 2016.

The right to private property serves as a central pillar of the American constitutional tradition. It has long been considered essential to our basic understanding of civil and political rights. Property rights serve as a foundation to our most basic personal liberties. One of government's primary purposes is to protect the property rights of individuals.

"The purpose of **Senate Bill 338**, to help create safer communities, is laudable. However, in this noble attempt, the statute as written takes a step too far. The broad definition of blighted or abandoned property would grant a nearly unrestrained power to municipalities to craft zoning laws and codes that could unjustly deprive citizens of their property rights. The process of granting private organizations the ability to petition the courts for temporary and then permanent ownership of the property of another is rife with potential problems.

Throughout the country, we have seen serious abuse where government as broadened the scope of eminent domain, especially when private development is involved. The use of eminent domain for private economic development should be limited in use, not expanded. **Senate Bill 338** opens the door for serious abuse in Kansas. Governmental authority to take property from one private citizen and give to another private citizen should be limited, but this bill would have the effect of expanding such authority without adequate safeguards.

Kansans from across the political spectrum contacted me to discuss their concerns that this bill disparately impact low income and minority neighborhoods. The potential for abuse of this new statutory process cannot be ignored. Government should protect property rights and ensure that the less advantaged are not denied the liberty to which every citizen is entitled.

There is a need to address the ability of municipalities and local communities to effectively maintain neighborhoods for public safety. However, **Senate Bill 338** does much more. Though I am vetoing this bill, I would welcome legislation that empowers local communities to respond to blight and abandoned property that does not open the

door to abuse of the fundamental rights of free people."

Dated: April 11, 2016
Signed: Sam Brownback,
Governor

There being no motion to reconsider **SB 338**, the President ruled the veto sustained.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Burroughs, **HR 6061**, as follows, was introduced and adopted:

By Representative Burroughs

HR 6061—A RESOLUTION designating the month of November 2016 as Urological Health Month.

A RESOLUTION designating the month of November 2016 as Urological Health Month.

WHEREAS, Tens of millions of Americans are currently affected by urological diseases and conditions, including urinary incontinence, overactive bladder, underactive bladder, interstitial cystitis, nocturia, urinary tract infections, bladder cancer, urotrauma and neurogenic bladder; and

WHEREAS, Urological diseases and conditions have a significant impact on health and quality of life and contribute to depression, social isolation, falls, sexual dysfunction, loss of self-esteem, hospitalizations, nursing home admissions and even death; and

WHEREAS, Medical and behavioral research is critically needed to better understand and maintain bladder health and treat bladder diseases, yet this need remains poorly recognized; and

WHEREAS, Bladder problems are highly stigmatized, and open dialogue generated by Urological Health Month can reduce stigma and empower providers and patients to have much-needed conversations about bladder health: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we designate the month of November 2016 as Urological Health Month; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Burroughs.

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

AFTERNOON SESSION

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

MESSAGES FROM THE SENATE

Announcing a line item veto message from the Governor of **H Sub for SB 249**, AN ACT making and concerning appropriations for fiscal years ending June 30, 2016, June 30, 2017, and June 30, 2018, for state agencies; authorizing and directing payment of

certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2015 Supp. 74-4914d, as amended by section 106 of House Substitute for Senate Bill No. 161, 74-4920, as amended by section 107 of 2016 House Substitute for Senate Bill No. 161, and 74-99b34, as amended by section 109 of 2016 House Substitute

for Senate Bill No. 161, and repealing the existing sections.

"I want to to thank every member of the Kansas Legislature for your hard work during the 2016 session.

I have taken actions to balance the budget and reduce the growth of state spending. If the Kansas Supreme Court orders an additional $40 million, or more, in funding for schools, it could result in additional cuts to Medicaid and higher education beyond those enumerated here.

These actions protect public safety and provide support to state hospitals, specifically:

- Increasing SGF to Osawatomie State Hospital and Larned State Hospital by $11.4 million in FY 2016.
- Increasing SGF to Osawatomie State Hospital and Larned State Hospital by $5.6 million in FY 2017, including direct care pay increases to Registered Nurses at OSH and Mental Health Technicians at OSH and LSH in order to provide aid in recruitment and retention of qualified nursing and direct care staff.
- Increasing DCF's budget by $1.1 million to fund pay increases to Social Workers to improve recruitment and retention in these hard to fill positions.
- Realizing $6.5 million in reduced expenditures from the State General Fund in order to pay for the pay increases that will be realized through implementation of Alvarez and Marsal efficiency recommendations.

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I hereby return House Substitute for Senate Bill No. 249 with my signature approving the bill, except for the items enumerated below.

Department of Aging and Disability Services – Mental Health Screenings

Section 20(b) is vetoed in its entirety.

In October 2015, the Department for Aging and Disability Services discontinued its policy of requiring mental heath screenings prior to admission to inpatient psychiatric beds at community hospitals and residential treatment facilities. The screenings were discontinued based on the potential loss of funding from the federal government due to federal Mental Health parity regulations. The proviso at issue here would return to the former policy, at a cost of more than $1.8 million. While that cost may be justified by the benefits to be obtained from the screenings, approving this provision could additionally jeopardize substantial federal funding of inpatient Medicaid services. I would be pleased to revisit this issue if the state receives new and different assurances from the federal government on the matter.

KPERS – Transfer of Tobacco Litigation Settlement Revenue

Section 50(c) is vetoed in its entirety.

House Substitute for SB 249 states that if KPERS employer contributions for any state agency is lapsed or transferred in FY 2016, the amount will be certified and repaid

with interest of 8.0 percent per annum to the KPERS retirement fund from the State General Fund. The five repayment provisions are prescribed as follows:

- The amount of which the actual tax receipt revenues to the State General Fund exceeds the April 2017 joint estimate of revenue shall repay the KPERS amount lapsed or transferred.
- The amount of which the actual tax receipt revenues to the State General Fund exceeds the April 2018 joint estimate of revenue shall repay the KPERS amount lapsed or transferred.
- The amount received from the master tobacco settlement litigation revenue in excess of expenditures or transfers that have been made from the Key Endowment for Youth Fund as provided by law in FY 2017 shall be used to repay the KPERS amount lapsed or transferred.
- The amount received from master tobacco settlement litigation revenue in excess of expenditures or transfers that have been made from the Key Endowment for Youth Fund as provided by law in FY 2018 shall be used to repay the KPERS amount lapsed or transferred; and
- Any amounts remaining to be repaid from the amount lapsed or transferred in FY 2016 will be repaid from the State General Fund by June 30, 2018.

The excess master tobacco settlement litigation revenue is estimated to be $16.0 million in FY 2017. In order to increase the State General Fund ending balance by $16.0 million and guard against further reductions to Medicaid and Higher Education, the proviso prescribing excess master tobacco settlement litigation revenue to be used to repay the KPERS amount lapsed or transferred in FY 2016 is vetoed. The remaining four provisions relating to the repayment of KPERS employer contributions lapsed or transferred in FY 2016 will remain."

Dated: May 18, 2016
Signed: Sam Brownback,
Governor

There being no motions to reconsider the line item vetoes in **H Sub for SB 249**, the President ruled the vetoes sustained.

Also, announcing the Senate here with transmits the veto message from the Governor, together with the enrolled copy of **H Sub for SB 280**, AN ACT concerning taxation; relating to powers of taxing jurisdictions; valuation, appeals, procedure; ratio study, presentation to county commissioners, exemptions; bed and breakfasts; oil and gas leases, determination of value of production, evidence; county appraisers, persons eligible; market study analysis; tax liens, extinguishment; delinquent real property taxes, interest rate, claims against the county; amending K.S.A. 19-432, 79-504, 79-1412a, 79-1456, 79-1460a and 79-2011 and K.S.A. 2015 Supp. 12-1927, 74- 2426, 74-2433, 74-2438, 77-618, 79-331, 79-425a, 79-503a, 79-1439, 79-1448, 79-1460, 79-1476, 79-2004, 79-2005 and 79-2026 and repealing the existing sections, which was received on May 17, 2016 and read on June 1, 2016.

"In 2014, I signed House Substitute for Senate Bill 231, which contained numerous revisions governing the litigation of tax cases. In connection with the consideration of that legislation, I expressed concerns about a section in a prior version of the bill that would have retroactively given the parties in previously determined matters a second opportunity to litigate their cases. This objectionable provision then was removed from

the final 2014 legislation, which I eventually signed.

The bill that I am vetoing today renews the concerns I expressed two years ago, by adding a new provision that would for the first time allow tax cases that are on appeal and eventually remanded to the Board of Tax Appeals to then be the subject of a subsequent appeal to a district court, where the court would conduct an entirely new trial and decide all of the issues over again. Section 3(c)(4)(B). This new possibility of district "trial de novo," as defined in this provision, improperly gives parties in previously determined matters a second opportunity to litigate their cases, and essentially nullifies the prior proceedings – thereby wasting time, effort, and expenses incurred by the parties and the courts in these matters. Significantly, the Kansas courts have recognized that the Board of Tax Appeals already performs the necessary judicial function of an initial court of record for the matters at issue here – a function that would be upended by this legislation. See In re Appeal of Trickett, 27 Kan. App. 2d 651,656, 8 P.3d 18, 23 (2000).

The new appeal right contained in this bill would be very beneficial to parties in cases positioned to take advantage of them, and as it turns out, to one case in particular. The State of Kansas is currently litigating an income tax matter in which the state has received a tax deposit of $48,467,227.00. The taxpayers in that case, Mr. and Mrs. O. Gene Bicknell, have been supporters of and financial donors to my campaigns for public office, as well as the campaigns of many others. Mr. Bicknell was a candidate for the Republican nomination for Governor of Kansas in 1994. His tax dispute with the State of Kansas far predates my election as Governor, but the litigation has continued throughout my administration and I have always taken the position that the matter should be left to the Department of Revenue and the court system. See In re Bicknell, No. 2010-8529-DT (decision of the Kansas Court of Tax Appeals dated Dec. 3, 2013), vacated and remanded, No. 111,202 (decision of the Kansas Court of Appeals dated Sept. 25, 2015) (transfer motion pending before Kansas Supreme Court).

Under these circumstances, it would be improper for me to approve this legislation. Taxpayers should contest their past tax obligations before the board and the courts under the laws that apply to everyone. Most Kansans lack the resources necessary to seek special treatment through the legislative process. I share the Legislature's interest in ensuring a fair and impartial system of justice for taxpayers. Toward that end, I look forward to receiving any new legislation with reforms that operate on a going forward basis and which do not disturb pending cases.

Accordingly, pursuant to Article 2, Section 14(a) of the Constitution of the State of Kansas, I hereby veto Senate Bill 280."

Dated: May 17, 2016
Signed: SAM BROWNBACK,
Governor of Kansas

A motion was made that **H Sub for SB 280** be passed notwithstanding the Governor's veto. By a vote of 39 Yeas and 1 Nay, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the Senate voting in the affirmative to approve the bill, the bill passed.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Kleeb the House proceeded to reconsider **H Sub for SB 280** AN

ACT concerning taxation; relating to powers of taxing jurisdictions; valuation, appeals, procedure; ratio study, presentation to county commissioners, exemptions; bed and breakfasts; oil and gas leases, determination of value of production, evidence; county appraisers, persons eligible; market study analysis; tax liens, extinguishment; delinquent real property taxes, interest rate, claims against the county; amending K.S.A. 19-432, 79-504, 79-1412a, 79-1456, 79-1460a and 79-2011 and K.S.A. 2015 Supp. 12-1927, 74-2426, 74-2433, 74-2438, 77-618, 79-331, 79-425a, 79-503a, 79-1439, 79-1448, 79-1460, 79-1476, 79-2004, 79-2005 and 79-2026 and repealing the existing sections..

The Governor's objection to **H Sub for SB 280** having been read the question being shall the bill be passed not withstanding the Governor's veto?

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

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Garber, Proehl, C. Smith, Victors, Wilson.

A two-thirds majority of the members elected to the House having voted in favor of the bill over the Governor's veto, the motion did prevail, and the bill did pass.

PERSONAL PRIVILEGE

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

This is a moment I've thought about a lot. I don't come down here very often. It's a much better view from up there, but it's important for me to say thank you.

Many of you know I was born in a log cabin, in northern Alberta, Canada. What you may not know, is that after high school I worked construction during the summer. We poured concrete for the sidewalk out around the capitol building. I had no idea my life would take me to these chambers.

Serving here has brought so many opportunities I didn't dream of. I have met many amazing people along the way.

One of the main reasons I have been here has been to make Kansas the best possible state for my children and grandchildren to live.

Together, we have made bold policy changes for our state. With your help, we accomplished change that is vital for the future of our state. We put our kids first on countless education reform bills.

We brought accountability and openness to the judiciary. We passed transparency reform to make our committee hearings open and accessible. We've worked to make Kansas the best place to start and grow a small business. We've stood for the right of Kansans to defend themselves with the Second Amendment. We've given voters a voice on whether their property taxes increase, and there are so many other accomplishments I'm proud of. I couldn't have done it without you. I couldn't have done it if you hadn't given me the opportunity. Thank you.

Right now, all across this state, there are young people who aren't sure what they want to do with their future. Maybe they're out pouring concrete. My message to them is that in whatever you do, put everything you have into it. You have to work hard, persevere, and keep working hard. It will not be easy, in fact it rarely will. But it will take you unexpected places, perhaps even to this chamber.

Thank you to everyone who made my speakership possible. Thank you to my wife Phyllis, my sons, Matt and Mike. Thank you to my staff, and to everyone around the building who supports the legislature. But most of all, thank you for twice electing me to serve this body. It has been an honor and a privilege. I wish each and every one of you the very best. Thank you.

REPORT ON ENGROSSED BILLS

HB 2632 reported correctly engrossed May 2, 2016.

HB 2509, HB 2615 reported correctly re-engrossed on May 2, 2016.

HB 2056, HB 2696, HB 2739 reported correctly engrossed May 3, 2016.

HB 2502 reported correctly re-engrossed May 3, 2016.

REPORT ON ENROLLED BILLS

Sub HB 2062, S Sub for HB 2088, Sub HB 2151, HB 2163, S Sub for HB 2285, Sub HB 2289, HB 2446, HB 2462, Sub HB 2473, HB 2545, HB 2622 reported correctly enrolled, properly signed and presented to the Governor on May 3, 2016.

HB 2522 reported correctly enrolled, properly signed and presented to the Governor on May 6, 2016.

S Sub for HB 2018, S Sub for HB 2049, S Sub for HB 2056, S Sub for HB 2112, S Sub for HB 2156, S Sub for HB 2365, HB 2456, HB 2460, HB 2463, HB 2490, HB 2501, HB 2502, S Sub for HB 2509, HB 2615, HB 2617, HB 2632, HB 2696, HB 2739 reported correctly enrolled, properly signed and presented to the Governor on May 9, 2016.

REPORT ON ENROLLED RESOLUTIONS

HCR 5027; HR 6061 reported correctly enrolled and properly signed on June 1, 2016.

The hour for final adjournment having arrived, Speaker Merrick announced, "By virtue of the authority vested in me, as Speaker of the House of Representatives of the 2016 session, I do now declare the House adjourned sine die."

MESSAGES FROM THE SENATE

The Senate announces the following bills and concurrent resolutions are hereby transmitted to the House of Representatives with final disposition:

House bills that died in conference: **S Sub HB 2177, HB 2268, S Sub HB 2441, HB 2547, HB 2662**.

House bills that died on the Senate Calendar: **S Sub Sub HB 2115, S Sub HB 2382, S Sub HB 2479, HB 2573**.

House bills that died in Senate Committees: **HB 2029, Sub HB 2054, HB 2063, HB 2065, HB 2087, HB 2089, HB 2091, S Sub HB 2096, HB 2125, HB 2191, HB 2197, HB 2260, HB 2341, HB 2369, HB 2464, HB 2467, HB 2468, HB 2469, HB 2471, HB 2483, HB 2489, HB 2534, HB 2553, HB 2576, HB 2578, HB 2582, HB 2595, HB 2605, HB 2607, HB 2620, HB 2643, HB 2660, HB 2665, HB 2713, HB 2724**.

House concurrent resolutions that died in Senate Committees: **HCR 5022**.

TITLE AND HISTORY

OF

HOUSE BILLS

AND

HOUSE RESOLUTIONS

TITLE AND HISTORY OF HOUSE BILLS

CARRIED OVER FROM 2015 SESSION

H 2001 Bill by Representative Brunk
Property taxation; distribution of taxes paid under protest.
01/12/2015 House—Prefiled for Introduction on Tuesday, December 02, 2014
01/12/2015 House—Introduced—HJ 50
01/13/2015 House—Referred to Committee on Taxation—HJ 54
06/01/2016 House—Died in Committee

H 2002 Bill by Representative Sloan
Sexual exploitation of a child; definition of "sexually explicit conduct".
01/12/2015 House—Prefiled for Introduction on Thursday, December 04, 2014
01/12/2015 House—Introduced—HJ 50
01/13/2015 House—Referred to Committee on Judiciary—HJ 54
01/26/2015 House—Hearing: Thursday, January 29, 2015, 3:30 PM Room 112N
02/13/2015 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 233
02/26/2015 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 306
03/23/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Judiciary—HJ 486
01/14/2016 House—Hearing: Wednesday, January 20, 2016, 3:30 PM Room 112-N-CANCELLED
06/01/2016 House—Died in Committee

H 2007 Bill by Representatives Dove, Bradford, Campbell, Clayton, Rooker
Substitute for HB 2007 by Committee on Federal and State Affairs - Creating a law enforcement mutual aid region for critical incidents.
01/12/2015 House—Prefiled for Introduction on Monday, December 29, 2014
01/12/2015 House—Introduced—HJ 50
01/13/2015 House—Referred to Committee on Federal and State Affairs—HJ 54
01/16/2015 House—Withdrawn from Committee on Federal and State Affairs; Referred to Committee on Corrections and Juvenile Justice—HJ 73
01/20/2015 House—Withdrawn from Committee on Corrections and Juvenile Justice; Rereferred to Committee on Federal and State Affairs—HJ 76
01/21/2015 House—Hearing: Monday, January 26, 2015, 9:00 AM Room 346S
01/30/2015 House—Hearing: Thursday, February 05, 2015, 9:00 AM Room 346S
03/04/2015 House—Hearing: Thursday, March 05, 2015, 9:00 AM Room 346S
03/09/2015 House—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—HJ 324
06/01/2016 House—Died on Calendar

H 2008 Bill by Legislative Post Audit Committee
Senate Substitute for HB 2008 by Committee on Education - Creating the student online personal protection act.
01/12/2015 House—Prefiled for Introduction on Tuesday, December 30, 2014
01/12/2015 House—Introduced—HJ 50

01/13/2015 House—Referred to Committee on Education—HJ 54
01/21/2015 House—Hearing: Wednesday, January 28, 2015, 1:30 PM Room 112N
01/29/2015 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 136
02/04/2015 House—Committee of the Whole - Be passed as amended—HJ 163
02/05/2015 House—Final Action - Passed as amended; Yea: 118 Nay: 0—HJ 171
02/05/2015 Senate—Received and Introduced—SJ 78
02/06/2015 Senate—Referred to Committee on Education—SJ 85
03/15/2016 Senate—Committee Report recommending substitute bill be passed by Committee on Education—SJ 2062
03/18/2016 Senate—Committee of the Whole - Substitute bill be passed—SJ 2108
03/18/2016 Senate—Emergency Final Action - Substitute passed; Yea: 38 Nay: 0—SJ 2108
03/21/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Highland, Representative Lunn and Representative Winn as conferees—HJ 2346
03/21/2016 Senate—Motion to accede adopted; Senator Abrams, Senator Arpke and Senator Hensley appointed as conferees—SJ 2158
03/23/2016 Senate—Senator Baumgardner replaces Senator Arpke on the Conference Committee—SJ 2183
03/23/2016 Senate—Senator Arpke replaces Senator Baumgardner on the Conference Committee—SJ 2183
04/28/2016 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2251
04/28/2016 House—Conference Committee Report was adopted; Yea: 115 Nay: 2—HJ 2527
05/01/2016 House—Enrolled and presented to Governor on Sunday, May 01, 2016—HJ 3238
06/01/2016 House—Approved by Governor on Friday, May 06 , 2016—HJ 3243

H 2011 Bill by Representative Finney
Enacting the cannabis compassion and care act.
01/12/2015 House—Prefiled for Introduction on Friday, January 02, 2015
01/12/2015 House—Introduced—HJ 50
01/13/2015 House—Referred to Committee on Health and Human Services—HJ 54
06/01/2016 House—Died in Committee

H 2012 Bill by Representative Ward
Enacting the Kansas working families pay raise act.
01/12/2015 House—Prefiled for Introduction on Monday, January 05, 2015
01/12/2015 House—Introduced—HJ 51
01/13/2015 House—Referred to Committee on Appropriations—HJ 54
06/01/2016 House—Died in Committee

H 2014 Bill by Representative Sloan
Authorizing the Kansas water office, with approval of the Kansas water authority, to establish the clean drinking water fee by rules and regulations and imposing a cap on such fee.

01/12/2015 House—Prefiled for Introduction on Thursday, January 08, 2015
01/12/2015 House—Introduced—HJ 51
01/13/2015 House—Referred to Committee on Agriculture and Natural Resources —HJ 54
01/20/2015 House—Withdrawn from Committee on Agriculture and Natural Resources; Referred to Committee on Agriculture and Natural Resources Budget—HJ 76
02/13/2015 House—Hearing: Thursday, February 19, 2015, 1:30 PM Room 142-S
06/01/2016 House—Died in Committee

H 2015 Bill by Joint Corrections and Juvenile Justice Oversight
Juvenile offenders; prohibiting placement in a juvenile correctional facility for a current misdemeanor adjudication.
01/13/2015 House—Introduced—HJ 54
01/14/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 59
01/14/2015 House—Hearing: Thursday, January 22, 2015, 1:30 PM Room 152S
02/20/2015 House—Withdrawn from Committee on Corrections and Juvenile Justice; Referred to Committee on Appropriations—HJ 267
06/01/2016 House—Died in Committee

H 2018 Bill by Corrections and Juvenile Justice
Senate Substitute for HB 2018 by Committee on Corrections and Juvenile Justice – Adding and amending substances included in schedules I, III and IV of the uniform controlled substances act; use of certain controlled substances to treat binge eating authorized.
01/14/2015 House—Introduced—HJ 60
01/15/2015 House—Referred to Committee on Judiciary—HJ 63
01/16/2015 House—Withdrawn from Committee on Judiciary; Referred to Committee on Corrections and Juvenile Justice—HJ 73
01/30/2015 House—Hearing: Tuesday, February 03, 2015, 1:30 PM Room 152S
02/20/2015 House—Withdrawn from Committee on Corrections and Juvenile Justice; Referred to Committee on Appropriations—HJ 267
01/25/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Corrections and Juvenile Justice—HJ 1954
01/29/2016 House—Hearing: Monday, February 01, 2016, 1:30 PM Room 152-S
02/04/2016 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 1995
02/09/2016 House—Committee of the Whole - Be passed as amended—HJ 2018
02/10/2016 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 2023
02/10/2016 Senate—Received and Introduced—SJ 1841
02/11/2016 Senate—Referred to Committee on Corrections and Juvenile Justice—SJ 1847
03/07/2016 Senate—Hearing: Wednesday, March 09, 2016, 9:30 AM Room 118-N
03/18/2016 Senate—Committee Report recommending substitute bill be passed by Committee on Corrections and Juvenile Justice—SJ 2118
03/22/2016 Senate—Committee of the Whole - Substitute bill be passed—SJ 2170
03/22/2016 Senate—Motion to Reconsider Adopted—SJ 2172
03/23/2016 Senate—Committee of the Whole - Substitute bill be passed as

amended—SJ 2184
03/23/2016 Senate—Final Action - Substitute passed as amended; Yea: 38 Nay: 2—SJ 2187
03/24/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Gonzalez, Representative Pauls and Representative Highberger as conferees—HJ 2417
03/24/2016 Senate—Motion to accede adopted; Senator Smith, Senator Knox and Senator Pettey appointed as conferees—SJ 2197
04/27/2016 House—Representative Finch replaces Representative Pauls on the Conference Committee—HJ 2464
04/29/2016 House—Concurred with amendments in conference; Yea: 119 Nay: 0—HJ 2541
06/01/2016 House—Enrolled and presented to Governor on Monday, May 09, 2016
06/01/2016 House—Approved by Governor on Tuesday, May 17 , 2016—HJ 3243

H 2019 Bill by Vision 2020
Property tax levy for the Kansas educational building fund.
01/14/2015 House—Introduced—HJ 60
01/15/2015 House—Referred to Committee on Taxation—HJ 63
01/30/2015 House—Hearing: Wednesday, February 04, 2015, 3:30 PM Room 582
06/01/2016 House—Died in Committee

H 2020 Bill by Vision 2020
Facilitating the process for military service member's dependents to receive services under state home and community based services programs.
01/14/2015 House—Introduced—HJ 60
01/15/2015 House—Referred to Committee on Health and Human Services—HJ 63
06/01/2016 House—Died in Committee

H 2021 Bill by Vision 2020
Allowing retiring KHP troopers and officers to convert certain unused leave for use to continue state health plan benefits.
01/14/2015 House—Introduced—HJ 60
01/15/2015 House—Referred to Committee on Insurance—HJ 63
01/22/2015 House—Hearing: Wednesday, January 28, 2015, 3:30 PM Room 152S
01/11/2016 House—Withdrawn from Committee on Insurance; Referred to Committee on Insurance and Financial Institutions—HJ 1915
06/01/2016 House—Died in Committee

H 2024 Bill by Judiciary
Domestic battery; sentencing.
01/15/2015 House—Introduced—HJ 62
01/16/2015 House—Referred to Committee on Judiciary—HJ 72
01/22/2015 House—Hearing: Monday, January 26, 2015, 3:30 PM Room 112-N-CANCELLED
01/26/2015 House—Hearing: Thursday, January 29, 2015, 3:30 PM Room 112N
02/19/2015 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 264

02/26/2015 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 307
02/08/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Judiciary—HJ 2007
02/12/2016 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 2047
06/01/2016 House—Died on Calendar

H 2026 Bill by Federal and State Affairs
Establishing requirements and fiduciary duties for pharmacy benefits managers under the state health care benefits program.
01/15/2015 House—Introduced—HJ 62
01/16/2015 House—Referred to Committee on Insurance—HJ 72
01/11/2016 House—Withdrawn from Committee on Insurance; Referred to Committee on Insurance and Financial Institutions—HJ 1915
06/01/2016 House—Died in Committee

H 2027 Bill by Education
Requiring school district and state department of education audits; creating the efficient operation of schools task force.
01/15/2015 House—Introduced—HJ 62
01/16/2015 House—Referred to Committee on Education—HJ 72
02/05/2015 House—Hearing: Monday, February 9, 2015, 1:30 PM Room 112-N-CANCELLED
06/01/2016 House—Died in Committee

H 2028 Bill by Education
Creating the Kansas education standards study commission.
01/15/2015 House—Introduced—HJ 62
01/16/2015 House—Referred to Committee on Education—HJ 72
01/30/2015 House—Hearing: Tuesday, February 03, 2015, 1:30 PM Room 112N
06/01/2016 House—Died in Committee

H 2029 Bill by Agriculture and Natural Resources
Identification of domesticated deer.
01/15/2015 House—Introduced—HJ 62
01/16/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 72
01/22/2015 House—Hearing: Tuesday, January 27, 2015, 3:30 PM Room 346S
02/11/2015 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Agriculture and Natural Resources—HJ 210
02/16/2015 House—Final Action - Passed; Yea: 114 Nay: 0—HJ 237
02/16/2015 Senate—Received and Introduced—SJ 115
02/17/2015 Senate—Referred to Committee on Agriculture—SJ 122
06/01/2016 Senate—Died in Senate Committee

H 2031 Bill by Corrections and Juvenile Justice
School district plan addressing child sexual abuse; establishing Erin's law.
01/15/2015 House—Introduced—HJ 62
01/16/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 72
02/10/2015 House—Hearing: Wednesday, February 11, 2015, 1:30 PM Room 152S
02/20/2015 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 270
02/26/2015 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 306
06/01/2016 House—Died in Committee

H 2033 Bill by Transportation
Speed limit increase when passing on two lane highways.
01/16/2015 House—Introduced—HJ 71
01/20/2015 House—Referred to Committee on Transportation—HJ 76
01/30/2015 House—Hearing: Tuesday, February 03, 2015, 1:30 PM Room 582N
02/26/2015 House—Withdrawn from Committee on Transportation; Referred to Committee on Appropriations—HJ 307
06/01/2016 House—Died in Committee

H 2035 Bill by Education
Amending the tax credit for low income students scholarship program act.
01/16/2015 House—Introduced—HJ 72
01/20/2015 House—Referred to Committee on Education—HJ 76
06/01/2016 House—Died in Committee

H 2036 Bill by Vision 2020
Electricity and the sale of renewable energy.
01/16/2015 House—Introduced—HJ 72
01/20/2015 House—Referred to Committee on Energy and Environment—HJ 76
06/01/2016 House—Died in Committee

H 2037 Bill by Vision 2020
Renewable energy generation and tax exempt entities.
01/16/2015 House—Introduced—HJ 72
01/20/2015 House—Referred to Committee on Energy and Environment—HJ 76
06/01/2016 House—Died in Committee

H 2038 Bill by Appropriations
Appropriation revisions for FY 2015, FY 2016, FY 2017, and FY 2018 for various state agencies.
01/16/2015 House—Introduced—HJ 72
01/20/2015 House—Referred to Committee on Appropriations—HJ 76
01/21/2015 House—Hearing: Wednesday, January 21, 2015, 9:00 AM Room 112N
06/01/2016 House—Died in Committee

H 2039 Bill by Judiciary
Domestic case management.
01/16/2015 House—Introduced—HJ 72
01/20/2015 House—Referred to Committee on Judiciary—HJ 76
01/22/2015 House—Hearing: Wednesday, January 28, 2015, 3:30 PM Room 112N
06/01/2016 House—Died in Committee

H 2041 Bill by Representatives Dannebohm, Hawkins
Parkinson's disease public awareness and education act.
01/16/2015 House—Introduced—HJ 72
01/20/2015 House—Referred to Committee on Health and Human Services—HJ 76
06/01/2016 House—Died in Committee

H 2045 Bill by Representative Ward
Relating to eligibility requirements for the Kansas program of medical assistance.
01/20/2015 House—Introduced—HJ 75
01/21/2015 House—Referred to Committee on Health and Human Services—HJ 104
06/01/2016 House—Died in Committee

H 2046 Bill by Representative Ward
Repealing the health care compact.
01/20/2015 House—Introduced—HJ 75
01/21/2015 House—Referred to Committee on Health and Human Services—HJ 104
06/01/2016 House—Died in Committee

H 2047 Bill by Representative Ward
Patient empowerment act relating to I/DD waiver program.
01/20/2015 House—Introduced—HJ 76
01/21/2015 House—Referred to Committee on Health and Human Services—HJ 104
06/01/2016 House—Died in Committee

H 2049 Bill by Corrections and Juvenile Justice
Senate Substitute for HB 2049 by Committee on Corrections and Juvenile Justice - Changing the definition of "significantly subaverage general intellectual functioning" related to intellectual disability.
01/20/2015 House—Introduced—HJ 82
01/21/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 104
01/21/2015 House—Hearing: Wednesday, January 28, 2015, 1:30 PM Room 152S
02/03/2015 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 152
02/26/2015 House—Withdrawn from Calendar; Referred to Committee on

Appropriations—HJ 323
04/30/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Corrections and Juvenile Justice—HJ 658
05/05/2015 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 700
05/07/2015 House—Committee of the Whole - Be passed as amended—HJ 735
05/07/2015 House—Emergency Final Action - Passed as amended; Yea: 81 Nay: 36 —HJ 738
05/11/2015 Senate—Received and Introduced—SJ 597
05/12/2015 Senate—Referred to Committee on Corrections and Juvenile Justice—SJ 599
01/15/2016 Senate—Hearing: Wednesday, January 20, 2016, 9:30 AM Room 118-N
01/15/2016 Senate—Hearing: Thursday, January 21, 2016, 9:30 AM Room 118-N
01/27/2016 Senate—Committee Report recommending substitute bill be passed by Committee on Corrections and Juvenile Justice—SJ 1785
02/03/2016 Senate—Committee of the Whole - Substitute bill be passed as amended
02/03/2016 Senate—Emergency Final Action - Passed as amended; Yea: 38 Nay: 1 —SJ 1813
02/05/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Rubin, Representative Gonzalez and Representative Highberger as conferees—HJ 2003
02/08/2016 Senate—Motion to accede adopted; Senator Smith, Senator Knox and Senator Haley appointed as conferees—SJ 1828
03/17/2016 House—Representative Pauls replaces Representative Rubin on the Conference Committee—HJ 2302
04/27/2016 House—Representative Finch replaces Representative Pauls on the Conference Committee—HJ 2464
04/28/2016 House—Representative Pauls replaces Representative Finch on the Conference Committee—HJ 2481
04/30/2016 Senate—Senator Pettey replaces Senator Haley on the Conference Committee—SJ 2456
05/01/2016 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2724
05/01/2016 House—Conference Committee Report was adopted; Yea: 121 Nay: 0—HJ 2895
06/01/2016 House—Enrolled and presented to Governor on Monday, May 09, 2016 —HJ 3250
06/01/2016 House—Approved by Governor on Tuesday, May 17 , 2016—HJ 3243

H 2054 Bill by 2014 Special Judiciary
Substitute for HB 2054 by Committee on Judiciary - Enacting the public speech protection act.
01/20/2015 House—Introduced—HJ 83
01/21/2015 House—Referred to Committee on Judiciary—HJ 104
01/23/2015 House—Hearing: Thursday, January 29, 2015, 3:30 PM Room 112N
02/24/2015 House—Withdrawn from Committee on Judiciary; Referred to Committee on Appropriations—HJ 285
03/23/2015 House—Withdrawn from Committee on Appropriations; Rereferred to

Committee on Judiciary—HJ 486
03/23/2015 House—Committee Report recommending substitute bill be passed by Committee on Judiciary—HJ 498
03/21/2016 House—Committee of the Whole - Substitute bill be passed as amended —HJ 2344
03/22/2016 House—Final Action - Substitute passed as amended; Yea: 123 Nay: 1 —HJ 2365
03/22/2016 Senate—Received and Introduced—SJ 2170
03/23/2016 Senate—Referred to Committee on Judiciary—SJ 2180
06/01/2016 Senate—Died in Senate Committee

H 2056 Bill by Corrections and Juvenile Justice
Senate Substitute for HB 2056 by Committee on Corrections and Juvenile Justice - Licensure of bail enforcement agents by the attorney general and amending requirements for justification and approval of sureties.
01/20/2015 House—Introduced—HJ 83
01/21/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 104
01/21/2015 House—Hearing: Tuesday, January 27, 2015, 1:30 PM Room 152S
02/03/2015 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 152
02/12/2015 House—Committee of the Whole - Be passed—HJ 222
02/13/2015 House—Final Action - Passed; Yea: 115 Nay: 0—HJ 231
02/16/2015 Senate—Received and Introduced—SJ 115
02/17/2015 Senate—Referred to Committee on Corrections and Juvenile Justice—SJ 122
03/06/2015 Senate—Hearing: Wednesday, March 11, 2015, 9:30 AM Room 118-N
03/12/2015 Senate—Committee Report recommending substitute bill be passed by Committee on Corrections and Juvenile Justice—SJ 250
03/07/2016 Senate—Withdrawn from Calendar, Rereferred to Committee on Corrections and Juvenile Justice—SJ 2017
03/18/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—SJ 2118
03/21/2016 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 2156
03/22/2016 Senate—Final Action - Substitute passed as amended; Yea: 37 Nay: 3—SJ 2165
03/22/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Gonzalez, Representative Pauls and Representative Highberger as conferees—HJ 2392
03/23/2016 Senate—Motion to accede adopted; Senator Smith, Senator Knox and Senator Pettey appointed as conferees—SJ 2182
04/27/2016 House—Representative Finch replaces Representative Pauls on the Conference Committee—HJ 2464
04/30/2016 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 1—SJ 2488
04/30/2016 House—Conference Committee Report was adopted; Yea: 90 Nay: 31—HJ 2813
06/01/2016 House—Enrolled and presented to Governor on Monday, May 09, 2016

(SJ & HJ Nos. refer to 2016 Senate and House Journals)

—HJ 3250
06/01/2016 House—Approved by Governor on Wednesday, May 11 , 2016—HJ 3243

H 2057 Bill by Judiciary
Amending procedure for review and appeal of death sentence; restricting second or successive motions attacking sentence filed by prisoners; providing additional procedures for motions attacking sentence filed by prisoners under death sentence.
01/20/2015 House—Introduced—HJ 83
01/21/2015 House—Referred to Committee on Judiciary—HJ 104
06/01/2016 House—Died in Committee

H 2058 Bill by Children and Seniors
Hospitals; regarding designated lay caregivers; duties of the hospital; policies and procedures.
01/20/2015 House—Introduced—HJ 83
01/21/2015 House—Referred to Committee on Children and Seniors—HJ 104
02/26/2015 House—Withdrawn from Committee on Children and Seniors; Referred to Committee on Appropriations—HJ 307
01/20/2016 House—Withdrawn from Committee on Appropriations; Referred to Committee on Health and Human Services—HJ 1946
01/29/2016 House—Hearing: Wednesday, February 03, 2016, 1:30 PM Room 546-S
06/01/2016 House—Died in Committee

H 2059 Bill by Agriculture and Natural Resources
Senate Substitute for HB 2059 by Committee on Natural Resources - Creating an application requirement and fee to appropriate water that otherwise leaves the state and creating a chemigation permit exception.
01/20/2015 House—Introduced—HJ 83
01/21/2015 House—Referred to Committee on Agriculture and Natural Resources —HJ 104
01/22/2015 House—Hearing: Thursday, January 29, 2015, 3:30 PM Room 346S
02/17/2015 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—HJ 248
02/25/2015 House—Committee of the Whole - Be passed as amended—HJ 293
02/26/2015 House—Final Action - Passed as amended; Yea: 120 Nay: 3—HJ 308
02/26/2015 Senate—Received and Introduced—SJ 194
03/04/2015 Senate—Referred to Committee on Natural Resources—SJ 222
03/09/2015 Senate—Hearing: Thursday, March 12, 2015, 8:30 AM Room 159-S
02/08/2016 Senate—Committee Report recommending substitute bill be passed by Committee on Natural Resources—SJ 1829
02/17/2016 Senate—Withdrawn from Calendar, Rereferred to Committee on Natural Resources—SJ 1882
03/16/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Natural Resources—SJ 2081
03/21/2016 Senate—Committee of the Whole - Substitute bill be passed as

amended—SJ 2156
03/22/2016 Senate—Final Action - Substitute passed as amended; Yea: 22 Nay: 18 —SJ 2165
03/22/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Schwartz, Representative Boldra and Representative Victors as conferees—HJ 2392
03/23/2016 Senate—Motion to accede adopted; Senator Powell, Senator Kerschen and Senator Francisco appointed as conferees—SJ 2182
04/28/2016 House—Representative Wilson replaces Representative Victors on the Conference Committee—HJ 2481
04/29/2016 Senate—Conference Committee Report not adopted; Yea: 17 Nay: 22—SJ 2437
04/29/2016 Senate—Motion to Reconsider Adopted—SJ 2450
04/29/2016 Senate—Conference Committee Report not adopted; Senator Powell, Senator Kerschen and Senator Francisco appointed as second conferees—SJ 2437
04/30/2016 House—Motion to accede adopted; Representative Schwartz, Representative Boldra and Representative Wilson appointed as second conferees—HJ 2748
05/01/2016 Senate—Conference Committee Report not adopted; Senator Powell, Senator Kerschen and Senator Francisco appointed as third conferees—SJ 2728
06/01/2016 House—Died in Conference

H 2060 Bill by Agriculture and Natural Resources
Authorizing the governor to enter into the great plains interstate fire compact.
01/20/2015 House—Introduced—HJ 83
01/21/2015 House—Referred to Committee on Agriculture and Natural Resources —HJ 104
01/30/2015 House—Hearing: Wednesday, February 04, 2015, 3:30 PM Room 346S
06/01/2016 House—Died in Committee

H 2062 Bill by Appropriations
Substitute for HB 2062 by Committee on Judiciary - Uniform commercial code (UCC) updates; exclusion of consumer transactions governed by federal law; other technical corrections.
01/20/2015 House—Introduced—HJ 83
01/21/2015 House—Referred to Committee on Judiciary—HJ 104
01/23/2015 House—Hearing: Thursday, January 29, 2015, 3:30 PM Room 112N
02/12/2016 House—Committee Report recommending substitute bill be passed by Committee on Judiciary—HJ 2049
02/16/2016 House—Committee of the Whole - Substitute bill be passed—HJ 2063
02/17/2016 House—Final Action - Substitute passed; Yea: 122 Nay: 0—HJ 2070
02/17/2016 Senate—Received and Introduced—SJ 1883
02/18/2016 Senate—Referred to Committee on Judiciary—SJ 1897
03/02/2016 Senate—Hearing: Thursday, March 03, 2016, 10:30 AM Room 346-S
03/08/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 2024
03/15/2016 Senate—Committee of the Whole - Substitute bill be passed as

amended—SJ 2064
03/15/2016 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 0 —SJ 2066
03/22/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Barker, Representative Macheers and Representative Carmichael as conferees—HJ 2381
03/22/2016 Senate—Motion to accede adopted; Senator King, Senator Smith and Senator Haley appointed as conferees—SJ 2176
04/29/2016 House—Concurred with amendments in conference; Yea: 117 Nay: 0—HJ 2541
05/01/2016 House—Enrolled and presented to Governor on Tuesday, May 03, 2016
06/01/2016 House—Approved by Governor on Monday, May 09 , 2016—HJ 3243

H 2063 Bill by Agriculture and Natural Resources
Amending the definition of project in the public water supply project loan program.
01/21/2015 House—Introduced—HJ 103
01/22/2015 House—Referred to Committee on Agriculture and Natural Resources —HJ 110
01/30/2015 House—Hearing: Tuesday, February 03, 2015, 3:30 PM Room 346S
02/11/2015 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—HJ 211
02/25/2015 House—Committee of the Whole - Be passed as amended—HJ 300
02/26/2015 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 309
02/26/2015 Senate—Received and Introduced—SJ 194
03/04/2015 Senate—Referred to Committee on Natural Resources—SJ 222
03/16/2015 Senate—Hearing: Thursday, March 19, 2015, 8:30 AM Room 159-S
06/01/2016 Senate—Died in Senate Committee

H 2065 Bill by Insurance
Insurance; nonprofit dental service corporation disbursements.
01/21/2015 House—Introduced—HJ 103
01/22/2015 House—Referred to Committee on Insurance—HJ 110
01/22/2015 House—Hearing: Wednesday, January 28, 2015, 3:30 PM Room 152S
02/03/2015 House—Committee Report recommending bill be passed by Committee on Insurance—HJ 152
02/11/2015 House—Committee of the Whole - Be passed—HJ 210
02/12/2015 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 219
02/12/2015 Senate—Received and Introduced—SJ 105
02/13/2015 Senate—Referred to Committee on Financial Institutions and Insurance —SJ 112
03/06/2015 Senate—Hearing: Wednesday, March 11, 2015, 9:30 AM Room 546-S
06/01/2016 Senate—Died in Senate Committee

H 2067 Bill by Insurance
Increasing minimum motor vehicle liability insurance policy limits.
01/21/2015 House—Introduced—HJ 103
01/22/2015 House—Referred to Committee on Insurance—HJ 110

01/30/2015 House—Hearing: Wednesday, February 04, 2015, 3:30 PM Room 152S
01/11/2016 House—Withdrawn from Committee on Insurance; Referred to Committee on Insurance and Financial Institutions—HJ 1915
06/01/2016 House—Died in Committee

H 2068 Bill by Transportation
Removing requirement that bicycles use path.
01/21/2015 House—Introduced—HJ 103
01/22/2015 House—Referred to Committee on Transportation—HJ 110
02/03/2015 House—Hearing: Thursday, February 05, 2015, 1:30 PM Room 582N
06/01/2016 House—Died in Committee

H 2070 Bill by Taxation
Excluding certain government owned property from the request for exemption process.
01/21/2015 House—Introduced—HJ 103
01/22/2015 House—Referred to Committee on Taxation—HJ 110
02/12/2015 House—Hearing: Monday, February 16, 2015, 3:30 PM Room 582N
03/13/2015 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 369
06/01/2016 House—Died on Calendar

H 2071 Bill by Taxation
Property taxation; market study analysis, persons eligible to be appointed appraiser.
01/21/2015 House—Introduced—HJ 103
01/22/2015 House—Referred to Committee on Taxation—HJ 110
01/30/2015 House—Hearing: Tuesday, February 03, 2015, 3:30 PM Room 582N
03/13/2015 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 369
06/01/2016 House—Died on Calendar

H 2072 Bill by Agriculture and Natural Resources Budget Committee
Increasing assessments for the Kansas agricultural remediation reimbursement fund.
01/21/2015 House—Introduced—HJ 103
01/22/2015 House—Referred to Committee on Agriculture and Natural Resources Budget—HJ 110
01/22/2015 House—Hearing: Wednesday, January 28. 2015, 1:30 PM Room 142-S-CANCELLED
02/20/2015 House—Withdrawn from Committee on Agriculture and Natural Resources Budget; Referred to Committee on Appropriations—HJ 267
06/01/2016 House—Died in Committee

H 2073 Bill by Judiciary
Changing the mandatory retirement age for judges and justices.
01/21/2015 House—Introduced—HJ 103

01/22/2015 House—Referred to Committee on Judiciary—HJ 110
02/24/2015 House—Withdrawn from Committee on Judiciary; Referred to Committee on Appropriations—HJ 285
06/01/2016 House—Died in Committee

H 2074 Bill by Federal and State Affairs
Senate Substitute for HB 2074 by Committee on Federal and State Affairs - Kansas expanded lottery act; racetrack gaming; county fair association racing; prizes subject to state debt setoff.
01/21/2015 House—Introduced—HJ 103
01/22/2015 House—Referred to Committee on Federal and State Affairs—HJ 110
01/23/2015 House—Hearing: Wednesday, January 28, 2015, 9:00 AM Room 346S
02/10/2015 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 192
03/25/2015 House—Committee of the Whole - Be passed—HJ 529
03/25/2015 House—Emergency Final Action - Passed; Yea: 119 Nay: 5—HJ 550
03/30/2015 Senate—Received and Introduced—SJ 414
03/31/2015 Senate—Referred to Committee on Federal and State Affairs—SJ 417
05/13/2015 Senate—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—SJ 665
05/14/2015 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 681
05/14/2015 Senate—Emergency Final Action - Substitute passed as amended; Yea: 24 Nay: 12—SJ 708
05/18/2015 House—Ruled materially changed and referred to Committee on Calendar and Printing—HJ 809
03/09/2016 House—Withdrawn from Committee on Calendar and Printing; Referred to Committee on Appropriations—HJ 2213
06/01/2016 House—Died in Committee

H 2075 Bill by Representatives Brunk, Alford, Anthimides, Barton, Billinger, Bradford, W. Carpenter, Claeys, DeGraaf, Dove, Esau, Estes, Ewy, Garber, Hedke, Hildabrand, Hoffman, Houser, Huebert, Hutton, K. Jones, Kahrs, Kelley, Kiegerl, Lunn, Macheers, Mason, Mast, O'Brien, Osterman, Pauls, Peck, R. Powell, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, C. Smith, Sutton, Todd, Whitmer, K. Williams
Establishing the capitol meditation room.
01/21/2015 House—Introduced—HJ 103
01/22/2015 House—Referred to Committee on Federal and State Affairs—HJ 110
02/02/2015 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 146
06/01/2016 House—Died on Calendar

H 2076 Bill by Representatives Todd, Anthimides, Claeys, Clayton, E. Davis, Finney, Highland, K. Jones, Pauls, Peck, R. Powell, Rooker, Scapa, Sutton, Thompson, Whipple
Sales tax holiday.
01/22/2015 House—Introduced—HJ 105

01/23/2015 House—Referred to Committee on Taxation—HJ 114
01/30/2015 House—Hearing: Thursday, February 05, 2015, 3:30 PM Room 582N
06/01/2016 House—Died in Committee

H 2077 Bill by Veterans, Military and Homeland Security
Motor vehicle property tax exemption for disabled veterans.
01/22/2015 House—Introduced—HJ 105
01/23/2015 House—Referred to Committee on Taxation—HJ 114
06/01/2016 House—Died in Committee

H 2078 Bill by Veterans, Military and Homeland Security
Requiring school districts to adopt school safety and security policies and plans.
01/22/2015 House—Introduced—HJ 105
01/23/2015 House—Referred to Committee on Education—HJ 114
02/05/2015 House—Hearing: Monday, February 9, 2015, 1:30 PM Room 112-N-CANCELLED
02/10/2015 House—Hearing: Wednesday, February 11, 2015, 1:30 PM Room 112N
06/01/2016 House—Died in Committee

H 2079 Bill by Health and Human Services
Kansas dental board; licensure of registered dental practitioners.
01/22/2015 House—Introduced—HJ 106
01/23/2015 House—Referred to Committee on Health and Human Services—HJ 114
02/19/2015 House—Hearing: Tuesday, February 24, 2015, 1:30 PM Room 546S
06/01/2016 House—Died in Committee

H 2080 Bill by Corrections and Juvenile Justice
Including unlawful dissemination of consensually taken images in blackmail and breach of privacy.
01/22/2015 House—Introduced—HJ 106
01/23/2015 House—Referred to Committee on Judiciary—HJ 114
02/03/2015 House—Hearing: Tuesday, February 3, 2015, 3:30 PM Room 112-N-CANCELLED
02/05/2016 House—Hearing: Monday, February 08, 2016, 3:30 PM Room 112-N
06/01/2016 House—Died in Committee

H 2081 Bill by Judiciary
Kansas disclosure of unanticipated medical outcomes and medical errors act.
01/22/2015 House—Introduced—HJ 106
01/23/2015 House—Referred to Committee on Judiciary—HJ 114
06/01/2016 House—Died in Committee

H 2084 Bill by Judiciary
Kansas prepaid telephone security act.
01/22/2015 House—Introduced—HJ 106

01/23/2015 House—Referred to Committee on Utilities and Telecommunications—HJ 114
02/13/2015 House—Hearing: Thursday, February 19, 2015, 9:00 AM Room 582-N
06/01/2016 House—Died in Committee

H 2086 Bill by Taxation
Sales tax exemption; defining machinery and equipment used as integral or essential part of an integrated production operation.
01/22/2015 House—Introduced—HJ 106
01/23/2015 House—Referred to Committee on Taxation—HJ 114
01/30/2015 House—Hearing: Monday, February 2, 2015, 3:30 PM Room 582-N-CANCELLED
06/01/2016 House—Died in Committee

H 2087 Bill by Federal and State Affairs
Prohibiting local regulation of firearm sales by federal firearms licensees.
01/23/2015 House—Introduced—HJ 111
01/26/2015 House—Referred to Committee on Federal and State Affairs—HJ 117
01/27/2015 House—Hearing: Wednesday, January 28, 2015, 9:00 AM Room 346S
02/10/2015 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 192
03/25/2015 House—Committee of the Whole - Be passed as amended—HJ 534
03/25/2015 House—Emergency Final Action - Passed as amended; Yea: 100 Nay: 24—HJ 550
03/30/2015 Senate—Received and Introduced—SJ 414
03/31/2015 Senate—Referred to Committee on Federal and State Affairs—SJ 417
03/08/2016 Senate—Withdrawn from Committee on Federal and State Affairs; Referred to Committee on Ways and Means—SJ 2024
06/01/2016 Senate—Died in Senate Committee

H 2088 Bill by Federal and State Affairs
Senate Substitute for HB 2088 by the Committee on Assessment and Taxation-Property tax lid, cities and counties; effective date; exemptions; election options.
01/23/2015 House—Introduced—HJ 112
01/26/2015 House—Referred to Committee on Federal and State Affairs—HJ 117
01/30/2015 House—Hearing: Tuesday, February 03, 2015, 9:00 AM Room 346S
01/30/2015 House—Hearing: Wednesday, February 04, 2015, 9:00 AM Room 346S
02/11/2015 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 211
03/25/2015 House—Committee of the Whole - Be passed as amended—HJ 534
03/25/2015 House—Emergency Final Action - Passed as amended; Yea: 112 Nay: 12—HJ 549
03/30/2015 Senate—Received and Introduced—SJ 414
03/31/2015 Senate—Referred to Committee on Federal and State Affairs—SJ 417
03/08/2016 Senate—Withdrawn from Committee on Federal and State Affairs; Referred to Committee on Assessment and Taxation—SJ 2024
03/18/2016 Senate—Committee Report recommending substitute bill be passed by

Committee on Assessment and Taxation—SJ 2110
03/22/2016 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 2172
03/22/2016 Senate—Emergency Final Action - Substitute passed as amended; Yea: 24 Nay: 16—SJ 2173
03/23/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Kleeb, Representative Suellentrop and Representative Sawyer as conferees—HJ 2413
03/23/2016 Senate—Motion to accede adopted; Senator Donovan, Senator Tyson and Senator Holland appointed as conferees—SJ 2192
04/28/2016 Senate—Conference Committee Report agree to disagree adopted; Senator Donovan, Senator Tyson and Senator Holland appointed as second conferees—SJ 2264
04/29/2016 House—Conference Committee Report agree to disagree adopted; Representative Kleeb, Representative Suellentrop and Representative Sawyer appointed as second conferees—HJ 2539
04/29/2016 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 3—SJ 2429
04/29/2016 House—Conference Committee Report was adopted; Yea: 112 Nay: 5—HJ 2702
05/01/2016 House—Enrolled and presented to Governor on Tuesday, May 03, 2016
06/01/2016 House—Approved by Governor on Monday, May 09 , 2016—HJ 3243

H 2089 Bill by Federal and State Affairs
Alcoholic beverages; disqualification of hidden owners from licensure.
01/23/2015 House—Introduced—HJ 112
01/26/2015 House—Referred to Committee on Federal and State Affairs—HJ 117
01/30/2015 House—Hearing: Tuesday, February 03, 2015, 9:00 AM Room 346S
01/30/2015 House—Hearing: Wednesday, February 04, 2015, 9:00 AM Room 346S
02/11/2015 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 211
03/18/2015 House—Committee of the Whole - Be passed—HJ 402
03/19/2015 House—Final Action - Passed; Yea: 119 Nay: 0—HJ 424
03/19/2015 Senate—Received and Introduced—SJ 294
03/20/2015 Senate—Referred to Committee on Federal and State Affairs—SJ 317
03/23/2015 Senate—Hearing: Tuesday, March 24, 2015, 1:00 PM Room 144-S
06/01/2016 Senate—Died in Senate Committee

H 2091 Bill by Transportation
Deleting serial number requirement on expiration decals.
01/23/2015 House—Introduced—HJ 112
01/26/2015 House—Referred to Committee on Transportation—HJ 117
01/27/2015 House—Hearing: Wednesday, January 28, 2015, 1:30 PM Room 582N
02/12/2015 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Transportation—HJ 222
02/17/2015 House—Final Action - Passed; Yea: 121 Nay: 0—HJ 247
02/17/2015 Senate—Received and Introduced—SJ 123
02/18/2015 Senate—Referred to Committee on Transportation—SJ 125
03/06/2015 Senate—Hearing: Tuesday, March 10, 2015, 8:30 AM Room 546-S

06/01/2016 Senate—Died in Senate Committee

H 2092 Bill by Transportation
Restricted driver's licenses; seizure disorders.
01/23/2015 House—Introduced—HJ 112
01/26/2015 House—Referred to Committee on Transportation—HJ 117
01/27/2015 House—Hearing: Wednesday, January 28, 2015, 1:30 PM Room 582N
06/01/2016 House—Died in Committee

H 2096 Bill by Commerce, Labor and Economic Development
Senate Substitute for HB 2096 by Committee on Commerce - Public employees concerning public employer-employee relations act and deductions from wages.
01/23/2015 House—Introduced—HJ 112
01/26/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 117
01/29/2015 House—Hearing: Monday, February 02, 2015, 1:30 PM Room 346S
02/11/2015 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 211
02/24/2015 House—Committee of the Whole - Be passed as amended—HJ 284
02/25/2015 House—Final Action - Passed as amended; Yea: 79 Nay: 42—HJ 288
02/25/2015 Senate—Received and Introduced—SJ 172
02/26/2015 Senate—Referred to Committee on Commerce—SJ 186
03/06/2015 Senate—Hearing: Monday, March 09, 2015, 8:30 AM Room 548-S
03/23/2015 Senate—Committee Report recommending substitute bill be passed by Committee on Commerce—SJ 324
03/24/2015 Senate—Committee of the Whole - Amendment by Senator Love was rejected. Yea: 13 Nay: 19—SJ 377
03/25/2015 Senate—Withdrawn from Calendar, Rereferred to Committee on Ways and Means—SJ 410
06/01/2016 Senate—Died in Senate Committee

H 2099 Bill by Education
Authorizing school districts to administer certain surveys and questionnaires under the student data privacy act.
01/23/2015 House—Introduced—HJ 112
01/26/2015 House—Referred to Committee on Education—HJ 117
02/10/2015 House—Hearing: Friday, February 13, 2015, 1:30 PM Room 112N
06/01/2016 House—Died in Committee

H 2100 Bill by Children and Seniors
Establishing tax deferred savings accounts for individuals with disabilities.
01/23/2015 House—Introduced—HJ 112
01/26/2015 House—Referred to Committee on Children and Seniors—HJ 117
01/27/2015 House—Hearing: Thursday, January 29, 2015, 9:00 AM Room 218N
02/04/2015 House—Committee Report recommending bill be passed as amended by Committee on Children and Seniors—HJ 163
02/24/2015 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 285

03/17/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Children and Seniors—HJ 378
01/11/2016 House—Withdrawn from Committee on Children and Seniors; Referred to Committee on Appropriations—HJ 1915
06/01/2016 House—Died in Committee

H 2102 Bill by Judiciary
Kansas probate code; elective share of surviving spouse.
01/23/2015 House—Introduced—HJ 112
01/26/2015 House—Referred to Committee on Judiciary—HJ 117
06/01/2016 House—Died in Committee

H 2105 Bill by Corrections and Juvenile Justice
Creating the Kansas comprehensive money laundering act.
01/23/2015 House—Introduced—HJ 113
01/26/2015 House—Referred to Committee on Judiciary—HJ 117
02/05/2015 House—Hearing: Monday, February 9, 2015, 3:30 PM Room 112-N-CANCELLED
02/12/2015 House—Hearing: Monday, February 16, 2015, 3:30 PM Room 112N
06/01/2016 House—Died in Committee

H 2110 Bill by Judiciary
Election of chief judge in each judicial district.
01/23/2015 House—Introduced—HJ 113
01/26/2015 House—Referred to Committee on Judiciary—HJ 117
02/13/2015 House—Hearing: Thursday, February 19, 2015, 3:30 PM Room 112-N
06/01/2016 House—Died in Committee

H 2112 Bill by Judiciary
Senate Substitute for HB 2112 by Committee on Judiciary – Amending the Kansas general corporation code and the business entity standard treatment act.
01/23/2015 House—Introduced—HJ 113
01/26/2015 House—Referred to Committee on Judiciary—HJ 117
01/30/2015 House—Hearing: Thursday, February 5, 2015 3:30 PM Room 112-N-CANCELLED
02/24/2015 House—Withdrawn from Committee on Judiciary; Referred to Committee on Appropriations—HJ 285
03/04/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Judiciary—HJ 325
03/04/2015 House—Hearing: Thursday, March 05, 2015, 3:30 PM Room 112N
03/11/2015 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 343
03/23/2015 House—Committee of the Whole - Be passed as amended—HJ 487
03/24/2015 House—Final Action - Passed as amended; Yea: 123 Nay: 1—HJ 501
03/24/2015 Senate—Received and Introduced—SJ 361
03/25/2015 Senate—Referred to Committee on Judiciary—SJ 380
03/11/2016 Senate—Committee Report recommending substitute bill be passed by

Committee on Judiciary—SJ 2047
03/16/2016 Senate—Committee of the Whole - Substitute bill be passed—SJ 2069
03/17/2016 Senate—Final Action - Substitute passed; Yea: 39 Nay: 0—SJ 2087
03/21/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Barker, Representative Macheers and Representative Carmichael as conferees—HJ 2346
03/21/2016 Senate—Motion to accede adopted; Senator King, Senator Smith and Senator Haley appointed as conferees—SJ 2159
05/01/2016 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 0—SJ 2891
05/01/2016 House—Conference Committee Report was adopted; Yea: 122 Nay: 0—HJ 2948
06/01/2016 House—Enrolled and presented to Governor on Monday, May 09, 2016—HJ 3250
06/01/2016 House—Approved by Governor on Tuesday, May 17 , 2016—HJ 3243

H 2113 Bill by Judiciary
Relating to court-appointed special advocates.
01/23/2015 House—Introduced—HJ 113
01/26/2015 House—Referred to Committee on Judiciary—HJ 117
06/01/2016 House—Died in Committee

H 2114 Bill by Judiciary
Relating to subpoena of nonparty business records.
01/23/2015 House—Introduced—HJ 113
01/26/2015 House—Referred to Committee on Judiciary—HJ 117
01/30/2015 House—Hearing: Tuesday, February 3, 2015, 3:30 PM Room 112-N-CANCELLED
02/03/2015 House—Hearing: Thursday, February 05, 2015, 3:30 PM Room 112N
06/01/2016 House—Died in Committee

H 2115 Bill by Judiciary
Senate Substitute for Substitute for HB 2115 by Committee on Judiciary - Electronic service of order or notice under the Kansas administrative procedure act and the Kansas judicial review act.
01/23/2015 House—Introduced—HJ 113
01/26/2015 House—Referred to Committee on Judiciary—HJ 117
01/30/2015 House—Hearing: Wednesday, February 04, 2015, 3:30 PM Room 112N
02/24/2015 House—Committee Report recommending substitute bill be passed by Committee on Judiciary—HJ 284
02/26/2015 House—Committee of the Whole - Substitute bill be passed—HJ 317
02/26/2015 House—Emergency Final Action - Substitute passed; Yea: 123 Nay: 0—HJ 321
03/04/2015 Senate—Received and Introduced—SJ 223
03/05/2015 Senate—Referred to Committee on Judiciary—SJ 228
03/16/2015 Senate—Hearing: Tuesday, March 17, 2015, 10:30 AM Room 346-S
03/23/2015 Senate—Committee Report recommending substitute bill be passed by Committee on Judiciary—SJ 325

06/01/2016 Senate—Died on Senate General Orders

H 2116 Bill by Agriculture and Natural Resources
Making the channel cat fish the official fish of the state of Kansas.
01/23/2015 House—Introduced—HJ 113
01/26/2015 House—Referred to Committee on Agriculture and Natural Resources —HJ 117
06/01/2016 House—Died in Committee

H 2117 Bill by Agriculture and Natural Resources
Requiring the completion of a boater safety education course.
01/23/2015 House—Introduced—HJ 113
01/26/2015 House—Referred to Committee on Agriculture and Natural Resources —HJ 117
02/12/2015 House—Hearing: Tuesday, February 17, 2015, 3:30 PM Room 346S
06/01/2016 House—Died in Committee

H 2118 Bill by Health and Human Services
Podiatrists surgery treatment of the ankle.
01/23/2015 House—Introduced—HJ 113
01/26/2015 House—Referred to Committee on Health and Human Services—HJ 117
02/18/2015 House—Withdrawn from Committee on Health and Human Services; Referred to Committee on Appropriations—HJ 254
03/04/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Health and Human Services—HJ 325
03/05/2015 House—Hearing: Wednesday, March 11, 2015, 1:30 PM Room 546S
02/15/2016 House—Hearing: Wednesday, February 17, 2016, 1:30 PM Room 546-S-CANCELLED
06/01/2016 House—Died in Committee

H 2121 Bill by Health and Human Services
Board of nursing; assistant attorneys general.
01/23/2015 House—Introduced—HJ 114
01/26/2015 House—Referred to Committee on Health and Human Services—HJ 117
02/03/2015 House—Hearing: Thursday, February 05, 2015, 1:30 PM Room 546S
02/12/2015 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 222
02/26/2015 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 307
03/04/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Health and Human Services—HJ 325
03/24/2015 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 512
06/01/2016 House—Died on Calendar

H 2122 Bill by Health and Human Services
Advanced practice registered nurses; scope of practice and prescribing

authority.
01/23/2015 House—Introduced—HJ 114
01/26/2015 House—Referred to Committee on Health and Human Services—HJ 117
06/01/2016 House—Died in Committee

H 2123 Bill by Health and Human Services
Massage therapist licensure act.
01/23/2015 House—Introduced—HJ 114
01/26/2015 House—Referred to Committee on Health and Human Services—HJ 117
02/05/2015 House—Hearing: Monday, February 9, 2015, 1:30 PM Room 546-S-CANCELLED
02/10/2015 House—Hearing: Wednesday, February 11, 2015, 1:30 PM Room 546S
06/01/2016 House—Died in Committee

H 2125 Bill by Federal and State Affairs
Alcoholic beverages; amendments regarding regulation by the division of alcoholic beverage control.
01/26/2015 House—Introduced—HJ 117
01/27/2015 House—Referred to Committee on Federal and State Affairs—HJ 123
01/30/2015 House—Hearing: Tuesday, February 03, 2015, 9:00 AM Room 346S
01/30/2015 House—Hearing: Wednesday, February 04, 2015, 9:00 AM Room 346S
02/11/2015 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 211
03/18/2015 House—Committee of the Whole - Be passed as amended—HJ 402
03/19/2015 House—Final Action - Passed as amended; Yea: 120 Nay: 0—HJ 424
03/19/2015 Senate—Received and Introduced—SJ 294
03/20/2015 Senate—Referred to Committee on Federal and State Affairs—SJ 317
03/23/2015 Senate—Hearing: Tuesday, March 24, 2015, 1:00 PM Room 144-S
06/01/2016 Senate—Died in Senate Committee

H 2127 Bill by Taxation
Sales tax exemption for friends of hospice of Jefferson County.
01/27/2015 House—Introduced—HJ 120
01/28/2015 House—Referred to Committee on Taxation—HJ 129
06/01/2016 House—Died in Committee

H 2128 Bill by Taxation
Permitted use of tax information in certain tax actions and proceedings; tax liens upon personal property; tax warrants; time for returns and payment of tax; liability for persons responsible for collection of sales or compensating tax.
01/27/2015 House—Introduced—HJ 120
01/28/2015 House—Referred to Committee on Taxation—HJ 129
06/01/2016 House—Died in Committee

H 2129 Bill by Judiciary
Abolishing the death penalty and creating the crime of aggravated murder.
01/27/2015 House—Introduced—HJ 120
01/28/2015 House—Referred to Committee on Judiciary—HJ 129
02/26/2015 House—Withdrawn from Committee on Judiciary; Referred to Committee on Appropriations—HJ 307
06/01/2016 House—Died in Committee

H 2130 Bill by Judiciary
Relating to wrongful death actions; increasing the amount of damages that may be awarded.
01/27/2015 House—Introduced—HJ 120
01/28/2015 House—Referred to Committee on Judiciary—HJ 129
06/01/2016 House—Died in Committee

H 2131 Bill by Energy and Environment
Senate Substitute for HB 2131 by Committee on Utilities - Concerning telecommunications.
01/27/2015 House—Introduced—HJ 120
01/28/2015 House—Referred to Committee on Energy and Environment—HJ 129
01/29/2015 House—Hearing: Monday, February 02, 2015, 9:00 AM Room 582N
02/10/2015 House—Hearing: Tuesday, February 10, 2015, 3:30 PM Room 346S
02/18/2015 House—Hearing: Friday, February 20, 2015, 9:00 AM Room 582N
02/20/2015 House—Committee Report recommending bill be passed by Committee on Energy and Environment—HJ 271
02/25/2015 House—Committee of the Whole - Be passed as amended—HJ 300
02/26/2015 House—Final Action - Passed as amended; Yea: 105 Nay: 18—HJ 311
02/26/2015 Senate—Received and Introduced—SJ 194
03/04/2015 Senate—Referred to Committee on Utilities—SJ 223
02/18/2016 Senate—Committee Report recommending substitute bill be passed by Committee on Utilities—SJ 1920
03/17/2016 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 2090
03/17/2016 Senate—Emergency Final Action - Substitute passed as amended; Yea: 35 Nay: 4—SJ 2093
03/18/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Seiwert, Representative Alford and Representative Kuether as conferees—HJ 2306
03/21/2016 Senate—Motion to accede adopted; Senator Olson, Senator Petersen and Senator Francisco appointed as conferees—SJ 2143
03/22/2016 House—Concurred with amendments in conference; Yea: 112 Nay: 12 —HJ 2380
04/27/2016 House—Enrolled and presented to Governor on Tuesday, March 29, 2016—HJ 2464
04/27/2016 House—Approved by Governor on Wednesday, April 06 , 2016—HJ 2456

H 2132 Bill by Energy and Environment
Injected natural gas and property rights.
01/27/2015 House—Introduced—HJ 120
01/28/2015 House—Referred to Committee on Energy and Environment—HJ 129
01/29/2015 House—Hearing: Monday, February 02, 2015, 9:00 AM Room 582N
06/01/2016 House—Died in Committee

H 2133 Bill by Appropriations
Appropriation revisions and supplementals for FY 2015 and FY 2016 for various state agencies.
01/27/2015 House—Introduced—HJ 120
01/28/2015 House—Referred to Committee on Appropriations—HJ 129
01/28/2015 House—Hearing: Wednesday, January 28, 2015, 9:00 AM Room 112N
06/01/2016 House—Died in Committee

H 2134 Bill by Appropriations
Authorizing consumer credit report security freezes for individuals less than 16 years old.
01/27/2015 House—Introduced—HJ 120
01/28/2015 House—Referred to Committee on Appropriations—HJ 129
01/29/2015 House—Withdrawn from Committee on Appropriations; Referred to Committee on Financial Institutions—HJ 135
02/03/2015 House—Hearing: Thursday, February 05, 2015, 3:30 PM Room 152S
03/24/2015 House—Committee Report recommending bill be passed as amended by Committee on Financial Institutions—HJ 507
01/26/2016 House—Withdrawn from Calendar; Referred to Committee on Insurance and Financial Institutions—HJ 1958
01/29/2016 House—Hearing: Wednesday, February 03, 2016, 3:30 PM Room 582-N
02/16/2016 House—Committee Report recommending bill be passed as amended by Committee on Insurance and Financial Institutions—HJ 2065
03/03/2016 House—Committee of the Whole - Be passed as amended—HJ 2194
03/07/2016 House—Final Action - Passed as amended; Yea: 120 Nay: 0—HJ 2198
03/07/2016 Senate—Received and Introduced—SJ 2018
03/08/2016 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 2022
03/11/2016 Senate—Hearing: Tuesday, March 15, 2016, 9:30 AM Room 546-S
03/17/2016 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 2095
03/21/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2156
03/22/2016 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 2166
03/22/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Schwab, Representative Kelly and Representative Houston as conferees—HJ 2392
03/23/2016 Senate—Motion to accede adopted; Senator Longbine, Senator Bowers and Senator Hawk appointed as conferees—SJ 2182
03/24/2016 House—Concurred with amendments in conference; Yea: 120 Nay: 0—HJ 2421

04/27/2016 House—Enrolled and presented to Governor on Tuesday, March 29, 2016—HJ 2464
04/27/2016 House—Approved by Governor on Thursday, March 31 , 2016—HJ 2456

H 2136 Bill by Representative Dannebohm
Providing homestead property tax refunds for renters.
01/27/2015 House—Introduced—HJ 121
01/28/2015 House—Referred to Committee on Taxation—HJ 129
06/01/2016 House—Died in Committee

H 2137 Bill by Corrections and Juvenile Justice
Enacting the police and citizen protection act; relating to use of body cameras by law enforcement officers.
01/27/2015 House—Introduced—HJ 121
01/28/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 129
02/10/2015 House—Hearing: Tuesday, February 10, 2015, 1:30 PM Room 152S
06/01/2016 House—Died in Committee

H 2138 Bill by Corrections and Juvenile Justice
Amending provisions relating to municipal appearance bonds.
01/27/2015 House—Introduced—HJ 121
01/28/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 129
01/30/2015 House—Hearing: Wednesday, February 04, 2015, 1:30 PM Room 152S
06/01/2016 House—Died in Committee

H 2139 Bill by Representatives Rubin, Barker, Barton, Bradford, Hedke, Hildabrand, Hutchins, K. Jones, Kiegerl, Lunn, Macheers, Osterman, Peck, Read, Suellentrop, Sutton
Postsecondary education; tuition and fees for aliens.
01/27/2015 House—Introduced—HJ 121
01/28/2015 House—Referred to Committee on Federal and State Affairs—HJ 129
02/19/2015 House—Withdrawn from Committee on Federal and State Affairs; Referred to Committee on Education—HJ 261
02/20/2015 House—Hearing: Tuesday, February 24, 2015, 1:00 PM Room 112N
06/01/2016 House—Died in Committee

H 2140 Bill by Corrections and Juvenile Justice
Relating to interlocutory appeals by the state; transfer of appeals by prosecution to the supreme court.
01/27/2015 House—Introduced—HJ 121
01/28/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 129
01/30/2015 House—Hearing: Tuesday, February 03, 2015, 1:30 PM Room 152
06/01/2016 House—Died in Committee

H 2141 Bill by Corrections and Juvenile Justice
Licensure of bail enforcement agents by the attorney general.
01/27/2015 House—Introduced—HJ 121
01/28/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 129
06/01/2016 House—Died in Committee

H 2143 Bill by Representative Ward
Lobbying restrictions; certain elected state officers and executive staff.
01/27/2015 House—Introduced—HJ 127
01/28/2015 House—Referred to Committee on Elections—HJ 129
06/01/2016 House—Died in Committee

H 2144 Bill by Representative Ward
Voter registration; affidavit to verify name change.
01/27/2015 House—Introduced—HJ 127
01/28/2015 House—Referred to Committee on Elections—HJ 129
06/01/2016 House—Died in Committee

H 2145 Bill by Representative Ward
Help Kansas vote act.
01/27/2015 House—Introduced—HJ 127
01/28/2015 House—Referred to Committee on Elections—HJ 129
06/01/2016 House—Died in Committee

H 2146 Bill by Representative Ward
County election officers; nepotism rule applied.
01/27/2015 House—Introduced—HJ 127
01/28/2015 House—Referred to Committee on Elections—HJ 129
06/01/2016 House—Died in Committee

H 2147 Bill by Corrections and Juvenile Justice
Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.
01/28/2015 House—Introduced—HJ 128
01/29/2015 House—Referred to Committee on Judiciary—HJ 135
02/13/2015 House—Hearing: Thursday, February 19, 2015, 3:30 PM Room 112-N
06/01/2016 House—Died in Committee

H 2150 Bill by Vision 2020
Kansas death with dignity act.
01/28/2015 House—Introduced—HJ 129
01/29/2015 House—Referred to Committee on Health and Human Services—HJ 135
06/01/2016 House—Died in Committee

H 2151 Bill by Appropriations
Substitute for HB 2151 by Committee on Judiciary – Authorizing community parenting release for early release from incarceration; requiring all law enforcement agencies to adopt a written policy relating to eyewitness identification; requiring judges to allow certain persons to witness grand jury instructions.
01/28/2015 House—Introduced—HJ 129
01/29/2015 House—Referred to Committee on Judiciary—HJ 135
02/13/2015 House—Hearing: Tuesday, February 17, 2015, 3:30 PM Room 112-N
03/10/2015 House—Committee Report recommending substitute bill be passed by Committee on Judiciary—HJ 338
01/14/2016 House—Committee of the Whole - Motion to rerefer to committee failed—HJ 1934
01/14/2016 House—Committee of the Whole - Substitute bill be passed—HJ 1934
01/19/2016 House—Final Action - Substitute passed; Yea: 101 Nay: 20—HJ 1941
01/19/2016 Senate—Received and Introduced—SJ 1770
01/20/2016 Senate—Referred to Committee on Judiciary—SJ 1772
01/25/2016 Senate—Hearing: Wednesday, January 27, 2016, 10:30 AM Room 346S
03/11/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 2048
03/16/2016 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 2069
03/17/2016 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 2087
03/21/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Barker, Representative Macheers and Representative Carmichael as conferees—HJ 2346
03/21/2016 Senate—Motion to accede adopted; Senator King, Senator Smith and Senator Haley appointed as conferees—SJ 2159
04/29/2016 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2431
04/29/2016 House—Conference Committee Report was adopted; Yea: 114 Nay: 3—HJ 2704
05/01/2016 House—Enrolled and presented to Governor on Tuesday, May 03, 2016
06/01/2016 House—Approved by Governor on Wednesday, May 11 , 2016—HJ 3243

H 2152 Bill by Appropriations
Giving full-time state employees one additional discretionary holiday each year.
01/28/2015 House—Introduced—HJ 129
01/29/2015 House—Referred to Committee on Appropriations—HJ 135
06/01/2016 House—Died in Committee

H 2153 Bill by Appropriations
Taxpayer empowerment, accountability and transparency in state contracting act.
01/28/2015 House—Introduced—HJ 129

01/29/2015 House—Referred to Committee on Appropriations—HJ 135
06/01/2016 House—Died in Committee

H 2156 Bill by Agriculture and Natural Resources
Senate Substitute for HB 2156 By Committee on Natural Resources - Amending provisions of the nongame and endangered species conservation act.
01/28/2015 House—Introduced—HJ 131
01/29/2015 House—Referred to Committee on Agriculture and Natural Resources —HJ 135
02/05/2015 House—Hearing: Monday, February 9, 2015, 3:30PM Room 346-S-CANCELLED
02/10/2015 House—Hearing: Wednesday, February 11, 2015, 3:30 PM Room 346S
02/17/2015 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—HJ 249
02/19/2015 House—Committee of the Whole - Committee Report be adopted
02/19/2015 House—Committee of the Whole - Be passed as amended—HJ 263
02/20/2015 House—Final Action - Passed as amended; Yea: 119 Nay: 0—HJ 267
02/23/2015 Senate—Received and Introduced—SJ 150
02/24/2015 Senate—Referred to Committee on Natural Resources—SJ 155
02/26/2015 Senate—Hearing: Wednesday, March 04, 2015, 8:30 AM Room 159-S
03/18/2016 Senate—Committee Report recommending substitute bill be passed by Committee on Natural Resources—SJ 2138
03/21/2016 Senate—Committee of the Whole - Substitute bill be passed—SJ 2156
03/22/2016 Senate—Final Action - Substitute passed; Yea: 37 Nay: 3—SJ 2166
03/22/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Schwartz, Representative Boldra and Representative Victors as conferees—HJ 2392
03/23/2016 Senate—Motion to accede adopted; Senator Powell, Senator Kerschen and Senator Francisco appointed as conferees—SJ 2182
04/28/2016 House—Representative Wilson replaces Representative Victors on the Conference Committee—HJ 2481
04/29/2016 Senate—Conference Committee Report was adopted; Yea: 35 Nay: 2—SJ 2440
04/30/2016 House—Conference Committee Report was adopted; Yea: 111 Nay: 2—HJ 2714
06/01/2016 House—Enrolled and presented to Governor on Monday, May 09, 2016 —HJ 3250
06/01/2016 House—Approved by Governor on Tuesday, May 17 , 2016—HJ 3243

H 2157 Bill by Transportation
Creating the seat belt safety fund and increasing the fine for adult seat belt violations.
01/28/2015 House—Introduced—HJ 131
01/29/2015 House—Referred to Committee on Transportation—HJ 135
02/10/2015 House—Hearing: Tuesday, February 10, 2015, 1:30 PM Room 582N
01/27/2016 House—Withdrawn from Committee on Transportation; Referred to Committee on Taxation—HJ 1963
06/01/2016 House—Died in Committee

H 2158 Bill by Judiciary
Increasing sentence for intentional murder in the second degree to mandatory minimum term of imprisonment of 25 years ("hard 25").
01/28/2015 House—Introduced—HJ 131
01/29/2015 House—Referred to Committee on Judiciary—HJ 135
06/01/2016 House—Died in Committee

H 2160 Bill by Judiciary
Docket fees; electronic filing and management fund.
01/28/2015 House—Introduced—HJ 131
01/29/2015 House—Referred to Committee on Judiciary—HJ 135
02/03/2015 House—Hearing: Wednesday, February 04, 2015, 3:30 PM Room 112N
06/01/2016 House—Died in Committee

H 2161 Bill by Judiciary
Relating to disputes involving church congregations.
01/28/2015 House—Introduced—HJ 131
01/29/2015 House—Referred to Committee on Judiciary—HJ 135
02/12/2016 House—Hearing: Thursday, February 18, 2016, 3:30 PM Room 112-N
06/01/2016 House—Died in Committee

H 2163 Bill by Local Government
Fire districts; audits.
01/28/2015 House—Introduced—HJ 131
01/29/2015 House—Referred to Committee on Local Government—HJ 135
02/03/2015 House—Hearing: Thursday, February 05, 2015, 1:30 PM Room 281N
02/18/2015 House—Committee Report recommending bill be passed as amended by Committee on Local Government—HJ 255
02/25/2015 House—Committee of the Whole - Be passed as amended—HJ 293
02/26/2015 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 312
02/26/2015 Senate—Received and Introduced—SJ 194
03/04/2015 Senate—Referred to Committee on Local Government—SJ 222
03/16/2015 Senate—Hearing: Tuesday, March 17, 2015, 9:30 AM Room 159-S
02/16/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Local Government—SJ 1880
03/18/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2108
03/18/2016 Senate—Emergency Final Action - Passed as amended; Yea: 38 Nay: 0—SJ 2108
03/21/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Huebert, Representative Phillips and Representative Alcala as conferees—HJ 2346
03/21/2016 Senate—Motion to accede adopted; Senator Pyle, Senator Fitzgerald and Senator Faust-Goudeau appointed as conferees—SJ 2159
04/30/2016 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2489
04/30/2016 House—Conference Committee Report was adopted; Yea: 121 Nay: 0—HJ 2828
05/01/2016 House—Enrolled and presented to Governor on Tuesday, May 03, 2016

06/01/2016 House—Approved by Governor on Monday, May 09 , 2016—HJ 3243

H 2164 Bill by Local Government
Certain sewer districts; construction contract bid threshold raised.
01/28/2015 House—Introduced—HJ 131
01/29/2015 House—Referred to Committee on Local Government—HJ 135
01/30/2015 House—Hearing: Tuesday, February 03, 2015, 1:30 PM Room 281N
02/11/2015 House—Committee Report recommending bill be passed as amended by Committee on Local Government—HJ 211
02/19/2015 House—Committee of the Whole - Committee Report be adopted
02/19/2015 House—Committee of the Whole - Be passed as amended—HJ 263
02/20/2015 House—Final Action - Passed as amended; Yea: 110 Nay: 9—HJ 268
02/23/2015 Senate—Received and Introduced—SJ 150
02/24/2015 Senate—Referred to Committee on Local Government—SJ 155
03/16/2015 Senate—Hearing: Tuesday, March 17, 2015, 9:30 AM Room 159-S
02/16/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Local Government—SJ 1880
03/18/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2108
03/18/2016 Senate—Emergency Final Action - Passed as amended; Yea: 38 Nay: 0—SJ 2108
03/21/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Huebert, Representative Phillips and Representative Alcala as conferees—HJ 2346
03/21/2016 Senate—Motion to accede adopted; Senator Pyle, Senator Fitzgerald and Senator Faust-Goudeau appointed as conferees—SJ 2159
04/29/2016 Senate—Senator Ostmeyer replaces Senator Pyle on the Conference Committee—SJ 2269
04/29/2016 Senate—Senator LaTurner replaces Senator Fitzgerald on the Conference Committee—SJ 2269
04/29/2016 House—Concurred with amendments in conference; Yea: 119 Nay: 0—HJ 2660
05/01/2016 House—Enrolled and presented to Governor on Sunday, May 01, 2016—HJ 3238
06/01/2016 House—Approved by Governor on Friday, May 06 , 2016—HJ 3243

H 2166 Bill by Appropriations
Creating an exception to maximum vehicle length requirements for custom harvesters.
01/28/2015 House—Introduced—HJ 131
01/29/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 135
01/14/2016 House—Hearing: Wednesday, January 20, 2016, 3:30 PM Room 346-CANCELLED
06/01/2016 House—Died in Committee

H 2167 Bill by Taxation
Increasing interest rate on delinquent real property taxes.
01/28/2015 House—Introduced—HJ 131

01/29/2015 House—Referred to Committee on Taxation—HJ 135
02/05/2015 House—Hearing: Monday, February 9, 2015, 3:30 PM Room 582-N-CANCELLED
02/13/2015 House—Hearing: Tuesday, February 17, 2015, 3:30 PM Room 582-N
03/11/2015 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 344
06/01/2016 House—Died on Calendar

H 2168 Bill by Taxation
Property tax exemption and classification for property used for bed and breakfast purposes.
01/28/2015 House—Introduced—HJ 131
01/29/2015 House—Referred to Committee on Taxation—HJ 135
02/10/2015 House—Hearing: Thursday, February 12, 2015, 3:30 PM Room 582N
03/11/2015 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 344
06/01/2016 House—Died on Calendar

H 2169 Bill by Taxation
Sales tax exemption for assistance league of Wichita.
01/28/2015 House—Introduced—HJ 131
01/29/2015 House—Referred to Committee on Taxation—HJ 135
02/20/2015 House—Hearing: Monday, February 23, 2015, 3:30 PM Room 582N
06/01/2016 House—Died in Committee

H 2171 Bill by Federal and State Affairs
Kansas lottery; sale of tickets; advertising; underage purchase of ticket prohibited.
01/29/2015 House—Introduced—HJ 134
01/30/2015 House—Referred to Committee on Federal and State Affairs—HJ 140
03/13/2015 House—Withdrawn from Committee on Federal and State Affairs; Referred to Committee on Commerce, Labor and Economic Development—HJ 370
03/18/2015 House—Hearing: Wednesday, March 18, 2015, 1:30 PM Room 346-S
01/20/2016 House—Hearing: Tuesday, January 26, 2016, 1:30 PM Room 346-S
03/10/2016 House—Withdrawn from Committee on Commerce, Labor and Economic Development; Referred to Committee on Calendar and Printing—HJ 2225
06/01/2016 House—Died in Committee

H 2172 Bill by Representative Whipple
Nurse aide trainees; criminal history record information check; before the state of school.
01/29/2015 House—Introduced—HJ 134
01/30/2015 House—Referred to Committee on Health and Human Services—HJ 140
06/01/2016 House—Died in Committee

H 2173 Bill by Judiciary
Supreme court and court of appeals retention elections campaign finance.
01/29/2015 House—Introduced—HJ 134
01/30/2015 House—Referred to Committee on Elections—HJ 140
06/01/2016 House—Died in Committee

H 2174 Bill by Federal and State Affairs
Tax credit for low income students scholarship program act amendments.
01/29/2015 House—Introduced—HJ 134
01/30/2015 House—Referred to Committee on Education Budget—HJ 140
02/03/2015 House—Withdrawn from Committee on Education Budget; Referred to Committee on Education—HJ 150
02/13/2015 House—Hearing: Wednesday, February 18, 2015, 1:30 PM Room 112-N
02/20/2015 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 270
06/01/2016 House—Died on Calendar

H 2175 Bill by Federal and State Affairs
Prohibit use of carbon monoxide chambers for euthanizing dogs and cats.
01/29/2015 House—Introduced—HJ 134
01/30/2015 House—Referred to Committee on Agriculture and Natural Resources —HJ 140
03/06/2015 House—Hearing: Tuesday, March 10, 2015, 3:30 PM Room 346-S
06/01/2016 House—Died in Committee

H 2176 Bill by Health and Human Services
Prescription drug fills and refills.
01/29/2015 House—Introduced—HJ 134
01/30/2015 House—Referred to Committee on Health and Human Services—HJ 140
02/02/2015 House—Withdrawn from Committee on Health and Human Services; Referred to Committee on Insurance—HJ 143
02/13/2015 House—Hearing: Wednesday, February 18, 2015, 3:30 PM Room 152-S
01/11/2016 House—Withdrawn from Committee on Insurance; Referred to Committee on Insurance and Financial Institutions—HJ 1915
06/01/2016 House—Died in Committee

H 2177 Bill by Energy and Environment
Senate Substitute for HB 2177 by Committee on Natural Resources - Establishing water conservation areas.
01/29/2015 House—Introduced—HJ 134
01/30/2015 House—Referred to Committee on Local Government—HJ 140
02/10/2015 House—Hearing: Tuesday, February 10, 2015, 1:30 PM Room 281N
02/18/2015 House—Committee Report recommending bill be passed as amended by Committee on Local Government—HJ 255

02/25/2015 House—Committee of the Whole - Be passed as amended—HJ 293
02/26/2015 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 313
02/26/2015 Senate—Received and Introduced—SJ 194
03/04/2015 Senate—Referred to Committee on Natural Resources—SJ 222
03/09/2015 Senate—Hearing: Wednesday, March 11, 2015, 8:30 AM Room 159-S
03/23/2015 Senate—Committee Report recommending substitute bill be passed by Committee on Natural Resources—SJ 325
03/25/2015 Senate—Committee of the Whole - Substitute bill be passed—SJ 395
03/25/2015 Senate—Emergency Final Action - Substitute passed; Yea: 39 Nay: 0—SJ 408
04/01/2015 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Schwartz, Representative Boldra and Representative Victors as conferees—HJ 585
04/01/2015 Senate—Motion to accede adopted; Senator Powell, Senator Kerschen and Senator Francisco appointed as conferees—SJ 444
04/30/2015 House—Representative Barker replaces Representative Schwartz on the Conference Committee—HJ 658
04/30/2015 House—Representative Macheers replaces Representative Boldra on the Conference Committee—HJ 658
04/30/2015 House—Representative Carmichael replaces Representative Victors on the Conference Committee—HJ 658
05/11/2015 Senate—Senator King replaces Senator Powell on the Conference Committee—SJ 598
05/11/2015 Senate—Senator Smith replaces Senator Kerschen on the Conference Committee—SJ 598
05/11/2015 Senate—Senator Pettey replaces Senator Francisco on the Conference Committee—SJ 598
06/04/2015 Senate—Conference Committee Report not adopted; Yea: 11 Nay: 25—SJ 1064
06/04/2015 Senate—Motion to reconsider - Adopted—SJ 1069
06/04/2015 Senate—Conference Committee Report not adopted; Senator King, Senator Smith and Senator Pettey appointed as second conferees—SJ 1064
06/05/2015 House—Motion to accede adopted; Representative Kleeb, Representative Suellentrop and Representative Sawyer appointed as second conferees—HJ 1646
06/01/2016 House—Died in Conference

H 2178 Bill by Taxation
Increasing the Kansas standard deduction of an individual.
01/29/2015 House—Introduced—HJ 134
01/30/2015 House—Referred to Committee on Taxation—HJ 140
06/01/2016 House—Died in Committee

H 2179 Bill by Taxation
Property taxation; recording of mineral interests.
01/29/2015 House—Introduced—HJ 134
01/30/2015 House—Referred to Committee on Taxation—HJ 140
02/20/2015 House—Hearing: Tuesday, February 24, 2015, 3:30 PM Room 582N
06/01/2016 House—Died in Committee

(SJ & HJ Nos. refer to 2016 Senate and House Journals)

H 2180 Bill by Transportation
Creating temporary visitor's driver's license.
01/29/2015 House—Introduced—HJ 134
01/30/2015 House—Referred to Committee on Transportation—HJ 140
06/01/2016 House—Died in Committee

H 2181 Bill by Transportation
Increasing certificate of title fees on motor vehicles.
01/29/2015 House—Introduced—HJ 134
01/30/2015 House—Referred to Committee on Transportation—HJ 140
02/10/2015 House—Hearing: Thursday, February 12, 2015, 1:30 PM Room 582N
01/27/2016 House—Withdrawn from Committee on Transportation; Referred to Committee on Taxation—HJ 1963
06/01/2016 House—Died in Committee

H 2182 Bill by Elections
Restrictions and exceptions for campaign finance solicitations.
01/29/2015 House—Introduced—HJ 137
01/30/2015 House—Referred to Committee on Elections—HJ 140
02/05/2015 House—Hearing: Monday, February 9, 2015, 1:30 PM Room 281-N-CANCELLED
02/10/2015 House—Hearing: Wednesday, February 11, 2015, 1:30 PM Room 281N
02/13/2015 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 232
02/26/2015 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 307
03/18/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Elections—HJ 396
03/19/2015 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 458
06/01/2016 House—Died on Calendar

H 2186 Bill by Representative Todd
Prohibiting the use of state aid by public postsecondary educational institutions to support certain academic entities that are academically boycotting certain countries where certain institutions of higher education are located.
01/29/2015 House—Introduced—HJ 137
01/30/2015 House—Referred to Committee on Education—HJ 140
06/01/2016 House—Died in Committee

H 2187 Bill by Federal and State Affairs
Creating the Kansas unborn child protection from dismemberment abortion act.

01/29/2015 House—Introduced—HJ 138
01/30/2015 House—Referred to Committee on Federal and State Affairs—HJ 140
06/01/2016 House—Died in Committee

H 2188 Bill by Representative Todd
Driver's licenses; requiring entering into a payment plan for certain individuals to receive restricted driving privileges when license has expired while on suspension.
01/29/2015 House—Introduced—HJ 138
01/30/2015 House—Referred to Committee on Transportation—HJ 140
02/10/2015 House—Hearing: Thursday, February 12, 2015, 1:30 PM Room 582N
06/01/2016 House—Died in Committee

H 2189 Bill by Federal and State Affairs
Limits on microbrewery production and distribution.
01/29/2015 House—Introduced—HJ 138
01/30/2015 House—Referred to Committee on Federal and State Affairs—HJ 140
06/01/2016 House—Died in Committee

H 2190 Bill by Federal and State Affairs
Saving communities amendments to the personal and family protection act.
01/29/2015 House—Introduced—HJ 138
01/30/2015 House—Referred to Committee on Federal and State Affairs—HJ 140
02/12/2015 House—Hearing: Monday, February 16, 2015, 9:00 AM Room 346-S-CANCELLED
06/01/2016 House—Died in Committee

H 2191 Bill by Federal and State Affairs
Alcoholic beverages; sampling by distributor licensees.
01/29/2015 House—Introduced—HJ 138
01/30/2015 House—Referred to Committee on Federal and State Affairs—HJ 140
02/13/2015 House—Hearing: Tuesday, February 17, 2015, 9:00 AM Room 346-S
02/20/2015 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 271
03/18/2015 House—Committee of the Whole - Be passed—HJ 399
03/19/2015 House—Final Action - Passed; Yea: 111 Nay: 9—HJ 425
03/19/2015 Senate—Received and Introduced—SJ 294
03/20/2015 Senate—Referred to Committee on Federal and State Affairs—SJ 317
03/23/2015 Senate—Hearing: Tuesday, March 24, 2015, 1:00 PM Room 144-S
06/01/2016 Senate—Died in Senate Committee

H 2194 Bill by Transportation
Establishing a safety corridor program.
02/02/2015 House—Introduced—HJ 143
02/03/2015 House—Referred to Committee on Transportation—HJ 150
02/10/2015 House—Hearing: Thursday, February 12, 2015, 1:30 PM Room 582N
06/01/2016 House—Died in Committee

H 2195 Bill by Transportation
Providing for increased penalties for right-of-way violations.
02/02/2015 House—Introduced—HJ 143
02/03/2015 House—Referred to Committee on Transportation—HJ 150
02/10/2015 House—Hearing: Thursday, February 12, 2015, 1:30 PM Room 582N
02/13/2015 House—Hearing: Tuesday, February 17, 2015, 1:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2196 Bill by Taxation
De minimis abandoned property.
02/02/2015 House—Introduced—HJ 143
02/03/2015 House—Referred to Committee on Taxation—HJ 150
02/10/2015 House—Hearing: Tuesday, February 10, 2015, 3:30 PM Room 582N
03/11/2015 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 344
06/01/2016 House—Died on Calendar

H 2197 Bill by Taxation
Cities; land banks; municipalities may defer or reamortize special assessments.
02/02/2015 House—Introduced—HJ 143
02/03/2015 House—Referred to Committee on Local Government—HJ 150
02/13/2015 House—Hearing: Tuesday, February 17, 2015, 1:30 PM Room 281-N
02/20/2015 House—Committee Report recommending bill be passed as amended by Committee on Local Government—HJ 274
03/11/2015 House—Committee of the Whole - Be passed as amended—HJ 342
03/12/2015 House—Final Action - Passed as amended; Yea: 119 Nay: 2—HJ 350
03/12/2015 Senate—Received and Introduced—SJ 249
03/13/2015 Senate—Referred to Committee on Local Government—SJ 255
06/01/2016 Senate—Died in Senate Committee

H 2199 Bill by Education
School districts; human sexuality education; policies and procedures.
02/02/2015 House—Introduced—HJ 143
02/03/2015 House—Referred to Committee on Education—HJ 150
02/13/2015 House—Hearing: Tuesday, February 17, 2015, 1:30 PM Room 112-N
02/20/2015 House—Committee Report recommending bill be passed by Committee on Education—HJ 270
02/26/2015 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 307
01/21/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Education—HJ 1948
02/17/2016 House—Committee Report recommending bill be passed by Committee on Education—HJ 2083
06/01/2016 House—Died on Calendar

H 2200 Bill by Federal and State Affairs

Substitute for HB 2200 by Committee on Commerce, Labor and Economic Development - Alcoholic liquor; county option retailers act; grocery stores and convenience stores.
02/02/2015 House—Introduced—HJ 143
02/03/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 150
02/05/2015 House—Hearing: Monday, February 9, 2015, 1:30 PM Room 346-S-CANCELLED
02/10/2015 House—Hearing: Wednesday, February 11, 2015, 1:30 PM Room 346S
02/10/2015 House—Hearing: Thursday, February 12, 2015, 1:30 PM Room 346S
02/10/2015 House—Hearing: Friday, February 13, 2015, 1:30 PM Room 346S
02/25/2015 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 293
03/18/2015 House—Withdrawn from Calendar, Rereferred to Committee on Commerce, Labor and Economic Development—HJ 396
04/29/2015 House—Hearing: Monday, May 04, 2015, 1:30 PM Room 346-S
05/05/2015 House—Committee Report recommending substitute bill be passed by Committee on Commerce, Labor and Economic Development—HJ 704
06/01/2016 House—Died on Calendar

H 2201 Bill by Representative Wilson
Adult care homes; staffing, inspections, admissions, reporting and penalties.
02/02/2015 House—Introduced—HJ 143
02/03/2015 House—Referred to Committee on Children and Seniors—HJ 150
02/13/2015 House—Hearing: Tuesday, February 17, 2015, 9:00 AM Room 218-N
06/01/2016 House—Died in Committee

H 2202 Bill by Health and Human Services
Relating to service provider audits under the Kansas program of medical assistance.
02/02/2015 House—Introduced—HJ 143
02/03/2015 House—Referred to Committee on Health and Human Services—HJ 150
02/13/2015 House—Hearing: Monday, February 16, 2015, 1:30 PM Room 546-S
02/20/2015 House—Withdrawn from Committee on Health and Human Services; Referred to Committee on Appropriations—HJ 267
03/17/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Health and Human Services—HJ 378
06/01/2016 House—Died in Committee

H 2203 Bill by Education Budget Committee
School district agreements for consolidation of administrative services.
02/02/2015 House—Introduced—HJ 146
02/03/2015 House—Referred to Committee on Education—HJ 150
02/13/2015 House—Hearing: Wednesday, February 18, 2015, 1:30 PM Room 112-N
06/01/2016 House—Died in Committee

H 2204 Bill by Health and Human Services
Enacting the claim information reporting act and providing for short-term medical plans.
02/02/2015 House—Introduced—HJ 146
02/03/2015 House—Referred to Committee on Insurance—HJ 150
01/11/2016 House—Withdrawn from Committee on Insurance; Referred to Committee on Insurance and Financial Institutions—HJ 1915
06/01/2016 House—Died in Committee

H 2205 Bill by Health and Human Services
Advanced practice registered nurse.
02/03/2015 House—Introduced—HJ 149
02/04/2015 House—Referred to Committee on Appropriations—HJ 156
06/01/2016 House—Died in Committee

H 2206 Bill by Judiciary
Enacting the gun violence restraining order act; amending the protection from abuse act; amending criminal distribution of firearms; criminalizing possession of a firearm by a domestic batterer.
02/03/2015 House—Introduced—HJ 149
02/04/2015 House—Referred to Committee on Judiciary—HJ 156
06/01/2016 House—Died in Committee

H 2207 Bill by Education
Development and implementation of ethnic studies in schools.
02/03/2015 House—Introduced—HJ 149
02/04/2015 House—Referred to Committee on Education—HJ 156
02/19/2015 House—Hearing: Friday, February 20, 2015, 1:00 PM Room 112N
02/26/2015 House—Withdrawn from Committee on Education; Referred to Committee on Appropriations—HJ 307
02/10/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Education—HJ 2022
02/16/2016 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 2064
06/01/2016 House—Died on Calendar

H 2208 Bill by Federal and State Affairs
Prohibition on sales of powdered alcohol.
02/03/2015 House—Introduced—HJ 149
02/04/2015 House—Referred to Committee on Federal and State Affairs—HJ 156
02/13/2015 House—Hearing: Tuesday, February 17, 2015, 9:00 AM Room 346-S
02/20/2015 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 271
01/11/2016 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 1914
06/01/2016 House—Died in Committee

H 2209 Bill by Taxation
Tax credits; individual development account program; availability of credits.
02/03/2015 House—Introduced—HJ 149
02/04/2015 House—Referred to Committee on Taxation—HJ 156
02/20/2015 House—Hearing: Monday, February 23, 2015, 3:30 PM Room 582N
03/13/2015 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 369
06/01/2016 House—Died on Calendar

H 2210 Bill by Elections
County commission boards; expansion of commissioners; special election.
02/03/2015 House—Introduced—HJ 149
02/04/2015 House—Referred to Committee on Elections—HJ 156
01/20/2016 House—Hearing: Monday, January 25, 2016, 1:30 PM Room 281-N
06/01/2016 House—Died in Committee

H 2211 Bill by Elections
Campaign finance; soliciting campaign funds.
02/03/2015 House—Introduced—HJ 149
02/04/2015 House—Referred to Committee on Elections—HJ 156
02/05/2015 House—Hearing: Monday, February 9, 2015, 1:30 PM Room 281-N-CANCELLED
02/10/2015 House—Hearing: Wednesday, February 11, 2015, 1:30 PM Room 281N
06/01/2016 House—Died in Committee

H 2213 Bill by Elections
Campaign finance; increasing contribution limits; contributions received during primary period.
02/03/2015 House—Introduced—HJ 149
02/04/2015 House—Referred to Committee on Elections—HJ 156
02/12/2015 House—Hearing: Monday, February 16, 2015, 1:30 PM Room 281N
02/19/2015 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 263
02/26/2015 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 307
03/18/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Elections—HJ 396
03/19/2015 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 458
06/01/2016 House—Died on Calendar

H 2215 Bill by Elections
Campaign finance; transfer of campaign funds.
02/03/2015 House—Introduced—HJ 149
02/04/2015 House—Referred to Committee on Elections—HJ 156
02/12/2015 House—Hearing: Monday, February 16, 2015, 1:30 PM Room 281N
02/19/2015 House—Committee Report recommending bill be passed by Committee on Elections—HJ 263

02/26/2015 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 307
03/18/2015 House—Withdrawn from Committee on Appropriations; re referred to Committee on Elections—HJ 396
03/19/2015 House—Committee Report recommending bill be passed as amended by Committee on Appropriations—HJ 458
06/01/2016 House—Died on Calendar

H 2217 Bill by Corrections and Juvenile Justice
Racial profiling data collection and reporting requirements.
02/03/2015 House—Introduced—HJ 149
02/04/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 156
06/01/2016 House—Died in Committee

H 2219 Bill by Utilities and Telecommunications
Prohibiting use of a wireless communication device while operating a motor vehicle; exceptions; penalties.
02/03/2015 House—Introduced—HJ 153
02/04/2015 House—Referred to Committee on Utilities and Telecommunications—HJ 156
02/10/2015 House—Hearing: Tuesday, February 10, 2015, 9:00 AM Room 582N
06/01/2016 House—Died in Committee

H 2220 Bill by Representatives Whipple, Alcala, Ballard, Bridges, Burroughs, Carmichael, Clayton, Curtis, Dierks, Henderson, Highberger, Houston, Kuether, Lane, Lusk, Ousley, Rooker, Tietze, Trimmer, Victors, Ward, Wolfe Moore
Teachers' contracts; due process.
02/03/2015 House—Introduced—HJ 153
02/04/2015 House—Referred to Committee on Education—HJ 156
06/01/2016 House—Died in Committee

H 2222 Bill by Judiciary
Requiring registration under the Kansas offender registration act for certain municipal ordinance violations.
02/04/2015 House—Introduced—HJ 155
02/05/2015 House—Referred to Committee on Judiciary—HJ 170
06/01/2016 House—Died in Committee

H 2226 Bill by Health and Human Services
Hospital patient observation status.
02/04/2015 House—Introduced—HJ 156
02/05/2015 House—Referred to Committee on Health and Human Services—HJ 170
06/01/2016 House—Died in Committee

H 2227 Bill by Agriculture and Natural Resources

Creating water conservation areas.
02/04/2015 House—Introduced—HJ 156
02/05/2015 House—Referred to Committee on Agriculture and Natural Resources —HJ 170
02/10/2015 House—Hearing: Thursday, February 12, 2015, 3:30 PM Room 346S
06/01/2016 House—Died in Committee

H 2230 Bill by Representatives Ruiz, Burroughs, Carmichael, Curtis, Highberger, Lane, Ousley, Rooker, Tietze, Victors, Wolfe Moore
Repealing the health care compact.
02/04/2015 House—Introduced—HJ 163
02/05/2015 House—Referred to Committee on Health and Human Services—HJ 170
06/01/2016 House—Died in Committee

H 2232 Bill by Federal and State Affairs
Personal financial literacy course as a requirement for high school graduation.
02/04/2015 House—Introduced—HJ 163
02/05/2015 House—Referred to Committee on Education—HJ 170
02/10/2015 House—Hearing: Wednesday, February 11, 2015, 1:30 PM Room 112N
06/01/2016 House—Died in Committee

H 2234 Bill by Local Government
Requiring postsecondary institutions to adopt and implement a policy and plan to prohibit employees from using their official titles in certain publications.
02/04/2015 House—Introduced—HJ 163
02/05/2015 House—Referred to Committee on Education—HJ 170
02/13/2015 House—Hearing: Wednesday, February 18, 2015, 1:30 PM Room 112-N
06/01/2016 House—Died in Committee

H 2235 Bill by Local Government
Elected county treasurer appointed by county commission; election required.
02/04/2015 House—Introduced—HJ 164
02/05/2015 House—Referred to Committee on Local Government—HJ 170
02/13/2015 House—Hearing: Thursday, February 19, 2015, 1:30 PM Room 281-N
06/01/2016 House—Died in Committee

H 2236 Bill by Local Government
Cities; rehabilitation of abandoned property; definitions; other.
02/04/2015 House—Introduced—HJ 164
02/05/2015 House—Referred to Committee on Local Government—HJ 170
02/26/2015 House—Withdrawn from Committee on Local Government; Referred to Committee on Taxation—HJ 307
06/01/2016 House—Died in Committee

H 2237 Bill by Local Government
Municipalities; use of internet as official publication.
02/04/2015 House—Introduced—HJ 164
02/05/2015 House—Referred to Committee on Local Government—HJ 170
02/24/2015 House—Withdrawn from Committee on Local Government; Referred to Committee on Appropriations—HJ 285
03/05/2015 House—Withdrawn from Committee on Appropriations; Referred to Committee on Commerce, Labor and Economic Development—HJ 328
03/13/2015 House—Hearing: Monday, March 16, 2015, 1:30 PM Room 346S
06/01/2016 House—Died in Committee

H 2239 Bill by Judiciary
Newborn screening for critical congenital heart disease.
02/04/2015 House—Introduced—HJ 164
02/05/2015 House—Referred to Committee on Health and Human Services—HJ 170
02/18/2015 House—Hearing: Thursday, February 19, 2015, 1:30 PM Room 546-S-CANCELLED
02/18/2015 House—Withdrawn from Committee on Health and Human Services; Referred to Committee on Appropriations—HJ 254
06/01/2016 House—Died in Committee

H 2241 Bill by Insurance
Prohibiting insurance companies from canceling or nonrenewing property and casualty policies due to claims arising from natural causes.
02/05/2015 House—Introduced—HJ 169
02/06/2015 House—Referred to Committee on Insurance—HJ 176
02/12/2015 House—Hearing: Monday, February 16, 2015, 3:30 PM Room 152S
02/26/2015 House—Withdrawn from Committee on Insurance; Referred to Committee on Appropriations—HJ 307
06/01/2016 House—Died in Committee

H 2242 Bill by Transportation
Excepting certain vehicles from gross weight limits on wheels and axles.
02/05/2015 House—Introduced—HJ 169
02/06/2015 House—Referred to Committee on Transportation—HJ 176
02/13/2015 House—Hearing: Tuesday, February 17, 2015, 1:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2243 Bill by Veterans, Military and Homeland Security
Prohibiting KSHSAA from preventing children of military families from participating in high school sports due to a residency change.
02/05/2015 House—Introduced—HJ 169
02/06/2015 House—Referred to Committee on Veterans, Military and Homeland Security—HJ 176
02/19/2015 House—Withdrawn from Committee on Veterans, Military and Homeland Security; Referred to Committee on Appropriations—HJ 261
06/01/2016 House—Died in Committee

H 2245 Bill by Federal and State Affairs
Amending procedure for cases involving groundwater.
02/05/2015 House—Introduced—HJ 170
02/06/2015 House—Referred to Committee on Agriculture and Natural Resources —HJ 176
02/10/2015 House—Hearing: Thursday, February 12, 2015, 3:30 PM Room 346-S-CANCELLED
02/12/2016 House—Hearing: Wednesday, February 17, 2016, 3:30 PM Room 346-S
06/01/2016 House—Died in Committee

H 2247 Bill by Corrections and Juvenile Justice
Including department of corrections employees in coronary or cerebrovascular injury provisions for workers compensation.
02/05/2015 House—Introduced—HJ 170
02/06/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 176
06/01/2016 House—Died in Committee

H 2248 Bill by Commerce, Labor and Economic Development
Tax increment financing eligibility for projects involving very old buildings and adjacent vacant or condemned lots.
02/05/2015 House—Introduced—HJ 170
02/06/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 176
02/13/2015 House—Withdrawn from Committee on Commerce, Labor and Economic Development; Referred to Committee on Taxation—HJ 235
02/13/2015 House—Hearing: Tuesday, February 17, 2015, 1:30 PM Room 346-S-CANCELLED
03/12/2015 House—Hearing: Friday, March 13, 2015, 3:30 PM Room 582-N-CANCELLED
06/01/2016 House—Died in Committee

H 2249 Bill by Insurance
Enacting the transportation network company driver and passenger protection act.
02/05/2015 House—Introduced—HJ 170
02/06/2015 House—Referred to Committee on Insurance—HJ 176
02/10/2015 House—Hearing: Wednesday, February 11, 2015, 3:30 PM Room 152S
02/20/2015 House—Withdrawn from Committee on Insurance; Referred to Committee on Appropriations—HJ 267
03/06/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Insurance—HJ 331
01/11/2016 House—Withdrawn from Committee on Insurance; Referred to Committee on Insurance and Financial Institutions—HJ 1915
06/01/2016 House—Died in Committee

H 2250 Bill by Pensions and Benefits
KPERS retirant cost of living increase.
02/05/2015 House—Introduced—HJ 170
02/06/2015 House—Referred to Committee on Pensions and Benefits—HJ 176
02/19/2015 House—Hearing: Monday, February 23, 2015, 9:00 AM Room 152S
06/01/2016 House—Died in Committee

H 2251 Bill by Elections
Elections; ballot on demand; advance voting changes; electronic polling books.
02/05/2015 House—Introduced—HJ 170
02/06/2015 House—Referred to Committee on Elections—HJ 176
06/01/2016 House—Died in Committee

H 2252 Bill by Veterans, Military and Homeland Security
Providing for the Armed Services occupation medal license plate.
02/05/2015 House—Introduced—HJ 173
02/06/2015 House—Referred to Committee on Transportation—HJ 176
02/13/2015 House—Hearing: Wednesday, February 18, 2015, 1:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2253 Bill by Pensions and Benefits
Providing working after retirement provisions for certain retirants and extending current sunset for teachers.
02/05/2015 House—Introduced—HJ 173
02/06/2015 House—Referred to Committee on Pensions and Benefits—HJ 176
02/17/2015 House—Withdrawn from Committee on Pensions and Benefits; Referred to Committee on Appropriations—HJ 251
03/10/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Pensions and Benefits—HJ 338
03/13/2015 House—Hearing: Monday, March 16, 2015, 9:00 AM Room 152-S
03/24/2015 House—Committee Report recommending bill be passed as amended by Committee on Pensions and Benefits—HJ 514
06/01/2016 House—Died on Calendar

H 2255 Bill by Transportation
Prohibiting the secretary of transportation from entering agreements or issuing bonds after December 31, 2014, for the transportation revolving fund and the communication systems revolving fund; repealing the intermodal transportation revolving fund.
02/06/2015 House—Introduced—HJ 175
02/09/2015 House—Referred to Committee on Transportation—HJ 181
02/13/2015 House—Hearing: Tuesday, February 17, 2015, 1:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2257 Bill by Education
Amendments to the professional negotiations act.

02/06/2015 House—Introduced—HJ 176
02/09/2015 House—Referred to Committee on Education—HJ 181
06/01/2016 House—Died in Committee

H 2260 Bill by Financial Institutions
Eliminating the one-sheet requirement for temporary notes for improvements.
02/06/2015 House—Introduced—HJ 178
02/09/2015 House—Referred to Committee on Financial Institutions—HJ 181
02/10/2015 House—Hearing: Thursday, February 12, 2015, 3:30 PM Room 152S
02/18/2015 House—Committee Report recommending bill be passed by Committee on Financial Institutions—HJ 255
02/24/2015 House—Committee of the Whole - Be passed—HJ 284
02/25/2015 House—Final Action - Passed; Yea: 121 Nay: 0—HJ 292
02/25/2015 Senate—Received and Introduced—SJ 172
02/26/2015 Senate—Referred to Committee on Financial Institutions and Insurance —SJ 186
03/16/2015 Senate—Hearing: Monday, March 16, 2015, 9:30 AM Room 546-S
06/01/2016 Senate—Died in Senate Committee

H 2261 Bill by Commerce, Labor and Economic Development
Amending unemployment insurance benefits determination; employer classification and contribution rates.
02/06/2015 House—Introduced—HJ 178
02/09/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 181
02/12/2015 House—Hearing: Monday, February 16, 2015, 1:30 PM Room 346S
02/17/2015 House—Withdrawn from Committee on Commerce, Labor and Economic Development; Referred to Committee on Taxation—HJ 251
06/01/2016 House—Died in Committee

H 2262 Bill by Federal and State Affairs
Providing a compliance deadline and penalties for non-compliance with the student data privacy act.
02/06/2015 House—Introduced—HJ 178
02/09/2015 House—Referred to Committee on Education—HJ 181
02/13/2015 House—Hearing: Tuesday, February 17, 2015, 1:30 PM Room 112-N
02/20/2015 House—Hearing: Tuesday, February 24, 2015, 1:00 PM Room 112-N-CANCELLED
02/26/2015 House—Hearing: Wednesday, March 04, 2015, 1:30 PM Room 112N
06/01/2016 House—Died in Committee

H 2263 Bill by Taxation
Sales tax authority for Douglas county for constructing a jail.
02/06/2015 House—Introduced—HJ 178
02/09/2015 House—Referred to Committee on Taxation—HJ 181
03/06/2015 House—Hearing: Tuesday, March 10, 2015, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2264 Bill by Taxation
Valuation and taxation of certain oil and gas equipment and materials.
02/06/2015 House—Introduced—HJ 178
02/09/2015 House—Referred to Committee on Taxation—HJ 181
01/29/2016 House—Hearing: Wednesday, February 03, 2016, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2265 Bill by Commerce, Labor and Economic Development
Unemployment benefits for privately contracted school bus drivers.
02/06/2015 House—Introduced—HJ 179
02/09/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 181
06/01/2016 House—Died in Committee

H 2266 Bill by Appropriations
Requiring postsecondary education institutions to adopt a policy on sexual assault, domestic violence, dating violence and stalking.
02/09/2015 House—Introduced—HJ 181
02/10/2015 House—Referred to Committee on Education—HJ 187
02/26/2015 House—Hearing: Wednesday, March 04, 2015, 1:30 PM Room 112N
06/01/2016 House—Died in Committee

H 2268 Bill by Appropriations
Authorizing the state historical society to accept the Last Chance Store and the state board of regents to exchange certain real property with the city of Pittsburg.
02/09/2015 House—Introduced—HJ 181
02/10/2015 House—Referred to Committee on Federal and State Affairs—HJ 187
02/12/2015 House—Hearing: Monday, February 16, 2015, 9:00 AM Room 346S
02/17/2015 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 251
03/17/2015 House—Committee of the Whole - Be passed—HJ 379
03/18/2015 House—Final Action - Passed; Yea: 120 Nay: 1—HJ 397
03/18/2015 Senate—Received and Introduced—SJ 266
03/19/2015 Senate—Referred to Committee on Ways and Means—SJ 294
04/29/2015 Senate—Hearing: Wednesday, April 29, 2015, 10:30 AM Room 548-S
04/30/2015 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 533
05/05/2015 Senate—Committee of the Whole - Be passed as amended—SJ 553
05/05/2015 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 562
05/06/2015 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Brunk, Representative Couture-Lovelady and Representative Tietze as conferees—HJ 717
05/07/2015 Senate—Motion to accede adopted; Senator Masterson, Senator Denning and Senator Kelly appointed as conferees—SJ 570

03/21/2016 House—Representative Ryckman replaces Representative Brunk on the Conference Committee—HJ 2360
03/21/2016 House—Representative Schwartz replaces Representative Couture-Lovelady on the Conference Committee—HJ 2360
03/21/2016 House—Representative Henry replaces Representative Tietze on the Conference Committee—HJ 2360
06/01/2016 House—Died in Conference

H 2269 Bill by Appropriations
Lottery, gaming, parimutuel winnings, debt set off; child support.
02/09/2015 House—Introduced—HJ 181
02/10/2015 House—Referred to Committee on Children and Seniors—HJ 187
02/19/2015 House—Hearing: Tuesday, February 24, 2015, 9:00 AM Room 218N
03/10/2016 House—Withdrawn from Committee on Children and Seniors; Referred to Committee on Calendar and Printing—HJ 2225
06/01/2016 House—Died in Committee

H 2270 Bill by Vision 2020
Medical assistance; KanCare II expansion act; duties on the secretary of health and environment.
02/09/2015 House—Introduced—HJ 181
02/10/2015 House—Referred to Committee on Health and Human Services—HJ 187
06/01/2016 House—Died in Committee

H 2271 Bill by Corrections and Juvenile Justice
Requiring conviction before forfeiture of assets.
02/09/2015 House—Introduced—HJ 181
02/10/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 187
06/01/2016 House—Died in Committee

H 2272 Bill by Judiciary
Converting classified staff assistants and attorney positions to unclassified positions for employees of the Kansas department for children and families.
02/10/2015 House—Introduced—HJ 184
02/11/2015 House—Referred to Committee on Judiciary—HJ 206
02/20/2015 House—Hearing: Monday, February 23, 2015, 3:30 PM Room 112N
06/01/2016 House—Died in Committee

H 2273 Bill by Representative Campbell
Allowing certain counties to require incident management tow permits and operator licenses.
02/10/2015 House—Introduced—HJ 184
02/11/2015 House—Referred to Committee on Local Government—HJ 206
06/01/2016 House—Died in Committee

H 2274 Bill by Local Government
Nominations for political parties; petitions.
02/10/2015 House—Introduced—HJ 184
02/11/2015 House—Referred to Committee on Elections—HJ 206
06/01/2016 House—Died in Committee

H 2276 Bill by Judiciary
Eminent domain; authorized transfers to private entities; attorney fees.
02/10/2015 House—Introduced—HJ 184
02/11/2015 House—Referred to Committee on Judiciary—HJ 206
06/01/2016 House—Died in Committee

H 2277 Bill by Judiciary
Enacting the Kansas child protection registry act.
02/10/2015 House—Introduced—HJ 184
02/11/2015 House—Referred to Committee on Judiciary—HJ 206
02/20/2015 House—Hearing: Monday, February 23, 2015, 3:30 PM Room 112N
06/01/2016 House—Died in Committee

H 2279 Bill by Agriculture and Natural Resources
Amending the administrative hearing process for the department of agriculture.
02/10/2015 House—Introduced—HJ 184
02/11/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 206
06/01/2016 House—Died in Committee

H 2280 Bill by Health and Human Services
Board of nursing; certified nurse-midwife.
02/10/2015 House—Introduced—HJ 184
02/11/2015 House—Referred to Committee on Taxation—HJ 206
03/04/2015 House—Withdrawn from Committee on Taxation; Referred to Committee on Health and Human Services—HJ 325
03/17/2015 House—Withdrawn from Committee on Health and Human Services; Rereferred to Committee on Taxation—HJ 378
06/01/2016 House—Died in Committee

H 2282 Bill by Health and Human Services
Authorizing hemp treatments for seizure disorders.
02/10/2015 House—Introduced—HJ 193
02/11/2015 House—Referred to Committee on Health and Human Services—HJ 206
02/13/2015 House—Hearing: Tuesday, February 17, 2015, 1:30 PM Room 546-S
02/25/2015 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 298
02/26/2015 House—Withdrawn from Calendar; Referred to Committee on

Appropriations—HJ 307
06/01/2016 House—Died in Committee

H 2283 Bill by Representative Henry
Sales tax exemption for sales of farm products sold at farmers' markets.
02/10/2015 House—Introduced—HJ 193
02/11/2015 House—Referred to Committee on Taxation—HJ 206
06/01/2016 House—Died in Committee

H 2284 Bill by Representative Henry
Sales tax exemption for Highland pride, inc.
02/10/2015 House—Introduced—HJ 193
02/11/2015 House—Referred to Committee on Taxation—HJ 206
06/01/2016 House—Died in Committee

H 2285 Bill by Veterans, Military and Homeland Security
Senate Substitute for HB 2285 by Committee on Ways and Means-Reconciling amendments to certain statutes.
02/10/2015 House—Introduced—HJ 193
02/11/2015 House—Referred to Committee on Vision 2020—HJ 206
02/04/2016 House—Hearing: Monday, February 08, 2016, 9:00 AM Room 218-N
02/16/2016 House—Committee Report recommending bill be passed as amended by Committee on Vision 2020—HJ 2065
02/22/2016 House—Committee of the Whole - Be passed as amended—HJ 2116
02/22/2016 House—Emergency Final Action - Passed as amended; Yea: 106 Nay: 18—HJ 2119
02/23/2016 Senate—Received and Introduced—SJ 1950
03/02/2016 Senate—Referred to Committee on Ways and Means—SJ 1969
04/28/2016 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 2265
04/29/2016 Senate—Committee of the Whole - Substitute bill be passed—SJ 2270
04/29/2016 Senate—Emergency Final Action - Substitute passed; Yea: 40 Nay: 0—SJ 2270
04/29/2016 House—Concurred with amendments; Yea: 119 Nay: 0—HJ 2542
05/01/2016 House—Enrolled and presented to Governor on Tuesday, May 03, 2016
06/01/2016 House—Approved by Governor on Monday, May 09 , 2016—HJ 3243

H 2286 Bill by Taxation
Regulation of transportation network company services.
02/10/2015 House—Introduced—HJ 193
02/11/2015 House—Referred to Committee on Transportation—HJ 206
02/11/2015 House—Withdrawn from Committee on Transportation; Referred to Committee on Insurance—HJ 206
03/18/2015 House—Hearing: Friday, March 20, 2015, 11:00 AM Room 281-N
01/11/2016 House—Withdrawn from Committee on Insurance; Referred to Committee on Insurance and Financial Institutions—HJ 1915
06/01/2016 House—Died in Committee

H 2287 Bill by Taxation
Investment standards and divestment procedures for KPERS related to Iran.
02/10/2015 House—Introduced—HJ 193
02/11/2015 House—Referred to Committee on Pensions and Benefits—HJ 206
03/05/2015 House—Hearing: Wednesday, March 11, 2015, 9:00 AM Room 152S
03/13/2015 House—Hearing: Wednesday, March 18, 2015, 9:00 AM Room 152-S
06/01/2016 House—Died in Committee

H 2288 Bill by Pensions and Benefits
Enacting the Kansas deferred retirement option program act.
02/10/2015 House—Introduced—HJ 193
02/11/2015 House—Referred to Committee on Pensions and Benefits—HJ 206
02/17/2015 House—Hearing: Friday, February 20, 2015, 9:00 AM Room 152S
02/26/2015 House—Withdrawn from Committee on Pensions and Benefits; Referred to Committee on Appropriations—HJ 307
03/20/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Pensions and Benefits—HJ 477
06/01/2016 House—Died in Committee

H 2289 Bill by Judiciary
Substitute for HB 2289 by Committee on Judiciary - DUI test refusal or failure; administrative hearing procedure.
02/10/2015 House—Introduced—HJ 193
02/11/2015 House—Referred to Committee on Judiciary—HJ 206
02/20/2015 House—Hearing: Monday, February 23, 2015, 3:30 PM Room 112N
01/13/2016 House—Hearing: Thursday, January 14, 2016, 3:30 PM Room 112-N
02/02/2016 House—Committee Report recommending substitute bill be passed by Committee on Judiciary—HJ 1976
02/16/2016 House—Committee of the Whole - Substitute bill be passed—HJ 2063
02/17/2016 House—Final Action - Substitute passed; Yea: 115 Nay: 7—HJ 2071
02/17/2016 Senate—Received and Introduced—SJ 1883
02/18/2016 Senate—Referred to Committee on Judiciary—SJ 1897
03/02/2016 Senate—Hearing: Thursday, March 03, 2016, 10:30 AM Room 346-S
03/11/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 2048
03/22/2016 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 2170
03/22/2016 Senate—Emergency Final Action - Substitute passed as amended; Yea: 40 Nay: 0—SJ 2174
03/23/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Barker, Representative Macheers and Representative Carmichael as conferees—HJ 2413
03/23/2016 Senate—Motion to accede adopted; Senator King, Senator Smith and Senator Haley appointed as conferees—SJ 2192
04/30/2016 House—Concurred with amendments in conference; Yea: 115 Nay: 0—HJ 2749
05/01/2016 House—Enrolled and presented to Governor on Tuesday, May 03, 2016

06/01/2016 House—Approved by Governor on Monday, May 09 , 2016—HJ 3243

H 2290 Bill by Judiciary
Relating to emergency observation and treatment of mentally-ill persons in communities with 24-hour crisis and observation facilities.
02/10/2015 House—Introduced—HJ 193
02/11/2015 House—Referred to Committee on Judiciary—HJ 206
06/01/2016 House—Died in Committee

H 2291 Bill by Federal and State Affairs
Charitable gaming act; regulation of bingo and raffles.
02/10/2015 House—Introduced—HJ 193
02/11/2015 House—Referred to Committee on Federal and State Affairs—HJ 206
02/19/2015 House—Hearing: Monday, February 23, 2015, 9:00 AM Room 346S
02/19/2015 House—Hearing: Tuesday, February 24, 2015, 9:00 AM Room 346S
03/10/2016 House—Withdrawn from Committee on Federal and State Affairs; Referred to Committee on Calendar and Printing—HJ 2225
06/01/2016 House—Died in Committee

H 2292 Bill by Federal and State Affairs
Substitute for Substitute for HB 2292 by the Committee on Education-Establishment of K-12 curriculum standards.
02/10/2015 House—Introduced—HJ 193
02/11/2015 House—Referred to Committee on Education—HJ 206
02/19/2015 House—Hearing: Monday, February 23, 2015, 1:00 PM Room 112N
02/18/2016 House—Committee Report recommending substitute bill be passed by Committee on Education—HJ 2094
03/08/2016 House—Withdrawn from Calendar, Rereferred to Committee on Education—HJ 2203
03/21/2016 House—Committee Report recommending substitute bill be passed by Committee on Education—HJ 2359
03/22/2016 House—Committee of the Whole - Motion to rerefer to committee failed Yea: 19 Nay: 103—HJ 2385
03/22/2016 House—Committee of the Whole - Motion to recommend favorably for passage failed Yea: 44 Nay: 78—HJ 2392
06/01/2016 House—Died on Calendar

H 2293 Bill by Federal and State Affairs
Amending statutes concerning dangerous regulated animals.
02/10/2015 House—Introduced—HJ 193
02/11/2015 House—Referred to Committee on Agriculture and Natural Resources —HJ 206
06/01/2016 House—Died in Committee

H 2294 Bill by Federal and State Affairs
Requiring the use of e-verify by employers.
02/10/2015 House—Introduced—HJ 194

02/11/2015 House—Referred to Committee on Federal and State Affairs—HJ 206
06/01/2016 House—Died in Committee

H 2295 Bill by Federal and State Affairs
Bingo act regulations; changes.
02/10/2015 House—Introduced—HJ 194
02/11/2015 House—Referred to Committee on Federal and State Affairs—HJ 206
03/04/2015 House—Hearing: Thursday, March 05, 2015, 1:30 PM Room 346S
03/10/2016 House—Withdrawn from Committee on Federal and State Affairs; Referred to Committee on Calendar and Printing—HJ 2225
06/01/2016 House—Died in Committee

H 2296 Bill by Federal and State Affairs
Cities and counties; public building commission; revenue bonds; election required.
02/10/2015 House—Introduced—HJ 194
02/11/2015 House—Referred to Committee on Local Government—HJ 206
02/19/2015 House—Hearing: Tuesday, February 24, 2015, 1:30 PM Room 281N
03/13/2015 House—Committee Report recommending bill be passed as amended by Committee on Local Government—HJ 369
06/01/2016 House—Died on Calendar

H 2297 Bill by Federal and State Affairs
Vietnam service medal license plate decal.
02/10/2015 House—Introduced—HJ 194
02/11/2015 House—Referred to Committee on Transportation—HJ 206
02/13/2015 House—Hearing: Wednesday, February 18, 2015, 1:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2298 Bill by Taxation
Removing the sunset for rural opportunity zones.
02/10/2015 House—Introduced—HJ 194
02/11/2015 House—Referred to Committee on Taxation—HJ 206
03/06/2015 House—Hearing: Wednesday, March 11, 2015, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2299 Bill by Appropriations
Directing the secretary of labor to submit a statewide plan for state enforcement of OSHA standards.
02/11/2015 House—Introduced—HJ 205
02/12/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 216
02/17/2015 House—Hearing: Wednesday, February 18, 2015, 1:30 PM Room 346S
06/01/2016 House—Died in Committee

H 2300 Bill by Judiciary

Personal electronic media devices subject to the open records act.
02/11/2015 House—Introduced—HJ 205
02/12/2015 House—Referred to Committee on Judiciary—HJ 216
06/01/2016 House—Died in Committee

H 2301 Bill by Judiciary
Authorizing the House committee on judiciary to meet when the legislature is not in session for the purpose of judicial nominations; contingent on adoption of a constitutional amendment.
02/11/2015 House—Introduced—HJ 205
02/12/2015 House—Referred to Committee on Judiciary—HJ 216
06/01/2016 House—Died in Committee

H 2302 Bill by Judiciary
Enacting the Kansas right to financial privacy act.
02/11/2015 House—Introduced—HJ 205
02/12/2015 House—Referred to Committee on Judiciary—HJ 216
02/17/2015 House—Hearing: Wednesday, February 18, 2015, 3:30 PM Room 112N
06/01/2016 House—Died in Committee

H 2303 Bill by Appropriations
Allowing the secretary of health and environment to establish variances to water quality standards.
02/11/2015 House—Introduced—HJ 205
02/12/2015 House—Referred to Committee on Agriculture and Natural Resources —HJ 216
03/06/2015 House—Hearing: Wednesday, March 11, 2015, 3:30 PM Room 346-S
06/01/2016 House—Died in Committee

H 2304 Bill by Appropriations
Creating the local conservation lending program.
02/11/2015 House—Introduced—HJ 205
02/12/2015 House—Referred to Committee on Agriculture and Natural Resources —HJ 216
03/06/2015 House—Hearing: Wednesday, March 11, 2015, 3:30 PM Room 346-S
06/01/2016 House—Died in Committee

H 2305 Bill by Appropriations
Creating an institutional license to practice veterinary medicine.
02/11/2015 House—Introduced—HJ 205
02/12/2015 House—Referred to Committee on Agriculture and Natural Resources —HJ 216
02/18/2015 House—Hearing: Thursday, February 19, 2015, 3:30 PM Room 346S
02/20/2015 House—Committee Report recommending bill be passed by Committee on Agriculture and Natural Resources—HJ 269
06/01/2016 House—Died on Calendar

H 2306 Bill by Taxation
Increasing rates of taxation on cigarettes, tobacco products and alcoholic beverages.
02/11/2015 House—Introduced—HJ 205
02/12/2015 House—Referred to Committee on Taxation—HJ 216
02/13/2015 House—Hearing: Wednesday, February 18, 2015, 3:30 PM Room 582-N
02/13/2015 House—Hearing: Thursday, February 19, 2015, 3:30 PM Room 582
06/01/2016 House—Died in Committee

H 2307 Bill by Taxation
State finances; relating to state general fund tax receipts and expenditures; providing a tax amnesty; creating a budget stabilization fund, tax reduction fund; ending balances; income tax rates, itemized deductions; reports to the legislature.
02/11/2015 House—Introduced—HJ 205
02/12/2015 House—Referred to Committee on Taxation—HJ 216
02/26/2015 House—Hearing: Wednesday, March 04, 2015, 3:30 PM Room 582N
06/01/2016 House—Died in Committee

H 2308 Bill by Taxation
Sales tax exemption for sales of certain machinery and equipment used for automated ice vending machines.
02/11/2015 House—Introduced—HJ 205
02/12/2015 House—Referred to Committee on Taxation—HJ 216
06/01/2016 House—Died in Committee

H 2309 Bill by Federal and State Affairs
Sales tax exemption for purchases made by or on behalf of rotary club of Leawood, Kansas charitable fund, inc.
02/11/2015 House—Introduced—HJ 205
02/12/2015 House—Referred to Committee on Taxation—HJ 216
06/01/2016 House—Died in Committee

H 2310 Bill by Federal and State Affairs
Excepting certain persons from the chemigation permit requirements.
02/11/2015 House—Introduced—HJ 205
02/12/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 216
06/01/2016 House—Died in Committee

H 2311 Bill by Federal and State Affairs
Creating the Kansas firearms industry nondiscrimination act.
02/11/2015 House—Introduced—HJ 206
02/12/2015 House—Referred to Committee on Federal and State Affairs—HJ 216
06/01/2016 House—Died in Committee

H 2312 Bill by Federal and State Affairs
Kansas expanded lottery act; racetrack gaming.
02/11/2015 House—Introduced—HJ 206
02/12/2015 House—Referred to Committee on Federal and State Affairs—HJ 216
03/10/2016 House—Withdrawn from Committee on Federal and State Affairs; Referred to Committee on Calendar and Printing—HJ 2225
06/01/2016 House—Died in Committee

H 2313 Bill by Corrections and Juvenile Justice
Amending assault and battery to increase penalty for assault or battery of a health care provider and creating the crime of unlawful interference with a health care provider.
02/11/2015 House—Introduced—HJ 206
02/12/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 216
02/13/2015 House—Hearing: Wednesday, February 18, 2015, 1:30 PM Room 152-S
06/01/2016 House—Died in Committee

H 2314 Bill by Representatives Burroughs, Ballard, Carlin, Carmichael, Curtis, Gallagher, Highberger, Kuether, Ousley, Ruiz, Whipple, Wolfe Moore
Repealing the prohibition against agencies and municipalities requiring contractors to enter into certain labor agreements for public works construction projects.
02/11/2015 House—Introduced—HJ 206
02/12/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 216
06/01/2016 House—Died in Committee

H 2315 Bill by Health and Human Services
Secretary for aging and disability services licensure of certain facilities and standards for treatment of certain individuals.
02/11/2015 House—Introduced—HJ 212
02/12/2015 House—Referred to Committee on Health and Human Services—HJ 216
02/18/2015 House—Hearing: Thursday, February 19, 2015, 1:30 PM Room 546S
02/20/2015 House—Withdrawn from Committee on Health and Human Services; Referred to Committee on Appropriations—HJ 267
03/18/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Elections—HJ 396
02/10/2016 House—Withdrawn from Committee on Elections; Rereferred to Committee on Health and Human Services—HJ 2022
06/01/2016 House—Died in Committee

H 2316 Bill by Representatives Frownfelter, Burroughs, Carmichael, Highberger, Kuether, Whipple
Providing for a livable minimum wage.

02/11/2015 House—Introduced—HJ 212
02/12/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 216
06/01/2016 House—Died in Committee

H 2317 Bill by Representative Whipple
Requiring employment of Kansas workers for certain state contracts and tax incentives.
02/11/2015 House—Introduced—HJ 212
02/12/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 216
02/13/2015 House—Withdrawn from Committee on Commerce, Labor and Economic Development; Referred to Committee on Taxation—HJ 235
06/01/2016 House—Died in Committee

H 2318 Bill by Representatives Claeys, Whipple
Partnering with western governors university to provide online, competency-based education.
02/11/2015 House—Introduced—HJ 212
02/12/2015 House—Referred to Committee on Education—HJ 216
06/01/2016 House—Died in Committee

H 2319 Bill by Appropriations
State medical assistance program; expansion of eligibility.
02/11/2015 House—Introduced—HJ 212
02/12/2015 House—Referred to Committee on Health and Human Services—HJ 216
03/13/2015 House—Hearing: Wednesday, March 18, 2015, 1:30 PM Room 546S
03/13/2015 House—Hearing: Thursday, March 19, 2015, 1:30 PM Room 546S
03/16/2015 House—Withdrawn from Committee on Health and Human Services; Referred to Committee on Taxation—HJ 376
03/17/2015 House—Withdrawn from Committee on Taxation; Rereferred to Committee on Health and Human Services—HJ 378
03/24/2015 House—Withdrawn from Committee on Health and Human Services; Rereferred to Committee on Taxation—HJ 512
05/07/2015 House—Withdrawn from Committee on Taxation; Referred to Committee on Appropriations—HJ 720
05/20/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Taxation—HJ 819
01/26/2016 House—Withdrawn from Committee on Taxation; Rereferred to Committee on Health and Human Services—HJ 1958
02/08/2016 House—Withdrawn from Committee on Health and Human Services; Rereferred to Committee on Appropriations—HJ 2007
02/17/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Taxation—HJ 2069
06/01/2016 House—Died in Committee

H 2320 Bill by Representative Ballard
Directing the secretary of administration to study whether public employers engage in wage discrimination on the basis of sex.
02/11/2015 House—Introduced—HJ 212
02/12/2015 House—Referred to Committee on Federal and State Affairs—HJ 216
06/01/2016 House—Died in Committee

H 2321 Bill by Health and Human Services
Expanding the definition of charitable health care providers.
02/11/2015 House—Introduced—HJ 212
02/12/2015 House—Referred to Committee on Health and Human Services—HJ 216
02/17/2015 House—Withdrawn from Committee on Health and Human Services; Referred to Committee on Appropriations—HJ 251
06/01/2016 House—Died in Committee

H 2322 Bill by Agriculture and Natural Resources
Kansas expanded lottery act and racetrack gaming amendments; Kansas agricultural opportunity act.
02/11/2015 House—Introduced—HJ 212
02/12/2015 House—Referred to Committee on Federal and State Affairs—HJ 216
03/10/2016 House—Withdrawn from Committee on Federal and State Affairs; Referred to Committee on Calendar and Printing—HJ 2225
06/01/2016 House—Died in Committee

H 2323 Bill by Judiciary
Amending the Kansas act against discrimination regarding sexual orientation and gender identity.
02/12/2015 House—Introduced—HJ 215
02/13/2015 House—Referred to Committee on Judiciary—HJ 230
01/13/2016 House—Hearing: Thursday, January 14, 2016, 3:30 PM Room 112-N
06/01/2016 House—Died in Committee

H 2324 Bill by Health and Human Services
Stillbirth research and dignity act.
02/12/2015 House—Introduced—HJ 215
02/13/2015 House—Referred to Committee on Health and Human Services—HJ 230
01/15/2016 House—Hearing: Wednesday, January 20, 2016, 1:30 PM Room 546-S
06/01/2016 House—Died in Committee

H 2325 Bill by Commerce, Labor and Economic Development
Enacting the public employee bargaining transparency act.
02/12/2015 House—Introduced—HJ 215
02/13/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 229
01/28/2016 House—Hearing: Tuesday, February 02, 2016, 1:30 PM Room 346-S
06/01/2016 House—Died in Committee

H 2327 Bill by Transportation
Making the meteorite the official rock of the state of Kansas.
02/12/2015 House—Introduced—HJ 215
02/13/2015 House—Referred to Committee on Agriculture and Natural Resources —HJ 229
06/01/2016 House—Died in Committee

H 2328 Bill by Taxation
Sales tax refund on sales of certain required textbooks.
02/12/2015 House—Introduced—HJ 215
02/13/2015 House—Referred to Committee on Taxation—HJ 230
06/01/2016 House—Died in Committee

H 2330 Bill by Federal and State Affairs
Substitute for HB 2330 by Committee on Judiciary - Qualifications for office of sheriff.
02/12/2015 House—Introduced—HJ 215
02/13/2015 House—Referred to Committee on Judiciary—HJ 230
02/26/2015 House—Hearing: Thursday, March 05, 2015, 3:30 PM Room 112N
03/11/2015 House—Committee Report recommending substitute bill be passed by Committee on Judiciary—HJ 343
06/01/2016 House—Died on Calendar

H 2332 Bill by Federal and State Affairs
Authorizing microbreweries to manufacture and sell hard cider and mead.
02/12/2015 House—Introduced—HJ 216
02/13/2015 House—Referred to Committee on Federal and State Affairs—HJ 229
02/13/2015 House—Hearing: Wednesday, February 18, 2015, 9:00 AM Room 346-S
06/01/2016 House—Died in Committee

H 2333 Bill by Federal and State Affairs
Cause of action against a person who presents false identification to obtain alcoholic liquor.
02/12/2015 House—Introduced—HJ 224
02/13/2015 House—Referred to Committee on Judiciary—HJ 230
02/26/2015 House—Hearing: Thursday, March 05, 2015, 3:30 PM Room 112N
06/01/2016 House—Died in Committee

H 2334 Bill by Federal and State Affairs
Requirements on cash advance consumer loan transactions under the uniform consumer credit code.
02/12/2015 House—Introduced—HJ 225
02/13/2015 House—Referred to Committee on Financial Institutions—HJ 229
03/11/2015 House—Withdrawn from Committee on Financial Institutions; Referred to Committee on Veterans, Military and Homeland Security—HJ 344

06/01/2016 House—Died in Committee

H 2335 Bill by Corrections and Juvenile Justice
Creating alternative incarceration credit for inmates.
02/12/2015 House—Introduced—HJ 225
02/13/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 229
02/13/2015 House—Hearing: Tuesday, February 17, 2015, 1:30 PM Room 152-S
06/01/2016 House—Died in Committee

H 2338 Bill by Corrections and Juvenile Justice
Amendments to inherently dangerous felony list.
02/12/2015 House—Introduced—HJ 225
02/13/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 229
06/01/2016 House—Died in Committee

H 2339 Bill by Corrections and Juvenile Justice
Changing age of consent for sexual relations.
02/12/2015 House—Introduced—HJ 225
02/13/2015 House—Referred to Committee on Judiciary—HJ 230
06/01/2016 House—Died in Committee

H 2340 Bill by Elections
Elections; municipal, spring to fall, even years, partisan; special districts spring to fall, odd years.
02/12/2015 House—Introduced—HJ 225
02/13/2015 House—Referred to Committee on Elections—HJ 229
06/01/2016 House—Died in Committee

H 2341 Bill by Agriculture and Natural Resources
Prioritizing options for disposal of seized wildlife.
02/12/2015 House—Introduced—HJ 225
02/13/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 229
02/20/2015 House—Hearing: Monday, February 23, 2015, 3:30 PM Room 346S
02/26/2015 House—Withdrawn from Committee on Agriculture and Natural Resources; Referred to Committee on Appropriations—HJ 307
03/18/2015 House—Withdrawn from Committee on Appropriations; Referred to Committee on Judiciary—HJ 396
03/20/2015 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 481
03/24/2015 House—Committee of the Whole - Be passed—HJ 513
03/25/2015 House—Final Action - Passed; Yea: 82 Nay: 43—HJ 525
03/25/2015 Senate—Received and Introduced—SJ 380
03/30/2015 Senate—Referred to Committee on Natural Resources—SJ 412
03/02/2016 Senate—Hearing: Thursday, March 03, 2016, 8:30 AM Room 159-S

06/01/2016 Senate—Died in Senate Committee

H 2342 Bill by Judiciary
Relating to the determination of father and child relationship.
02/12/2015 House—Introduced—HJ 225
02/13/2015 House—Referred to Committee on Judiciary—HJ 230
06/01/2016 House—Died in Committee

H 2343 Bill by Veterans, Military and Homeland Security
Providing for fair consideration for employment to persons with records of convictions.
02/13/2015 House—Introduced—HJ 229
02/16/2015 House—Referred to Committee on Judiciary—HJ 237
06/01/2016 House—Died in Committee

H 2344 Bill by Judiciary
Thirty percent vote against retention of a court of appeals judge would result in an open position.
02/13/2015 House—Introduced—HJ 229
02/16/2015 House—Referred to Committee on Judiciary—HJ 237
06/01/2016 House—Died in Committee

H 2345 Bill by Judiciary
Prohibiting school board members from having a conflict of interest.
02/13/2015 House—Introduced—HJ 229
02/16/2015 House—Referred to Committee on Education—HJ 237
02/26/2015 House—Hearing: Thursday, March 05, 2015, 1:30 PM Room 112N
02/26/2015 House—Withdrawn from Committee on Education; Referred to Committee on Appropriations—HJ 307
06/01/2016 House—Died in Committee

H 2346 Bill by Judiciary
Draft budgets subject to the open records act.
02/13/2015 House—Introduced—HJ 229
02/16/2015 House—Referred to Committee on Judiciary—HJ 237
06/01/2016 House—Died in Committee

H 2347 Bill by Transportation
Expungement of traffic infractions for person under 21 years of age.
02/13/2015 House—Introduced—HJ 229
02/16/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 237
02/19/2015 House—Hearing: Monday, February 23, 2015, 1:30 PM Room 152S
06/01/2016 House—Died in Committee

H 2348 Bill by Vision 2020

Oil and gas and hydraulic fracturing.
02/13/2015 House—Introduced—HJ 229
02/16/2015 House—Referred to Committee on Energy and Environment—HJ 237
06/01/2016 House—Died in Committee

H 2349 Bill by Vision 2020
Oil and gas and imposing a moratorium on certain injection disposal wells.
02/13/2015 House—Introduced—HJ 229
02/16/2015 House—Referred to Committee on Energy and Environment—HJ 237
06/01/2016 House—Died in Committee

H 2350 Bill by Vision 2020
Local governments and property assessments for qualified clean energy projects.
02/13/2015 House—Introduced—HJ 229
02/16/2015 House—Referred to Committee on Energy and Environment—HJ 237
06/01/2016 House—Died in Committee

H 2351 Bill by Agriculture and Natural Resources
Allowing conservation districts to sponsor local enhanced management areas.
02/13/2015 House—Introduced—HJ 229
02/16/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 237
02/26/2015 House—Withdrawn from Committee on Agriculture and Natural Resources; Referred to Committee on Appropriations—HJ 307
03/05/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Agriculture and Natural Resources—HJ 330
06/01/2016 House—Died in Committee

H 2354 Bill by Commerce, Labor and Economic Development
Project-related sales tax exemptions for certain businesses that create jobs.
02/13/2015 House—Introduced—HJ 234
02/16/2015 House—Referred to Committee on Taxation—HJ 237
06/01/2016 House—Died in Committee

H 2355 Bill by Commerce, Labor and Economic Development
Prohibiting advance payment for distribution of motion pictures to drive-in theaters.
02/13/2015 House—Introduced—HJ 234
02/16/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 237
06/01/2016 House—Died in Committee

H 2356 Bill by Commerce, Labor and Economic Development
Providing for public safety with regard to elevators.
02/13/2015 House—Introduced—HJ 234

02/16/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 237
03/06/2015 House—Hearing: Thursday, March 12, 2015, 1:30 PM Room 346-S-CANCELLED
01/29/2016 House—Hearing: Wednesday, February 03, 2016, 1:30 PM Room 346-S
06/01/2016 House—Died in Committee

H 2357 Bill by Commerce, Labor and Economic Development
Department of labor; employment security; disqualification for benefits, administrative review, personnel carrying out act, filing of wage reports.
02/13/2015 House—Introduced—HJ 234
02/16/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 237
02/26/2015 House—Hearing: Wednesday, March 04, 2015, 1:30 PM Room 346S
02/26/2015 House—Withdrawn from Committee on Commerce, Labor and Economic Development; Referred to Committee on Appropriations—HJ 307
03/04/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Commerce, Labor and Economic Development—HJ 325
03/06/2015 House—Hearing: Tuesday, March 10, 2015, 1:30 PM Room 346-S
06/01/2016 House—Died in Committee

H 2358 Bill by Corrections and Juvenile Justice
Removing age requirement from crime of female genital mutilation.
02/13/2015 House—Introduced—HJ 234
02/16/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 237
02/19/2015 House—Hearing: Monday, February 23, 2015, 1:30 PM Room 152S
02/26/2015 House—Withdrawn from Committee on Corrections and Juvenile Justice; Referred to Committee on Appropriations—HJ 307
06/01/2016 House—Died in Committee

H 2359 Bill by Corrections and Juvenile Justice
Requiring law enforcement vehicle and body camera videos to be confidential.
02/13/2015 House—Introduced—HJ 234
02/16/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 237
06/01/2016 House—Died in Committee

H 2360 Bill by Pensions and Benefits
Increasing the membership of the KPERS board of trustees from nine to 11 members.
02/13/2015 House—Introduced—HJ 234
02/16/2015 House—Referred to Committee on Pensions and Benefits—HJ 237
02/17/2015 House—Hearing: Wednesday, February 18, 2015, 9:00 AM Room 152S
06/01/2016 House—Died in Committee

H 2361 Bill by Taxation

Sales tax authority for Bourbon county for constructing, furnishing and operating a jail facility; sales tax exemption for concern, inc.
02/13/2015 House—Introduced—HJ 235
02/16/2015 House—Referred to Committee on Taxation—HJ 237
03/06/2015 House—Hearing: Tuesday, March 10, 2015, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2362 Bill by Health and Human Services
Substitute for HB 2362 by Committee on Health and Human Services - Healing arts licensees, resident active licenses and health care records.
02/13/2015 House—Introduced—HJ 235
02/16/2015 House—Referred to Committee on Health and Human Services—HJ 237
02/18/2015 House—Hearing: Thursday, February 19, 2015, 1:30 PM Room 546-S-CANCELLED
02/20/2015 House—Withdrawn from Committee on Health and Human Services; Referred to Committee on Appropriations—HJ 267
03/04/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Health and Human Services—HJ 325
03/05/2015 House—Hearing: Monday, March 09, 2015, 1:30 PM Room 546S
03/17/2015 House—Committee Report recommending substitute bill be passed by Committee on Health and Human Services—HJ 393
01/11/2016 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 1914
06/01/2016 House—Died in Committee

H 2363 Bill by General Government Budget Committee
Repealing the statutory requirement that there be one judge of the district court in each county.
02/13/2015 House—Introduced—HJ 235
02/16/2015 House—Referred to Committee on Judiciary—HJ 237
06/01/2016 House—Died in Committee

H 2365 Bill by Appropriations
Senate Substitute for HB2365 by Committee on Ways and Means - Skilled nursing care facility quality care assessment rate, sunset and improvement panel amendments.
02/16/2015 House—Introduced—HJ 237
02/17/2015 House—Referred to Committee on Appropriations—HJ 246
03/13/2015 House—Hearing: Monday, March 16, 2015, 9:00 AM Room 112N
05/05/2015 House—Committee Report recommending bill be passed as amended by Committee on Appropriations—HJ 669
05/07/2015 House—Committee of the Whole - Be passed as amended—HJ 736
05/07/2015 House—Emergency Final Action - Passed as amended; Yea: 108 Nay: 10—HJ 742
05/11/2015 Senate—Received and Introduced—SJ 597
05/12/2015 Senate—Referred to Committee on Ways and Means—SJ 599
02/08/2016 Senate—Hearing: Monday, February 08, 2016, 10:30 AM Room 548-S
02/09/2016 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 1836

02/11/2016 Senate—Committee of the Whole - Motion to rerefer to committee failed Yea: 8 Nay: 30—SJ 1852
02/11/2016 Senate—Committee of the Whole - Substitute bill be passed as amended —SJ 1852
02/11/2016 Senate—Emergency Final Action - Substitute passed as amended; Yea: 24 Nay: 15—SJ 1862
02/15/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Ryckman, Representative Schwartz and Representative Henry as conferees—HJ 2053
02/15/2016 Senate—Motion to accede adopted; Senator Masterson, Senator Denning and Senator Kelly appointed as conferees—SJ 1873
04/30/2016 Senate—Conference Committee Report was adopted; Yea: 36 Nay: 4—SJ 2666
05/01/2016 House—Conference Committee Report was adopted; Yea: 109 Nay: 7—HJ 2877
06/01/2016 House—Enrolled and presented to Governor on Monday, May 09, 2016 —HJ 3250
06/01/2016 House—Approved by Governor on Tuesday, May 17 , 2016—HJ 3243

H 2366 Bill by Appropriations
Capital improvement projects for various state agencies.
02/16/2015 House—Introduced—HJ 237
02/17/2015 House—Referred to Committee on Appropriations—HJ 246
03/13/2015 House—Hearing: Monday, March 16, 2015, 9:00 AM Room 112N
06/01/2016 House—Died in Committee

H 2367 Bill by Taxation
Including Miami county as a rural opportunity zone.
02/16/2015 House—Introduced—HJ 237
02/17/2015 House—Referred to Committee on Taxation—HJ 246
03/06/2015 House—Hearing: Wednesday, March 11, 2015, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2368 Bill by Federal and State Affairs
Establishing arts and cultural districts for the promotion of arts and culture.
02/16/2015 House—Introduced—HJ 237
02/17/2015 House—Referred to Committee on Federal and State Affairs—HJ 246
02/26/2015 House—Hearing: Thursday, March 05, 2015, 9:00 AM Room 346S
06/01/2016 House—Died in Committee

H 2369 Bill by Appropriations
Prohibiting minors' access to a tanning device.
02/17/2015 House—Introduced—HJ 251
02/18/2015 House—Referred to Committee on Health and Human Services—HJ 254
02/05/2016 House—Hearing: Tuesday, February 09, 2016, 1:30 PM Room 546-S
02/16/2016 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 2064

03/09/2016 House—Committee of the Whole - Motion to rerefer to committee failed—HJ 2221
03/09/2016 House—Committee of the Whole - Be passed
03/10/2016 House—Final Action - Passed; Yea: 77 Nay: 44—HJ 2226
03/10/2016 Senate—Received and Introduced—SJ 2030
03/14/2016 Senate—Referred to Committee on Public Health and Welfare—SJ 2052
03/14/2016 Senate—Hearing: Wednesday, March 16, 2016, 1:30 PM Room 118-N
06/01/2016 Senate—Died in Senate Committee

H 2370 Bill by Appropriations
Substitute for HB 2370 by Committee on Appropriations - Appropriations for FY 2015, FY 2016, FY 2017, FY 2018 and FY 2019 for various sate agencies; capital improvement projects.
02/17/2015 House—Introduced—HJ 251
02/18/2015 House—Referred to Committee on Appropriations—HJ 254
03/13/2015 House—Hearing: Monday, March 16, 2015, 9:00 AM Room 112N
03/19/2015 House—Committee Report recommending substitute bill be passed by Committee on Appropriations—HJ 429
06/01/2016 House—Died on Calendar

H 2371 Bill by Federal and State Affairs
Exclusion of fantasy sports leagues from the crime of gambling.
02/18/2015 House—Introduced—HJ 254
02/19/2015 House—Referred to Committee on Federal and State Affairs—HJ 261
03/11/2015 House—Hearing: Wednesday, March 11, 2015, 9:00 AM Room 346
03/16/2015 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 373
01/11/2016 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 1914
06/01/2016 House—Died in Committee

H 2372 Bill by Taxation
Providing a property tax exemption for trailers used exclusively for personal use.
02/18/2015 House—Introduced—HJ 254
02/19/2015 House—Referred to Committee on Taxation—HJ 261
06/01/2016 House—Died in Committee

H 2373 Bill by Taxation
Renewable energy standards act sunset.
02/18/2015 House—Introduced—HJ 254
02/19/2015 House—Referred to Committee on Energy and Environment—HJ 261
03/05/2015 House—Hearing: Wednesday, March 11, 2015, 9:00 AM Room 582N
03/12/2015 House—Hearing: Friday, March 13, 2015, 9:00 AM Room 582N
03/13/2015 House—Hearing: Monday, March 16, 2015, 9:00 AM Room 582N
06/01/2016 House—Died in Committee

H 2374 Bill by Appropriations
Establishing a new type of installment loan.
02/18/2015 House—Introduced—HJ 256
02/19/2015 House—Referred to Committee on Financial Institutions—HJ 261
01/11/2016 House—Withdrawn from Committee on Financial Institutions; Referred to Committee on Insurance and Financial Institutions—HJ 1915
06/01/2016 House—Died in Committee

H 2375 Bill by Appropriations
Enacting the gun violence restraining order act.
02/18/2015 House—Introduced—HJ 256
02/19/2015 House—Referred to Committee on Federal and State Affairs—HJ 261
06/01/2016 House—Died in Committee

H 2376 Bill by Federal and State Affairs
Emergency medical services board authority to impose fines, investigate and issue subpoenas.
02/19/2015 House—Introduced—HJ 260
02/20/2015 House—Referred to Committee on Health and Human Services—HJ 267
03/05/2015 House—Hearing: Monday, March 09, 2015, 1:30 PM Room 546S
03/11/2015 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 343
06/01/2016 House—Died on Calendar

H 2377 Bill by Taxation
Providing for a property tax averaging payment plan and a property tax installment payment plan.
02/19/2015 House—Introduced—HJ 260
02/20/2015 House—Referred to Committee on Taxation—HJ 267
01/20/2016 House—Hearing: Thursday, January 28, 2016, 3:30 PM Room 582-N-CANCELLED
01/29/2016 House—Hearing: Thursday, February 04, 2016, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2378 Bill by Appropriations
Establishing the Kansas legislature award for teaching excellence program.
02/19/2015 House—Introduced—HJ 260
02/20/2015 House—Referred to Committee on Education—HJ 267
03/05/2015 House—Hearing: Wednesday, March 11, 2015, 1:30 PM Room 112N
06/01/2016 House—Died in Committee

H 2379 Bill by Taxation
Income tax deduction for net gain from sale of business assets.
02/19/2015 House—Introduced—HJ 260
02/20/2015 House—Referred to Committee on Taxation—HJ 267

06/01/2016 House—Died in Committee

H 2380 Bill by Federal and State Affairs
Regional system of cooperating libraries; appointment of members; certain members appointed by board of county commissioners.
02/19/2015 House—Introduced—HJ 260
02/20/2015 House—Referred to Committee on Federal and State Affairs—HJ 267
02/12/2016 House—Hearing: Tuesday, February 16, 2016, 9:00 AM Room 346-S
03/08/2016 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 2209
06/01/2016 House—Died on Calendar

H 2381 Bill by Federal and State Affairs
Kansas department for children and families; eligibility requirements for public assistance.
02/19/2015 House—Introduced—HJ 265
02/20/2015 House—Referred to Committee on Children and Seniors—HJ 267
02/24/2015 House—Withdrawn from Committee on Children and Seniors; Referred to Committee on Commerce, Labor and Economic Development—HJ 285
02/26/2015 House—Hearing: Wednesday, March 04, 2015, 1:30 PM Room 346S
03/12/2015 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 356
01/11/2016 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 1914
06/01/2016 House—Died in Committee

H 2382 Bill by Appropriations
Senate Substitute for HB2382 by Committee on Corrections and Juvenile Justice - Amendments to the juvenile justice system.
02/20/2015 House—Introduced—HJ 266
02/23/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 278
03/05/2015 House—Hearing: Monday, March 09, 2015, 1:30 PM Room 152S
03/11/2015 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 343
03/17/2015 House—Committee of the Whole - Be passed as amended—HJ 379
03/18/2015 House—Final Action - Passed as amended; Yea: 115 Nay: 6—HJ 397
03/18/2015 Senate—Received and Introduced—SJ 266
03/19/2015 Senate—Referred to Committee on Corrections and Juvenile Justice—SJ 294
03/07/2016 Senate—Committee Report recommending substitute bill be passed by Committee on Corrections and Juvenile Justice—SJ 2019
06/01/2016 Senate—Died on Senate General Orders

H 2383 Bill by Federal and State Affairs
Substitute for HB 2383 by Committee on Federal and State Affairs -- Creating the Kansas charitable bingo and raffle act.
02/20/2015 House—Introduced—HJ 275

02/23/2015 House—Referred to Committee on Federal and State Affairs—HJ 278
02/23/2015 House—Hearing: Monday, February 23, 2015, 9:00 AM Room 346S
02/23/2015 House—Hearing: Tuesday, February 24, 2015, 9:00 AM Room 346S
02/26/2015 House—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—HJ 322
03/09/2016 House—Withdrawn from Calendar; Referred to Committee on Calendar and Printing—HJ 2213
06/01/2016 House—Died in Committee

H 2384 Bill by Federal and State Affairs
Rule of law restoration act; immigration.
02/20/2015 House—Introduced—HJ 275
02/23/2015 House—Referred to Committee on Judiciary—HJ 278
06/01/2016 House—Died in Committee

H 2385 Bill by Federal and State Affairs
Alcoholic beverages; authorizing additional temporary permits for the Kansas state fair.
02/20/2015 House—Introduced—HJ 275
02/23/2015 House—Referred to Committee on Federal and State Affairs—HJ 278
03/13/2015 House—Hearing: Wednesday, March 18, 2015, 9:00 AM Room 346S
06/01/2016 House—Died in Committee

H 2386 Bill by Federal and State Affairs
Interstate compact for recognition of emergency personnel licensure.
02/20/2015 House—Introduced—HJ 275
02/23/2015 House—Referred to Committee on Federal and State Affairs—HJ 278
06/01/2016 House—Died in Committee

H 2387 Bill by Federal and State Affairs
Emergency medical services amendments.
02/20/2015 House—Introduced—HJ 275
02/23/2015 House—Referred to Committee on Health and Human Services—HJ 278
03/05/2015 House—Hearing: Monday, March 09, 2015, 1:30 PM Room 546S
03/11/2015 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 343
03/19/2015 House—Committee of the Whole - Be passed—HJ 426
03/20/2015 House—Final Action - Passed; Yea: 115 Nay: 0—HJ 478
03/23/2015 Senate—Received and Introduced—SJ 319
03/24/2015 Senate—Referred to Committee on Federal and State Affairs—SJ 360
01/25/2016 Senate—Hearing: Tuesday, January 26, 2016, 9:30 AM Room 144-S
02/02/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 1800
02/09/2016 Senate—Committee of the Whole - Be passed as amended—SJ 1834
02/10/2016 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 1843
02/11/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Hawkins, Representative Dove and

Representative Ward as conferees—HJ 2043
02/11/2016 Senate—Motion to accede adopted; Senator Ostmeyer, Senator LaTurner and Senator Faust-Goudeau appointed as conferees—SJ 1863
03/24/2016 House—Concurred with amendments in conference; Yea: 120 Nay: 0—HJ 2420
04/27/2016 House—Enrolled and presented to Governor on Tuesday, March 29, 2016—HJ 2464
04/27/2016 House—Approved by Governor on Thursday, March 31 , 2016—HJ 2456

H 2388 Bill by Taxation
Sales tax exemption for helping hands humane society, inc.
02/20/2015 House—Introduced—HJ 275
02/23/2015 House—Referred to Committee on Taxation—HJ 278
06/01/2016 House—Died in Committee

H 2389 Bill by Taxation
Income tax treatment of net operating loss carryback on the sale of certain hotels.
02/20/2015 House—Introduced—HJ 275
02/23/2015 House—Referred to Committee on Taxation—HJ 278
03/18/2015 House—Hearing: Thursday, March 19, 2015, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2390 Bill by Taxation
Highway advertising; permitting spot zoning.
02/20/2015 House—Introduced—HJ 275
02/23/2015 House—Referred to Committee on Transportation—HJ 278
06/01/2016 House—Died in Committee

H 2392 Bill by Taxation
Modifications to Kansas adjusted gross income relative to passive income for Kansas income tax purposes.
02/24/2015 House—Introduced—HJ 285
02/25/2015 House—Referred to Committee on Taxation—HJ 287
03/06/2015 House—Hearing: Thursday, March 12, 2015, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2393 Bill by Federal and State Affairs
Requiring school districts to use generally accepted accounting principles; financial publication requirements.
02/25/2015 House—Introduced—HJ 288
02/26/2015 House—Referred to Committee on Education—HJ 306
03/04/2015 House—Hearing: Thursday, March 05, 2015, 1:30 PM Room 112N
06/01/2016 House—Died in Committee

H 2394 Bill by Appropriations

Career technical education incentive draw down.
02/25/2015 House—Introduced—HJ 299
02/26/2015 House—Referred to Committee on Education Budget—HJ 306
02/26/2015 House—Hearing: Wednesday, March 04, 2015, 3:30 PM Room 281N
03/09/2015 House—Committee Report recommending bill be passed as amended by Committee on Education Budget—HJ 334
06/01/2016 House—Died on Calendar

H 2396 Bill by Taxation
Ten-year limit on property tax exemption for renewable energy resources or technologies.
02/26/2015 House—Introduced—HJ 323
03/04/2015 House—Referred to Committee on Taxation—HJ 324
03/13/2015 House—Hearing: Thursday, March 19, 2015, 3:30 PM Room 582N
06/01/2016 House—Died in Committee

H 2397 Bill by Federal and State Affairs
Unmanned aerial vehicle regulation and privacy act.
03/04/2015 House—Introduced—HJ 325
03/05/2015 House—Referred to Committee on Federal and State Affairs—HJ 328
06/01/2016 House—Died in Committee

H 2398 Bill by Federal and State Affairs
Elections; presidential preference primary date delayed.
03/05/2015 House—Introduced—HJ 328
03/06/2015 House—Referred to Committee on Elections—HJ 331
03/13/2015 House—Hearing: Monday, March 16, 2015, 1:30 PM Room 281N
03/19/2015 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 459
06/01/2016 House—Died on Calendar

H 2399 Bill by Taxation
Increasing sales and compensating use tax rates to 6.3%.
03/05/2015 House—Introduced—HJ 329
03/06/2015 House—Referred to Committee on Taxation—HJ 331
03/13/2015 House—Hearing: Tuesday, March 17, 2015, 3:30 PM Room 582N
06/01/2016 House—Died in Committee

H 2400 Bill by Taxation
Repealing the local ad valorem tax reduction fund.
03/05/2015 House—Introduced—HJ 329
03/06/2015 House—Referred to Committee on Taxation—HJ 331
03/13/2015 House—Hearing: Tuesday, March 17, 2015, 3:30 PM Room 582N
06/01/2016 House—Died in Committee

H 2401 Bill by Taxation
Imposing an excise tax on ethanol production and electricity generated by

renewable resources.
03/05/2015 House—Introduced—HJ 329
03/06/2015 House—Referred to Committee on Taxation—HJ 331
03/13/2015 House—Hearing: Wednesday, March 18, 2015, 3:30 PM Room 582N
06/01/2016 House—Died in Committee

H 2402 Bill by Taxation
STAR bonds; definition of STAR bond project, pledge of tax increment revenue, limitations, distribution of sales tax revenue, creating the department of commerce STAR bond administration fund and the department of revenue STAR bond administration fund.
03/05/2015 House—Introduced—HJ 329
03/06/2015 House—Referred to Committee on Taxation—HJ 331
03/12/2015 House—Hearing: Friday, March 13, 2015, 3:30 PM Room 582-N-CANCELLED
06/01/2016 House—Died in Committee

H 2403 Bill by Appropriations
Creating the classroom learning assuring student success act; making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education.
03/05/2015 House—Introduced—HJ 329
03/06/2015 House—Referred to Committee on Appropriations—HJ 331
03/06/2015 House—Hearing: Monday, March 09, 2015, 9:00 AM Room 112-N
06/01/2016 House—Died in Committee

H 2404 Bill by Taxation
Allowing counties to submit question to voters to eliminate county property taxes and replace revenues with increased sales taxes.
03/10/2015 House—Introduced—HJ 337
03/11/2015 House—Referred to Committee on Taxation—HJ 339
06/01/2016 House—Died in Committee

H 2405 Bill by Taxation
Extending the sunset on the angel investment tax credit program.
03/11/2015 House—Introduced—HJ 344
03/12/2015 House—Referred to Committee on Taxation—HJ 347
01/29/2016 House—Hearing: Wednesday, February 03, 2016, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2406 Bill by Taxation
Urban core economic development tax-based incentives for housing, opportunity zones and individual development.
03/11/2015 House—Introduced—HJ 344
03/12/2015 House—Referred to Committee on Taxation—HJ 347
06/01/2016 House—Died in Committee

H 2407 Bill by Federal and State Affairs
State infrastructure projects; allowing for public private agreements.
03/11/2015 House—Introduced—HJ 344
03/12/2015 House—Referred to Committee on Federal and State Affairs—HJ 347
02/12/2016 House—Hearing: Tuesday, February 16, 2016, 9:00 AM Room 346-S-CANCELLED
06/01/2016 House—Died in Committee

H 2408 Bill by Taxation
Repealing certain sales tax exemptions.
03/11/2015 House—Introduced—HJ 344
03/12/2015 House—Referred to Committee on Taxation—HJ 347
06/01/2016 House—Died in Committee

H 2409 Bill by Taxation
Eliminating property tax exemption from statewide school levy for property used for residential purposes to the extent of $20,000 of its appraised value.
03/12/2015 House—Introduced—HJ 347
03/13/2015 House—Referred to Committee on Taxation—HJ 363
03/18/2015 House—Hearing: Thursday, March 19, 2015, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2410 Bill by Appropriations
STAR bonds; economic impact study; base year assessed valuation for additions of area to project districts; financing in excess of approved amounts.
03/12/2015 House—Introduced—HJ 361
03/13/2015 House—Referred to Committee on Taxation—HJ 363
06/01/2016 House—Died in Committee

H 2411 Bill by Appropriations
Abolishing the court of appeals; establishing the court of criminal appeals and the court of civil appeals; changing appellate court jurisdiction.
03/13/2015 House—Introduced—HJ 370
03/16/2015 House—Referred to Committee on Judiciary—HJ 372
06/01/2016 House—Died in Committee

H 2412 Bill by Appropriations
Providing optional notification by website.
03/16/2015 House—Introduced—HJ 372
03/17/2015 House—Referred to Committee on Appropriations—HJ 378
06/01/2016 House—Died in Committee

H 2413 Bill by Federal and State Affairs

Alcoholic beverages; creating the art studio permit.
03/16/2015 House—Introduced—HJ 375
03/17/2015 House—Referred to Committee on Federal and State Affairs—HJ 378
03/17/2015 House—Hearing: Wednesday, March 18, 2015, 9:00 AM Room 346-S
06/01/2016 House—Died in Committee

H 2414 Bill by Federal and State Affairs
Department of health and environment and economic impact reports for state implementation plans.
03/17/2015 House—Introduced—HJ 378
03/18/2015 House—Referred to Committee on Energy and Environment—HJ 396
06/01/2016 House—Died in Committee

H 2415 Bill by Taxation
Property taxation; consolidated fire districts, powers and duties of the governing body.
03/17/2015 House—Introduced—HJ 394
03/18/2015 House—Referred to Committee on Taxation—HJ 396
03/18/2015 House—Hearing: Wednesday, March 18, 2015, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2416 Bill by Appropriations
KPERS; definition of compensation for purposes of computing final average salary.
03/19/2015 House—Introduced—HJ 475
03/20/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 477
03/31/2015 House—Withdrawn from Committee on Commerce, Labor and Economic Development; Referred to Committee on Calendar and Printing—HJ 572
06/01/2016 House—Died in Committee

H 2417 Bill by Federal and State Affairs
Abortion; prohibiting decapitation of unborn children.
03/23/2015 House—Introduced—HJ 486
03/24/2015 House—Referred to Committee on Federal and State Affairs—HJ 500
06/01/2016 House—Died in Committee

H 2418 Bill by Appropriations
Review of and limitations on contracts and lease-purchase agreements for energy conservation measures.
04/02/2015 House—Introduced—HJ 588
04/29/2015 House—Referred to Committee on Judiciary—HJ 608
05/05/2015 House—Withdrawn from Committee on Judiciary; Referred to Committee on Commerce, Labor and Economic Development—HJ 668
05/07/2015 House—Hearing: Monday, May 11, 2015, 9:00 AM Room 582-N
06/01/2016 House—Died in Committee

H 2419 Bill by Taxation
Taxing moneys, notes and other evidences of indebtedness; providing for the administration, collection and enforcement of the tax thereon.
04/02/2015 House—Introduced—HJ 595
04/29/2015 House—Referred to Committee on Taxation—HJ 608
06/01/2016 House—Died in Committee

H 2420 Bill by Taxation
Property exempted from taxation after July 1, 2015, not exempt from levies made by or on behalf of a school district.
04/02/2015 House—Introduced—HJ 595
04/29/2015 House—Referred to Committee on Taxation—HJ 608
06/01/2016 House—Died in Committee

H 2421 Bill by Taxation
Sunset of property tax exemption for new qualifying pipeline property and retention of exemption for existing exemptions.
04/02/2015 House—Introduced—HJ 595
04/29/2015 House—Referred to Committee on Taxation—HJ 608
06/01/2016 House—Died in Committee

H 2422 Bill by Taxation
Limiting appeals of property valuation to spring only.
04/02/2015 House—Introduced—HJ 596
04/29/2015 House—Referred to Committee on Taxation—HJ 608
06/01/2016 House—Died in Committee

H 2423 Bill by Taxation
Setting the state-wide school levy at 30 mills for school year 2015-2016 and school year 2016-2017.
04/02/2015 House—Introduced—HJ 596
04/29/2015 House—Referred to Committee on Taxation—HJ 608
06/01/2016 House—Died in Committee

H 2424 Bill by Taxation
Providing for a state-wide school levy of 5 mills on exempt property.
04/02/2015 House—Introduced—HJ 596
04/29/2015 House—Referred to Committee on Taxation—HJ 608
06/01/2016 House—Died in Committee

H 2425 Bill by Taxation
Income tax rates, rate reductions.
04/02/2015 House—Introduced—HJ 596
04/29/2015 House—Referred to Committee on Taxation—HJ 608
06/01/2016 House—Died in Committee

H 2426 Bill by Appropriations
KPERS; definition of compensation for purposes of computing final average salary.
05/01/2015 House—Introduced—HJ 659
05/04/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 663
05/06/2015 House—Hearing: Monday, May 11, 2015, 9:00 AM Room 582-N
01/11/2016 House—Withdrawn from Committee on Commerce, Labor and Economic Development; Referred to Committee on Appropriations—HJ 1915
06/01/2016 House—Died in Committee

H 2427 Bill by Taxation
Providing for a $.05 increase in motor fuel taxes.
05/04/2015 House—Introduced—HJ 663
05/05/2015 House—Referred to Committee on Taxation—HJ 668
05/05/2015 House—Hearing: Tuesday, May 05, 2015, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2428 Bill by Taxation
Income tax rates on corporations; sunsetting certain credits for high performance firms; sunsetting benefits under the promoting employment across Kansas act; sales tax, sunsetting certain exemptions for high performance firms.
05/05/2015 House—Introduced—HJ 667
05/06/2015 House—Referred to Committee on Taxation—HJ 706
06/01/2016 House—Died in Committee

H 2429 Bill by Taxation
Increasing sales and compensating use tax rates to 6.5%.
05/05/2015 House—Introduced—HJ 667
05/06/2015 House—Referred to Committee on Taxation—HJ 706
05/06/2015 House—Hearing: Wednesday, May 06, 2015, 3:30 PM Room 346-S
06/01/2016 House—Died in Committee

H 2430 Bill by Taxation
Taxing certain business income at the lowest marginal rate for resident individuals; determination of income.
05/05/2015 House—Introduced—HJ 667
05/06/2015 House—Referred to Committee on Taxation—HJ 706
05/06/2015 House—Hearing: Thursday, May 07, 2015, 8:30 AM Room 346-S
05/12/2015 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 771
06/01/2016 House—Died on Calendar

H 2431 Bill by Taxation

Computation of amount of personal property tax on motor vehicles.
05/06/2015 House—Introduced—HJ 717
05/07/2015 House—Referred to Committee on Taxation—HJ 720
06/01/2016 House—Died in Committee

H 2432 Bill by Taxation
Providing the secretary of health and environment exclusive authority to establish fees for thermal treatment of hazardous waste for energy production.
05/07/2015 House—Introduced—HJ 719
05/08/2015 House—Referred to Committee on Taxation—HJ 744
06/01/2016 House—Died in Committee

H 2433 Bill by Taxation
Amending itemized deductions.
05/18/2015 House—Introduced—HJ 804
05/19/2015 House—Referred to Committee on Taxation—HJ 810
06/01/2016 House—Died in Committee

H 2434 Bill by Taxation
Limiting the subtraction modification on business income for tax year 2015 and thereafter; repealing certain addition modifications; treatment of passive income.
05/18/2015 House—Introduced—HJ 808
05/19/2015 House—Referred to Committee on Taxation—HJ 810
05/19/2015 House—Hearing: Tuesday, May 19, 2015, 8:30 AM Room 112-N
06/01/2016 House—Died in Committee

H 2435 Bill by Taxation
Repealing sales tax exemptions for materials purchased by contractors to construct, equip, reconstruct, maintain, repair, enlarge, furnish or remodel public buildings.
05/19/2015 House—Introduced—HJ 816
05/19/2015 House—Referred to Committee on Taxation—HJ 816
05/19/2015 House—Hearing: Wednesday, May 20, 2015, 10:00 AM Room 112-N
06/01/2016 House—Died in Committee

Bills Introduced in the 2016 Session

H 2436 Bill by Representative Merrick
Allowing persons to operate sailboat after completing instruction led class.
01/11/2016 House—Prefiled for Introduction on Wednesday, September 09, 2015—HJ 1917
01/11/2016 House—Introduced—HJ 1912
01/11/2016 House—Referred to Committee on Transportation—HJ 1914
02/02/2016 House—Withdrawn from Committee on Transportation; Referred to Committee on Vision 2020—HJ 1976

02/12/2016 House—Hearing: Monday, February 15, 2016, 9:00 AM Room 218-N
02/16/2016 House—Committee Report recommending bill be passed by Committee on Vision 2020—HJ 2065
02/18/2016 House—Committee of the Whole - Be passed—HJ 2089
02/22/2016 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 2111
02/22/2016 Senate—Received and Introduced—SJ 1930
02/23/2016 Senate—Referred to Committee on Transportation—SJ 1947
03/07/2016 Senate—Hearing: Wednesday, March 09, 2016, 8:30 AM Room 546-S
03/14/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 2055
03/22/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2170
03/22/2016 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0 —SJ 2175
03/23/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Proehl, Representative Ryckman Sr. and Representative Lusker as conferees—HJ 2413
03/23/2016 Senate—Motion to accede adopted; Senator Petersen, Senator Wolf and Senator Pettey appointed as conferees—SJ 2192
04/29/2016 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2300
04/29/2016 House—Conference Committee Report was adopted; Yea: 119 Nay: 0—HJ 2542
05/01/2016 House—Enrolled and presented to Governor on Sunday, May 01, 2016 —HJ 3238
06/01/2016 House—Approved by Governor on Friday, May 06 , 2016—HJ 3243

H 2437 Bill by Representative Claeys
Requiring prior legislative approval of any federal maintenance of effort obligation of the state.
01/11/2016 House—Prefiled for Introduction on Tuesday, October 06, 2015
01/11/2016 House—Introduced—HJ 1912
01/11/2016 House—Referred to Committee on Appropriations—HJ 1914
06/01/2016 House—Died in Committee

H 2438 Bill by Representative Merrick
Fire districts; city territory adjoining a fire district to be added.
01/11/2016 House—Prefiled for Introduction on Monday, November 30, 2015
01/11/2016 House—Introduced—HJ 1912
01/11/2016 House—Referred to Committee on Local Government—HJ 1914
01/20/2016 House—Hearing: Tuesday, January 19, 2016, 1:30 PM Room 281-N
01/27/2016 House—Committee Report recommending bill be passed by Committee on Local Government—HJ 1964
02/04/2016 House—Committee of the Whole - Be passed—HJ 1994
02/05/2016 House—Final Action - Passed; Yea: 118 Nay: 0—HJ 2000
02/08/2016 Senate—Received and Introduced—SJ 1828
02/09/2016 Senate—Referred to Committee on Federal and State Affairs—SJ 1832
02/17/2016 Senate—Hearing: Thursday, February 18, 2016, 10:30 AM Room 144-S
02/18/2016 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 1913

03/10/2016 Senate—Committee of the Whole - Be passed—SJ 2031
03/10/2016 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 0—SJ 2035
03/15/2016 House—Enrolled and presented to Governor on Tuesday, March 15, 2016—HJ 2275
03/18/2016 House—Approved by Governor on Friday, March 18 , 2016

H 2439 Bill by Representative Claeys
Moving workforce development from the department of commerce to the department of labor.
01/11/2016 House—Prefiled for Introduction on Wednesday, December 09, 2015
01/11/2016 House—Introduced—HJ 1913
01/11/2016 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 1914
06/01/2016 House—Died in Committee

H 2440 Bill by Representative Claeys
Personal and family protection act; regulating concealed carry in portions of public buildings.
01/11/2016 House—Prefiled for Introduction on Monday, December 14, 2015
01/11/2016 House—Introduced—HJ 1913
01/11/2016 House—Referred to Committee on Federal and State Affairs—HJ 1914
01/14/2016 House—Hearing: Wednesday, January 20, 2016, 9:00 AM Room 346-S
01/28/2016 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 1968
06/01/2016 House—Died on Calendar

H 2441 Bill by Legislative Post Audit Committee
Senate Substitute for HB 2441 by Committee on Education - Creating a language assessment program for children who are deaf or hard of hearing.
01/11/2016 House—Prefiled for Introduction on Tuesday, December 29, 2015
01/11/2016 House—Introduced—HJ 1913
01/11/2016 House—Referred to Committee on Education—HJ 1914
01/15/2016 House—Hearing: Thursday, January 21, 2016, 2:00 PM Room 112-N
01/26/2016 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Education—HJ 1959
02/01/2016 House—Withdrawn from Consent Calendar and placed on General Orders—HJ 1973
02/17/2016 House—Committee of the Whole - Be passed—HJ 2080
02/18/2016 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 2088
02/18/2016 Senate—Received and Introduced—SJ 1898
02/22/2016 Senate—Referred to Committee on Education—SJ 1928
03/17/2016 Senate—Committee Report recommending substitute bill be passed by Committee on Education—SJ 2094
03/21/2016 Senate—Committee of the Whole - Substitute bill be passed—SJ 2156
03/22/2016 Senate—Final Action - Substitute passed; Yea: 40 Nay: 0—SJ 2166
03/22/2016 House—Nonconcurred with amendments; Conference Committee

requested; appointed Representative Highland, Representative Lunn and Representative Winn as conferees—HJ 2392
03/23/2016 Senate—Motion to accede adopted; Senator Abrams, Senator Arpke and Senator Hensley appointed as conferees—SJ 2182
04/29/2016 Senate—Senator Masterson replaces Senator Abrams on the Conference Committee—SJ 2269
04/29/2016 Senate—Senator Denning replaces Senator Arpke on the Conference Committee—SJ 2269
04/29/2016 Senate—Senator Kelly replaces Senator Hensley on the Conference Committee—SJ 2269
04/29/2016 House—Representative Ryckman replaces Representative Highland on the Conference Committee—HJ 2564
04/29/2016 House—Representative Schwartz replaces Representative Lunn on the Conference Committee—HJ 2564
04/29/2016 House—Representative Henry replaces Representative Winn on the Conference Committee—HJ 2564
06/01/2016 House—Died in Conference

H 2442 Bill by Legislative Post Audit Committee
Limiting which government officials may receive information technology audit written reports.
01/11/2016 House—Prefiled for Introduction on Tuesday, December 29, 2015
01/11/2016 House—Introduced—HJ 1913
01/11/2016 House—Referred to Committee on Veterans, Military and Homeland Security—HJ 1914
01/14/2016 House—Hearing: Tuesday, January 19, 2016, 9:00 AM Room 152-S
01/25/2016 House—Committee Report recommending bill be passed as amended by Committee on Veterans, Military and Homeland Security—HJ 1955
02/17/2016 House—Committee of the Whole - Be passed as amended—HJ 2080
02/18/2016 House—Final Action - Passed as amended; Yea: 122 Nay: 0—HJ 2088
02/18/2016 Senate—Received and Introduced—SJ 1898
02/22/2016 Senate—Referred to Committee on Federal and State Affairs—SJ 1928
03/02/2016 Senate—Hearing: Friday, March 04, 2016, 10:30 AM Room 144-S
03/07/2016 Senate—Hearing: Tuesday, March 08, 2016, 10:30 AM Room 144-S
03/10/2016 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Federal and State Affairs—SJ 2036
03/17/2016 Senate—Consent Calendar Passed Yea: 39 Nay: 0—SJ 2084
03/22/2016 House—Enrolled and presented to Governor on Tuesday, March 22, 2016—HJ 2394
04/27/2016 House—Approved by Governor on Thursday, March 24 , 2016—HJ 2456

H 2443 Bill by Representative Claeys
Establishing a cabinet level office to promote the unmanned aircraft systems industry in Kansas.
01/11/2016 House—Prefiled for Introduction on Wednesday, January 06, 2016
01/11/2016 House—Introduced—HJ 1913
01/11/2016 House—Referred to Committee on Appropriations—HJ 1914
06/01/2016 House—Died in Committee

(SJ & HJ Nos. refer to 2016 Senate and House Journals)

H 2444 Bill by Representative Hutton
Eliminating the business non-wage income tax exemption and reducing the sales tax rate on food.
01/11/2016 House—Prefiled for Introduction on Thursday, January 07, 2016
01/11/2016 House—Introduced—HJ 1913
01/11/2016 House—Referred to Committee on Taxation—HJ 1914
03/14/2016 House—Hearing: Tuesday, March 15, 2016, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2445 Bill by Representatives Kiegerl, Hildabrand
Prohibit use of carbon monoxide chambers for euthanizing dogs and cats.
01/11/2016 House—Prefiled for Introduction on Friday, January 08, 2016
01/11/2016 House—Introduced—HJ 1913
01/11/2016 House—Referred to Committee on Agriculture and Natural Resources —HJ 1914
06/01/2016 House—Died in Committee

H 2446 Bill by Special Insurance
Insurance; increasing minimum motor vehicle insurance liability limit for property damage; expanding the type of claims for payment of proceeds statutes.
01/11/2016 House—Introduced—HJ 1913
01/13/2016 House—Referred to Committee on Insurance and Financial Institutions —HJ 1930
01/14/2016 House—Hearing: Wednesday, January 20, 2016, 3:30 PM Room 218-N
02/01/2016 House—Committee Report recommending bill be passed as amended by Committee on Insurance and Financial Institutions—HJ 1973
02/04/2016 House—Committee of the Whole - Be passed as amended—HJ 1994
02/05/2016 House—Final Action - Passed as amended; Yea: 116 Nay: 2—HJ 2001
02/08/2016 Senate—Received and Introduced—SJ 1828
02/09/2016 Senate—Referred to Committee on Financial Institutions and Insurance —SJ 1832
03/07/2016 Senate—Hearing: Tuesday, March 08, 2016, 9:30 AM Room 546-S
03/10/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 2036
03/16/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2069
03/17/2016 Senate—Final Action - Passed as amended; Yea: 35 Nay: 4—SJ 2088
03/21/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Schwab, Representative Kelly and Representative Houston as conferees—HJ 2346
03/21/2016 Senate—Motion to accede adopted; Senator Longbine, Senator Bowers and Senator Hawk appointed as conferees—SJ 2159
04/28/2016 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2252
04/28/2016 House—Conference Committee Report was adopted; Yea: 115 Nay: 2—HJ 2520
05/01/2016 House—Enrolled and presented to Governor on Tuesday, May 03, 2016

06/01/2016 House—Approved by Governor on Tuesday, May 10 , 2016—HJ 3243

H 2447 Bill by Joint Corrections and Juvenile Justice Oversight
Amendments concerning program credits for certain inmates.
01/12/2016 House—Introduced—HJ 1919
01/13/2016 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1930
01/14/2016 House—Hearing: Tuesday, January 19, 2016, 1:30 PM Room 152-S
01/27/2016 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 1964
02/18/2016 House—Committee of the Whole - Be passed as amended—HJ 2091
02/22/2016 House—Final Action - Passed as amended; Yea: 122 Nay: 2—HJ 2112
02/22/2016 Senate—Received and Introduced—SJ 1930
02/23/2016 Senate—Referred to Committee on Corrections and Juvenile Justice—SJ 1947
03/07/2016 Senate—Hearing: Tuesday, March 08, 2016, 9:30 AM Room 118
03/11/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—SJ 2043
03/16/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2069
03/17/2016 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 2088
03/21/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Gonzalez, Representative Pauls and Representative Highberger as conferees—HJ 2346
03/21/2016 Senate—Motion to accede adopted; Senator Smith, Senator Knox and Senator Pettey appointed as conferees—SJ 2159
03/24/2016 House—Concurred with amendments in conference; Yea: 119 Nay: 1—HJ 2421
04/27/2016 House—Enrolled and presented to Governor on Tuesday, March 29, 2016—HJ 2464
04/27/2016 House—Approved by Governor on Thursday, March 31 , 2016—HJ 2456

H 2448 Bill by Joint Corrections and Juvenile Justice Oversight
Amending severity level for unlawful tampering with electronic monitoring equipment.
01/12/2016 House—Introduced—HJ 1919
01/13/2016 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1930
01/15/2016 House—Hearing: Wednesday, January 20, 2016, 1:30 PM Room 152-S
06/01/2016 House—Died in Committee

H 2449 Bill by Appropriations
Repealing the nonseverability clause in 2015 House Bill No. 2005 and providing for the severability of the provisions of such bill, concerning the judicial branch.
01/12/2016 House—Introduced—HJ 1919
01/13/2016 House—Referred to Committee on Appropriations—HJ 1930
01/13/2016 House—Hearing: Thursday, January 14, 2016, 9:00 AM Room 112-N

01/14/2016 House—Committee Report recommending bill be passed by Committee on Appropriations—HJ 1934
01/21/2016 House—Committee of the Whole - Be passed—HJ 1949
01/21/2016 House—Emergency Final Action - Passed; Yea: 119 Nay: 0—HJ 1949
01/21/2016 Senate—Received and Introduced—SJ 1776
01/22/2016 Senate—Referred to Committee of the Whole—SJ 1777
01/28/2016 Senate—Committee of the Whole - Be passed—SJ 1788
01/28/2016 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 1—SJ 1792
02/02/2016 House—Enrolled and presented to Governor on Tuesday, February 02, 2016
02/08/2016 House—Approved by Governor on Monday, February 08 , 2016—HJ 2015

H 2450 Bill by Federal and State Affairs
Increasing the maximum speed limit on certain separated multilane highways to 80 miles per hour.
01/13/2016 House—Introduced—HJ 1929
01/14/2016 House—Referred to Committee on Transportation—HJ 1933
02/09/2016 House—Hearing: Tuesday, February 09, 2016, 1:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2451 Bill by Federal and State Affairs
Expanding mandatory reporters of child abuse.
01/13/2016 House—Introduced—HJ 1929
01/14/2016 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1933
01/21/2016 House—Hearing: Wednesday, January 27, 2016, 1:30 PM Room 152-S
06/01/2016 House—Died in Committee

H 2452 Bill by Representative Ward
Enacting the Kansas protection against terrorists act.
01/13/2016 House—Introduced—HJ 1930
01/14/2016 House—Referred to Committee on Federal and State Affairs—HJ 1933
06/01/2016 House—Died in Committee

H 2453 Bill by Insurance and Financial Institutions
Including wraparound policies within the category of specially designed policies.
01/13/2016 House—Introduced—HJ 1930
01/14/2016 House—Referred to Committee on Insurance and Financial Institutions—HJ 1933
01/20/2016 House—Hearing: Tuesday, January 26, 2016, 3:30 PM Room 218-N
02/16/2016 House—Committee Report recommending bill be passed by Committee on Insurance and Financial Institutions—HJ 2065
02/23/2016 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 2143
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Insurance and Financial Institutions—HJ 2148

03/08/2016 House—Committee Report recommending bill be passed by Committee on Insurance and Financial Institutions—HJ 2209
06/01/2016 House—Died on Calendar

H 2454 Bill by Insurance and Financial Institutions
Allowing health insurers to offer policies that require health services to be rendered by a participating provider.
01/13/2016 House—Introduced—HJ 1930
01/14/2016 House—Referred to Committee on Insurance and Financial Institutions —HJ 1933
01/20/2016 House—Hearing: Monday, January 25, 2016, 3:30 PM Room 218-N
02/02/2016 House—Committee Report recommending bill be passed by Committee on Insurance and Financial Institutions—HJ 1976
02/16/2016 House—Committee of the Whole - Be passed—HJ 2063
02/17/2016 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 2071
02/17/2016 Senate—Received and Introduced—SJ 1883
02/18/2016 Senate—Referred to Committee on Financial Institutions and Insurance —SJ 1897
03/02/2016 Senate—Hearing: Thursday, March 03, 2016, 9:30 AM Room 546-S
03/10/2016 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 2036
03/16/2016 Senate—Committee of the Whole - Be passed—SJ 2069
03/17/2016 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 2089
03/22/2016 House—Enrolled and presented to Governor on Tuesday, March 22, 2016—HJ 2394
04/27/2016 House—Approved by Governor on Thursday, March 24 , 2016—HJ 2456

H 2455 Bill by Health and Human Services
Use of certain controlled substances to treat binge eating authorized.
01/13/2016 House—Introduced—HJ 1931
01/14/2016 House—Referred to Committee on Health and Human Services—HJ 1933
01/15/2016 House—Hearing: Thursday, January 21, 2016, 1:00 PM Room 546-S
01/27/2016 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 1964
02/22/2016 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 2118
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Health and Human Services—HJ 2148
03/08/2016 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 2209
06/01/2016 House—Died on Calendar

H 2456 Bill by Health and Human Services
Relating to minor's access to tanning devices; licenses and regulation of barbering.
01/13/2016 House—Introduced—HJ 1931

01/14/2016 House—Referred to Committee on Health and Human Services—HJ 1933
01/20/2016 House—Hearing: Monday, January 25, 2016, 1:30 PM Room 546-S
02/05/2016 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 2003
02/16/2016 House—Committee of the Whole - Be passed—HJ 2064
02/17/2016 House—Final Action - Passed; Yea: 120 Nay: 2—HJ 2072
02/17/2016 Senate—Received and Introduced—SJ 1883
02/18/2016 Senate—Referred to Committee on Public Health and Welfare—SJ 1897
03/07/2016 Senate—Hearing: Tuesday, March 08, 2016, 1:30 PM Room 118-N
03/08/2016 Senate—Hearing: Wednesday, March 09, 2016, 1:30 PM Room 118-N
03/15/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 2063
03/21/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2156
03/22/2016 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 2166
03/22/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Hawkins, Representative Dove and Representative Ward as conferees—HJ 2393
03/23/2016 Senate—Motion to accede adopted; Senator O'Donnell, Senator Bowers and Senator Kelly appointed as conferees—SJ 2182
04/29/2016 Senate—Conference Committee Report was adopted; Yea: 30 Nay: 9—SJ 2444
04/30/2016 House—Conference Committee Report was adopted; Yea: 71 Nay: 42—HJ 2718
06/01/2016 House—Enrolled and presented to Governor on Monday, May 09, 2016—HJ 3250
06/01/2016 House—Approved by Governor on Friday, May 13 , 2016—HJ 3243

H 2457 Bill by Federal and State Affairs
Amending the tax credit for low income students scholarship program act.
01/13/2016 House—Introduced—HJ 1931
01/14/2016 House—Referred to Committee on Education—HJ 1933
01/29/2016 House—Hearing: Tuesday, February 02, 2016, 1:30 PM Room 112-N
02/09/2016 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 2018
06/01/2016 House—Died on Calendar

H 2458 Bill by Corrections and Juvenile Justice
Repeal special sentencing rule for third time possession of a controlled substance.
01/14/2016 House—Introduced—HJ 1932
01/15/2016 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1936
01/15/2016 House—Hearing: Wednesday, January 20, 2016, 1:30 PM Room 152-S
06/01/2016 House—Died in Committee

H 2459 Bill by Corrections and Juvenile Justice

Amending the criminal penalties for unlawfully tampering with electronic monitoring equipment.
01/14/2016 House—Introduced—HJ 1933
01/15/2016 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1936
01/15/2016 House—Hearing: Wednesday, January 20, 2016, 1:30 PM Room 152-S
01/27/2016 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 1964
02/23/2016 House—Stricken from Calendar by Rule 1507—HJ 2143

H 2460 Bill by Corrections and Juvenile Justice
Amending consumer protection laws related to identity theft and security of personal identifying information; creating the crime of violation of a consumer protection order related to door-to-door sales.
01/14/2016 House—Introduced—HJ 1933
01/15/2016 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1936
01/21/2016 House—Hearing: Wednesday, January 27, 2016, 1:30 PM Room 152-S
02/04/2016 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 1995
02/23/2016 House—Committee of the Whole - Be passed as amended—HJ 2135
02/23/2016 House—Emergency Final Action - Passed as amended; Yea: 118 Nay: 7—HJ 2136
03/02/2016 Senate—Received and Introduced—SJ 2008
03/03/2016 Senate—Referred to Committee on Corrections and Juvenile Justice—SJ 2011
03/11/2016 Senate—Hearing: Wednesday, March 16, 2016, 9:30 AM Room 118-N
03/18/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—SJ 2133
03/22/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2170
03/22/2016 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 2175
03/23/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Gonzalez, Representative Pauls and Representative Highberger as conferees—HJ 2413
03/23/2016 Senate—Motion to accede adopted; Senator Smith, Senator Knox and Senator Pettey appointed as conferees—SJ 2192
04/27/2016 House—Representative Finch replaces Representative Pauls on the Conference Committee—HJ 2464
04/28/2016 House—Representative Pauls replaces Representative Finch on the Conference Committee—HJ 2481
04/29/2016 Senate—Conference Committee Report agree to disagree adopted; Senator Smith, Senator Knox and Senator Pettey appointed as second conferees—SJ 2418
04/29/2016 House—Conference Committee Report agree to disagree adopted; Representative Gonzalez, Representative Pauls and Representative Highberger appointed as second conferees—HJ 2660
04/30/2016 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2495

04/30/2016 House—Conference Committee Report was adopted; Yea: 85 Nay: 36—HJ 2814
06/01/2016 House—Enrolled and presented to Governor on Monday, May 09, 2016—HJ 3250
06/01/2016 House—Approved by Governor on Tuesday, May 17 , 2016—HJ 3243

H 2461 Bill by Corrections and Juvenile Justice
Allow use of certified drug abuse treatment program for drug severity level 4 crimes.
01/14/2016 House—Introduced—HJ 1933
01/15/2016 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1936
01/15/2016 House—Hearing: Wednesday, January 20, 2016, 1:30 PM Room 152-S
06/01/2016 House—Died in Committee

H 2462 Bill by Corrections and Juvenile Justice
Amending penalty for first and second marijuana possession convictions; increasing criminal penalties for residential burglary; increase theft loss value required for felony and add look back period.
01/14/2016 House—Introduced—HJ 1933
01/15/2016 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1936
01/15/2016 House—Hearing: Thursday, January 21, 2016, 1:30 PM Room 152-S
01/27/2016 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 1964
02/22/2016 House—Committee of the Whole - Be passed as amended—HJ 2117
02/22/2016 House—Emergency Final Action - Passed as amended; Yea: 105 Nay: 19—HJ 2122
02/23/2016 Senate—Received and Introduced—SJ 1950
03/02/2016 Senate—Referred to Committee on Corrections and Juvenile Justice—SJ 1969
03/07/2016 Senate—Hearing: Wednesday, March 09, 2016, 9:30 AM Room 118-N
03/11/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—SJ 2046
03/16/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2069
03/17/2016 Senate—Final Action - Passed as amended; Yea: 33 Nay: 6—SJ 2089
03/21/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Gonzalez, Representative Pauls and Representative Highberger as conferees—HJ 2345
03/21/2016 Senate—Motion to accede adopted; Senator Smith, Senator Knox and Senator Pettey appointed as conferees—SJ 2159
04/27/2016 House—Representative Finch replaces Representative Pauls on the Conference Committee—HJ 2464
04/29/2016 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 0—SJ 2301
04/29/2016 House—Conference Committee Report was adopted; Yea: 96 Nay: 23—HJ 2553
05/01/2016 House—Enrolled and presented to Governor on Tuesday, May 03, 2016
06/01/2016 House—Approved by Governor on Friday, May 13 , 2016—HJ 3243

H 2463 Bill by Corrections and Juvenile Justice
Allowing certain juvenile adjudications to decay from criminal history; prison sanctions without county jail sanction for absconders; linking person or nonperson underlying crime designations to violations of the Kansas offender registration act.
01/14/2016 House—Introduced—HJ 1933
01/15/2016 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1936
01/15/2016 House—Hearing: Thursday, January 21, 2016, 1:30 PM Room 152-S
01/27/2016 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 1964
02/23/2016 House—Committee of the Whole - Be passed—HJ 2135
02/23/2016 House—Emergency Final Action - Passed; Yea: 113 Nay: 12—HJ 2135
03/02/2016 Senate—Received and Introduced—SJ 2008
03/03/2016 Senate—Referred to Committee on Corrections and Juvenile Justice—SJ 2011
03/11/2016 Senate—Hearing: Wednesday, March 16, 2016, 9:30 AM Room 118-N
03/18/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—SJ 2133
03/22/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2170
03/22/2016 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 2175
03/23/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Gonzalez, Representative Pauls and Representative Highberger as conferees—HJ 2413
03/23/2016 Senate—Motion to accede adopted; Senator Smith, Senator Knox and Senator Pettey appointed as conferees—SJ 2192
04/27/2016 House—Representative Finch replaces Representative Pauls on the Conference Committee—HJ 2464
04/29/2016 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2433
04/29/2016 House—Conference Committee Report was adopted; Yea: 116 Nay: 1—HJ 2706
06/01/2016 House—Enrolled and presented to Governor on Monday, May 09, 2016—HJ 3250
06/01/2016 House—Approved by Governor on Tuesday, May 17 , 2016—HJ 3243

H 2464 Bill by Corrections and Juvenile Justice
Allow prison sanction without county jail sanction for absconders.
01/14/2016 House—Introduced—HJ 1933
01/15/2016 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1936
01/15/2016 House—Hearing: Thursday, January 21, 2016, 1:30 PM Room 152-S
01/27/2016 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 1964
02/23/2016 House—Committee of the Whole - Be passed—HJ 2135
02/23/2016 House—Emergency Final Action - Passed; Yea: 123 Nay: 2—HJ 2136
03/02/2016 Senate—Received and Introduced—SJ 2008

03/03/2016 Senate—Referred to Committee on Corrections and Juvenile Justice—SJ 2011
03/11/2016 Senate—Hearing: Wednesday, March 16, 2016, 9:30 AM Room 118-N
06/01/2016 Senate—Died in Senate Committee

H 2465 Bill by Judiciary
Clarifying standards for competency to stand trial.
01/14/2016 House—Introduced—HJ 1935
01/15/2016 House—Referred to Committee on Judiciary—HJ 1936
06/01/2016 House—Died in Committee

H 2466 Bill by Judiciary
Prohibiting the adoption of sanctuary ordinances and resolutions by municipalities.
01/14/2016 House—Introduced—HJ 1935
01/15/2016 House—Referred to Committee on Judiciary—HJ 1936
01/15/2016 House—Hearing: Thursday, January 21, 2016, 3:30 PM Room 112-N-CANCELLED
01/29/2016 House—Hearing: Wednesday, February 03, 2016, 3:30 PM Room 112-N
06/01/2016 House—Died in Committee

H 2467 Bill by Federal and State Affairs
Authorizing the production of hard cider by microbreweries.
01/14/2016 House—Introduced—HJ 1935
01/15/2016 House—Referred to Committee on Federal and State Affairs—HJ 1936
01/19/2016 House—Hearing: Thursday, January 21, 2016, 9:00 AM Room 346-S
01/28/2016 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 1968
02/09/2016 House—Committee of the Whole - Be passed as amended—HJ 2018
02/10/2016 House—Final Action - Passed as amended; Yea: 118 Nay: 5—HJ 2024
02/10/2016 Senate—Received and Introduced—SJ 1841
02/11/2016 Senate—Referred to Committee on Federal and State Affairs—SJ 1847
02/12/2016 Senate—Hearing: Tuesday, February 16, 2016, 10:30 AM Room 144-S
06/01/2016 Senate—Died in Senate Committee

H 2468 Bill by Federal and State Affairs
Authorizing possession of air guns on school property.
01/14/2016 House—Introduced—HJ 1935
01/15/2016 House—Referred to Committee on Federal and State Affairs—HJ 1936
01/20/2016 House—Hearing: Tuesday, January 26, 2016, 9:00 AM Room 346-S
02/03/2016 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 1984
03/16/2016 House—Committee of the Whole - Be passed as amended Yea: 91 Nay: 27—HJ 2282
03/17/2016 House—Final Action - Passed as amended; Yea: 94 Nay: 26—HJ 2288
03/17/2016 Senate—Received and Introduced—SJ 2083
03/18/2016 Senate—Referred to Committee on Federal and State Affairs—SJ 2107

03/21/2016 Senate—Hearing: Tuesday, March 22, 2016, 10:30 AM Room 144-S
06/01/2016 Senate—Died in Senate Committee

H 2469 Bill by Federal and State Affairs
Increasing production limits for microbreweries.
01/14/2016 House—Introduced—HJ 1935
01/15/2016 House—Referred to Committee on Federal and State Affairs—HJ 1936
01/19/2016 House—Hearing: Thursday, January 21, 2016, 9:00 AM Room 346-S
01/27/2016 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 1964
02/09/2016 House—Committee of the Whole - Be passed as amended—HJ 2018
02/10/2016 House—Final Action - Passed as amended; Yea: 119 Nay: 4—HJ 2024
02/10/2016 Senate—Received and Introduced—SJ 1841
02/11/2016 Senate—Referred to Committee on Federal and State Affairs—SJ 1847
02/12/2016 Senate—Hearing: Tuesday, February 16, 2016, 10:30 AM Room 144-S
06/01/2016 Senate—Died in Senate Committee

H 2470 Bill by Education
Citations for overtaking and passing a school bus captured on camera.
01/19/2016 House—Introduced—HJ 1940
01/20/2016 House—Referred to Committee on Transportation—HJ 1946
02/12/2016 House—Hearing: Tuesday, February 16, 2016, 1:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2471 Bill by Health and Human Services
Kansas board of barbering; disciplinary authority.
01/19/2016 House—Introduced—HJ 1940
01/20/2016 House—Referred to Committee on Health and Human Services—HJ 1946
01/20/2016 House—Hearing: Tuesday, January 26, 2016, 1:30 AM Room 546-S
02/04/2016 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 1995
02/23/2016 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 2143
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Health and Human Services—HJ 2148
03/08/2016 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 2209
03/21/2016 House—Committee of the Whole - Be passed—HJ 2343
03/22/2016 House—Final Action - Passed; Yea: 86 Nay: 39—HJ 2365
03/22/2016 Senate—Received and Introduced—SJ 2170
03/23/2016 Senate—Referred to Committee on Public Health and Welfare—SJ 2180
06/01/2016 Senate—Died in Senate Committee

H 2472 Bill by Judiciary
Clarifying jurisdictional rules relating to judicial review of state board of tax appeals orders.

01/19/2016 House—Introduced—HJ 1940
01/20/2016 House—Referred to Committee on Taxation—HJ 1946
02/05/2016 House—Hearing: Tuesday, February 09, 2016, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2473 Bill by Transportation
Substitute for HB 2473 by Committee on Transportation - Concerning motor vehicles; relating to distinctive license plates, Alzheimer's disease awareness, military decals; towing of vehicles from private property.
01/19/2016 House—Introduced—HJ 1940
01/20/2016 House—Referred to Committee on Transportation—HJ 1946
02/18/2016 House—Committee Report recommending substitute bill be passed by Committee on Transportation—HJ 2095
02/23/2016 House—Committee of the Whole - Substitute bill be passed—HJ 2135
02/23/2016 House—Emergency Final Action - Substitute passed; Yea: 125 Nay: 0 —HJ 2137
03/02/2016 Senate—Received and Introduced—SJ 2008
03/03/2016 Senate—Referred to Committee on Transportation—SJ 2011
03/07/2016 Senate—Hearing: Thursday, March 10, 2016, 8:30 AM Room 546-S
03/14/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 2055
03/17/2016 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 2091
03/17/2016 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 0 —SJ 2093
03/21/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Proehl, Representative Ryckman Sr. and Representative Lusker as conferees—HJ 2346
03/21/2016 Senate—Motion to accede adopted; Senator Petersen, Senator Wolf and Senator Pettey appointed as conferees—SJ 2159
04/28/2016 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2254
04/28/2016 House—Conference Committee Report was adopted; Yea: 117 Nay: 0—HJ 2518
05/01/2016 House—Enrolled and presented to Governor on Tuesday, May 03, 2016
06/01/2016 House—Approved by Governor on Wednesday, May 11 , 2016—HJ 3243

H 2474 Bill by Taxation
Extinguishing tax liens on personal property in certain circumstances.
01/19/2016 House—Introduced—HJ 1940
01/20/2016 House—Referred to Committee on Taxation—HJ 1946
01/20/2016 House—Hearing: Tuesday, January 26, 2016, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2475 Bill by Taxation
Exempting the capital outlay mill levy from redevelopment districts established after June 30, 2016.

01/19/2016 House—Introduced—HJ 1940
01/20/2016 House—Referred to Committee on Taxation—HJ 1946
02/05/2016 House—Hearing: Thursday, February 11, 2016, 3:30 PM Room 582-N-CANCELLED
06/01/2016 House—Died in Committee

H 2476 Bill by Taxation
County treasurer to check claims against delinquent real and personal property tax lists.
01/19/2016 House—Introduced—HJ 1940
01/20/2016 House—Referred to Committee on Taxation—HJ 1946
02/05/2016 House—Hearing: Wednesday, February 10, 2016, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2477 Bill by Taxation
Requiring proof of payment of real and personal property taxes for motor vehicle registration.
01/19/2016 House—Introduced—HJ 1940
01/20/2016 House—Referred to Committee on Taxation—HJ 1946
02/05/2016 House—Hearing: Wednesday, February 10, 2016, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2478 Bill by Representative Sloan
Creating the public safety prepaid wireless communications device committee.
01/19/2016 House—Introduced—HJ 1940
01/20/2016 House—Referred to Committee on Utilities and Telecommunications—HJ 1946
06/01/2016 House—Died in Committee

H 2479 Bill by Agriculture and Natural Resources
Senate Substitute for HB2479 by Committee on Natural Resources - Amendments to the Kansas noxious weed law.
01/19/2016 House—Introduced—HJ 1940
01/20/2016 House—Referred to Committee on Agriculture and Natural Resources—HJ 1946
01/20/2016 House—Hearing: Tuesday, January 26, 2016, 3:30 PM Room 346-S
02/18/2016 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—HJ 2093
02/22/2016 House—Committee of the Whole - Be passed as amended—HJ 2117
02/22/2016 House—Emergency Final Action - Passed as amended; Yea: 85 Nay: 39—HJ 2121
02/23/2016 Senate—Received and Introduced—SJ 1950
03/02/2016 Senate—Referred to Committee on Natural Resources—SJ 1968
03/07/2016 Senate—Hearing: Tuesday, March 08, 2016, 8:30 AM Room 159-S

03/21/2016 Senate—Committee Report recommending substitute bill be passed by Committee on Natural Resources—SJ 2144
03/24/2016 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 2195
03/24/2016 Senate—Withdrawn from Committee on Ways and Means and referred to Committee of the Whole—SJ 2195
06/01/2016 Senate—Died on Senate General Orders

H 2480 Bill by Agriculture and Natural Resources
Amendments to livestock brand law.
01/19/2016 House—Introduced—HJ 1941
01/20/2016 House—Referred to Committee on Agriculture and Natural Resources —HJ 1946
01/20/2016 House—Hearing: Wednesday, January 27, 2016, 3:30 PM Room 346-S
02/08/2016 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—HJ 2009
02/16/2016 House—Committee of the Whole - Be passed as amended—HJ 2063
02/17/2016 House—Final Action - Passed as amended; Yea: 98 Nay: 23—HJ 2072
02/17/2016 Senate—Received and Introduced—SJ 1883
02/18/2016 Senate—Referred to Committee on Agriculture—SJ 1897
03/11/2016 Senate—Hearing: Monday, March 14, 2016, 8:30 AM Room 159-S
03/15/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Agriculture—SJ 2062
03/18/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2108
03/18/2016 Senate—Emergency Final Action - Passed as amended; Yea: 35 Nay: 3 —SJ 2109
03/21/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Schwartz, Representative Boldra and Representative Victors as conferees—HJ 2360
03/22/2016 Senate—Motion to accede adopted; Senator Powell, Senator Kerschen and Senator Francisco appointed as conferees—SJ 2169
04/27/2016 Senate—Senator Love replaces Senator Powell on the Conference Committee—SJ 2238
04/28/2016 House—Concurred with amendments in conference; Yea: 102 Nay: 18 —HJ 2480
05/01/2016 House—Enrolled and presented to Governor on Sunday, May 01, 2016 —HJ 3238
06/01/2016 House—Approved by Governor on Friday, May 06 , 2016—HJ 3243

H 2481 Bill by Agriculture and Natural Resources
Clarifying approval of a change application for place of use for mutli-year flex accounts.
01/19/2016 House—Introduced—HJ 1941
01/20/2016 House—Referred to Committee on Agriculture and Natural Resources —HJ 1946
06/01/2016 House—Died in Committee

H 2482 Bill by Appropriations

Amending the nurse educator service scholarship program act.
01/19/2016 House—Introduced—HJ 1941
01/20/2016 House—Referred to Committee on Education Budget—HJ 1946
01/20/2016 House—Hearing: Thursday, January 21, 2016, 3:30 PM Room 281-N
01/27/2016 House—Committee Report recommending bill be passed as amended by Committee on Education Budget—HJ 1964
06/01/2016 House—Died on Calendar

H 2483 Bill by Appropriations
Career technical education performance-based funding requirements.
01/19/2016 House—Introduced—HJ 1941
01/20/2016 House—Referred to Committee on Education Budget—HJ 1946
01/20/2016 House—Hearing: Wednesday, January 20, 2016, 3:30 PM Room 281-N
01/27/2016 House—Committee Report recommending bill be passed as amended by Committee on Education Budget—HJ 1964
03/21/2016 House—Committee of the Whole - Be passed as amended—HJ 2358
03/22/2016 House—Final Action - Passed as amended; Yea: 125 Nay: 0—HJ 2366
03/22/2016 Senate—Received and Introduced—SJ 2170
03/23/2016 Senate—Referred to Committee on Ways and Means—SJ 2180
06/01/2016 Senate—Died in Senate Committee

H 2484 Bill by Federal and State Affairs
Concerning charitable gaming; authorizing disclosure of licensee information.
01/20/2016 House—Introduced—HJ 1944
01/21/2016 House—Referred to Committee on Federal and State Affairs—HJ 1948
01/28/2016 House—Hearing: Tuesday, February 02, 2016, 9:00 AM Room 346-S
01/28/2016 House—Hearing: Tuesday, February 02, 2016, 9:00 AM Room 346-S
02/12/2016 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 2046
03/09/2016 House—Withdrawn from Calendar; Referred to Committee on Calendar and Printing—HJ 2213
06/01/2016 House—Died in Committee

H 2485 Bill by Insurance and Financial Institutions
Updating the effective date of the risk-based capital instructions.
01/20/2016 House—Introduced—HJ 1944
01/21/2016 House—Referred to Committee on Insurance and Financial Institutions —HJ 1948
01/22/2016 House—Hearing: Wednesday, January 27, 2016, 3:30 PM Room 218-N
02/01/2016 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Insurance and Financial Institutions—HJ 1974
02/04/2016 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 1990
02/04/2016 Senate—Received and Introduced—SJ 1823
02/05/2016 Senate—Referred to Committee on Financial Institutions and Insurance —SJ 1825
03/02/2016 Senate—Hearing: Thursday, March 03, 2016, 9:30 AM Room 546-S
03/10/2016 Senate—Committee Report recommending bill be passed and placed on

Consent Calendar by Committee on Financial Institutions and Insurance—SJ 2036
03/17/2016 Senate—Consent Calendar Passed Yea: 39 Nay: 0—SJ 2085
03/22/2016 House—Enrolled and presented to Governor on Tuesday, March 22, 2016—HJ 2394
04/27/2016 House—Approved by Governor on Thursday, March 24 , 2016—HJ 2456

H 2486 Bill by Education
Substitute for HB 2486 by Committee on Education-Providing a cap on capital improvement state aid for future bond payment obligations of school districts.
01/20/2016 House—Introduced—HJ 1944
01/21/2016 House—Referred to Committee on Education—HJ 1948
01/29/2016 House—Hearing: Monday, February 01, 2016, 1:30 PM Room 112-N
02/23/2016 House—Withdrawn from Committee on Education; Referred to Committee on Appropriations—HJ 2143
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Education—HJ 2148
03/16/2016 House—Committee Report recommending substitute bill be passed by Committee on Education—HJ 2282
06/01/2016 House—Died on Calendar

H 2487 Bill by Representative Trimmer
Legislative subsistence allowance; repealing the provisions increasing the allowance to match the federal employee per diem expenses and setting the allowance at $129 per day.
01/20/2016 House—Introduced—HJ 1945
01/21/2016 House—Referred to Committee on General Government Budget—HJ 1948
02/12/2016 House—Hearing: Thursday, February 18, 2016, 1:30 PM Room 218-N
06/01/2016 House—Died in Committee

H 2488 Bill by Pensions and Benefits
Allowing retirants who retire from two plans under KPERS to receive an additional lump-sum death benefit.
01/20/2016 House—Introduced—HJ 1945
01/21/2016 House—Referred to Committee on Pensions and Benefits—HJ 1948
02/01/2016 House—Hearing: Wednesday, February 03, 2016, 9:00 AM Room 152-S
06/01/2016 House—Died in Committee

H 2489 Bill by Pensions and Benefits
Providing a moratorium on KPERS death and disability contributions for a portion of FY 2016 and FY 2017, and applying accidental death benefits and annuity interest rates for members under the KPERS act of 2015.
01/20/2016 House—Introduced—HJ 1945

01/21/2016 House—Referred to Committee on Pensions and Benefits—HJ 1948
01/26/2016 House—Hearing: Wednesday, January 27, 2016, 9:00 AM Room 152-S
02/04/2016 House—Committee Report recommending bill be passed as amended by Committee on Pensions and Benefits—HJ 1995
02/18/2016 House—Committee of the Whole - Be passed as amended—HJ 2090
02/22/2016 House—Final Action - Passed as amended; Yea: 90 Nay: 34—HJ 2112
02/22/2016 Senate—Received and Introduced—SJ 1930
02/23/2016 Senate—Referred to Senate Select Committee on KPERS—SJ 1947
06/01/2016 Senate—Died in Senate Committee

H 2490 Bill by Agriculture and Natural Resources
Allowing the secretary of the Kansas department of agriculture to contain chemical toxins and other plant pests for the protection of the public health; updating provisions relating to weights and measures.
01/20/2016 House—Introduced—HJ 1945
01/21/2016 House—Referred to Committee on Agriculture and Natural Resources —HJ 1948
01/29/2016 House—Hearing: Monday, February 01, 2016, 3:30 PM Room 346-S
02/12/2016 House—Committee Report recommending bill be passed by Committee on Agriculture and Natural Resources—HJ 2049
02/16/2016 House—Committee of the Whole - Be passed—HJ 2063
02/17/2016 House—Final Action - Passed; Yea: 109 Nay: 13—HJ 2073
02/17/2016 Senate—Received and Introduced—SJ 1883
02/18/2016 Senate—Referred to Committee on Natural Resources—SJ 1897
03/07/2016 Senate—Hearing: Tuesday, March 08, 2016, 8:30 AM Room 159-S
03/10/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Natural Resources—SJ 2036
03/18/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2108
03/18/2016 Senate—Emergency Final Action - Passed as amended; Yea: 37 Nay: 1 —SJ 2109
03/21/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Schwartz, Representative Boldra and Representative Victors as conferees—HJ 2360
03/22/2016 Senate—Motion to accede adopted; Senator Love, Senator Kerschen and Senator Francisco appointed as conferees—SJ 2169
04/27/2016 Senate—Senator Powell replaces Senator Love on the Conference Committee—SJ 2238
04/28/2016 House—Representative Wilson replaces Representative Victors on the Conference Committee—HJ 2481
04/30/2016 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 2—SJ 2502
04/30/2016 House—Conference Committee Report was adopted; Yea: 117 Nay: 4—HJ 2820
06/01/2016 House—Enrolled and presented to Governor on Monday, May 09, 2016 —HJ 3250
06/01/2016 House—Approved by Governor on Tuesday, May 17 , 2016—HJ 3243

H 2491 Bill by Agriculture and Natural Resources
Creating a penalty for failure to report annual water use.

01/20/2016 House—Introduced—HJ 1945
01/21/2016 House—Referred to Committee on Agriculture and Natural Resources —HJ 1948
01/29/2016 House—Hearing: Tuesday, February 02, 2016, 3:30 PM Room 346-S
02/18/2016 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—HJ 2094
02/23/2016 House—Stricken from Calendar by Rule 1507—HJ 2143

H 2492 Bill by Agriculture and Natural Resources
Establishing the Kansas conservation reserve enhancement program.
01/20/2016 House—Introduced—HJ 1945
01/21/2016 House—Referred to Committee on Agriculture and Natural Resources —HJ 1948
06/01/2016 House—Died in Committee

H 2493 Bill by Taxation
Removing requirements that certain city and county budget increases be approved by a local vote.
01/20/2016 House—Introduced—HJ 1945
01/21/2016 House—Referred to Committee on Taxation—HJ 1948
06/01/2016 House—Died in Committee

H 2494 Bill by Taxation
Concerning taxation; repealing certain obsolete or expired sections.
01/20/2016 House—Introduced—HJ 1945
01/21/2016 House—Referred to Committee on Taxation—HJ 1948
02/05/2016 House—Hearing: Wednesday, February 10, 2016, 3:30 PM Room 582-N-CANCELLED
06/01/2016 House—Died in Committee

H 2495 Bill by Taxation
Classification of improvements constructed with proceeds from industrial revenue bonds; timeframe for appeals.
01/20/2016 House—Introduced—HJ 1945
01/21/2016 House—Referred to Committee on Taxation—HJ 1948
06/01/2016 House—Died in Committee

H 2496 Bill by Taxation
Property tax; providing a method for the county treasurer to calculate taxes on personal property when such taxes are due immediately but mill levy has not been certified.
01/20/2016 House—Introduced—HJ 1945
01/21/2016 House—Referred to Committee on Taxation—HJ 1948
01/29/2016 House—Hearing: Thursday, February 04, 2016, 3:30 PM Room 582-N
02/05/2016 House—Hearing: Thursday, February 11, 2016, 3:30 PM Room 582-N-CANCELLED
06/01/2016 House—Died in Committee

H 2497 Bill by Taxation
Driver's license examiners; converted from classified to unclassified positions.
01/20/2016 House—Introduced—HJ 1945
01/21/2016 House—Referred to Committee on Taxation—HJ 1948
06/01/2016 House—Died in Committee

H 2498 Bill by Taxation
Removal of community improvement district sales tax administration fund aggregate cap.
01/20/2016 House—Introduced—HJ 1945
01/21/2016 House—Referred to Committee on Taxation—HJ 1948
02/05/2016 House—Hearing: Thursday, February 11, 2016, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2499 Bill by Taxation
Authorizing public improvement districts to impose a retailers' sales tax within the district for certain purposes.
01/20/2016 House—Introduced—HJ 1945
01/21/2016 House—Referred to Committee on Taxation—HJ 1948
01/22/2016 House—Hearing: Tuesday, January 26, 2016, 3:30 PM Room 582-N-CANCELLED
06/01/2016 House—Died in Committee

H 2500 Bill by Representatives Ward, Kuether
Enacting the Kansas ratepayers protection act and clarifying CURB's powers.
01/21/2016 House—Introduced—HJ 1948
01/22/2016 House—Referred to Committee on Energy and Environment—HJ 1952
06/01/2016 House—Died in Committee

H 2501 Bill by Corrections and Juvenile Justice
Clarifying the definition of crime committed with an electronic device; including unlawful dissemination of consensually taken images in blackmail and breach of privacy; creating the crimes of unlawful transmission of a visual depiction of a child and unlawful possession of a visual depiction of a child.
01/21/2016 House—Introduced—HJ 1948
01/22/2016 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1952
01/29/2016 House—Hearing: Wednesday, February 03, 2016, 1:30 PM Room 152-S
02/08/2016 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Corrections and Juvenile Justice—HJ 2009
02/10/2016 House—Withdrawn from Consent Calendar and placed on General Orders—HJ 2023
02/18/2016 House—Committee of the Whole - Be passed as amended—HJ 2093

02/22/2016 House—Final Action - Passed as amended; Yea: 113 Nay: 11—HJ 2113
02/22/2016 Senate—Received and Introduced—SJ 1930
02/23/2016 Senate—Referred to Committee on Corrections and Juvenile Justice—SJ 1947
03/07/2016 Senate—Hearing: Tuesday, March 08, 2016, 9:30 AM Room 118-N
03/11/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—SJ 2046
03/16/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2069
03/17/2016 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 2089
03/21/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Gonzalez, Representative Pauls and Representative Highberger as conferees—HJ 2345
03/21/2016 Senate—Motion to accede adopted; Senator Smith, Senator Knox and Senator Pettey appointed as conferees—SJ 2160
04/27/2016 House—Representative Finch replaces Representative Pauls on the Conference Committee—HJ 2464
04/29/2016 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2310
04/29/2016 House—Conference Committee Report was adopted; Yea: 119 Nay: 0—HJ 2545
06/01/2016 House—Enrolled and presented to Governor on Monday, May 09, 2016—HJ 3250
06/01/2016 House—Approved by Governor on Tuesday, May 17 , 2016—HJ 3243

H 2502 Bill by Corrections and Juvenile Justice
Regulation of the possession of firearms.
01/21/2016 House—Introduced—HJ 1948
01/22/2016 House—Referred to Committee on Judiciary—HJ 1952
02/05/2016 House—Hearing: Wednesday, February 10, 2016, 3:30 PM Room 112-N
02/12/2016 House—Hearing: Wednesday, February 17, 2016, 3:30 PM Room 112-N
02/19/2016 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 2104
02/23/2016 House—Committee of the Whole - Be passed as amended—HJ 2135
02/23/2016 House—Emergency Final Action - Passed as amended; Yea: 111 Nay: 14—HJ 2139
03/02/2016 Senate—Received and Introduced—SJ 2008
03/03/2016 Senate—Referred to Committee on Judiciary—SJ 2011
03/11/2016 Senate—Hearing: Monday, March 14, 2016, 10:30 AM Room 346-S
03/15/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 2063
03/21/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2156
03/22/2016 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 2167
03/22/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Barker, Representative Macheers and Representative Carmichael as conferees—HJ 2393
03/23/2016 Senate—Motion to accede adopted; Senator King, Senator Smith and Senator Haley appointed as conferees—SJ 2182

03/24/2016 Senate—Senator Ostmeyer replaces Senator King on the Conference Committee—SJ 2234
03/24/2016 Senate—Senator LaTurner replaces Senator Smith on the Conference Committee—SJ 2234
03/24/2016 Senate—Senator Faust-Goudeau replaces Senator Haley on the Conference Committee—SJ 2234
03/24/2016 House—Representative Pauls replaces Representative Barker on the Conference Committee—HJ 2428
03/24/2016 House—Representative Todd replaces Representative Macheers on the Conference Committee—HJ 2428
03/24/2016 House—Representative Scott replaces Representative Carmichael on the Conference Committee—HJ 2428
04/29/2016 Senate—Conference Committee Report agree to disagree adopted; Senator Ostmeyer, Senator LaTurner and Senator Faust-Goudeau appointed as second conferees—SJ 2436
04/29/2016 House—Conference Committee Report agree to disagree adopted; Representative Pauls, Representative Todd and Representative Scott appointed as second conferees—HJ 2711
04/30/2016 House—Representative Tietze replaces Representative Scott on the Conference Committee—HJ 2748
05/01/2016 Senate—Conference Committee Report was adopted; Yea: 32 Nay: 6—SJ 2740
05/01/2016 House—Conference Committee Report was adopted; Yea: 92 Nay: 28—HJ 2934
06/01/2016 House—Enrolled and presented to Governor on Monday, May 09, 2016—HJ 3250
06/01/2016 House—Approved by Governor on Wednesday, May 11 , 2016—HJ 3243

H 2503 Bill by Transportation
Creating the Kansas highway patrol staffing and training fund; vehicle registration fees.
01/21/2016 House—Introduced—HJ 1948
01/22/2016 House—Referred to Committee on Transportation—HJ 1952
01/25/2016 House—Hearing: Thursday, January 28, 2016, 1:30 PM Room 582-N
02/12/2016 House—Committee Report recommending bill be passed by Committee on Transportation—HJ 2047
02/18/2016 House—Committee of the Whole - Motion to Amend - On motion of Rep. Proehl amendment divided into Parts A and B. Part A of divided amendment adopted.
02/18/2016 House—Committee of the Whole - Referred to Committee on Appropriations—HJ 2090
02/23/2016 House—Hearing: Friday, March 4, 2016, 9:00 AM Room 112-N-CANCELLED
03/03/2016 House—Hearing: Monday, March 07, 2016, 9:00 AM Room 112-N
06/01/2016 House—Died in Committee

H 2504 Bill by Federal and State Affairs
School district realignment.

01/21/2016 House—Introduced—HJ 1948
01/22/2016 House—Referred to Committee on Education—HJ 1952
01/29/2016 House—Hearing: Wednesday, February 03, 2016, 1:30 PM Room 112-N
06/01/2016 House—Died in Committee

H 2505 Bill by Taxation
Addition and subtraction modifications related to non-wage business income exemption do not apply to qualification for the low income exclusion.
01/21/2016 House—Introduced—HJ 1950
01/22/2016 House—Referred to Committee on Taxation—HJ 1952
06/01/2016 House—Died in Committee

H 2506 Bill by Elections
False statements against candidates for state office.
01/21/2016 House—Introduced—HJ 1950
01/22/2016 House—Referred to Committee on Elections—HJ 1952
06/01/2016 House—Died in Committee

H 2507 Bill by Elections
Elections; ballots; city of candidate residence removed.
01/21/2016 House—Introduced—HJ 1950
01/22/2016 House—Referred to Committee on Elections—HJ 1952
01/25/2016 House—Hearing: Wednesday, January 27, 2016, 1:30 PM Room 281-N
06/01/2016 House—Died in Committee

H 2508 Bill by Insurance and Financial Institutions
Amending certain insurance examination requirements.
01/21/2016 House—Introduced—HJ 1950
01/22/2016 House—Referred to Committee on Insurance and Financial Institutions—HJ 1952
01/29/2016 House—Hearing: Monday, February 01, 2016, 3:30 PM Room 218-N
02/19/2016 House—Committee Report recommending bill be passed by Committee on Insurance and Financial Institutions—HJ 2104
02/23/2016 House—Committee of the Whole - Motion to recommend favorably for passage failed—HJ 2135
02/23/2016 House—Stricken from Calendar by Rule 1507—HJ 2143

H 2509 Bill by Vision 2020
Senate Substitute for HB 2509 - Concerning administrative fees for economic development programs administered by the department of commerce.
01/21/2016 House—Introduced—HJ 1950
01/22/2016 House—Referred to Committee on Vision 2020—HJ 1952
01/28/2016 House—Hearing: Wednesday, February 03, 2016, 9:00 AM Room 218-N

02/18/2016 House—Committee Report recommending bill be passed as amended by Committee on Vision 2020—HJ 2095
02/22/2016 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 2118
02/23/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Vision 2020—HJ 2143
03/02/2016 House—Committee Report recommending bill be passed as amended by Committee on Vision 2020—HJ 2187
03/09/2016 House—Committee of the Whole - Be passed as amended—HJ 2221
03/10/2016 House—Final Action - Passed as amended; Yea: 119 Nay: 1—HJ 2227
03/10/2016 Senate—Received and Introduced—SJ 2030
03/14/2016 Senate—Referred to Committee on Ways and Means—SJ 2052
03/16/2016 Senate—Withdrawn from Committee on Ways and Means; Referred to Committee on Commerce—SJ 2078
03/18/2016 Senate—Committee Report recommending substitute bill be passed by Committee on Commerce—SJ 2110
03/22/2016 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 2172
03/22/2016 Senate—Emergency Final Action - Substitute passed as amended; Yea: 40 Nay: 0—SJ 2175
03/23/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Campbell, Representative Sloan and Representative Curtis as conferees—HJ 2413
03/23/2016 Senate—Motion to accede adopted; Senator Lynn, Senator Wagle and Senator Holland appointed as conferees—SJ 2193
04/30/2016 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 2—SJ 2667
05/01/2016 House—Conference Committee Report was adopted; Yea: 86 Nay: 30—HJ 2883
06/01/2016 House—Enrolled and presented to Governor on Monday, May 09, 2016—HJ 3250
06/01/2016 House—Approved by Governor on Tuesday, May 17 , 2016—HJ 3243

H 2510 Bill by Vision 2020
Amendments to the state water plan.
01/21/2016 House—Introduced—HJ 1950
01/22/2016 House—Referred jointly to Committee on Vision 2020 and Committee on Agriculture and Natural Resources—HJ 1951
01/27/2016 House—Withdrawn from Committee on Agriculture and Natural Resources and Vision 2020, jointly and referred to Committee on Agriculture and Natural Resources. Committee on Agriculture and Natural Resources—HJ 1963
06/01/2016 House—Died in Committee

H 2511 Bill by Vision 2020
Increasing fees to fund water projects.
01/21/2016 House—Introduced—HJ 1950
01/22/2016 House—Referred jointly to Committee on Vision 2020 and Committee on Agriculture and Natural Resources—HJ 1951

01/27/2016 House—Withdrawn from Committee on Agriculture and Natural Resources and Vision 2020, jointly and referred to Committee on Agriculture and Natural Resources. Committee on Agriculture and Natural Resources—HJ 1963
06/01/2016 House—Died in Committee

H 2512 Bill by Commerce, Labor and Economic Development
Allowing students early access to the CPA examination.
01/21/2016 House—Introduced—HJ 1950
01/22/2016 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 1952
01/28/2016 House—Hearing: Monday, February 01, 2016, 1:30 PM Room 346-S
02/03/2016 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 1984
02/09/2016 House—Committee of the Whole - Be passed as amended—HJ 2018
02/10/2016 House—Final Action - Passed as amended; Yea: 106 Nay: 17—HJ 2025
02/10/2016 Senate—Received and Introduced—SJ 1841
02/11/2016 Senate—Referred to Committee on Commerce—SJ 1847
03/02/2016 Senate—Hearing: Thursday, March 03, 2016, 8:30 AM Room 548-S
03/10/2016 Senate—Committee Report recommending bill be passed by Committee on Commerce—SJ 2035
03/18/2016 Senate—Committee of the Whole - Be passed—SJ 2108
03/18/2016 Senate—Emergency Final Action - Passed; Yea: 38 Nay: 0—SJ 2109
03/22/2016 House—Enrolled and presented to Governor on Tuesday, March 22, 2016—HJ 2394
04/27/2016 House—Approved by Governor on Thursday, March 24 , 2016—HJ 2456

H 2513 Bill by Appropriations
Substitute HB2513 by Committee on Appropriations - Legislature; session length.
01/21/2016 House—Introduced—HJ 1950
01/22/2016 House—Referred to Committee on Appropriations—HJ 1951
01/25/2016 House—Hearing: Thursday, January 28, 2016, 9:00 AM Room 112-N
02/15/2016 House—Committee Report recommending substitute bill be passed by Committee on Appropriations—HJ 2054
06/01/2016 House—Died on Calendar

H 2514 Bill by Federal and State Affairs
Amending provisions in the Kansas pet animal act.
01/21/2016 House—Introduced—HJ 1950
01/22/2016 House—Referred to Committee on Agriculture and Natural Resources —HJ 1951
06/01/2016 House—Died in Committee

H 2515 Bill by Representatives Becker, Anthimides, Ballard, Bradford, Clark, Concannon, Dierks, Doll, Henry, Highberger, Houser, Houston, Kuether, O'Brien, Sawyer, Schroeder, Sutton
Abolishing the death penalty and creating the crime of aggravated murder.
01/22/2016 House—Introduced—HJ 1951
01/25/2016 House—Referred to Committee on Judiciary—HJ 1954
06/01/2016 House—Died in Committee

H 2516 Bill by Energy and Environment
Asbestos control act, state licensing requirements and federal compliance.
01/22/2016 House—Introduced—HJ 1951
01/25/2016 House—Referred to Committee on Energy and Environment—HJ 1954
01/28/2016 House—Hearing: Monday, February 01, 2016, 9:00 AM Room 582-N
02/17/2016 House—Committee Report recommending bill be passed as amended by Committee on Energy and Environment—HJ 2083
02/22/2016 House—Committee of the Whole - Be passed as amended—HJ 2117
02/22/2016 House—Emergency Final Action - Passed as amended; Yea: 124 Nay: 0 —HJ 2120
02/23/2016 Senate—Received and Introduced—SJ 1950
03/02/2016 Senate—Referred to Committee on Education—SJ 1968
03/03/2016 Senate—Withdrawn from Committee on Education; Referred to Committee on Federal and State Affairs—SJ 2011
03/07/2016 Senate—Hearing: Tuesday, March 08, 2016, 10:30 AM Room 144-S
03/10/2016 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Federal and State Affairs—SJ 2036
03/17/2016 Senate—Consent Calendar Passed Yea: 39 Nay: 0—SJ 2085
03/22/2016 House—Enrolled and presented to Governor on Tuesday, March 22, 2016—HJ 2394
04/27/2016 House—Approved by Governor on Thursday, March 24 , 2016—HJ 2456

H 2517 Bill by Energy and Environment
Vehicle tire tax and abolishing the solid waste grants advisory committee.
01/22/2016 House—Introduced—HJ 1951
01/25/2016 House—Referred to Committee on Energy and Environment—HJ 1954
02/04/2016 House—Hearing: Monday, February 08, 2016, 9:00 AM Room 582-N
06/01/2016 House—Died in Committee

H 2518 Bill by Health and Human Services
Mandatory electronic filing of death certificates.
01/22/2016 House—Introduced—HJ 1951
01/25/2016 House—Referred to Committee on Health and Human Services—HJ 1954
01/29/2016 House—Hearing: Monday, February 01, 2016, 1:30 PM Room 546-S
02/09/2016 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 2018
02/16/2016 House—Committee of the Whole - Be passed—HJ 2063
02/17/2016 House—Final Action - Passed; Yea: 111 Nay: 11—HJ 2073

02/17/2016 Senate—Received and Introduced—SJ 1883
02/18/2016 Senate—Referred to Committee on Public Health and Welfare—SJ 1897
03/11/2016 Senate—Hearing: Monday, March 14, 2016, 1:30 PM Room 118-N
03/17/2016 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 2099
03/21/2016 Senate—Committee of the Whole - Be passed—SJ 2156
03/22/2016 Senate—Final Action - Passed; Yea: 39 Nay: 1—SJ 2167
04/27/2016 House—Enrolled and presented to Governor on Friday, March 25, 2016—HJ 2464
04/27/2016 House—Approved by Governor on Monday, March 28 , 2016—HJ 2456

H 2519 Bill by Transportation
Approved uses from the state highway fund by the department of transportation.
01/25/2016 House—Introduced—HJ 1954
01/26/2016 House—Referred to Committee on Appropriations—HJ 1958
06/01/2016 House—Died in Committee

H 2520 Bill by Transportation
Designating a portion of United States highway 400 as the John Troy, Pete Hughes and Earl Seifert highway.
01/25/2016 House—Introduced—HJ 1954
01/26/2016 House—Referred to Committee on Transportation—HJ 1958
02/05/2016 House—Hearing: Wednesday, February 10, 2013, 1:30 PM Room 582-N-CANCELLED
02/12/2016 House—Hearing: Monday, February 15, 2016, 1:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2521 Bill by Transportation
Providing for an annual emergency response permit for certain vehicles.
01/25/2016 House—Introduced—HJ 1954
01/26/2016 House—Referred to Committee on Transportation—HJ 1958
01/29/2016 House—Hearing: Thursday, February 4, 2016, 1:30 PM Room 582-N-CANCELLED
06/01/2016 House—Died in Committee

H 2522 Bill by Veterans, Military and Homeland Security
Concerning the division of vehicles; relating to driver's licenses and identification cards, renewal, use of facial imaging; application for motorized bicycle license; examinations, three-wheeled motorcycles.
01/25/2016 House—Introduced—HJ 1954
01/26/2016 House—Referred to Committee on Transportation—HJ 1958
02/05/2016 House—Hearing: Thursday, February 11, 2016, 1:30 PM Room 582-N
02/19/2016 House—Committee Report recommending bill be passed by Committee on Transportation—HJ 2106
02/23/2016 House—Committee of the Whole - Be passed—HJ 2135

02/23/2016 House—Emergency Final Action - Passed; Yea: 125 Nay: 0—HJ 2139
03/02/2016 Senate—Received and Introduced—SJ 2008
03/03/2016 Senate—Referred to Committee on Transportation—SJ 2011
03/07/2016 Senate—Hearing: Thursday, March 10, 2016, 8:30 AM Room 546-S
03/14/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 2055
03/17/2016 Senate—Committee of the Whole - Be passed as further amended—SJ 2091
03/17/2016 Senate—Emergency Final Action - Passed as amended; Yea: 38 Nay: 1—SJ 2093
03/21/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Proehl, Representative Ryckman Sr. and Representative Lusker as conferees—HJ 2347
03/21/2016 Senate—Motion to accede adopted; Senator Petersen, Senator Wolf and Senator Pettey appointed as conferees—SJ 2159
04/28/2016 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2256
04/28/2016 House—Conference Committee Report was adopted; Yea: 117 Nay: 0—HJ 2515
06/01/2016 House—Enrolled and presented to Governor on Friday, May 06, 2016—HJ 3250
06/01/2016 House—Approved by Governor on Tuesday, May 10 , 2016—HJ 3243

H 2523 Bill by Agriculture and Natural Resources
Requiring veterinary premises to provide written notice when animal supervision is not provided outside normal business hours.
01/25/2016 House—Introduced—HJ 1954
01/26/2016 House—Referred to Committee on Agriculture and Natural Resources—HJ 1958
06/01/2016 House—Died in Committee

H 2524 Bill by Federal and State Affairs
Requiring closure of all state offices on legal public holidays.
01/25/2016 House—Introduced—HJ 1954
01/26/2016 House—Referred to Committee on General Government Budget—HJ 1958
02/12/2016 House—Hearing: Wednesday, February 17, 2016, 1:30 PM Room 218-N
06/01/2016 House—Died in Committee

H 2525 Bill by Federal and State Affairs
Prohibiting the employment of unauthorized aliens.
01/25/2016 House—Introduced—HJ 1954
01/26/2016 House—Referred to Committee on Federal and State Affairs—HJ 1958
06/01/2016 House—Died in Committee

H 2526 Bill by Appropriations
Prohibitions on carrying concealed handguns in postsecondary educational

institution buildings.
01/25/2016 House—Introduced—HJ 1954
01/26/2016 House—Referred to Committee on Federal and State Affairs—HJ 1958
06/01/2016 House—Died in Committee

H 2527 Bill by Veterans, Military and Homeland Security
Allowing use of military medal or badge decals on veterans-related distinctive license plates.
01/26/2016 House—Introduced—HJ 1957
01/27/2016 House—Referred to Committee on Transportation—HJ 1963
02/05/2016 House—Hearing: Thursday, February 11, 2016, 1:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2528 Bill by Transportation
Increasing motor fuels tax by $.05.
01/26/2016 House—Introduced—HJ 1957
01/27/2016 House—Referred to Committee on Taxation—HJ 1963
06/01/2016 House—Died in Committee

H 2529 Bill by Transportation
Increasing registration fees on electric and hybrid vehicles.
01/26/2016 House—Introduced—HJ 1957
01/27/2016 House—Referred to Committee on Transportation—HJ 1963
02/12/2016 House—Hearing: Wednesday, February 17, 2016, 1:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2530 Bill by Appropriations
Appropriation revisions for FY 2016, FY 2017 and FY 2018 for various state agencies.
01/26/2016 House—Introduced—HJ 1957
01/27/2016 House—Referred to Committee on Appropriations—HJ 1962
01/28/2016 House—Hearing: Tuesday, February 02, 2016, 9:00 AM Room 112-N
06/01/2016 House—Died in Committee

H 2531 Bill by Education
Eliminating due process for certain postsecondary teachers.
01/26/2016 House—Introduced—HJ 1958
01/27/2016 House—Referred to Committee on Education—HJ 1963
02/04/2016 House—Hearing: Tuesday, February 09, 2016, 1:30 PM Room 112-N
02/19/2016 House—Committee Report recommending bill be passed by Committee on Education—HJ 2099
02/22/2016 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 2118
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Education—HJ 2148
06/01/2016 House—Died in Committee

H 2532 Bill by Education
Including financial literacy as an educational capacity.
01/26/2016 House—Introduced—HJ 1958
01/27/2016 House—Referred to Committee on Education—HJ 1963
02/04/2016 House—Hearing: Thursday, February 11, 2016, 1:30 PM Room 112-N
02/16/2016 House—Committee Report recommending bill be passed by Committee on Education—HJ 2064
02/22/2016 House—Committee of the Whole - Be passed as amended—HJ 2116
02/22/2016 House—Emergency Final Action - Not passed; Yea: 43 Nay: 81—HJ 2120

H 2533 Bill by Education
Creating the student online personal protection act.
01/26/2016 House—Introduced—HJ 1958
01/27/2016 House—Referred to Committee on Education—HJ 1963
02/04/2016 House—Hearing: Wednesday, February 10, 2016, 1:30 PM Room 112-N-CANCELLED
06/01/2016 House—Died in Committee

H 2534 Bill by Children and Seniors
Amendments to the freedom from unsafe restraint and seclusion act.
01/26/2016 House—Introduced—HJ 1958
01/27/2016 House—Referred to Committee on Children and Seniors—HJ 1962
02/04/2016 House—Hearing: Tuesday, February 09, 2016, 9:00 AM Room 218-N
02/10/2016 House—Withdrawn from Committee on Children and Seniors; Referred to Committee on Appropriations—HJ 2022
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Children and Seniors—HJ 2147
03/11/2016 House—Committee Report recommending bill be passed as amended by Committee on Children and Seniors—HJ 2249
03/16/2016 House—Committee of the Whole - Be passed as amended—HJ 2282
03/17/2016 House—Final Action - Passed as amended; Yea: 120 Nay: 0—HJ 2288
03/17/2016 Senate—Received and Introduced—SJ 2083
03/18/2016 Senate—Referred to Committee on Education—SJ 2107
06/01/2016 Senate—Died in Senate Committee

H 2535 Bill by Energy and Environment
Hazardous waste and the department of health and environment.
01/26/2016 House—Introduced—HJ 1958
01/27/2016 House—Referred to Committee on Energy and Environment—HJ 1963
01/28/2016 House—Hearing: Wednesday, February 03, 2016, 9:00 AM Room 582-N
06/01/2016 House—Died in Committee

H 2536 Bill by Federal and State Affairs
Amendments regarding accountant licensure.

01/26/2016 House—Introduced—HJ 1958
01/27/2016 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 1962
02/05/2016 House—Hearing: Tuesday, February 09, 2016, 1:30 PM Room 346-S
02/12/2016 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 2046
02/17/2016 House—Committee of the Whole - Be passed as amended—HJ 2080
02/18/2016 House—Final Action - Passed as amended; Yea: 121 Nay: 0—HJ 2089
02/18/2016 Senate—Received and Introduced—SJ 1898
02/22/2016 Senate—Referred to Committee on Federal and State Affairs—SJ 1928
03/07/2016 Senate—Hearing: Tuesday, March 08, 2016, 10:30 AM Room 144-S
03/10/2016 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Federal and State Affairs—SJ 2036
03/17/2016 Senate—Consent Calendar Passed Yea: 39 Nay: 0—SJ 2085
03/22/2016 House—Enrolled and presented to Governor on Tuesday, March 22, 2016—HJ 2394
04/27/2016 House—Approved by Governor on Thursday, March 24 , 2016—HJ 2456

H 2537 Bill by Federal and State Affairs
Kansas expanded lottery act; racetrack gaming.
01/26/2016 House—Introduced—HJ 1958
01/27/2016 House—Referred to Committee on Calendar and Printing—HJ 1962
03/09/2016 House—Withdrawn from Committee on Calendar and Printing; Referred to Committee on Appropriations—HJ 2213
03/15/2016 House—Hearing: Wednesday, March 16, 2016, 9:00 AM Room 112-N
06/01/2016 House—Died in Committee

H 2538 Bill by Federal and State Affairs
Concerning firearms; relating to the minimum age requirement for concealed carry licensees.
01/26/2016 House—Introduced—HJ 1960
01/27/2016 House—Referred to Committee on Federal and State Affairs—HJ 1963
01/29/2016 House—Hearing: Thursday, February 4, 2016, 9:00 AM Room 346-S-CANCELLED
06/01/2016 House—Died in Committee

H 2539 Bill by Federal and State Affairs
Counties; unsafe structures; power to repair, rehabilitate or remove unsafe structures in unincorporated platted areas.
01/26/2016 House—Introduced—HJ 1960
01/27/2016 House—Referred to Committee on Local Government—HJ 1963
06/01/2016 House—Died in Committee

H 2540 Bill by Corrections and Juvenile Justice
Adding and amending substances included in schedules I, III and IV of the uniform controlled substances act.

01/26/2016 House—Introduced—HJ 1960
01/27/2016 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1962
01/29/2016 House—Hearing: Thursday, February 04, 2016, 1:30 PM Room 152-S
02/09/2016 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 2018
02/23/2016 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 2143
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Corrections and Juvenile Justice—HJ 2148
06/01/2016 House—Died in Committee

H 2541 Bill by Pensions and Benefits
Sharing of account information, tax treatment and local governmental unit plan option under Kansas public employees deferred compensation act.
01/26/2016 House—Introduced—HJ 1960
01/27/2016 House—Referred to Committee on Pensions and Benefits—HJ 1963
01/28/2016 House—Hearing: Wednesday, February 03, 2016, 9:00 AM Room 152-S
06/01/2016 House—Died in Committee

H 2542 Bill by Pensions and Benefits
Providing post-retirement benefit increase (COLA) for certain retirants of KPERS.
01/26/2016 House—Introduced—HJ 1960
01/27/2016 House—Referred to Committee on Pensions and Benefits—HJ 1963
02/09/2016 House—Hearing: Wednesday, February 10, 2016, 9:00 AM Room 152-S
06/01/2016 House—Died in Committee

H 2543 Bill by Elections
Substitute for HB 2543 by Committee on Elections - Election audits; voting machine requirements; time of canvass.
01/26/2016 House—Introduced—HJ 1960
01/27/2016 House—Referred to Committee on Elections—HJ 1963
02/05/2016 House—Hearing: Wednesday, February 10, 2016, 1:30 PM Room 281-N-CANCELLED
02/12/2016 House—Hearing: Monday, February 15, 2016, 1:30 PM Room 281-N
02/19/2016 House—Committee Report recommending substitute bill be passed by Committee on Elections—HJ 2100
02/22/2016 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 2118
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Elections—HJ 2148
03/10/2016 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 2231
06/01/2016 House—Died on Calendar

H 2544 Bill by Elections
Elections; registration; election day registration.
01/26/2016 House—Introduced—HJ 1960
01/27/2016 House—Referred to Committee on Elections—HJ 1963
06/01/2016 House—Died in Committee

H 2545 Bill by Corrections and Juvenile Justice
Release of information in support of arrest warrants and search warrants.
01/26/2016 House—Introduced—HJ 1960
01/27/2016 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1962
01/29/2016 House—Hearing: Monday, February 01, 2016, 1:30 PM Room 152-S
02/08/2016 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 2009
02/22/2016 House—Committee of the Whole - Be passed as amended
02/22/2016 House—Emergency Final Action - Passed as amended; Yea: 122 Nay: 2—HJ 2123
02/23/2016 Senate—Received and Introduced—SJ 1950
03/02/2016 Senate—Referred to Committee on Corrections and Juvenile Justice—SJ 1968
03/07/2016 Senate—Hearing: Wednesday, March 09, 2016, 9:30 AM Room 118-N
03/11/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—SJ 2046
03/16/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2069
03/17/2016 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 2089
03/21/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Gonzalez, Representative Pauls and Representative Highberger as conferees—HJ 2345
03/21/2016 Senate—Motion to accede adopted; Senator Smith, Senator Knox and Senator Pettey appointed as conferees—SJ 2160
04/27/2016 House—Representative Finch replaces Representative Pauls on the Conference Committee—HJ 2464
04/29/2016 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2318
04/29/2016 House—Conference Committee Report was adopted; Yea: 119 Nay: 0—HJ 2544
05/01/2016 House—Enrolled and presented to Governor on Tuesday, May 03, 2016
06/01/2016 House—Approved by Governor on Tuesday, May 10 , 2016—HJ 3243

H 2546 Bill by Vision 2020
Allowing for quarterly property tax payments.
01/27/2016 House—Introduced—HJ 1962
01/28/2016 House—Referred to Committee on Vision 2020—HJ 1967
02/04/2016 House—Hearing: Monday, February 08, 2016, 9:00 AM Room 218-N
02/16/2016 House—Committee Report recommending bill be passed by Committee on Vision 2020—HJ 2065

02/23/2016 House—Stricken from Calendar by Rule 1507—HJ 2143

H 2547 Bill by Representatives Lusker, Alcala, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, DeGraaf, Dierks, Doll, Edmonds, Ewy, Finch, Finney, Francis, Frownfelter, Garber, Goico, Gonzalez, Hawkins, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Houser, Houston, Huebert, Hutchins, Jennings, Johnson, D. Jones, Kelly, Kleeb, Kuether, Lewis, Lusk, Mason, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rooker, Rubin, Ruiz, Ryckman Sr., Sawyer, Schroeder, Schwab, Scott, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Wilson, Winn, Wolfe Moore

Wildlife; naming the mined land wildlife area bison herd; amending provisions of the nongame and endangered species conservation act.

01/27/2016 House—Introduced—HJ 1962
01/28/2016 House—Referred to Committee on Agriculture and Natural Resources —HJ 1967
02/05/2016 House—Hearing: Wednesday, February 10, 2016, 3:30 PM Room 346-S-CANCELLED
02/08/2016 House—Hearing: Thursday, February 11, 2016, 3:30 PM Room 346-S
02/12/2016 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Agriculture and Natural Resources—HJ 2049
02/17/2016 House—Final Action - Passed; Yea: 120 Nay: 2—HJ 2070
02/17/2016 Senate—Received and Introduced—SJ 1883
02/18/2016 Senate—Referred to Committee on Natural Resources—SJ 1897
03/17/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Natural Resources—SJ 2096
03/21/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2156
03/22/2016 Senate—Final Action - Passed as amended; Yea: 39 Nay: 1—SJ 2167
03/22/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Schwartz, Representative Boldra and Representative Victors as conferees—HJ 2393
03/23/2016 Senate—Motion to accede adopted; Senator Powell, Senator Kerschen and Senator Francisco appointed as conferees—SJ 2182
04/28/2016 House—Representative Wilson replaces Representative Victors on the Conference Committee—HJ 2481
06/01/2016 House—Died in Conference

H 2548 Bill by Corrections and Juvenile Justice

Amending requirements for justification and approval of sureties.

01/27/2016 House—Introduced—HJ 1962
01/28/2016 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1967
02/04/2016 House—Hearing: Thursday, February 11, 2016, 1:30 PM Room 152-S
02/18/2016 House—Withdrawn from Committee on Corrections and Juvenile

Justice; Referred to Committee on Appropriations—HJ 2098
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Corrections and Juvenile Justice—HJ 2148
06/01/2016 House—Died in Committee

H 2549 Bill by Federal and State Affairs
Requests for law enforcement assistance from foreign jurisdictions.
01/27/2016 House—Introduced—HJ 1962
01/28/2016 House—Referred to Committee on Federal and State Affairs—HJ 1967
02/02/2016 House—Hearing: Thursday, February 04, 2016, 9:00 AM Room 346-S
02/17/2016 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 2083
03/08/2016 House—Committee of the Whole - Be passed as amended—HJ 2208
03/09/2016 House—Final Action - Passed as amended; Yea: 114 Nay: 8—HJ 2216
03/09/2016 Senate—Received and Introduced—SJ 2027
03/10/2016 Senate—Referred to Committee on Federal and State Affairs—SJ 2029
03/14/2016 Senate—Hearing: Wednesday, March 16, 2016, 10:30 AM Room 144-S
03/17/2016 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 2094
03/21/2016 Senate—Committee of the Whole - Be passed—SJ 2156
03/22/2016 Senate—Final Action - Passed; Yea: 36 Nay: 4—SJ 2167
04/27/2016 House—Enrolled and presented to Governor on Friday, March 25, 2016—HJ 2464
04/27/2016 House—Approved by Governor on Monday, March 28 , 2016—HJ 2456

H 2550 Bill by Judiciary
Creating an exemption to the Kansas open records act for the central registry of Kansas police and law enforcement officers and amending the definition of "conviction" for applicant qualification under the Kansas law enforcement training act.
01/27/2016 House—Introduced—HJ 1962
01/28/2016 House—Referred to Committee on Judiciary—HJ 1967
01/29/2016 House—Hearing: Thursday, February 04, 2016, 3:30 PM Room 112-N
02/15/2016 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 2057
02/23/2016 House—Stricken from Calendar by Rule 1507—HJ 2143

H 2551 Bill by Taxation
Authorizing sales taxation authority for the Sherwood public improvement district.
01/27/2016 House—Introduced—HJ 1962
01/28/2016 House—Referred to Committee on Taxation—HJ 1967
01/29/2016 House—Hearing: Thursday, February 04, 2016, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2552 Bill by Federal and State Affairs
Designating indigenous peoples day.

01/27/2016 House—Introduced—HJ 1964
01/28/2016 House—Referred to Committee on Federal and State Affairs—HJ 1967
06/01/2016 House—Died in Committee

H 2553 Bill by Judiciary
Increasing municipal court assessments and directing to the commission on peace officers' standards and training.
01/27/2016 House—Introduced—HJ 1964
01/28/2016 House—Referred to Committee on Judiciary—HJ 1967
01/29/2016 House—Hearing: Thursday, February 04, 2016, 3:30 PM Room 112-N
02/12/2016 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 2047
02/23/2016 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 2143
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Judiciary—HJ 2148
03/09/2016 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 2222
03/21/2016 House—Committee of the Whole - Be passed—HJ 2347
03/22/2016 House—Final Action - Passed; Yea: 99 Nay: 26—HJ 2366
03/22/2016 Senate—Received and Introduced—SJ 2170
03/23/2016 Senate—Referred to Committee on Judiciary—SJ 2180
06/01/2016 Senate—Died in Senate Committee

H 2554 Bill by Agriculture and Natural Resources
Amending the Kansas pet animal act.
01/27/2016 House—Introduced—HJ 1965
01/28/2016 House—Referred to Committee on Agriculture and Natural Resources —HJ 1967
01/29/2016 House—Hearing: Wednesday, February 03, 2016, 3:30 PM Room 346-S
02/17/2016 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—HJ 2080
02/23/2016 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 2143
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Agriculture and Natural Resources—HJ 2147
06/01/2016 House—Died in Committee

H 2555 Bill by Judiciary
Amending the definition of 'conviction' for applicant qualification under the Kansas law enforcement training act.
01/27/2016 House—Introduced—HJ 1965
01/28/2016 House—Referred to Committee on Judiciary—HJ 1967
01/29/2016 House—Hearing: Thursday, February 04, 2016, 3:30 PM Room 112-N
06/01/2016 House—Died in Committee

H 2556 Bill by Representative Claeys
Grandparents as caregivers act; age requirement; children deemed as foster

children.
01/27/2016 House—Introduced—HJ 1965
01/28/2016 House—Referred to Committee on Children and Seniors—HJ 1967
03/10/2016 House—Hearing: Tuesday, March 15, 2016, 9:00 AM Room 218-N
06/01/2016 House—Died in Committee

H 2557 Bill by Local Government
Kansas uniform common interest owners bill of rights act; consumer protection.
01/27/2016 House—Introduced—HJ 1965
01/28/2016 House—Referred to Committee on Local Government—HJ 1967
02/05/2016 House—Hearing: Tuesday, February 09, 2016, 1:30 PM Room 281-N
02/19/2016 House—Committee Report recommending bill be passed as amended by Committee on Local Government—HJ 2105
02/23/2016 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 2143
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Local Government—HJ 2148
06/01/2016 House—Died in Committee

H 2558 Bill by Local Government
Elections; regulation of election campaign workers, hospital district board elections.
01/27/2016 House—Introduced—HJ 1965
01/28/2016 House—Referred to Committee on Local Government—HJ 1967
02/12/2016 House—Hearing: Tuesday, February 16, 2016, 1:30 PM Room 281-N
02/19/2016 House—Committee Report recommending bill be passed by Committee on Local Government—HJ 2106
02/23/2016 House—Committee of the Whole - Be passed
02/23/2016 House—Emergency Final Action - Passed; Yea: 122 Nay: 3—HJ 2140
03/02/2016 Senate—Received and Introduced—SJ 2008
03/03/2016 Senate—Referred to Committee on Ethics and Elections—SJ 2011
03/07/2016 Senate—Hearing: Wednesday, March 09, 2016, 9:30 AM Room 142-S
03/16/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Ethics and Elections—SJ 2078
03/24/2016 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 2195
03/24/2016 Senate—Withdrawn from Committee on Ways and Means and referred to Committee of the Whole—SJ 2195
03/24/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2233
03/24/2016 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 0 —SJ 2234
04/29/2016 House—Concurred with amendments; Yea: 112 Nay: 10—HJ 2539
05/01/2016 House—Enrolled and presented to Governor on Sunday, May 01, 2016 —HJ 3238
06/01/2016 House—Approved by Governor on Friday, May 06 , 2016—HJ 3243

H 2559 Bill by Appropriations

State agencies; minimum staffing levels; reports.
01/27/2016 House—Introduced—HJ 1965
01/28/2016 House—Referred to Committee on Appropriations—HJ 1967
06/01/2016 House—Died in Committee

H 2560 Bill by Appropriations
State employees; working conditions.
01/27/2016 House—Introduced—HJ 1965
01/28/2016 House—Referred to Committee on Appropriations—HJ 1967
06/01/2016 House—Died in Committee

H 2561 Bill by Insurance and Financial Institutions
Sales tax exemption for the Kansas dui impact center, inc.
01/27/2016 House—Introduced—HJ 1965
01/28/2016 House—Referred to Committee on Taxation—HJ 1967
06/01/2016 House—Died in Committee

H 2562 Bill by Representative S. Swanson
Parentage; retroactive child support guidelines.
01/28/2016 House—Introduced—HJ 1967
01/29/2016 House—Referred to Committee on Judiciary—HJ 1970
06/01/2016 House—Died in Committee

H 2563 Bill by Transportation
Nonhighway certificate of title or salvage title for travel trailers.
01/28/2016 House—Introduced—HJ 1967
01/29/2016 House—Referred to Committee on Transportation—HJ 1970
02/05/2016 House—Hearing: Thursday, February 11, 2016, 1:30 PM Room 582-N
02/09/2016 House—Hearing: Thursday, February 11, 2016, 1:30 PM Room 582-N
02/18/2016 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 2095
02/23/2016 House—Committee of the Whole - Be passed as amended—HJ 2135
02/23/2016 House—Emergency Final Action - Passed as amended; Yea: 106 Nay: 19—HJ 2138
03/02/2016 Senate—Received and Introduced—SJ 2008
03/03/2016 Senate—Referred to Committee on Transportation—SJ 2011
03/07/2016 Senate—Hearing: Wednesday, March 09, 2016, 8:30 AM Room 546-S
03/14/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 2056
03/17/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2090
03/17/2016 Senate—Emergency Final Action - Passed as amended; Yea: 36 Nay: 3—SJ 2093
03/21/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Proehl, Representative Ryckman Sr. and Representative Lusker as conferees—HJ 2347
03/21/2016 Senate—Motion to accede adopted; Senator Petersen, Senator Wolf and Senator Pettey appointed as conferees—SJ 2159
03/24/2016 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—

SJ 2226
04/28/2016 House—Conference Committee Report was adopted; Yea: 120 Nay: 0—HJ 2473
05/01/2016 House—Enrolled and presented to Governor on Sunday, May 01, 2016—HJ 3238
06/01/2016 House—Approved by Governor on Friday, May 06 , 2016—HJ 3243

H 2564 Bill by Transportation
Creating the Eisenhower preservation fund; registration fees.
01/28/2016 House—Introduced—HJ 1967
01/29/2016 House—Referred to Committee on Transportation—HJ 1970
02/12/2016 House—Hearing: Tuesday, February 16, 2016, 1:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2565 Bill by Transportation
Increasing motor vehicle registration fees, eliminating the fee for reflectorized license plates, creating the license plate manufacturing fee fund.
01/28/2016 House—Introduced—HJ 1967
01/29/2016 House—Referred to Committee on Transportation—HJ 1970
06/01/2016 House—Died in Committee

H 2566 Bill by Transportation
Designating a portion of interstate highway 70 as the Kylie Jobe and Kyle Thornburg memorial highway.
01/28/2016 House—Introduced—HJ 1967
01/29/2016 House—Referred to Committee on Transportation—HJ 1970
06/01/2016 House—Died in Committee

H 2567 Bill by Veterans, Military and Homeland Security
Reinstating resident tuition and fees for certain military veterans and dependents.
01/28/2016 House—Introduced—HJ 1967
01/29/2016 House—Referred to Committee on Education—HJ 1970
02/04/2016 House—Withdrawn from Committee on Education; Referred to Committee on Veterans, Military and Homeland Security—HJ 1998
02/12/2016 House—Hearing: Tuesday, February 16, 2016, 9:00 AM Room 152-S
02/17/2016 House—Committee Report recommending bill be passed as amended by Committee on Veterans, Military and Homeland Security—HJ 2083
02/22/2016 House—Committee of the Whole - Be passed as amended—HJ 2117
02/22/2016 House—Emergency Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 2121
02/23/2016 Senate—Received and Introduced—SJ 1950
03/02/2016 Senate—Referred to Committee on Education—SJ 1968
03/03/2016 Senate—Withdrawn from Committee on Education; Referred to Committee on Federal and State Affairs—SJ 2011
03/07/2016 Senate—Hearing: Tuesday, March 08, 2016, 10:30 AM Room 144-S

03/10/2016 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Federal and State Affairs—SJ 2036
03/15/2016 Senate—Withdrawn from Consent Calendar and placed on General Orders—SJ 2060
03/17/2016 Senate—Committee of the Whole - Be passed—SJ 2090
03/17/2016 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 0—SJ 2094
03/22/2016 House—Enrolled and presented to Governor on Tuesday, March 22, 2016—HJ 2394
04/27/2016 House—Approved by Governor on Thursday, March 24 , 2016—HJ 2456

H 2568 Bill by Vision 2020
Allowing the board of trustees of a community college to levy a tax on the territory where such community college operates a satellite campus.
01/28/2016 House—Introduced—HJ 1967
01/29/2016 House—Referred to Committee on Vision 2020—HJ 1970
02/04/2016 House—Hearing: Wednesday, February 10, 2016, 9:00 AM Room 218-N
06/01/2016 House—Died in Committee

H 2569 Bill by Vision 2020
Adjustments to the property tax levy for the Kansas educational building fund.
01/28/2016 House—Introduced—HJ 1967
01/29/2016 House—Referred to Committee on Vision 2020—HJ 1970
02/04/2016 House—Hearing: Wednesday, February 10, 2016, 9:00 AM Room 218-N
06/01/2016 House—Died in Committee

H 2570 Bill by Vision 2020
Authorizing a property tax levy for technical colleges.
01/28/2016 House—Introduced—HJ 1969
01/29/2016 House—Referred to Committee on Vision 2020—HJ 1970
02/04/2016 House—Hearing: Wednesday, February 10, 2016, 9:00 AM Room 218-N
06/01/2016 House—Died in Committee

H 2571 Bill by Appropriations
Licensure renewal of community mental health centers.
01/28/2016 House—Introduced—HJ 1969
01/29/2016 House—Referred to Committee on Health and Human Services—HJ 1970
02/05/2016 House—Hearing: Wednesday, February 10, 2016, 1:30 PM Room 546-S-CANCELLED
02/11/2016 House—Hearing: Thursday, February 11, 2016, 1:30 PM Room 546-S
02/16/2016 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 2064
03/09/2016 House—Committee of the Whole - Be passed as amended—HJ 2221
03/10/2016 House—Final Action - Passed as amended; Yea: 116 Nay: 5—HJ 2227
03/10/2016 Senate—Received and Introduced—SJ 2030
03/14/2016 Senate—Referred to Committee on Public Health and Welfare—SJ

2052
03/14/2016 Senate—Hearing: Wednesday, March 16, 2016, 1:30 AM Room 118-N
03/21/2016 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Public Health and Welfare—SJ 2155
03/24/2016 Senate—Withdrawn from Consent Calendar and placed on General Orders—SJ 2194
03/24/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2233
03/24/2016 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 0 —SJ 2233
06/01/2016 House—Died on Calendar

H 2572 Bill by Federal and State Affairs
Prohibiting the operation of motor vehicles while using wireless communication device; exceptions; penalties.
01/28/2016 House—Introduced—HJ 1969
01/29/2016 House—Referred to Committee on Transportation—HJ 1970
06/01/2016 House—Died in Committee

H 2573 Bill by Representatives Whitmer, B. Carpenter
Live streaming of legislative meetings and the information network of Kansas.
01/28/2016 House—Introduced—HJ 1969
01/29/2016 House—Referred to Committee on Appropriations—HJ 1970
02/23/2016 House—Hearing: Thursday, March 03, 2016, 9:00 AM Room 112-N
03/08/2016 House—Committee Report recommending bill be passed as amended by Committee on Appropriations—HJ 2209
03/10/2016 House—Committee of the Whole - Be passed as amended—HJ 2229
03/11/2016 House—Final Action - Passed as amended; Yea: 118 Nay: 0—HJ 2239
03/14/2016 Senate—Received and Introduced—SJ 2053
03/15/2016 Senate—Referred to Committee on Federal and State Affairs—SJ 2058
03/15/2016 Senate—Hearing: Thursday, March 17, 2016, 10:30 AM Room 144-S
03/17/2016 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 2094
06/01/2016 Senate—Died on Senate General Orders

H 2574 Bill by Commerce, Labor and Economic Development
Requiring employment of Kansas workers for certain state contracts and tax benefits.
01/28/2016 House—Introduced—HJ 1969
01/29/2016 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 1970
06/01/2016 House—Died in Committee

H 2575 Bill by Federal and State Affairs
Requirements for carrying a concealed handgun in a public building via a restricted access entrance.
01/28/2016 House—Introduced—HJ 1969
01/29/2016 House—Referred to Committee on Federal and State Affairs—HJ 1970
06/01/2016 House—Died in Committee

H 2576 Bill by Appropriations
Prohibiting cities or counties from adopting employee scheduling policies for private employers.
01/29/2016 House—Introduced—HJ 1970
02/01/2016 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 1973
02/04/2016 House—Hearing: Thursday, February 11, 2016, 1:30 PM Room 346-S
02/17/2016 House—Committee Report recommending bill be passed by Committee on Commerce, Labor and Economic Development—HJ 2081
03/17/2016 House—Committee of the Whole - Be passed—HJ 2291
03/18/2016 House—Final Action - Passed; Yea: 90 Nay: 33—HJ 2304
03/21/2016 Senate—Received and Introduced—SJ 2141
03/22/2016 Senate—Referred to Committee on Commerce—SJ 2161
06/01/2016 Senate—Died in Senate Committee

H 2577 Bill by Appropriations
Appropriation revisions for FY 2017 and FY 2018 for various state agencies.
01/29/2016 House—Introduced—HJ 1970
02/01/2016 House—Referred to Committee on Appropriations—HJ 1973
02/02/2016 House—Hearing: Wednesday, February 03, 2016, 9:00 AM Room 112-N
06/01/2016 House—Died in Committee

H 2578 Bill by Health and Human Services
Amending the school sports head injury prevention act.
02/01/2016 House—Introduced—HJ 1972
02/02/2016 House—Referred to Committee on Health and Human Services—HJ 1976
02/03/2016 House—Hearing: Thursday, February 04, 2016, 1:30 PM Room 546-S
02/16/2016 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 2064
02/22/2016 House—Committee of the Whole - Be passed—HJ 2116
02/22/2016 House—Emergency Final Action - Passed; Yea: 73 Nay: 51—HJ 2122
02/23/2016 House—Motion to Reconsider Adopted—HJ 2131
02/23/2016 House—Emergency Final Action - Passed; Yea: 70 Nay: 53
02/23/2016 Senate—Received and Introduced—SJ 1950
03/02/2016 Senate—Referred to Committee on Public Health and Welfare—SJ 1969
06/01/2016 Senate—Died in Senate Committee

H 2579 Bill by Insurance and Financial Institutions
Authorizing the use of correction orders and civil penalties for health care facilities that violate health care provider insurance statutes.
02/01/2016 House—Introduced—HJ 1972
02/02/2016 House—Referred to Committee on Health and Human Services—HJ 1976
02/04/2016 House—Withdrawn from Committee on Health and Human Services; Referred to Committee on Insurance and Financial Institutions—HJ 1998

02/12/2016 House—Hearing: Tuesday, February 16, 2016, 3:30 PM Room 218-N
02/19/2016 House—Committee Report recommending bill be passed by Committee on Insurance and Financial Institutions—HJ 2104
02/22/2016 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 2118
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Insurance and Financial Institutions—HJ 2148
06/01/2016 House—Died in Committee

H 2580 Bill by Representatives Kuether, Bollier, Carlin, Carmichael, Finney, Highberger, Ruiz, Tietze, Ward
Repealing prohibitions and restrictions on insurance coverage for abortion services.
02/01/2016 House—Introduced—HJ 1973
02/02/2016 House—Referred to Committee on Federal and State Affairs—HJ 1976
06/01/2016 House—Died in Committee

H 2581 Bill by Representatives Kuether, Bollier, Carlin, Carmichael, Finney, Highberger, Ruiz, Tietze, Ward
Repealing requirement that abortifacients be administered in the presence of the prescribing physician.
02/01/2016 House—Introduced—HJ 1973
02/02/2016 House—Referred to Committee on Federal and State Affairs—HJ 1976
06/01/2016 House—Died in Committee

H 2582 Bill by Taxation
Driver's license examiners; converted from classified to unclassified positions.
02/01/2016 House—Introduced—HJ 1973
02/02/2016 House—Referred to Committee on Taxation—HJ 1976
02/05/2016 House—Hearing: Tuesday, February 09, 2016, 3:30 PM Room 582-N
02/18/2016 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 2094
03/08/2016 House—Committee of the Whole - Be passed—HJ 2206
03/09/2016 House—Final Action - Passed; Yea: 76 Nay: 46—HJ 2217
03/09/2016 Senate—Received and Introduced—SJ 2027
03/10/2016 Senate—Referred to Committee on Assessment and Taxation—SJ 2029
06/01/2016 Senate—Died in Senate Committee

H 2583 Bill by Taxation
Providing for a gross receipts tax on electronic cigarettes, repealing K.S.A. 2015 Supp. 79-3399.
02/01/2016 House—Introduced—HJ 1973
02/02/2016 House—Referred to Committee on Taxation—HJ 1976
06/01/2016 House—Died in Committee

H 2584 Bill by Veterans, Military and Homeland Security

Veterans benefit lottery game; disposition of net profits; veterans benefit lottery game fund and national guard benefit lottery game fund established.
02/01/2016 House—Introduced—HJ 1973
02/02/2016 House—Referred to Committee on Federal and State Affairs—HJ 1976
03/10/2016 House—Withdrawn from Committee on Federal and State Affairs; Referred to Committee on Calendar and Printing—HJ 2225
06/01/2016 House—Died in Committee

H 2585 Bill by Children and Seniors
Establishing the foster care oversight task force.
02/01/2016 House—Introduced—HJ 1974
02/02/2016 House—Referred to Committee on Children and Seniors—HJ 1976
02/12/2016 House—Hearing: Tuesday, February 16, 2016, 9:00 AM Room 218-N
02/22/2016 House—Committee Report recommending bill be passed as amended by Committee on Children and Seniors—HJ 2117
02/23/2016 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 2143
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Children and Seniors—HJ 2147
03/10/2016 House—Committee Report recommending bill be passed as amended by Committee on Children and Seniors—HJ 2230
06/01/2016 House—Died on Calendar

H 2586 Bill by Representatives Bollier, Ballard, Boldra, Burroughs, Carlin, Carmichael, Clark, Doll, Finney, Highberger, Houston, Kuether, Rooker, Sloan, C. Smith, Victors, Ward, Wilson, Winn
Expanding access to long-acting reversible contraceptive services.
02/02/2016 House—Introduced—HJ 1975
02/03/2016 House—Referred to Committee on Federal and State Affairs—HJ 1982
06/01/2016 House—Died in Committee

H 2587 Bill by Federal and State Affairs
Prohibiting adoption of sanctuary policies by municipalities.
02/02/2016 House—Introduced—HJ 1975
02/03/2016 House—Referred to Committee on Judiciary—HJ 1982
03/21/2016 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 2344
06/01/2016 House—Died on Calendar

H 2588 Bill by Education
Requiring encryption of student data.
02/02/2016 House—Introduced—HJ 1976
02/03/2016 House—Referred to Committee on Education—HJ 1982
02/08/2016 House—Hearing: Wednesday, February 10, 2016, 1:30 PM Room 112-N

02/12/2016 House—Hearing: Monday, February 15, 2016, 1:30 PM Room 112-N
06/01/2016 House—Died in Committee

H 2589 Bill by Representative Waymaster
Public assistance ineligibility for children who withdraw from school.
02/02/2016 House—Introduced—HJ 1976
02/03/2016 House—Referred to Committee on Health and Human Services—HJ 1982
06/01/2016 House—Died in Committee

H 2590 Bill by Education
Authorizing income tax contributions to school districts.
02/02/2016 House—Introduced—HJ 1977
02/03/2016 House—Referred to Committee on Taxation—HJ 1982
02/23/2016 House—Hearing: Wednesday, March 02, 2016, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2591 Bill by Veterans, Military and Homeland Security
Concealed carry licensure for active duty military personnel.
02/02/2016 House—Introduced—HJ 1977
02/03/2016 House—Referred to Committee on Federal and State Affairs—HJ 1982
03/10/2016 House—Hearing: Tuesday, March 15, 2016, 9:00 AM Room 346-S
06/01/2016 House—Died in Committee

H 2592 Bill by Corrections and Juvenile Justice
Amending burglary to exclude premises that are at the time open to the public.
02/02/2016 House—Introduced—HJ 1977
02/03/2016 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1982
02/04/2016 House—Hearing: Wednesday, February 10, 2016, 1:30 PM Room 152-S
02/16/2016 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 2064
02/23/2016 House—Stricken from Calendar by Rule 1507—HJ 2143

H 2593 Bill by Corrections and Juvenile Justice
Requiring certain felony interrogations to be videotaped.
02/02/2016 House—Introduced—HJ 1977
02/03/2016 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1982
02/04/2016 House—Hearing: Thursday, February 11, 2016, 1:30 PM Room 152-S
06/01/2016 House—Died in Committee

H 2594 Bill by Representative Sloan
Utilities and the sale of electricity.
02/02/2016 House—Introduced—HJ 1977
02/03/2016 House—Referred to Committee on Utilities and Telecommunications—HJ 1982

02/16/2016 House—Hearing: Thursday, February 18, 2016, 9:00 AM Room 582-N
06/01/2016 House—Died in Committee

H 2595 Bill by Appropriations
Reserving regulation of consumer incentive items and nutrition labeling for food menu items in restaurants and vending machines to the legislature.
02/02/2016 House—Introduced—HJ 1977
02/03/2016 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 1982
02/05/2016 House—Hearing: Wednesday, February 10, 2016, 1:30 PM Room 346-S-CANCELLED
02/12/2016 House—Hearing: Wednesday, February 17, 2016, 1:30 PM Room 346-S
02/19/2016 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 2099
03/17/2016 House—Committee of the Whole - Motion to refer to committee failed Committee on Agriculture and Natural Resources
03/17/2016 House—Committee of the Whole - Be passed as amended—HJ 2292
03/18/2016 House—Final Action - Passed as amended; Yea: 89 Nay: 34—HJ 2304
03/21/2016 Senate—Received and Introduced—SJ 2141
03/22/2016 Senate—Referred to Committee on Commerce—SJ 2161
06/01/2016 Senate—Died in Senate Committee

H 2596 Bill by Education Budget Committee
Creating the classroom-based funding act.
02/02/2016 House—Introduced—HJ 1977
02/03/2016 House—Referred to Committee on Education—HJ 1982
02/12/2016 House—Hearing: Tuesday, February 16, 2016, 1:30 PM Room 112-N
06/01/2016 House—Died in Committee

H 2597 Bill by Utilities and Telecommunications
Telecommunications and universal service support.
02/03/2016 House—Introduced—HJ 1981
02/04/2016 House—Referred to Committee on Utilities and Telecommunications—HJ 1988
06/01/2016 House—Died in Committee

H 2598 Bill by Representative K. Jones
Limiting powers of rural water districts.
02/03/2016 House—Introduced—HJ 1981
02/04/2016 House—Referred to Committee on Agriculture and Natural Resources—HJ 1988
02/12/2016 House—Hearing: Tuesday, February 16, 2016, 3:30 PM Room 346-S
02/18/2016 House—Withdrawn from Committee on Agriculture and Natural Resources; Referred to Committee on Appropriations—HJ 2098
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Agriculture and Natural Resources—HJ 2147

(SJ & HJ Nos. refer to 2016 Senate and House Journals)

06/01/2016 House—Died in Committee

H 2599 Bill by Health and Human Services
Healing arts; concerning anatomic pathology billing.
02/03/2016 House—Introduced—HJ 1981
02/04/2016 House—Referred to Committee on Health and Human Services—HJ 1988
02/08/2016 House—Hearing: Tuesday, February 09, 2016, 1:30 PM Room 546-S
02/16/2016 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 2064
02/22/2016 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 2118
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Health and Human Services—HJ 2148
03/08/2016 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 2209
06/01/2016 House—Died on Calendar

H 2600 Bill by Health and Human Services
Amendments to Kansas public assistance eligibility, limitations and verification.
02/03/2016 House—Introduced—HJ 1981
02/04/2016 House—Referred to Committee on Health and Human Services—HJ 1988
02/08/2016 House—Hearing: Thursday, February 11, 2016, 1:30 PM Room 546-S-CANCELLED
02/11/2016 House—Hearing: Friday, February 12, 2016, 1:30 PM Room 546-S-CANCELLED
02/12/2016 House—Hearing: Tuesday, February 16, 2016, 1:30 PM Room 546-S
06/01/2016 House—Died in Committee

H 2601 Bill by Transportation
Designating a portion of interstate highway 70 as the Kylie Jobe and Kyle Thornburg highway.
02/03/2016 House—Introduced—HJ 1981
02/04/2016 House—Referred to Committee on Transportation—HJ 1988
02/05/2016 House—Hearing: Wednesday, February 10, 2016, 1:30 PM Room 582-N-CANCELLED
02/18/2016 House—Withdrawn from Committee on Transportation; Referred to Committee on Appropriations—HJ 2098
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Transportation—HJ 2148
03/16/2016 House—Hearing: Thursday, March 17, 2016, 1:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2602 Bill by Insurance and Financial Institutions
Exempting certain social security disability income for the purpose of determining eligibility for the Kansas program of medical assistance.

02/03/2016 House—Introduced—HJ 1981
02/04/2016 House—Referred to Committee on Insurance and Financial Institutions —HJ 1988
06/01/2016 House—Died in Committee

H 2603 Bill by Taxation
Line for remittance of compensation use tax on tax returns, information in tax form instructions.
02/03/2016 House—Introduced—HJ 1981
02/04/2016 House—Referred to Committee on Taxation—HJ 1988
02/12/2016 House—Hearing: Wednesday, February 17, 2016, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2604 Bill by Taxation
Sales tax exemption for Gove county healthcare endowment foundation, inc.
02/03/2016 House—Introduced—HJ 1981
02/04/2016 House—Referred to Committee on Taxation—HJ 1988
02/12/2016 House—Hearing: Wednesday, February 17, 2016, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2605 Bill by Appropriations
Authorizing the director of the Kansas turnpike authority to instruct the division of vehicles to refuse to register certain vehicles.
02/03/2016 House—Introduced—HJ 1981
02/04/2016 House—Referred to Committee on Transportation—HJ 1988
02/12/2016 House—Hearing: Tuesday, February 16, 2016, 1:30 PM Room 582-N
02/19/2016 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 2106
03/08/2016 House—Committee of the Whole - Motion to rerefer to committee failed—HJ 2208
03/08/2016 House—Committee of the Whole - Be passed as amended—HJ 2208
03/09/2016 House—Final Action - Not passed; Yea: 61 Nay: 61—HJ 2217
03/09/2016 House—Motion to Reconsider Adopted—HJ 2222
03/09/2016 House—Final Action - Passed as amended; Yea: 63 Nay: 54—HJ 2222
03/09/2016 Senate—Received and Introduced—SJ 2027
03/10/2016 Senate—Referred to Committee on Transportation—SJ 2029
03/14/2016 Senate—Hearing: Tuesday, March 15, 2016, 8:30 AM Room 546-S
06/01/2016 Senate—Died in Senate Committee

H 2606 Bill by Agriculture and Natural Resources
Creating an equine dentistry license.
02/03/2016 House—Introduced—HJ 1981
02/04/2016 House—Referred to Committee on Agriculture and Natural Resources —HJ 1988
06/01/2016 House—Died in Committee

H 2607 Bill by Health and Human Services
Restrictions on persons interacting with child care facilities.
02/03/2016 House—Introduced—HJ 1981
02/04/2016 House—Referred to Committee on Health and Human Services—HJ 1988
02/08/2016 House—Hearing: Wednesday, February 10, 2016, 1:30 PM Room 546-S-CANCELLED
02/11/2016 House—Hearing: Thursday, February 11, 2016, 1:30 PM Room 546-S
02/18/2016 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 2094
02/23/2016 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 2143
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Health and Human Services—HJ 2148
03/09/2016 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 2221
03/11/2016 House—Committee of the Whole - Be passed as amended—HJ 2242
03/14/2016 House—Final Action - Passed as amended; Yea: 120 Nay: 0—HJ 2263
03/14/2016 Senate—Received and Introduced—SJ 2053
03/15/2016 Senate—Referred to Committee on Public Health and Welfare—SJ 2058
06/01/2016 Senate—Died in Senate Committee

H 2608 Bill by Health and Human Services
Disclosing to trauma patients the reporting of confidential data to the Kansas trauma registry.
02/03/2016 House—Introduced—HJ 1981
02/04/2016 House—Referred to Committee on Health and Human Services—HJ 1988
02/08/2016 House—Hearing: Wednesday, February 10, 2016, 1:30 PM Room 546-S-CANCELLED
02/11/2016 House—Hearing: Thursday, February 11, 2016, 1:30 PM Room 546-S
06/01/2016 House—Died in Committee

H 2609 Bill by Taxation
Approval of budgets by taxing subdivisions; resolution and election requirements.
02/03/2016 House—Introduced—HJ 1981
02/04/2016 House—Referred to Committee on Taxation—HJ 1988
03/04/2016 House—Hearing: Wednesday, March 09, 2016, 3:30 PM Room 582-N
03/04/2016 House—Hearing: Thursday, March 10, 2016, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2610 Bill by Transportation
Designating the junction of interstate highway 70 and commerce parkway as the chief warrant officer 4 David Carter fallen veterans memorial interchange; allowing increased speed limit by five miles per hour on

certain highways.
02/03/2016 House—Introduced—HJ 1982
02/04/2016 House—Referred to Committee on Transportation—HJ 1988
02/05/2016 House—Hearing: Wednesday, February 10, 2016, 1:30 PM Room 582-N-CANCELLED
02/12/2016 House—Hearing: Monday, February 15, 2016, 1:30 PM Room 582-N
02/17/2016 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 2083
02/18/2016 House—Committee of the Whole - Be passed as amended—HJ 2090
02/22/2016 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 2113
02/22/2016 Senate—Received and Introduced—SJ 1930
02/23/2016 Senate—Referred to Committee on Transportation—SJ 1947
03/07/2016 Senate—Hearing: Friday, March 11, 2016, 8:30 AM Room 546-S
03/17/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 2105
03/21/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2156
03/22/2016 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 2168
03/22/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Proehl, Representative Ryckman Sr. and Representative Lusker as conferees—HJ 2393
03/23/2016 Senate—Motion to accede adopted; Senator Petersen, Senator Wolf and Senator Pettey appointed as conferees—SJ 2182
04/28/2016 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 1—SJ 2258
04/28/2016 House—Conference Committee Report was adopted; Yea: 115 Nay: 2—HJ 2513
05/01/2016 House—Enrolled and presented to Governor on Sunday, May 01, 2016—HJ 3238
06/01/2016 House—Approved by Governor on Friday, May 06 , 2016—HJ 3243

H 2611 Bill by Corrections and Juvenile Justice
Providing compensation for people wrongfully convicted.
02/03/2016 House—Introduced—HJ 1982
02/04/2016 House—Referred to Committee on Judiciary—HJ 1988
02/12/2016 House—Hearing: Monday, February 15, 2016, 3:30 PM Room 112-N
06/01/2016 House—Died in Committee

H 2612 Bill by Federal and State Affairs
Refugee resettlement; refugee absorptive capacity act.
02/03/2016 House—Introduced—HJ 1984
02/04/2016 House—Referred to Committee on Federal and State Affairs—HJ 1988
02/12/2016 House—Hearing: Wednesday, February 17, 2016, 9:00 AM Room 346-S
02/18/2016 House—Hearing: Thursday, February 18, 2016, 9:00 AM Room 346-S
03/03/2016 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 2195
03/10/2016 House—Committee of the Whole - Motion by Representative Jennings to rerefer to Committee on Federal and State Affairs passed—HJ 2230
06/01/2016 House—Died in Committee

H 2613 Bill by Federal and State Affairs
Municipal audits; townships; costs.
02/03/2016 House—Introduced—HJ 1984
02/04/2016 House—Referred to Committee on Local Government—HJ 1988
06/01/2016 House—Died in Committee

H 2614 Bill by Health and Human Services
Pharmacy act amendments.
02/04/2016 House—Introduced—HJ 1988
02/05/2016 House—Referred to Committee on Health and Human Services—HJ 2000
02/08/2016 House—Hearing: Friday, February 12, 2016, 1:30 PM Room 546-S-CANCELLED
02/12/2016 House—Hearing: Tuesday, February 16, 2016, 1:30 PM Room 546-S
02/19/2016 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 2102
02/22/2016 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 2118
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Health and Human Services—HJ 2148
03/09/2016 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 2222
06/01/2016 House—Died on Calendar

H 2615 Bill by Health and Human Services
Relating to the licensure and regulation of certain health care providers.
02/04/2016 House—Introduced—HJ 1988
02/05/2016 House—Referred to Committee on Health and Human Services—HJ 2000
02/08/2016 House—Hearing: Thursday, February 11, 2016, 1:30 PM Room 546-S
02/19/2016 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 2102
02/23/2016 House—Committee of the Whole - Be passed as amended—HJ 2135
02/23/2016 House—Emergency Final Action - Passed as amended; Yea: 124 Nay: 0 —HJ 2140
03/02/2016 Senate—Received and Introduced—SJ 2008
03/03/2016 Senate—Referred to Committee on Public Health and Welfare—SJ 2011
03/08/2016 Senate—Hearing: Wednesday, March 09, 2016, 1:30 PM Room 118-N
03/15/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 2063
03/18/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2108
03/18/2016 Senate—Emergency Final Action - Passed as amended; Yea: 38 Nay: 0 —SJ 2109
03/21/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Hawkins, Representative Dove and Representative Ward as conferees—HJ 2346

03/21/2016 Senate—Motion to accede adopted; Senator O'Donnell, Senator Bowers and Senator Kelly appointed as conferees—SJ 2159
04/27/2016 Senate—Conference Committee Report agree to disagree adopted; Senator O'Donnell, Senator Bowers and Senator Kelly appointed as second conferees—SJ 2239
04/28/2016 House—Conference Committee Report agree to disagree adopted; Representative Hawkins, Representative Dove and Representative Ward appointed as second conferees—HJ 2480
04/29/2016 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 0—SJ 2319
04/29/2016 House—Conference Committee Report not adopted; Representative Hawkins, Representative Dove and Representative Ward appointed as third conferees—HJ 2660
04/29/2016 Senate—Motion to accede adopted; Senator O'Donnell, Senator Bowers and Senator Kelly appointed as third conferees—SJ 2437
04/30/2016 Senate—Conference Committee Report not adopted; Senator O'Donnell, Senator Bowers and Senator Kelly appointed as fourth conferees—SJ 2601
05/01/2016 House—Motion to accede adopted; Representative Hawkins, Representative Dove and Representative Ward appointed as fourth conferees—HJ 2877
05/01/2016 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2986
05/01/2016 House—Conference Committee Report was adopted; Yea: 115 Nay: 7—HJ 3085
06/01/2016 House—Enrolled and presented to Governor on Monday, May 09, 2016—HJ 3250
06/01/2016 House—Approved by Governor on Friday, May 13 , 2016—HJ 3243

H 2616 Bill by Taxation
Certain cash rebates on sales or leases of new motor vehicles not subject to sales taxation.
02/04/2016 House—Introduced—HJ 1988
02/05/2016 House—Referred to Committee on Taxation—HJ 2000
06/01/2016 House—Died in Committee

H 2617 Bill by Commerce, Labor and Economic Development
Workers compensation; medical administrator; electronic filing; records disclosure.
02/04/2016 House—Introduced—HJ 1988
02/05/2016 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 2000
02/12/2016 House—Hearing: Monday, February 15, 2016, 1:30 PM Room 346-S
02/22/2016 House—Withdrawn from Committee on Commerce, Labor and Economic Development; Referred to Committee on Appropriations—HJ 2118
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Commerce, Labor and Economic Development—HJ 2147
03/08/2016 House—Committee Report recommending bill be passed as amended

by Committee on Commerce, Labor and Economic Development—HJ 2209
03/11/2016 House—Committee of the Whole - Be passed as amended—HJ 2243
03/14/2016 House—Final Action - Passed as amended; Yea: 115 Nay: 5—HJ 2264
03/14/2016 Senate—Received and Introduced—SJ 2053
03/15/2016 Senate—Referred to Committee on Commerce—SJ 2057
03/15/2016 Senate—Hearing: Wednesday, March 16, 2016, 8:30 AM Room 548-S
03/18/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Commerce—SJ 2111
03/21/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2156
03/22/2016 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 2168
03/22/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Hutton, Representative Mason and Representative Frownfelter as conferees—HJ 2393
03/23/2016 Senate—Motion to accede adopted; Senator Lynn, Senator Wagle and Senator Holland appointed as conferees—SJ 2183
04/27/2016 House—Representative Carmichael replaces Representative Frownfelter on the Conference Committee—HJ 2464
04/28/2016 House—Representative Frownfelter replaces Representative Carmichael on the Conference Committee—HJ 2528
04/29/2016 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 0—SJ 2448
04/30/2016 House—Conference Committee Report was adopted; Yea: 113 Nay: 0—HJ 2723
06/01/2016 House—Enrolled and presented to Governor on Monday, May 09, 2016—HJ 3250
06/01/2016 House—Approved by Governor on Tuesday, May 17 , 2016—HJ 3243

H 2618 Bill by Corrections and Juvenile Justice
Authorizing the sale of prison-made goods to certain entities and Kansas residents.
02/04/2016 House—Introduced—HJ 1988
02/05/2016 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 2000
02/10/2016 House—Hearing: Friday, February 12, 2016, 1:30 PM Room 346-S-CANCELLED
02/12/2016 House—Hearing: Monday, February 15, 2016, 1:30 PM Room 346-S
06/01/2016 House—Died in Committee

H 2619 Bill by Corrections and Juvenile Justice
Amending competitive bidding requirements for certain agricultural and non-agricultural products.
02/04/2016 House—Introduced—HJ 1988
02/05/2016 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 2000
06/01/2016 House—Died in Committee

H 2620 Bill by Corrections and Juvenile Justice

Delinquent time lost on parole while offender has absconded from supervision.
02/04/2016 House—Introduced—HJ 1988
02/05/2016 House—Referred to Committee on Corrections and Juvenile Justice—HJ 2000
02/08/2016 House—Hearing: Tuesday, February 09, 2016, 1:30 PM Room 152-S
02/10/2016 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 2033
02/22/2016 House—Committee of the Whole - Be passed—HJ 2116
02/22/2016 House—Emergency Final Action - Passed; Yea: 123 Nay: 1—HJ 2123
02/23/2016 Senate—Received and Introduced—SJ 1950
03/02/2016 Senate—Referred to Committee on Corrections and Juvenile Justice—SJ 1968
03/07/2016 Senate—Hearing: Tuesday, March 08, 2016, 9:30 AM Room 118-N
06/01/2016 Senate—Died in Senate Committee

H 2621 Bill by Corrections and Juvenile Justice
Amending length of postrelease supervision for certain drug offenders.
02/04/2016 House—Introduced—HJ 1988
02/05/2016 House—Referred to Committee on Corrections and Juvenile Justice—HJ 2000
02/08/2016 House—Hearing: Tuesday, February 09, 2016, 1:30 PM Room 152-S
02/17/2016 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 2081
02/23/2016 House—Stricken from Calendar by Rule 1507—HJ 2143

H 2622 Bill by Education
Board of regents; updating fees and making amendments to the Kansas private and out-of-state postsecondary educational institution act; requiring a degree prospectus; awarding credit hours based on CLEP test results.
02/04/2016 House—Introduced—HJ 1998
02/05/2016 House—Referred to Committee on Education—HJ 2000
02/08/2016 House—Hearing: Wednesday, February 10, 2016, 1:30 PM Room 112-N
02/12/2016 House—Hearing: Monday, February 15, 2016, 1:30 PM Room 112-N
02/17/2016 House—Committee Report recommending bill be passed by Committee on Education—HJ 2083
02/23/2016 House—Committee of the Whole - Be passed—HJ 2135
02/23/2016 House—Emergency Final Action - Passed; Yea: 86 Nay: 39—HJ 2137
03/02/2016 Senate—Received and Introduced—SJ 2008
03/03/2016 Senate—Referred to Committee on Education—SJ 2011
03/08/2016 Senate—Hearing: Wednesday, March 09, 2016, 1:30 PM Room 144-S
03/15/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Education—SJ 2063
03/18/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2108
03/18/2016 Senate—Emergency Final Action - Passed as amended; Yea: 36 Nay: 2—SJ 2110
03/21/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Highland, Representative Lunn and Representative Winn as conferees—HJ 2346

(SJ & HJ Nos. refer to 2016 Senate and House Journals)

03/21/2016 Senate—Motion to accede adopted; Senator Abrams, Senator Arpke and Senator Hensley appointed as conferees—SJ 2159
03/23/2016 Senate—Senator Baumgardner replaces Senator Arpke on the Conference Committee—SJ 2183
03/23/2016 Senate—Senator Arpke replaces Senator Baumgardner on the Conference Committee—SJ 2183
04/28/2016 Senate—Conference Committee Report was adopted; Yea: 34 Nay: 6—SJ 2260
04/28/2016 House—Conference Committee Report was adopted; Yea: 109 Nay: 8—HJ 2523
05/01/2016 House—Enrolled and presented to Governor on Tuesday, May 03, 2016
06/01/2016 House—Approved by Governor on Tuesday, May 10 , 2016—HJ 3243

H 2623 Bill by Energy and Environment
Utilities and electric transmission lines.
02/04/2016 House—Introduced—HJ 1998
02/05/2016 House—Referred to Committee on Energy and Environment—HJ 2000
02/05/2016 House—Hearing: Friday, February 12, 2016, 9:00 AM Room 582-N
06/01/2016 House—Died in Committee

H 2624 Bill by Federal and State Affairs
Legislative compensation and subsistence limited to 90 days.
02/04/2016 House—Introduced—HJ 1998
02/05/2016 House—Referred to Committee on General Government Budget—HJ 2000
02/12/2016 House—Hearing: Thursday, February 18, 2016, 1:30 PM Room 218-N
06/01/2016 House—Died in Committee

H 2625 Bill by Taxation
Amending various STAR bond provisions and creating a new type of district and new administrative funds; amending the definition of eligible area for TIF districts.
02/05/2016 House—Introduced—HJ 1999
02/08/2016 House—Referred to Committee on Taxation—HJ 2007
06/01/2016 House—Died in Committee

H 2626 Bill by Taxation
Enacting the Kansas tax weight loss act.
02/05/2016 House—Introduced—HJ 2000
02/08/2016 House—Referred to Committee on Taxation—HJ 2007
02/12/2016 House—Hearing: Tuesday, February 16, 2016, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2627 Bill by Health and Human Services
Replacing the term "maternity center" with "birth center" in certain statutes.
02/05/2016 House—Introduced—HJ 2004
02/08/2016 House—Referred to Committee on Health and Human Services—HJ

2007
02/08/2016 House—Hearing: Tuesday, February 09, 2016, 1:30 PM Room 546-S
06/01/2016 House—Died in Committee

H 2628 Bill by Education
Establishing the school district preschool program benefit lottery game.
02/05/2016 House—Introduced—HJ 2004
02/08/2016 House—Referred to Committee on Federal and State Affairs—HJ 2007
03/10/2016 House—Withdrawn from Committee on Federal and State Affairs; Referred to Committee on Calendar and Printing—HJ 2225
06/01/2016 House—Died in Committee

H 2629 Bill by Federal and State Affairs
Requiring hospitals to offer flu vaccines.
02/05/2016 House—Introduced—HJ 2004
02/08/2016 House—Referred to Committee on Health and Human Services—HJ 2007
02/15/2016 House—Hearing: Thursday, February 18, 2016, 1:30 PM Room 546-S-CANCELLED
06/01/2016 House—Died in Committee

H 2630 Bill by Education
Amending the special education for exceptional children act.
02/08/2016 House—Introduced—HJ 2007
02/09/2016 House—Referred to Committee on Education—HJ 2015
06/01/2016 House—Died in Committee

H 2631 Bill by Taxation
Refund of motor fuels tax paid for the operation of a ready-mixed concrete vehicle, method of calculation.
02/08/2016 House—Introduced—HJ 2007
02/09/2016 House—Referred to Committee on Taxation—HJ 2015
03/04/2016 House—Hearing: Monday, March 07, 2016, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2632 Bill by Insurance and Financial Institutions
Concerning economic development financing programs; tax increment financing; STAR bond financing act; Kansas bioscience authority assets sale authorization.
02/08/2016 House—Introduced—HJ 2007
02/09/2016 House—Referred to Committee on General Government Budget—HJ 2015
02/09/2016 House—Withdrawn from Committee on General Government Budget; Referred to Committee on Insurance and Financial Institutions—HJ 2014
02/12/2016 House—Hearing: Thursday, February 18, 2016, 3:30 PM Room 218-N
02/19/2016 House—Committee Report recommending bill be passed by Committee on Insurance and Financial Institutions—HJ 2104
02/23/2016 House—Committee of the Whole - Be passed—HJ 2135
02/23/2016 House—Emergency Final Action - Passed; Yea: 124 Nay: 1—HJ 2141

03/02/2016 Senate—Received and Introduced—SJ 2008
03/03/2016 Senate—Referred to Committee on Financial Institutions and Insurance —SJ 2011
03/11/2016 Senate—Hearing: Tuesday, March 15, 2016, 9:30 AM Room 546-S
03/17/2016 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 2095
03/21/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2156
03/22/2016 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 2168
03/22/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Schwab, Representative Kelly and Representative Houston as conferees—HJ 2393
03/23/2016 Senate—Motion to accede adopted; Senator Longbine, Senator Bowers and Senator Hawk appointed as conferees—SJ 2183
04/28/2016 Senate—Senator Masterson replaces Senator Longbine on the Conference Committee—SJ 2243
04/28/2016 Senate—Senator Denning replaces Senator Bowers on the Conference Committee—SJ 2243
04/28/2016 Senate—Senator Kelly replaces Senator Hawk on the Conference Committee—SJ 2243
04/28/2016 House—Representative Kleeb replaces Representative Schwab on the Conference Committee—HJ 2481
04/28/2016 House—Representative Suellentrop replaces Representative Kelly on the Conference Committee—HJ 2481
04/28/2016 House—Representative Sawyer replaces Representative Houston on the Conference Committee—HJ 2481
05/01/2016 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2755
05/01/2016 House—Conference Committee Report was adopted; Yea: 89 Nay: 32—HJ 2897
06/01/2016 House—Enrolled and presented to Governor on Monday, May 09, 2016 —HJ 3250
06/01/2016 House—Approved by Governor on Thursday, May 12 , 2016—HJ 3243

H 2633 Bill by Federal and State Affairs
KanCare bridge to a healthy Kansas program.
02/08/2016 House—Introduced—HJ 2010
02/09/2016 House—Referred to Committee on Health and Human Services—HJ 2015
06/01/2016 House—Died in Committee

H 2634 Bill by Federal and State Affairs
Enacting the alternative crop research act.
02/08/2016 House—Introduced—HJ 2010
02/09/2016 House—Referred to Committee on Agriculture and Natural Resources —HJ 2015
02/10/2016 House—Withdrawn from Committee on Agriculture and Natural Resources; Referred to Committee on Commerce, Labor and Economic Development—HJ 2022
03/07/2016 House—Hearing: Thursday, March 10, 2016, 1:30 PM Room 346-S

06/01/2016 House—Died in Committee

H 2635 Bill by Representative Carmichael
Workers compensation and employment security boards nominating committee; selection of chairperson.
02/08/2016 House—Introduced—HJ 2010
02/09/2016 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 2015
06/01/2016 House—Died in Committee

H 2636 Bill by Representative Carmichael
Workers compensation and employment security boards nominating committee; certain exceptions to the Kansas open records and open meetings acts not applicable.
02/08/2016 House—Introduced—HJ 2010
02/09/2016 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 2015
06/01/2016 House—Died in Committee

H 2637 Bill by Representative Carmichael
Use of American medical association guides to the evaluation of permanent impairment for determining workers compensation benefits.
02/08/2016 House—Introduced—HJ 2010
02/09/2016 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 2015
06/01/2016 House—Died in Committee

H 2638 Bill by Corrections and Juvenile Justice
Amendments to asset seizure and forfeiture process.
02/08/2016 House—Introduced—HJ 2010
02/09/2016 House—Referred to Committee on Judiciary—HJ 2015
06/01/2016 House—Died in Committee

H 2639 Bill by Corrections and Juvenile Justice
Enacting the emergency observation and treatment act; using licensed crisis recovery centers for emergency observation and treatment of persons with mental illness, substance use disorders and co-occurring conditions.
02/08/2016 House—Introduced—HJ 2010
02/09/2016 House—Referred to Committee on Corrections and Juvenile Justice—HJ 2015
02/10/2016 House—Withdrawn from Committee on Corrections and Juvenile Justice; Referred to Committee on Judiciary—HJ 2022
02/11/2016 House—Withdrawn from Committee on Judiciary; Rereferred to Committee on Corrections and Juvenile Justice—HJ 2040
02/12/2016 House—Hearing: Tuesday, February 16, 2016, 1:30 PM Room 152-S
06/01/2016 House—Died in Committee

H 2640 Bill by General Government Budget Committee
Allowing the Kansas human rights commission to accept electronically filed complaints.
02/08/2016 House—Introduced—HJ 2011
02/09/2016 House—Referred to Committee on General Government Budget—HJ 2015
02/12/2016 House—Hearing: Wednesday, February 17, 2016, 1:30 PM Room 218-N
02/18/2016 House—Committee Report recommending bill be passed by Committee on General Government Budget—HJ 2094
02/23/2016 House—Stricken from Calendar by Rule 1507—HJ 2143

H 2641 Bill by General Government Budget Committee
Removing the requirement that copies of motor vehicle registration applications be mailed to vehicle owners.
02/08/2016 House—Introduced—HJ 2011
02/09/2016 House—Referred to Committee on Transportation—HJ 2015
02/12/2016 House—Hearing: Wednesday, February 17, 2016, 1:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2642 Bill by Representative Carmichael
Planning and zoning; platted lots subdivided; notice and public hearing.
02/08/2016 House—Introduced—HJ 2011
02/09/2016 House—Referred to Committee on Local Government—HJ 2015
02/12/2016 House—Hearing: Tuesday, February 16, 2016, 1:30 PM Room 281-N
06/01/2016 House—Died in Committee

H 2643 Bill by Transportation
Allowing the secretary of transportation to increase the maximum speed limit by five miles per hour on certain highways.
02/09/2016 House—Introduced—HJ 2013
02/10/2016 House—Referred to Committee on Transportation—HJ 2022
02/12/2016 House—Hearing: Wednesday, February 17, 2016, 1:30 PM Room 582-N
02/19/2016 House—Committee Report recommending bill be passed by Committee on Transportation—HJ 2106
02/23/2016 House—Committee of the Whole - Be passed—HJ 2135
02/23/2016 House—Emergency Final Action - Passed; Yea: 106 Nay: 19—HJ 2141
03/02/2016 Senate—Received and Introduced—SJ 2008
03/03/2016 Senate—Referred to Committee on Transportation—SJ 2011
03/07/2016 Senate—Hearing: Friday, March 11, 2016, 8:30 AM Room 546-S
06/01/2016 Senate—Died in Senate Committee

H 2644 Bill by Representatives Peck, Doll, Garber, Hibbard, Read, Thompson
Overweight exception for haulers of grain and certain other agricultural goods.

02/09/2016 House—Introduced—HJ 2013
02/10/2016 House—Referred to Committee on Transportation—HJ 2022
02/12/2016 House—Hearing: Wednesday, February 17, 2016, 1:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2645 Bill by Health and Human Services
Mental health technician's licensure act amendments.
02/09/2016 House—Introduced—HJ 2013
02/10/2016 House—Referred to Committee on Health and Human Services—HJ 2022
02/11/2016 House—Hearing: Friday, February 12, 2016, 1:30 PM Room 546-S-CANCELLED
02/12/2016 House—Hearing: Tuesday, February 16, 2016, 1:30 PM Room 546-S
02/17/2016 House—Withdrawn from Committee on Health and Human Services; Referred to Committee on Appropriations—HJ 2069
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Health and Human Services—HJ 2148
03/08/2016 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 2209
06/01/2016 House—Died on Calendar

H 2646 Bill by Health and Human Services
Allowing pharmacists and certain other individuals to administer any vaccine to any person six years of age or older.
02/09/2016 House—Introduced—HJ 2013
02/10/2016 House—Referred to Committee on Appropriations—HJ 2022
02/15/2016 House—Withdrawn from Committee on Appropriations; Referred to Committee on Health and Human Services—HJ 2053
02/16/2016 House—Hearing: Thursday, February 18, 2016, 1:30 PM Room 546-S-CANCELLED
03/03/2016 House—Hearing: Tuesday, March 08, 2016, 1:30 PM Room 546
06/01/2016 House—Died in Committee

H 2647 Bill by Corrections and Juvenile Justice
Providing immunity from civil liability for damage to a motor vehicle related to the rescue of a person or animal.
02/09/2016 House—Introduced—HJ 2013
02/10/2016 House—Referred to Committee on Judiciary—HJ 2022
06/01/2016 House—Died in Committee

H 2648 Bill by Corrections and Juvenile Justice
Authorizing inmate vocational building program at Ellsworth correctional facility.
02/09/2016 House—Introduced—HJ 2013
02/10/2016 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 2022
02/12/2016 House—Hearing: Monday, February 15, 2016, 1:30 PM Room 346-S

06/01/2016 House—Died in Committee

H 2649 Bill by Energy and Environment
Municipalities and assessments for energy efficiency improvements.
02/09/2016 House—Introduced—HJ 2019
02/10/2016 House—Referred to Committee on Insurance and Financial Institutions —HJ 2022
02/12/2016 House—Hearing: Thursday, February 18, 2016, 3:30 PM Room 218-N
02/22/2016 House—Withdrawn from Committee on Insurance and Financial Institutions; Referred to Committee on Appropriations—HJ 2118
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Insurance and Financial Institutions—HJ 2148
06/01/2016 House—Died in Committee

H 2650 Bill by Education
Establishing the school district benefit lottery game.
02/09/2016 House—Introduced—HJ 2019
02/10/2016 House—Referred to Committee on Federal and State Affairs—HJ 2022
03/10/2016 House—Withdrawn from Committee on Federal and State Affairs; Referred to Committee on Calendar and Printing—HJ 2225
06/01/2016 House—Died in Committee

H 2651 Bill by Judiciary
Kansas probate code; transfer-on-death deeds.
02/09/2016 House—Introduced—HJ 2019
02/10/2016 House—Referred to Committee on Judiciary—HJ 2022
06/01/2016 House—Died in Committee

H 2652 Bill by Judiciary
Increasing the number of district court judge nominees sent to the governor by district judicial nominating commissions.
02/09/2016 House—Introduced—HJ 2019
02/10/2016 House—Referred to Committee on Judiciary—HJ 2022
02/12/2016 House—Hearing: Wednesday, February 17, 2016, 3:30 PM Room 112N
02/19/2016 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 2104
02/23/2016 House—Stricken from Calendar by Rule 1507—HJ 2143

H 2653 Bill by Pensions and Benefits
Striking sunset to KPERS school working after retirement exception and extending certain working after retirement exceptions upon submission of an assurance protocol and allowing retirants to return to work for a different participating employer when such employer pays a 30% contribution rate.
02/09/2016 House—Introduced—HJ 2019
02/10/2016 House—Referred to Committee on Pensions and Benefits—HJ 2022
02/12/2016 House—Hearing: Monday, February 15, 2016, 9:00 AM Room 152-S

06/01/2016 House—Died in Committee

H 2654 Bill by Pensions and Benefits
Exempting certain licensed health care professionals from KPERS working after retirement earnings limitation.
02/09/2016 House—Introduced—HJ 2019
02/10/2016 House—Referred to Committee on Pensions and Benefits—HJ 2022
02/16/2016 House—Hearing: Wednesday, February 17, 2016, 9:00 AM Room 152S
06/01/2016 House—Died in Committee

H 2655 Bill by Representatives Anthimides, Campbell, Carmichael, Gonzalez, Hawkins, Hibbard, Lusker, Osterman, Proehl, Thompson, Waymaster
Senate Substitute for HB 2655 by Committee on Ways and Means - Amendments to the CLASS Act regarding supplemental general state aid and capital outlay state aid.
02/09/2016 House—Introduced—HJ 2019
02/10/2016 House—Referred to Committee on General Government Budget—HJ 2022
02/11/2016 House—Withdrawn from Committee on General Government Budget; Referred to Committee on Vision 2020—HJ 2040
02/12/2016 House—Hearing: Wednesday, February 17, 2016, 9:00 AM Room 218-N
02/18/2016 House—Committee Report recommending bill be passed as amended by Committee on Vision 2020—HJ 2097
02/22/2016 House—Committee of the Whole - Be passed as amended—HJ 2116
02/22/2016 House—Emergency Final Action - Passed as amended; Yea: 119 Nay: 5 —HJ 2119
02/23/2016 Senate—Received and Introduced—SJ 1950
03/02/2016 Senate—Referred to Committee on Ways and Means—SJ 1969
03/23/2016 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 2191
03/24/2016 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 2195
03/24/2016 Senate—Emergency Final Action - Substitute passed as amended; Yea: 32 Nay: 5—SJ 2197
03/24/2016 House—Concurred with amendments; Yea: 93 Nay: 31—HJ 2425
04/27/2016 House—Enrolled and presented to Governor on Tuesday, March 29, 2016—HJ 2464
04/27/2016 House—Approved by Governor on Wednesday, April 06 , 2016—HJ 2456

H 2656 Bill by Pensions and Benefits
Providing a working after retirement exception for KPERS school members who retire at age 62 or later.
02/09/2016 House—Introduced—HJ 2019
02/10/2016 House—Referred to Committee on Pensions and Benefits—HJ 2022
02/12/2016 House—Hearing: Monday, February 15, 2016, 9:00 AM Room 152-S
02/16/2016 House—Hearing: Wednesday, February 17, 2016, 9:00 AM Room 152S

06/01/2016 House—Died in Committee

H 2657 Bill by Representative Claeys
Requiring private water utilities to maintain water quality maintenance funds.
02/09/2016 House—Introduced—HJ 2019
02/10/2016 House—Referred to Committee on Utilities and Telecommunications—HJ 2022
06/01/2016 House—Died in Committee

H 2658 Bill by Health and Human Services
Requiring medical doctors who perform convenient human abortions to disclose that they do so to new and existing patients.
02/10/2016 House—Introduced—HJ 2022
02/11/2016 House—Referred to Committee on Federal and State Affairs—HJ 2040
06/01/2016 House—Died in Committee

H 2659 Bill by Vision 2020
Voting machines; requirements; audits.
02/10/2016 House—Introduced—HJ 2022
02/11/2016 House—Referred to Committee on Elections—HJ 2040
06/01/2016 House—Died in Committee

H 2660 Bill by Judiciary
Fee agencies, moneys transferred to the state general fund or special revenue fund; notification to persons paying fees that moneys have been transferred.
02/10/2016 House—Introduced—HJ 2022
02/11/2016 House—Referred to Committee on General Government Budget—HJ 2040
02/16/2016 House—Hearing: Wednesday, February 17, 2016, 1:30 PM Room 218-N
02/19/2016 House—Committee Report recommending bill be passed as amended by Committee on General Government Budget—HJ 2100
02/22/2016 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 2118
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on General Government Budget—HJ 2148
03/10/2016 House—Committee Report recommending bill be passed as amended by Committee on General Government Budget—HJ 2231
03/14/2016 House—Committee of the Whole - Be passed as amended—HJ 2265
03/15/2016 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 2270
03/15/2016 Senate—Received and Introduced—SJ 2062
03/16/2016 Senate—Referred to Committee on Judiciary—SJ 2067
03/22/2016 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on Ways and Means—SJ 2162
06/01/2016 Senate—Died in Senate Committee

H 2661 Bill by Representatives Garber, Barton, Bradford, B. Carpenter, W. Carpenter, Claeys, DeGraaf, Dove, Hoffman, Hutchins, K. Jones, Kahrs, Kiegerl, McPherson, O'Brien, Osterman, Peck, R. Powell, Scapa, Seiwert, Thimesch, Whitmer
Prohibiting the relocation of refugees from certain countries to the state of Kansas.
02/10/2016 House—Introduced—HJ 2022
02/11/2016 House—Referred to Committee on Federal and State Affairs—HJ 2040
06/01/2016 House—Died in Committee

H 2662 Bill by Joint Special Claims Against the State
Claims against the state.
02/10/2016 House—Introduced—HJ 2033
02/11/2016 House—Referred to Committee on Appropriations—HJ 2040
02/12/2016 House—Hearing: Thursday, February 18, 2016, 9:00 AM Room 112-N
03/08/2016 House—Committee Report recommending bill be passed as amended by Committee on Appropriations—HJ 2209
03/11/2016 House—Committee of the Whole - Be passed as amended—HJ 2243
03/14/2016 House—Final Action - Passed as amended; Yea: 72 Nay: 47—HJ 2264
03/14/2016 Senate—Received and Introduced—SJ 2053
03/15/2016 Senate—Referred to Committee on Ways and Means—SJ 2058
03/21/2016 Senate—Hearing: Monday, March 21, 2016, 1:00 AM Room 548-S
04/28/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 2265
04/29/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2269
04/29/2016 Senate—Emergency Final Action - Passed as amended; Yea: 38 Nay: 2 —SJ 2270
04/29/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Ryckman, Representative Schwartz and Representative Henry as conferees—HJ 2564
04/29/2016 Senate—Motion to accede adopted; Senator Masterson, Senator Denning and Senator Kelly appointed as conferees—SJ 2435
04/29/2016 Senate—Conference Committee Report agree to disagree adopted; Senator Masterson, Senator Denning and Senator Kelly appointed as second conferees—SJ 2436
04/29/2016 House—Conference Committee Report agree to disagree adopted; Representative Ryckman, Representative Schwartz and Representative Henry appointed as second conferees—HJ 2710
06/01/2016 House—Died in Conference

H 2663 Bill by Representative Helgerson
Creating the school district finance and quality performance act of 2016.
02/10/2016 House—Introduced—HJ 2033
02/11/2016 House—Referred to Committee on Education—HJ 2040
06/01/2016 House—Died in Committee

H 2664 Bill by Representatives Whipple, B. Carpenter, Clayton, Concannon, Esau, Ewy,

Hutchins, O'Brien, Osterman, Sawyer, Schroeder, Sloan, Sutton, Trimmer, Whitmer, Winn
Establishing the intercollegiate adaptive sport grant program.
02/10/2016 House—Introduced—HJ 2033
02/11/2016 House—Referred to Committee on Education—HJ 2040
02/18/2016 House—Withdrawn from Committee on Education; Referred to Committee on Appropriations—HJ 2098
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Education—HJ 2148
06/01/2016 House—Died in Committee

H 2665 Bill by Appropriations
City and county inspections of rental properties; limitations.
02/10/2016 House—Introduced—HJ 2033
02/11/2016 House—Referred to Committee on Local Government—HJ 2040
02/15/2016 House—Withdrawn from Committee on Local Government; Referred to Committee on Commerce, Labor and Economic Development—HJ 2053
02/23/2016 House—Hearing: Thursday, March 03, 2016, 1:30 PM Room 346-S
03/15/2016 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 2273
03/21/2016 House—Committee of the Whole - Handwritten Motion to Amend - Offered by Representative Frownfelter—HJ 2350
03/21/2016 House—Committee of the Whole - Handwritten Motion to Amend - Offered by Representative Curtis—HJ 2350
03/21/2016 House—Committee of the Whole - Be passed as amended—HJ 2350
03/22/2016 House—Final Action - Passed as amended; Yea: 70 Nay: 55—HJ 2367
03/22/2016 Senate—Received and Introduced—SJ 2170
03/23/2016 Senate—Referred to Committee on Commerce—SJ 2180
06/01/2016 Senate—Died in Senate Committee

H 2666 Bill by Corrections and Juvenile Justice
Amendments concerning good time credit for certain inmates.
02/10/2016 House—Introduced—HJ 2033
02/11/2016 House—Referred to Committee on Corrections and Juvenile Justice—HJ 2040
06/01/2016 House—Died in Committee

H 2667 Bill by Representatives Whipple, Burroughs, Clayton, Trimmer, Winn
Certain sex crimes where offender is over 18 and victim is under 14, which currently have a mandatory minimum sentence of 25 years, could be increased to 35 years if aggravating circumstances found.
02/10/2016 House—Introduced—HJ 2033
02/11/2016 House—Referred to Committee on Judiciary—HJ 2040
06/01/2016 House—Died in Committee

H 2668 Bill by Representatives Whipple, Ballard, Clayton, Concannon, Curtis, Ruiz, Sawyer, Trimmer, Winn

Providing protections for employees who are victims of domestic violence.
02/10/2016 House—Introduced—HJ 2034
02/11/2016 House—Referred to Committee on Judiciary—HJ 2040
06/01/2016 House—Died in Committee

H 2669 Bill by Representatives Whipple, Curtis, Highberger, Sawyer, Trimmer, Winn
Repealing the food sales tax credit and enacting the food sales tax refund.
02/10/2016 House—Introduced—HJ 2034
02/11/2016 House—Referred to Committee on Taxation—HJ 2040
06/01/2016 House—Died in Committee

H 2670 Bill by Representatives Whipple, Curtis, Highberger, Sawyer, Trimmer, Winn
Increasing the earned income tax credit.
02/10/2016 House—Introduced—HJ 2034
02/11/2016 House—Referred to Committee on Taxation—HJ 2040
06/01/2016 House—Died in Committee

H 2671 Bill by Representatives Whipple, Curtis, Highberger, Sawyer, Trimmer, Winn
Providing homestead property tax refunds for renters.
02/10/2016 House—Introduced—HJ 2034
02/11/2016 House—Referred to Committee on Taxation—HJ 2040
06/01/2016 House—Died in Committee

H 2672 Bill by Representatives Helgerson, Trimmer
Eliminating certain income tax modifications for business income.
02/10/2016 House—Introduced—HJ 2034
02/11/2016 House—Referred to Committee on Taxation—HJ 2040
06/01/2016 House—Died in Committee

H 2673 Bill by Representatives Helgerson, Trimmer
Redeemable beverage containers and establishing the container deposit fund.
02/10/2016 House—Introduced—HJ 2034
02/11/2016 House—Referred to Committee on Energy and Environment—HJ 2040
06/01/2016 House—Died in Committee

H 2674 Bill by Representative Alcala
Limiting campaign contributions to certain state officers.
02/10/2016 House—Introduced—HJ 2034
02/11/2016 House—Referred to Committee on Elections—HJ 2040
06/01/2016 House—Died in Committee

H 2675 Bill by Representatives Helgerson, Trimmer
Establishing the Kansas efficiency fund, Kansas rainy day fund and sales tax on food rate reduction fund in the state treasury; disposition of moneys identified as savings from the Kansas statewide efficiency reviews; sales tax rate on food.
02/10/2016 House—Introduced—HJ 2034

02/11/2016 House—Referred to Committee on Appropriations—HJ 2040
06/01/2016 House—Died in Committee

H 2676 Bill by Representatives Scapa, Barton, Bradford, B. Carpenter, Claeys, DeGraaf, Dove, Estes, Garber, Goico, Houser, Hutchins, D. Jones, K. Jones, Kiegerl, Lunn, Macheers, O'Brien, Pauls, Peck, R. Powell, Rahjes, Read, Rhoades, Rubin, Seiwert, Sutton, Vickrey, Weber, Whitmer
Development and establishment of K-12 curriculum standards.
02/10/2016 House—Introduced—HJ 2034
02/11/2016 House—Referred to Committee on Education—HJ 2040
06/01/2016 House—Died in Committee

H 2677 Bill by Corrections and Juvenile Justice
Limiting the ability of a licensing board to deny an occupational license based on prior convictions not directly related to the licensed occupation.
02/10/2016 House—Introduced—HJ 2034
02/11/2016 House—Referred to Committee on Corrections and Juvenile Justice—HJ 2040
02/12/2016 House—Hearing: Tuesday, February 16, 2016, 1:30 PM Room 152-S
02/22/2016 House—Withdrawn from Committee on Corrections and Juvenile Justice; Referred to Committee on Appropriations—HJ 2118
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Corrections and Juvenile Justice—HJ 2148
06/01/2016 House—Died in Committee

H 2678 Bill by Corrections and Juvenile Justice
Requiring the attorney general to investigate and prosecute cases relating to the death of a person caused by a law enforcement officer.
02/10/2016 House—Introduced—HJ 2034
02/11/2016 House—Referred to Committee on Judiciary—HJ 2040
02/16/2016 House—Hearing: Thursday, February 18, 2016, 3:30 PM Room 112-N
06/01/2016 House—Died in Committee

H 2679 Bill by Representative Alcala
Providing pay raises for public employees based on increases in tax revenue.
02/10/2016 House—Introduced—HJ 2034
02/11/2016 House—Referred to Committee on Appropriations—HJ 2040
06/01/2016 House—Died in Committee

H 2680 Bill by Representatives Sawyer, Burroughs, Carmichael, Curtis, Henry, Kuether, Ruiz, Tietze, Wolfe Moore
Income taxes; apportionment of income; allowing a water's-edge election for certain taxpayers.
02/10/2016 House—Introduced—HJ 2034
02/11/2016 House—Referred to Committee on Taxation—HJ 2040
06/01/2016 House—Died in Committee

H 2681 Bill by Corrections and Juvenile Justice

Requiring an opportunity for diversion in certain circumstances.
02/10/2016 House—Introduced—HJ 2035
02/11/2016 House—Referred to Committee on Judiciary—HJ 2040
02/11/2016 House—Withdrawn from Committee on Judiciary; Referred to Committee on Corrections and Juvenile Justice—HJ 2040
02/12/2016 House—Hearing: Wednesday, February 17, 2016, 1:30 PM Room 152-S
02/19/2016 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 2099
02/23/2016 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 2143
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Corrections and Juvenile Justice—HJ 2148
06/01/2016 House—Died in Committee

H 2682 Bill by Health and Human Services
Prohibiting agency changes to waiver services under the Kansas program of medical assistance without express legislative authorization.
02/11/2016 House—Introduced—HJ 2038
02/12/2016 House—Referred to Committee on Health and Human Services—HJ 2046
02/15/2016 House—Hearing: Wednesday, February 17, 2016, 1:30 PM Room 546-S
02/22/2016 House—Withdrawn from Committee on Health and Human Services; Referred to Committee on Appropriations—HJ 2118
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Health and Human Services—HJ 2148
06/01/2016 House—Died in Committee

H 2683 Bill by Judiciary
Increasing the minimum motor vehicle insurance liability limit for property and bodily injury.
02/11/2016 House—Introduced—HJ 2038
02/12/2016 House—Referred to Committee on Insurance and Financial Institutions—HJ 2046
06/01/2016 House—Died in Committee

H 2684 Bill by Corrections and Juvenile Justice
Creating a system of alternative incarceration.
02/11/2016 House—Introduced—HJ 2038
02/12/2016 House—Referred to Committee on Corrections and Juvenile Justice—HJ 2046
02/12/2016 House—Hearing: Wednesday, February 17, 2016, 1:30 PM Room 152-S
06/01/2016 House—Died in Committee

H 2685 Bill by Veterans, Military and Homeland Security
Tax credit for property taxes of disabled veterans.
02/11/2016 House—Introduced—HJ 2038
02/12/2016 House—Referred to Committee on Taxation—HJ 2046
06/01/2016 House—Died in Committee

H 2686 Bill by Education Budget Committee
Including Pittsburg state university as an eligible postsecondary educational institution for the purposes of receiving career technical education performance-based funding.
02/11/2016 House—Introduced—HJ 2038
02/12/2016 House—Referred to Committee on Education Budget—HJ 2046
02/23/2016 House—Withdrawn from Committee on Education Budget; Referred to Committee on Appropriations—HJ 2143
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Education Budget—HJ 2148
06/01/2016 House—Died in Committee

H 2687 Bill by Appropriations
Supreme court general administrative authority over judicial branch.
02/11/2016 House—Introduced—HJ 2043
02/12/2016 House—Referred to Committee on Judiciary—HJ 2046
03/03/2016 House—Hearing: Tuesday, March 08, 2016, 3:30 PM Room 112-N
06/01/2016 House—Died in Committee

H 2688 Bill by Corrections and Juvenile Justice
Applying battery and assault of a law enforcement officer to correctional officers employed by private prisons.
02/11/2016 House—Introduced—HJ 2044
02/12/2016 House—Referred to Committee on Corrections and Juvenile Justice—HJ 2046
02/12/2016 House—Hearing: Wednesday, February 17, 2016, 1:30 PM Room 152-S
02/19/2016 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 2099
02/23/2016 House—Stricken from Calendar by Rule 1507—HJ 2143

H 2689 Bill by Agriculture and Natural Resources
Requiring debt collection calls to be discontinued if the person being called provides evidence of mistaken identity.
02/12/2016 House—Introduced—HJ 2045
02/15/2016 House—Referred to Committee on Judiciary—HJ 2052
06/01/2016 House—Died in Committee

H 2690 Bill by Insurance and Financial Institutions
Amending the applied behavior analysis licensure act.
02/12/2016 House—Introduced—HJ 2045
02/15/2016 House—Referred to Committee on Insurance and Financial Institutions—HJ 2052
03/03/2016 House—Hearing: Monday, March 07, 2016, 3:30 PM Room 218-N
06/01/2016 House—Died in Committee

H 2691 Bill by Health and Human Services

Enacting the Kansas safe access act; relating to cannabis.
02/12/2016 House—Introduced—HJ 2046
02/15/2016 House—Referred to Committee on Health and Human Services—HJ 2052
06/01/2016 House—Died in Committee

H 2692 Bill by Veterans, Military and Homeland Security
Requiring disclosure to veterans in certain materials concerning veterans' benefits.
02/12/2016 House—Introduced—HJ 2046
02/15/2016 House—Referred to Committee on Veterans, Military and Homeland Security—HJ 2053
02/15/2016 House—Hearing: Thursday, February 18, 2016, 9:00 AM Room 152-S
02/22/2016 House—Committee Report recommending bill be passed as amended by Committee on Veterans, Military and Homeland Security—HJ 2117
02/23/2016 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 2143
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Veterans, Military and Homeland Security—HJ 2148
06/01/2016 House—Died in Committee

H 2693 Bill by Energy and Environment
Secretary of agriculture and rule and regulation authority for pesticide application.
02/12/2016 House—Introduced—HJ 2046
02/15/2016 House—Referred to Committee on Energy and Environment—HJ 2052
06/01/2016 House—Died in Committee

H 2694 Bill by Corrections and Juvenile Justice
Requiring presumptive prison for a seventh DUI conviction.
02/12/2016 House—Introduced—HJ 2046
02/15/2016 House—Referred to Committee on Corrections and Juvenile Justice—HJ 2052
06/01/2016 House—Died in Committee

H 2695 Bill by Federal and State Affairs
Enacting the respectful lending to Kansas seniors act.
02/12/2016 House—Introduced—HJ 2046
02/15/2016 House—Referred to Committee on Insurance and Financial Institutions—HJ 2052
06/01/2016 House—Died in Committee

H 2696 Bill by Judiciary
Creating the Kansas highway patrol staffing and training fund; relating to the law enforcement training center fund and the commission on peace officers' standards and training fund; increasing vehicle registration fees; increasing municipal court assessments; amending jurisdiction of

university of Kansas medical center police officers.
02/12/2016 House—Introduced—HJ 2048
02/15/2016 House—Referred to Committee on Judiciary—HJ 2052
02/15/2016 House—Hearing: Wednesday, February 17, 2016, 3:30 PM Room 112-N
02/19/2016 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 2104
02/23/2016 House—Committee of the Whole - Be passed—HJ 2135
02/23/2016 House—Emergency Final Action - Passed; Yea: 125 Nay: 0—HJ 2142
03/02/2016 Senate—Received and Introduced—SJ 2008
03/03/2016 Senate—Referred to Committee on Judiciary—SJ 2011
03/11/2016 Senate—Hearing: Monday, March 14, 2016, 10:30 AM Room 346-S
03/15/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 2063
03/21/2016 Senate—Committee of the Whole - Be passed as amended—SJ 2156
03/22/2016 Senate—Final Action - Passed as amended; Yea: 38 Nay: 2—SJ 2168
03/22/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Barker, Representative Macheers and Representative Carmichael as conferees—HJ 2393
03/23/2016 Senate—Motion to accede adopted; Senator King, Senator Smith and Senator Haley appointed as conferees—SJ 2183
04/30/2016 Senate—Conference Committee Report was adopted; Yea: 36 Nay: 4—SJ 2671
05/01/2016 House—Conference Committee Report was adopted; Yea: 92 Nay: 27—HJ 2884
06/01/2016 House—Enrolled and presented to Governor on Monday, May 09, 2016—HJ 3250
06/01/2016 House—Approved by Governor on Thursday, May 12 , 2016—HJ 3243

H 2697 Bill by Judiciary
Authorizing public benefit corporations under the Kansas general corporation code.
02/12/2016 House—Introduced—HJ 2048
02/15/2016 House—Referred to Committee on Judiciary—HJ 2052
02/15/2016 House—Hearing: Thursday, February 18, 2016, 3:30 PM Room 112-N-CANCELLED
06/01/2016 House—Died in Committee

H 2698 Bill by Education
Requiring school districts to adopt certain policies against bullying, harassment and cyberbullying.
02/12/2016 House—Introduced—HJ 2048
02/15/2016 House—Referred to Committee on Education—HJ 2052
02/23/2016 House—Withdrawn from Committee on Education; Referred to Committee on Appropriations—HJ 2143
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Education—HJ 2148
06/01/2016 House—Died in Committee

H 2699 Bill by Corrections and Juvenile Justice
Amending the asset forfeiture process.
02/12/2016 House—Introduced—HJ 2048
02/15/2016 House—Referred to Committee on Judiciary—HJ 2052
02/23/2016 House—Withdrawn from Committee on Judiciary; Referred to Committee on Appropriations—HJ 2143
03/02/2016 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Judiciary—HJ 2148
03/03/2016 House—Hearing: Thursday, March 10, 2016, 3:30 PM Room 112-N-CANCELLED
06/01/2016 House—Died in Committee

H 2700 Bill by Taxation
Requiring certification by retirants that they have not entered into a prearranged agreement of employment prior to retirement and providing penalties for violations thereof.
02/12/2016 House—Introduced—HJ 2048
02/15/2016 House—Referred to Committee on Pensions and Benefits—HJ 2052
02/16/2016 House—Hearing: Wednesday, February 17, 2016, 9:00 AM Room 152-S
03/10/2016 House—Committee Report recommending bill be passed as amended by Committee on Pensions and Benefits—HJ 2231
06/01/2016 House—Died on Calendar

H 2701 Bill by Taxation
Evidence used to determine value of production for property taxes with oil or gas leases for properties.
02/12/2016 House—Introduced—HJ 2048
02/15/2016 House—Referred to Committee on Taxation—HJ 2053
02/23/2016 House—Hearing: Thursday, March 03, 2016, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2702 Bill by Federal and State Affairs
Establishing an independent home and community-based services ombudsman.
02/15/2016 House—Introduced—HJ 2052
02/16/2016 House—Referred to Committee on Health and Human Services—HJ 2061
06/01/2016 House—Died in Committee

H 2703 Bill by Appropriations
Limiting the authority of state agencies to enter into indebtedness on behalf of the state; relating to the issuance of bonds by the Kansas development finance authority.
02/15/2016 House—Introduced—HJ 2052
02/16/2016 House—Referred to Committee on Appropriations—HJ 2061
02/23/2016 House—Hearing: Thursday, March 03, 2016, 9:00 AM Room 112-N
06/01/2016 House—Died in Committee

H 2704 Bill by Appropriations
Judicial branch, salaries of judges and justices; making and concerning appropriations for fiscal year 2017.
02/16/2016 House—Introduced—HJ 2061
02/17/2016 House—Referred to Committee on Judiciary—HJ 2069
02/23/2016 House—Hearing: Thursday, March 03, 2016, 3:30 PM Room 112-N
06/01/2016 House—Died in Committee

H 2705 Bill by Appropriations
Amending court docket fees and charges.
02/16/2016 House—Introduced—HJ 2061
02/17/2016 House—Referred to Committee on Judiciary—HJ 2069
03/04/2016 House—Hearing: Tuesday, March 08, 2016, 3:30 PM Room 112-N
06/01/2016 House—Died in Committee

H 2706 Bill by Taxation
Creating a property tax exemption for Gove county healthcare endowment foundation, inc. for certain property.
02/17/2016 House—Introduced—HJ 2069
02/18/2016 House—Referred to Committee on Taxation—HJ 2085
03/03/2016 House—Hearing: Monday, March 07, 2016, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2707 Bill by Federal and State Affairs
Alcoholic beverages; authorizing a manufacturer licensee to hold a drinking establishment license.
02/18/2016 House—Introduced—HJ 2098
02/19/2016 House—Referred to Committee on Federal and State Affairs—HJ 2099
06/01/2016 House—Died in Committee

H 2708 Bill by Health and Human Services
Mental health technician's licensure act amendments.
02/22/2016 House—Introduced—HJ 2109
02/23/2016 House—Referred to Committee on Appropriations—HJ 2126
03/02/2016 House—Withdrawn from Committee on Appropriations; Referred to Committee on Health and Human Services—HJ 2148
06/01/2016 House—Died in Committee

H 2709 Bill by Appropriations
Death benefits for certain KP&F surviving spouses.
02/22/2016 House—Introduced—HJ 2109
02/23/2016 House—Referred to Committee on Pensions and Benefits—HJ 2126
03/04/2016 House—Hearing: Wednesday, March 09, 2016, 9:00 AM Room 152-S
03/17/2016 House—Committee Report recommending bill be passed as amended by Committee on Pensions and Benefits—HJ 2300
06/01/2016 House—Died on Calendar

(SJ & HJ Nos. refer to 2016 Senate and House Journals)

H 2710 Bill by Appropriations
Allowing agents of the KBI to participate in the Kansas deferred retirement option program.
02/22/2016 House—Introduced—HJ 2109
02/23/2016 House—Referred to Committee on Pensions and Benefits—HJ 2126
03/14/2016 House—Hearing: Monday, March 14, 2016, 9:00 AM Room 152-S
06/01/2016 House—Died in Committee

H 2711 Bill by Federal and State Affairs
Amending workers compensation benefit reductions due to retirement benefits.
02/22/2016 House—Introduced—HJ 2118
02/23/2016 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 2126
06/01/2016 House—Died in Committee

H 2712 Bill by Appropriations
Updating provisions relating to weights and measures.
03/02/2016 House—Introduced—HJ 2145
03/03/2016 House—Referred to Committee on Agriculture and Natural Resources —HJ 2191
03/14/2016 House—Hearing: Monday, March 14, 2016, 3:30 PM Room 346-S
06/01/2016 House—Died in Committee

H 2713 Bill by Appropriations
Amending the Kansas general corporation code and the business entity standard treatment act.
03/02/2016 House—Introduced—HJ 2145
03/03/2016 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 2191
03/03/2016 House—Withdrawn from Committee on Commerce, Labor and Economic Development; Referred to Committee on Judiciary—HJ 2191
03/07/2016 House—Hearing: Thursday, March 10, 2016, 3:30 PM Room 112-N-CANCELLED
03/15/2016 House—Hearing: Wednesday, March 16, 2016, 3:30 PM Room 112-N
03/18/2016 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 2317
03/22/2016 House—Committee of the Whole - Be passed as amended—HJ 2383
03/23/2016 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 2406
03/24/2016 Senate—Received and Introduced—SJ 2191
03/24/2016 Senate—Referred to Committee on Judiciary—SJ 2194
06/01/2016 Senate—Died in Senate Committee

H 2714 Bill by Taxation
Concerning property taxation, valuation, appeals, procedure; state board of tax appeals, filing fees, procedure, appeals to district court.
03/02/2016 House—Introduced—HJ 2146

03/03/2016 House—Referred to Committee on Taxation—HJ 2191
03/04/2016 House—Hearing: Tuesday, March 08, 2016, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2715 Bill by Federal and State Affairs
Enacting the electronic communications privacy act; relating to electronic communications and search warrants.
03/02/2016 House—Introduced—HJ 2188
03/03/2016 House—Referred to Committee on Federal and State Affairs—HJ 2191
06/01/2016 House—Died in Committee

H 2716 Bill by Appropriations
Implementing a health insurance exchange platform for public-employer retirees and eliminating retirees from participation in the state health care benefits program.
03/03/2016 House—Introduced—HJ 2191
03/04/2016 House—Referred to Committee on Insurance and Financial Institutions —HJ 2196
03/15/2016 House—Hearing: Thursday, March 17, 2016, 3:30 PM Room 218-N
06/01/2016 House—Died in Committee

H 2717 Bill by Taxation
Approval of budgets by taxing subdivisions; resolution and election requirements.
03/03/2016 House—Introduced—HJ 2191
03/04/2016 House—Referred to Committee on Taxation—HJ 2196
06/01/2016 House—Died in Committee

H 2718 Bill by Taxation
Beer sales by grocery stores and convenience stores if cereal malt beverage is no longer available.
03/03/2016 House—Introduced—HJ 2191
03/04/2016 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 2196
03/08/2016 House—Hearing: Friday, March 11, 2016, 1:30 PM Room 346-S
06/01/2016 House—Died in Committee

H 2719 Bill by Taxation
Concerning local government; relating to certain taxing jurisdictions, approval of levies and bonds by electors or elected body.
03/08/2016 House—Introduced—HJ 2210
03/09/2016 House—Referred to Committee on Taxation—HJ 2213
03/14/2016 House—Hearing: Monday, March 14, 2016, 3:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2720 Bill by Federal and State Affairs

Establishing restrictions on step therapy protocols.
03/08/2016 House—Introduced—HJ 2210
03/09/2016 House—Referred to Committee on Health and Human Services—HJ 2212
06/01/2016 House—Died in Committee

H 2721 Bill by Appropriations
Boards, commissions and other entities; study committees.
03/08/2016 House—Introduced—HJ 2210
03/09/2016 House—Referred to Committee on General Government Budget—HJ 2212
03/14/2016 House—Hearing: Tuesday, March 15, 2016, 1:30 PM Room 218-N
06/01/2016 House—Died in Committee

H 2722 Bill by Appropriations
Designating a portion of K-148 as the SGT Lavern W Tegtmeier memorial highway.
03/08/2016 House—Introduced—HJ 2210
03/09/2016 House—Referred to Committee on Transportation—HJ 2213
03/15/2016 House—Hearing: Wednesday, March 16, 2016, 1:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2723 Bill by Appropriations
Implementing administrative cost recovery fees for department of commerce community finance, tax incentive and grant programs.
03/08/2016 House—Introduced—HJ 2210
03/09/2016 House—Referred to Committee on General Government Budget—HJ 2212
03/09/2016 House—Withdrawn from Committee on General Government Budget; Referred to Committee on Taxation—HJ 2212
06/01/2016 House—Died in Committee

H 2724 Bill by Appropriations
Placing limits on calculation of KPERS benefits related to amounts taxable under 409A and 457(f) plans.
03/09/2016 House—Introduced—HJ 2212
03/10/2016 House—Referred to Committee on Pensions and Benefits—HJ 2225
03/14/2016 House—Hearing: Monday, March 14, 2016, 9:00 AM Room 152-S
03/17/2016 House—Committee Report recommending bill be passed by Committee on Pensions and Benefits—HJ 2301
03/21/2016 House—Committee of the Whole - Be passed as amended—HJ 2349
03/22/2016 House—Final Action - Passed as amended; Yea: 72 Nay: 53—HJ 2367
03/22/2016 Senate—Received and Introduced—SJ 2170
03/23/2016 Senate—Referred to Committee on Ways and Means—SJ 2180
06/01/2016 Senate—Died in Senate Committee

H 2725 Bill by Appropriations
Limiting compensation related to accumulated leave and 409A and 457(f) plans for purposes of computing final average salary for retirement benefits

under KPERS.
03/09/2016 House—Introduced—HJ 2212
03/10/2016 House—Referred to Committee on Appropriations—HJ 2225
03/10/2016 House—Hearing: Friday, March 11, 2016, 9:00 AM Room 112-N
06/01/2016 House—Died in Committee

H 2726 Bill by Appropriations
Utilizing a competitive request for proposal process to rebid all statewide insurance procurement through the department of administration.
03/09/2016 House—Introduced—HJ 2222
03/10/2016 House—Referred to Committee on Education Budget—HJ 2225
03/10/2016 House—Withdrawn from Committee on Education Budget; Referred to Committee on Insurance and Financial Institutions—HJ 2225
06/01/2016 House—Died in Committee

H 2727 Bill by Appropriations
Authorizing the secretary for children and families to prohibit registration or renewal of registration of certain vehicles and certain vessels and boats by a person owing money under a support order.
03/09/2016 House—Introduced—HJ 2222
03/10/2016 House—Referred to Committee on Social Services Budget—HJ 2225
03/15/2016 House—Hearing: Wednesday, March 16, 2016, 3:30 PM Room 144-S
06/01/2016 House—Died in Committee

H 2728 Bill by Appropriations
School finance; general state aid adjustment for unencumbered cash balances.
03/10/2016 House—Introduced—HJ 2225
03/11/2016 House—Referred to Committee on Appropriations—HJ 2239
06/01/2016 House—Died in Committee

H 2729 Bill by Appropriations
Requiring school districts to procure specific spend categories through the department of administration.
03/10/2016 House—Introduced—HJ 2237
03/11/2016 House—Referred to Committee on Education Budget—HJ 2239
03/18/2016 House—Committee Report recommending bill be passed as amended by Committee on Education Budget—HJ 2307
03/22/2016 House—Committee of the Whole - Motion by Representative Hibbard to rerefer to Committee on Education Budget passed Yea: 69 Nay: 52—HJ 2384
06/01/2016 House—Died in Committee

H 2730 Bill by Appropriations
Authorizing the establishment of a school district group-funded pool for insurance purposes.
03/10/2016 House—Introduced—HJ 2237
03/11/2016 House—Referred to Committee on Education Budget—HJ 2239

03/11/2016 House—Withdrawn from Committee on Education Budget; Referred to Committee on Insurance and Financial Institutions—HJ 2239
06/01/2016 House—Died in Committee

H 2731 Bill by Appropriations
Amendments to CLASS act regarding local option budget and capital outlay equalization.
03/11/2016 House—Introduced—HJ 2238
03/14/2016 House—Referred to Committee on Appropriations—HJ 2260
03/14/2016 House—Hearing: Tuesday, March 15, 2016, 9:00 AM Room 112-N
06/01/2016 House—Died in Committee

H 2732 Bill by Appropriations
Providing for certified nurse-midwife practice without collaborative practice agreements.
03/11/2016 House—Introduced—HJ 2239
03/14/2016 House—Referred to Committee on Health and Human Services—HJ 2260
03/14/2016 House—Hearing: Monday, March 14, 2016, 1:30 PM Room 546
06/01/2016 House—Died in Committee

H 2733 Bill by Appropriations
Prohibiting the state employees health care commission from changing coverage options under the state health care benefits program in effect for the 2016 plan year without prior legislative approval.
03/11/2016 House—Introduced—HJ 2239
03/14/2016 House—Referred to Committee on Appropriations—HJ 2260
06/01/2016 House—Died in Committee

H 2734 Bill by Appropriations
Establishing a budget stabilization fund in the state treasury; revenue and expenditures; review of risk-based practices by the legislative budget committee.
03/14/2016 House—Introduced—HJ 2266
03/15/2016 House—Referred to Committee on Appropriations—HJ 2268
03/16/2016 House—Hearing: Friday, March 18, 2016, 9:00 AM Room 112-N
03/23/2016 House—Committee Report recommending bill be passed as amended by Committee on Appropriations—HJ 2412
06/01/2016 House—Died on Calendar

H 2735 Bill by Appropriations
Express warranties; registration card or form need not be filed to enforce warranty.
03/15/2016 House—Introduced—HJ 2274
03/16/2016 House—Referred to Committee on Vision 2020—HJ 2277
03/16/2016 House—Hearing: Wednesday, March 16, 2016, 9:00 AM Room 218-N

03/17/2016 House—Committee Report recommending bill be passed as amended by Committee on Vision 2020—HJ 2301
06/01/2016 House—Died on Calendar

H 2736 Bill by Appropriations
Requiring probable cause to conduct spot checks of motor carriers.
03/15/2016 House—Introduced—HJ 2274
03/16/2016 House—Referred to Committee on Transportation—HJ 2277
03/16/2016 House—Hearing: Thursday, March 17, 2016, 1:30 PM Room 582-N
06/01/2016 House—Died in Committee

H 2737 Bill by Federal and State Affairs
Creating the student physical privacy act.
03/16/2016 House—Introduced—HJ 2283
03/17/2016 House—Referred to Committee on Federal and State Affairs—HJ 2285
06/01/2016 House—Died in Committee

H 2738 Bill by Taxation
Amending various STAR bond provisions and creating a new type of district and new administrative funds; amending the definition of eligible area for TIF districts.
03/17/2016 House—Introduced—HJ 2301
03/18/2016 House—Referred to Committee on Taxation—HJ 2303
03/22/2016 House—Hearing: Wednesday, March 23, 2016, 8:00 AM Room 582-N
06/01/2016 House—Died in Committee

H 2739 Bill by Appropriations
State finances; performance based budgeting; program service inventory; integrated budget fiscal process; establishing a budget stabilization fund; revenue and expenditures; review of risk-based practices; repealing key deposit funds.
03/17/2016 House—Introduced—HJ 2302
03/18/2016 House—Referred to Committee on Appropriations—HJ 2303
03/18/2016 House—Hearing: Friday, March 18, 2016, 9:00 AM Room 112-N
03/18/2016 House—Committee Report recommending bill be passed by Committee on Appropriations—HJ 2306
03/21/2016 House—Committee of the Whole - Be passed—HJ 2347
03/22/2016 House—Final Action - Passed; Yea: 124 Nay: 1—HJ 2368
03/22/2016 Senate—Received and Introduced—SJ 2170
03/23/2016 Senate—Referred to Committee on Ways and Means—SJ 2180
04/27/2016 Senate—Hearing: Wednesday, April 27, 2016, 3:30 PM Room 548-S
04/28/2016 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 2265
04/29/2016 Senate—Committee of the Whole - Be passed as further amended—SJ 2269
04/29/2016 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0

—SJ 2270
04/29/2016 House—Nonconcurred with amendments; Conference Committee requested; appointed Representative Ryckman, Representative Schwartz and Representative Henry as conferees—HJ 2564
04/29/2016 Senate—Motion to accede adopted; Senator Masterson, Senator Denning and Senator Kelly appointed as conferees—SJ 2435
04/30/2016 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2676
05/01/2016 House—Conference Committee Report was adopted; Yea: 119 Nay: 0—HJ 2889
06/01/2016 House—Enrolled and presented to Governor on Monday, May 09, 2016—HJ 3250
06/01/2016 House—Approved by Governor on Tuesday, May 17 , 2016—HJ 3243

H 2740 Bill by Appropriations
Amendments to the CLASS Act regarding supplemental general state aid and capital outlay state aid.
03/22/2016 House—Introduced—HJ 2381
03/22/2016 House—Referred to Committee on Appropriations—HJ 2383
03/22/2016 House—Hearing: Wednesday, March 23, 2016, 9:30 AM Room 112-N
06/01/2016 House—Died in Committee

H 2741 Bill by Appropriations
Creating the school district finance and student success act.
03/23/2016 House—Introduced—HJ 2413
03/24/2016 House—Referred to Committee on Appropriations—HJ 2415
06/01/2016 House—Died in Committee

H 2742 Bill by Appropriations
Reconciling amendments to certain statutes.
04/27/2016 House—Introduced—HJ 2456
04/28/2016 House—Referred to Committee on Appropriations—HJ 2468
06/01/2016 House—Died in Committee

TITLE AND HISTORY OF HOUSE CONCURRENT RESOLUTIONS

H 5003 Concurrent Resolution by Federal and State Affairs
Constitutional amendment; extend recall elections to elected judicial officers.
01/15/2015 House—Introduced—HJ 62
01/16/2015 House—Referred to Committee on Judiciary—HJ 72
06/01/2016 House—Died in Committee

H 5004 Concurrent Resolution by Judiciary
Constitutional amendment revising article 3, relating to the judiciary; providing for direct partisan election of supreme court justices and court of appeals judges; abolishing the supreme court nominating commission.
01/20/2015 House—Introduced—HJ 83
01/21/2015 House—Referred to Committee on Judiciary—HJ 104
02/10/2015 House—Hearing: Wednesday, February 11, 2015, 3:30 PM Room 112N
02/17/2015 House—Committee Report recommending resolution be adopted by Committee on Judiciary—HJ 251
06/01/2016 House—Died on Calendar

H 5005 Concurrent Resolution by Judiciary
Constitutional amendment revising article 3, relating to the judiciary; allowing the governor to appoint supreme court justices and court of appeals judges, subject to senate confirmation; abolishing the supreme court nominating commission.
01/20/2015 House—Introduced—HJ 88
01/21/2015 House—Referred to Committee on Judiciary—HJ 104
02/10/2015 House—Hearing: Wednesday, February 11, 2015, 3:30 PM Room 112N
02/17/2015 House—Committee Report recommending resolution be adopted as amended by Committee on Judiciary—HJ 251
02/03/2016 House—Committee of the Whole - Be adopted as amended Yea: 69 Nay: 53—HJ 1983
02/04/2016 House—Final Action - Not adopted by required 2/3 majority; Yea: 68 Nay: 54—HJ 1990

H 5006 Concurrent Resolution by Judiciary
Constitutional amendment revising article 3, relating to the judiciary; allowing the governor to appoint supreme court justices and court of appeals judges, subject to senate confirmation; lifetime appointment, subject to removal for cause; retaining the supreme court nominating commission, membership amended.
01/20/2015 House—Introduced—HJ 94
01/21/2015 House—Referred to Committee on Judiciary—HJ 104
06/01/2016 House—Died in Committee

H 5007 Concurrent Resolution by Veterans, Military and Homeland Security
Constitutional amendment providing authority to the legislature to limit valuation increases for certain residential property owned by a

disabled person who served in the armed forces or national guard for property tax purposes.
01/22/2015 House—Introduced—HJ 106
01/23/2015 House—Referred to Committee on Taxation—HJ 114
06/01/2016 House—Died in Committee

H 5008 Concurrent Resolution by Representatives Couture-Lovelady, Lusker
Right of public to hunt, fish and trap.
01/22/2015 House—Introduced—HJ 109
01/23/2015 House—Referred to Committee on Federal and State Affairs—HJ 114
02/10/2015 House—Hearing: Wednesday, February 11, 2015, 3:25 PM Room 112N
01/22/2016 House—Hearing: Tuesday, January 26, 2016, 9:00 AM Room 346-S
01/27/2016 House—Hearing: Wednesday, January 27, 2016, 9:00 AM Room 346-S
02/03/2016 House—Committee Report recommending resolution be adopted as amended by Committee on Federal and State Affairs—HJ 1984
02/22/2016 House—Committee of the Whole - Be adopted as amended—HJ 2116
02/22/2016 House—Emergency Final Action - Adopted as amended by Required 2/3 Majority; Yea: 117 Nay: 7—HJ 2118
02/23/2016 Senate—Received and Introduced—SJ 1950
03/02/2016 Senate—Referred to Committee on Federal and State Affairs—SJ 1968
03/07/2016 Senate—Hearing: Wednesday, March 09, 2016, 10:30 AM Room 144-S
03/09/2016 Senate—Committee Report recommending resolution be adopted by Committee on Federal and State Affairs—SJ 2027
03/16/2016 Senate—Committee of the Whole - Be adopted—SJ 2078
03/17/2016 Senate—Final Action - Adopted; Yea: 36 Nay: 0—SJ 2090
03/22/2016 House—Enrolled on Tuesday, March 22, 2016—HJ 2394

H 5009 Concurrent Resolution by Judiciary
Constitutional amendment; 33% vote against retention of a supreme court justice would result in open position.
01/27/2015 House—Introduced—HJ 121
01/28/2015 House—Referred to Committee on Judiciary—HJ 129
06/01/2016 House—Died in Committee

H 5010 Concurrent Resolution by Representatives DeGraaf, Anthimides, Barton, Bradford, Brunk, Campbell, B. Carpenter, Dannebohm, Dove, Esau, Estes, Ewy, Garber, Gonzalez, Hawkins, Hedke, Hibbard, Hildabrand, Hoffman, Huebert, Hutchins, Johnson, K. Jones, Kahrs, Kelley, Kiegerl, Macheers, Mason, O'Brien, Osterman, Peck, R. Powell, Read, Rhoades, Rubin, Scapa, Seiwert, Sutton, Waymaster, Whitmer, K. Williams
Making application to the U.S. congress to call a convention of the states.
01/29/2015 House—Introduced—HJ 138
01/30/2015 House—Referred to Committee on Federal and State Affairs—HJ 140
03/10/2015 House—Hearing: Thursday, March 12, 2015, 9:00 AM Room 346S
03/19/2015 House—Committee Report recommending resolution be adopted by Committee on Federal and State Affairs—HJ 465
02/18/2016 House—Committee of the Whole - Be adopted as amended Yea: 77 Nay: 44—HJ 2091

02/22/2016 House—Final Action - Not adopted by required 2/3 majority; Yea: 77 Nay: 47—HJ 2114

H 5011 Concurrent Resolution by Education Budget Committee
Foresight 2020 strategic plan.
02/02/2015 House—Introduced—HJ 146
02/03/2015 House—Referred to Committee on Education—HJ 150
06/01/2016 House—Died in Committee

H 5012 Concurrent Resolution by Judiciary
Constitutional amendment; abolishing the supreme court nominating commission; supreme court justices appointed by governor from nominees submitted by House Judiciary committee, subject to Senate confirmation.
02/10/2015 House—Introduced—HJ 185
02/11/2015 House—Referred to Committee on Judiciary—HJ 206
06/01/2016 House—Died in Committee

H 5013 Concurrent Resolution by Judiciary
Constitutional amendment revising article 3, relating to the judiciary; placing the court of appeals into the constitution; changing the membership of the supreme court nominating commission.
02/10/2015 House—Introduced—HJ 194
02/11/2015 House—Referred to Committee on Judiciary—HJ 206
02/12/2016 House—Hearing: Tuesday, February 16, 2016, 3:30 PM Room 112-N
06/01/2016 House—Died in Committee

H 5014 Concurrent Resolution by Federal and State Affairs
Constitutional amendment; clarifying the power of the legislature to make appropriations.
02/12/2015 House—Introduced—HJ 226
02/13/2015 House—Referred to Committee on Federal and State Affairs—HJ 229
06/01/2016 House—Died in Committee

H 5015 Concurrent Resolution by Judiciary
Constitutional amendment revising article 3, relating to the judiciary; allowing the governor to appoint supreme court justices and court of appeals judges, subject to senate confirmation; retaining the supreme court nominating commission, membership amended.
02/17/2015 House—Introduced—HJ 239
02/18/2015 House—Referred to Committee on Judiciary—HJ 254
06/01/2016 House—Died in Committee

H 5018 Concurrent Resolution by Representatives Garber, Anthimides, Barton, Bradford, Brunk, W. Carpenter, Clark, Corbet, DeGraaf, Dove, Ewy, Goico, Hedke, Highland, Hoffman, Huebert, Hutchins, Hutton, K. Jones, Kiegerl, O'Brien, Pauls, Peck, R. Powell, Read, Rhoades, Scapa, Seiwert, Thimesch

State constitutional human life amendment.
05/05/2015 House—Introduced—HJ 667
05/06/2015 House—Referred to Committee on Federal and State Affairs—HJ 706
06/01/2016 House—Died in Committee

H 5020 Concurrent Resolution by Representatives Merrick, Burroughs
Committee to inform governor that the two houses of the legislature are organized and ready to receive communications.
01/11/2016 House—Introduced—HJ 1913
01/11/2016 House—Adopted without roll call—HJ 1913
01/11/2016 Senate—Received and Introduced—SJ 1757
01/11/2016 Senate—Adopted without roll call—SJ 1757
01/19/2016 House—Enrolled on Tuesday, January 19, 2016—HJ 1942

H 5021 Concurrent Resolution by Representatives Merrick, Burroughs
Joint session for hearing message of the governor.
01/11/2016 House—Introduced—HJ 1914
01/11/2016 House—Adopted without roll call—HJ 1914
01/11/2016 Senate—Received and Introduced—SJ 1757
01/11/2016 Senate—Adopted without roll call—SJ 1757
01/19/2016 House—Enrolled on Tuesday, January 19, 2016—HJ 1942

H 5022 Concurrent Resolution by Federal and State Affairs
Urging congress to propose the regulation freedom amendment to the United States constitution.
02/02/2016 House—Introduced—HJ 1978
02/03/2016 House—Referred to Committee on Federal and State Affairs—HJ 1982
03/03/2016 House—Hearing: Tuesday, March 08, 2016, 9:00 AM Room 346-S
03/17/2016 House—Committee Report recommending resolution be adopted as amended by Committee on Federal and State Affairs—HJ 2298
03/21/2016 House—Committee of the Whole - Be adopted as amended—HJ 2350
03/22/2016 House—Final Action - Adopted as amended; Yea: 114 Nay: 10—HJ 2368
03/22/2016 Senate—Received and Introduced—SJ 2170
03/23/2016 Senate—Referred to Committee on Federal and State Affairs—SJ 2180
06/01/2016 Senate—Died in Senate Committee

H 5023 Concurrent Resolution by Representatives B. Carpenter, Anthimides, Barton, Boldra, Bradford, W. Carpenter, Claeys, Corbet, DeGraaf, Dove, Esau, Estes, Ewy, Garber, Goico, Gonzalez, Hawkins, Hedke, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, D. Jones, K. Jones, Kahrs, Kelley, Kiegerl, Kleeb, Lunn, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, Peck, R. Powell, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Suellentrop, Sutton, Thimesch, Thompson, Todd, Vickrey, Weber, Whitmer, K. Williams
Reaffirming 10th Amendment rights.
02/09/2016 House—Introduced—HJ 2013
02/10/2016 House—Referred to Committee on Federal and State Affairs—HJ 2022

03/10/2016 House—Hearing: Tuesday, March 15, 2016, 9:00 AM Room 346
03/17/2016 House—Committee Report recommending resolution be adopted by Committee on Federal and State Affairs—HJ 2298
06/01/2016 House—Died on Calendar

H 5024 Concurrent Resolution by Representatives Barton, Anthimides, Bradford, B. Carpenter, Concannon, DeGraaf, Dove, Estes, Francis, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Highland, Hildabrand, Hoffman, Hutchins, Hutton, Johnson, K. Jones, Kahrs, Kelley, Kiegerl, Lunn, Macheers, Mast, McPherson, O'Brien, Osterman, F. Patton, Pauls, R. Powell, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schwab, Schwartz, C. Smith, Sutton, Thompson, Vickrey, Waymaster, Weber, Whitmer
Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
02/11/2016 House—Introduced—HJ 2038
02/12/2016 House—Referred to Committee on Veterans, Military and Homeland Security—HJ 2046
02/12/2016 House—Hearing: Tuesday, February 16, 2016, 9:00 AM Room 152-S
02/16/2016 House—Committee Report recommending resolution be adopted by Committee on Veterans, Military and Homeland Security—HJ 2065
03/03/2016 House—Committee of the Whole - Be adopted Yea: 105 Nay: 12—HJ 2194
03/07/2016 House—Final Action - Adopted; Yea: 104 Nay: 16—HJ 2199
03/07/2016 Senate—Received and Introduced—SJ 2018
03/08/2016 Senate—Referred to Committee of the Whole
03/15/2016 Senate—Committee of the Whole - Be adopted—SJ 2064
03/15/2016 Senate—Emergency Final Action - Adopted by required 2/3 majority; Yea: 32 Nay: 7—SJ 2066
03/22/2016 House—Enrolled on Tuesday, March 22, 2016—HJ 2394

H 5025 Concurrent Resolution by Representatives Merrick, Burroughs
Relating to adjournment of senate and house of representatives for a period of time during the 2016 regular session of the legislature.
02/23/2016 House—Introduced—HJ 2142
02/23/2016 House—Adopted without roll call—HJ 2142
02/23/2016 Senate—Received and Introduced—SJ 1966
02/23/2016 Senate—Adopted without roll call—SJ 1967
03/07/2016 House—Enrolled on Monday, March 07, 2016—HJ 2201

H 5026 Concurrent Resolution by Representatives E. Davis, S. Swanson
National donate life blue and green day, April 15.
03/02/2016 House—Introduced—HJ 2146
03/08/2016 House—Adopted without roll call—HJ 2205
03/08/2016 Senate—Received and Introduced—SJ 2022
03/08/2016 Senate—Adopted without roll call—SJ 2022
03/15/2016 House—Enrolled on Tuesday, March 15, 2016—HJ 2275

H 5027 Concurrent Resolution by Representatives Merrick, Burroughs
Adjournment of the 2016 regular session of the legislature.
05/01/2016 House—Introduced—HJ 3237
05/01/2016 House—Adopted without roll call—HJ 3237
05/01/2016 Senate—Received and Introduced
05/01/2016 Senate—Adopted without roll call—SJ 3045
06/01/2016 House—Enrolled on Wednesday, June 01, 2016—HJ 3250

TITLE AND HISTORY OF HOUSE RESOLUTIONS

H 6029 Resolution by Representatives Merrick, Burroughs
Organization of the House of Representatives, 2016.
01/11/2016 House—Introduced
01/11/2016 House—Adopted without roll call—HJ 1912
01/14/2016 House—Enrolled on Thursday, January 14, 2016—HJ 1935

H 6030 Resolution by Representatives Merrick, Burroughs
Relating to assignment of seats in the house of representatives, 2016.
01/11/2016 House—Introduced
01/11/2016 House—Adopted without roll call—HJ 1912
01/14/2016 House—Enrolled on Thursday, January 14, 2016—HJ 1935

H 6031 Resolution by Representative Ryckman Sr.
Congratulating and commending Bethany Ellis for her work as the high school state president of SkillsUSA Kansas.
01/12/2016 House—Introduced—HJ 1920
01/13/2016 House—Adopted without roll call—HJ 1930
01/19/2016 House—Enrolled on Tuesday, January 19, 2016—HJ 1942

H 6032 Resolution by Representatives Highland, Ryckman Sr.
Congratulating and commending the members of the 2016 Kansas Teacher of the Year team.
01/26/2016 House—Introduced—HJ 1959
01/27/2016 House—Adopted without roll call—HJ 1963
02/02/2016 House—Enrolled on Tuesday, February 02, 2016—HJ 1978

H 6033 Resolution by Representative Billinger
Recognizing the city of Kanorado as the top city in Kansas.
02/02/2016 House—Introduced—HJ 1976
02/10/2016 House—Adopted without roll call—HJ 2023
02/12/2016 House—Enrolled on Friday, February 12, 2016—HJ 2049

H 6034 Resolution by Representative Hineman
Recognizing February 5, 2016, as National Wear Red Day.
02/03/2016 House—Introduced—HJ 1982
02/04/2016 House—Adopted without roll call—HJ 1989
02/08/2016 House—Enrolled on Monday, February 08, 2016—HJ 2020

H 6035 Resolution by Representative Hawkins
Designating February 2016 as Self-Care Month.
02/05/2016 House—Introduced—HJ 2004
02/10/2016 House—Adopted without roll call—HJ 2023
02/12/2016 House—Enrolled on Friday, February 12, 2016—HJ 2049

H 6036 Resolution by Representatives Todd, Boldra

Designating February 9, 2016, as Kansas MS Action Day.
02/08/2016 House—Introduced—HJ 2007
02/09/2016 House—Adopted without roll call—HJ 2016
02/12/2016 House—Enrolled on Friday, February 12, 2016—HJ 2049

H 6037 Resolution by Representative Hawkins
Recognizing the Donated Dental Service Program's 20 years of service.
02/09/2016 House—Introduced—HJ 2015
02/11/2016 House—Adopted without roll call—HJ 2041
02/16/2016 House—Enrolled on Tuesday, February 16, 2016—HJ 2066

H 6038 Resolution by Representatives Barton, Anthimides, Billinger, Bradford, B. Carpenter, W. Carpenter, Corbet, DeGraaf, Dove, Edmonds, Esau, Finch, Garber, Hawkins, Hedke, Highland, Hoffman, Huebert, Hutchins, K. Jones, Kelley, Kiegerl, Macheers, Mason, Mast, Osterman, Pauls, Peck, R. Powell, Scapa, Schroeder, Schwab, C. Smith, Sutton, Weber, Whipple, Whitmer
Urging all Kansans to become educated about human trafficking and slavery.
02/16/2016 House—Introduced—HJ 2062
02/17/2016 House—Referred to Committee on Federal and State Affairs—HJ 2069
03/03/2016 House—Hearing: Thursday, March 10, 2016, 9:00 AM Room 346-S
03/17/2016 House—Committee Report recommending resolution be adopted by Committee on Federal and State Affairs—HJ 2298
06/01/2016 House—Died on Calendar

H 6039 Resolution by Representatives Tietze, Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore
Honoring the life and memory of Andrea Burton.
02/18/2016 House—Introduced
02/18/2016 House—Adopted without roll call—HJ 2086
02/23/2016 House—Enrolled on Tuesday, February 23, 2016—HJ 2143

H 6040 Resolution by Representatives Kleeb, Alford, Anthimides, Barker, Barton, Becker,

Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelley, Kelly, Kiegerl, Kuether, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, Moxley, Osterman, F. Patton, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, Whipple, Whitmer, K. Williams, Wolfe Moore

Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.

02/22/2016 House—Introduced
02/22/2016 House—Adopted without roll call—HJ 2109
03/03/2016 House—Enrolled on Thursday, March 03, 2016—HJ 2195

H 6041 Resolution by Representatives Mast, Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore

Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.

02/23/2016 House—Introduced
02/23/2016 House—Adopted without roll call—HJ 2126
03/03/2016 House—Enrolled on Thursday, March 03, 2016—HJ 2195

H 6042 Resolution by Representatives Goico, Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins,

Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore

Honoring and recognizing Kansans who are Korean War Veterans.
02/23/2016 House—Introduced
02/23/2016 House—Adopted without roll call—HJ 2127
03/03/2016 House—Enrolled on Thursday, March 03, 2016—HJ 2195

H 6043 Resolution by Representative K. Jones
Recognizing Norman Holle for his work in helping veterans with PTSD.
02/23/2016 House—Introduced
02/23/2016 House—Adopted without roll call—HJ 2130
03/03/2016 House—Enrolled on Thursday, March 03, 2016—HJ 2195

H 6044 Resolution by Representative Goico
Honoring Captain Christopher Norgren for service to his country and the world community.
03/03/2016 House—Introduced
03/03/2016 House—Adopted without roll call—HJ 2192
03/08/2016 House—Enrolled on Tuesday, March 08, 2016—HJ 2210

H 6045 Resolution by Representative Schwartz
Urging the federal government to require the use of sound science in evaluating crop protection chemistries and nutrients.
03/07/2016 House—Introduced—HJ 2197
03/08/2016 House—Referred to Committee on Agriculture and Natural Resources —HJ 2203
03/14/2016 House—Hearing: Monday, March 14, 2016, 3:30 PM Room 346-S
03/18/2016 House—Committee Report recommending resolution be adopted as amended by Committee on Agriculture and Natural Resources—HJ 2306
03/22/2016 House—Committee of the Whole - Be adopted as amended—HJ 2385
03/23/2016 House—Final Action - Adopted as amended; Yea: 118 Nay: 5—HJ 2406
04/27/2016 House—Enrolled on Tuesday, March 29, 2016—HJ 2464

H 6046 Resolution by Representatives Hutton, Hill
Recognizing the Kansas Small Business Development Center's 2016 Businesses of the Year.
03/08/2016 House—Introduced—HJ 2204
03/08/2016 House—Adopted without roll call—HJ 2204
03/11/2016 House—Enrolled on Friday, March 11, 2016—HJ 2258

H 6047 Resolution by Energy and Environment
Encouraging the department of health and environment to develop guidelines for the disposal of household generated sharps.
03/09/2016 House—Introduced—HJ 2213
03/21/2016 House—Adopted without roll call—HJ 2340
03/24/2016 House—Enrolled on Thursday, March 24, 2016—HJ 2429

H 6048 Resolution by Representative Clark
Honoring Albert Curley and Nolan Self.
03/09/2016 House—Introduced—HJ 2214
03/09/2016 House—Adopted without roll call—HJ 2214
03/15/2016 House—Enrolled on Tuesday, March 15, 2016—HJ 2275

H 6049 Resolution by Representatives Osterman, Goico
Commemorating the 75th Anniversary of Civil Air Patrol.
03/14/2016 House—Introduced
03/14/2016 House—Adopted without roll call—HJ 2260
03/18/2016 House—Enrolled on Friday, March 18, 2016—HJ 2333

H 6050 Resolution by Representative Corbet
Commemorating the 75th Birthday of M&M'S® Brand Chocolate Candies in the State of Kansas and designating the month of March as M&M'S® Brand Chocolate Candies Month.
03/15/2016 House—Introduced
03/15/2016 House—Adopted without roll call—HJ 2268
03/18/2016 House—Enrolled on Friday, March 18, 2016—HJ 2333

H 6051 Resolution by Representative Barton
Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
03/16/2016 House—Introduced—HJ 2278
03/16/2016 House—Adopted without roll call—HJ 2278
03/21/2016 House—Enrolled on Monday, March 21, 2016—HJ 2361

H 6052 Resolution by Representatives Carmichael, Hawkins
Commending hospitals in the state of Kansas for offering, and urging them to continue offering, inpatients, 65 years of age and older, immunization against the influenza virus prior to their discharge.
03/16/2016 House—Introduced—HJ 2279
03/16/2016 House—Adopted without roll call—HJ 2279
03/21/2016 House—Enrolled on Monday, March 21, 2016—HJ 2361

H 6053 Resolution by Representative Peck
Honoring Frank Foster for his service in World War II, the Korean War and the Vietnam War.
03/21/2016 House—Introduced
03/21/2016 House—Adopted without roll call—HJ 2336

03/24/2016 House—Enrolled on Thursday, March 24, 2016—HJ 2429

H 6054 Resolution by Representatives Merrick, Burroughs, Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore

Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

03/21/2016 House—Introduced
03/21/2016 House—Adopted without roll call—HJ 2338
03/24/2016 House—Enrolled on Thursday, March 24, 2016—HJ 2429

H 6055 Resolution by Representatives DeGraaf, Claeys, Gonzalez, Waymaster

Designating the month of April as Parkinson's Disease Awareness Month.

03/23/2016 House—Introduced
03/23/2016 House—Adopted without roll call—HJ 2400
04/27/2016 House—Enrolled on Tuesday, March 29, 2016—HJ 2464

H 6056 Resolution by Representative Winn

Congratulating and commending the KCKCC Women's Basketball team on winning the 2016 NJCAA Division II Championship.

03/23/2016 House—Introduced
03/23/2016 House—Adopted without roll call—HJ 2403
04/27/2016 House—Enrolled on Tuesday, March 29, 2016—HJ 2464

H 6057 Resolution by Representative Burroughs

Supporting the Federal Railroad Administration's proposed regulations, requiring that trains operated in America be operated by no smaller than a two-person crew.

03/24/2016 House—Introduced—HJ 2422
04/27/2016 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 2456
06/01/2016 House—Died in Committee

H 6058 Resolution by Representatives Todd, Merrick
Supporting Taiwan's participation in international trade agreements and international organizations and reaffirming Kansas' commitment to its relationship with Taiwan.
04/27/2016 House—Introduced—HJ 2458
04/28/2016 House—Adopted without roll call—HJ 2472
04/30/2016 House—Enrolled on Saturday, April 30, 2016—HJ 2875

H 6059 Resolution by Representative E. Davis
Congratulating the University of Kansas for 150 years of service to the state of Kansas.
04/28/2016 House—Introduced
04/28/2016 House—Adopted without roll call—HJ 2469
04/30/2016 House—Enrolled on Saturday, April 30, 2016—HJ 2875

H 6060 Resolution by Representative Merrick
Congratulating and commending Bob Davis on his outstanding sports broadcasting career and retirement; and designating April 28, 2016, as Bob Davis Day.
04/28/2016 House—Introduced
04/28/2016 House—Adopted without roll call—HJ 2471
04/30/2016 House—Enrolled on Saturday, April 30, 2016—HJ 2875

H 6061 Resolution by Representative Burroughs
Designating the month of November 2016 as Urological Health Month.
06/01/2016 House—Introduced
06/01/2016 House—Adopted without roll call
06/01/2016 House—Enrolled on Wednesday, June 01, 2016

EXECUTIVE REORGANIZATION ORDERS

No Executive Reorganization Orders submitted by the Governor during 2016 Session

HISTORY OF HOUSE PETITIONS

No petitions filed during 2016 Session

FINAL
HOUSE CALENDAR
No. 55

JANUARY 11, 2016 THROUGH JUNE 1, 2016

ACTION ON HOUSE BILLS CARRIED OVER FROM 2015 SESSION

2001 Died, Comm
2002 Died, Comm
Sub
2007 Died, Cal
S Sub
2008 Signed, Eff Dt.7/1/16
2011 Died, Comm
2012 Died, Comm
2014 Died, Comm
2015 Died, Comm
S Sub
2018 Signed, Eff Dt. 5/26/16
2019 Died, Comm
2020 Died, Comm
2021 Died, Comm
2024 Died, Cal
2026 Died, Comm
2027 Died, Comm
2028 Died, Comm
2029 Died, Sen Comm
2031 Died, Comm
2033 Died, Comm
2035 Died, Comm
2036 Died, Comm
2037 Died, Comm
2038 Died, Comm
2039 Died, Comm
2041 Died, Comm
2045 Died, Comm
2046 Died, Comm
2047 Died, Comm
S Sub
2049 Signed, Eff Dt. 7/1/16
Sub
2054 Died, Sen Comm
S Sub
2056 Signed, Eff Dt. 7/1/16
2057 Died, Comm
2058 Died, Comm
S Sub
2059 Died, Conf
2060 Died, Comm
Sub
2062 Signed, Eff Dt. 5/19/16
2063 Died, Sen Comm
2065 Died, Sen Comm
2067 Died, Comm
2068 Died, Comm
2070 Died, Cal
2071 Died, Cal
2072 Died, Comm
2073 Died, Comm
S Sub
2074 Died, Comm
2075 Died, Cal
2076 Died, Comm
2077 Died, Comm
2078 Died, Comm
2079 Died, Comm
2080 Died, Comm
2081 Died, Comm
2084 Died, Comm
2086 Died, Comm
2087 Died, Sen Comm
S Sub
2088 Signed, Eff Dt. 7/1/16
2089 Died, Sen Comm
2091 Died, Sen Comm
2092 Died, Comm
S Sub
2096 Died, Sen Comm
2099 Died, Comm
2100 Died, Comm
2102 Died, Comm
2105 Died, Comm
2110 Died, Comm
S Sub
2112 Signed, Eff Dt. 7/1/16
2113 Died, Comm
2114 Died, Comm
S Sub Sub
2115 Died, Sen Cal
2116 Died, Comm
2117 Died, Comm
2118 Died, Comm
2121 Died, Cal
2122 Died, Comm
2123 Died, Comm
2125 Died, Sen Comm
2127 Died, Comm
2128 Died, Comm
2129 Died, Comm
2130 Died, Comm
S Sub
2131 Signed, Eff Dt. 7/1/16
2132 Died, Comm
2133 Died, Comm
2134 Signed, Eff Dt. 4/14/16
2136 Died, Comm
2137 Died, Comm
2138 Died, Comm

2139 Died, Comm
2140 Died, Comm
2141 Died, Comm
2143 Died, Comm
2144 Died, Comm
2145 Died, Comm
2146 Died, Comm
2147 Died, Comm
2150 Died, Comm
Sub
2151 Signed, Eff Dt. 7/1/16
2152 Died, Comm
2153 Died, Comm
S Sub
2156 Signed, Eff Dt. 7/1/16
2157 Died, Comm
2158 Died, Comm
2160 Died, Comm
2161 Died, Comm
2163 Signed, Eff Dt. 7/1/16
2164 Signed, Eff Dt. 7/1/16
2166 Died, Comm
2167 Died, Cal
2168 Died, Cal
2169 Died, Comm
2171 Died, Comm
2172 Died, Comm
2173 Died, Comm
2174 Died, Cal
2175 Died, Comm
2176 Died, Comm
S Sub
2177 Died, Conf
2178 Died, Comm
2179 Died, Comm
2180 Died, Comm
2181 Died, Comm
2182 Died, Cal
2186 Died, Comm
2187 Died, Comm
2188 Died, Comm
2189 Died, Comm
2190 Died, Comm
2191 Died, Sen Comm
2194 Died, Comm
2195 Died, Comm
2196 Died, Cal
2197 Died, Sen Comm
2199 Died, Cal
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2200 Died, Cal
2201 Died, Comm
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2209 Died, Cal
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2213 Died, Cal
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2253 Died, Cal
2255 Died, Comm
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2260 Died, Sen Comm
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2285 Signed, Eff Dt. 7/1/16
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2289 Signed, Eff Dt. 7/1/16
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2296 Died, Cal
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2330 Died, Cal
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2365 Signed, Eff Dt. 7/1/16
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2426 Died, Comm
2427 Died, Comm
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2429 Died, Comm
2430 Died, Cal
2431 Died, Comm
2432 Died, Comm
2433 Died, Comm
2434 Died, Comm
2435 Died, Comm

NUMERICAL SCHEDULE OF HOUSE BILLS
2016 SESSION

2436 Signed, Eff Dt. 5/19/16
2437 Died, Comm
2438 Signed, Eff Dt. 3/24/16
2439 Died, Comm
2440 Died, Cal
S Sub
2441 Died, Conf
2442 Signed, Eff Dt. 7/1/16
2443 Died, Comm

2444 Died, Comm
2445 Died, Comm
2446 Signed, Eff Dt. 7/1/16
2447 Signed, Eff Dt. 4/14/16
2448 Died, Comm
2449 Signed, Eff Dt. 2/11/16
2450 Died, Comm
2451 Died, Comm
2452 Died, Comm
2453 Died, Cal
2454 Signed, Eff Dt. 4/7/16
2455 Died, Cal
2456 Signed, Eff Dt. 7/1/16
2457 Died, Cal
2458 Died, Comm
2459 Stricken, Rule 1507
2460 Signed, Eff Dt. 7/1/16
2461 Died, Comm
2462 Signed, Eff Dt. 7/1/16
2463 Signed, Eff Dt. 7/1/16
2464 Died, Sen Comm
2465 Died, Comm
2466 Died, Comm
2467 Died, Sen Comm
2468 Died, Sen Comm
2469 Died, Sen Comm
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2471 Died, Sen Comm
2472 Died, Comm
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2473 Signed, Eff Dt. 7/1/16
2474 Died, Comm
2475 Died, Comm
2476 Died, Comm
2477 Died, Comm
2478 Died, Comm
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2479 Died, Sen Cal
2480 Signed, Eff Dt.7/1/16
2481 Died, Comm
2482 Died, Cal
2483 Died, Sen Comm
2484 Died, Comm
2485 Signed, Eff Dt. 7/1/16
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2486 Died, Cal
2487 Died, Comm
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2489 Died, Sen Comm
2490 Signed, Eff Dt. 7/1/16
2491 Stricken, Rule 1507
2492 Died, Comm
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2496 Died, Comm
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2501 Signed, Eff Dt. 7/1/16
2502 Signed, Eff Dt. 7/1/16
2503 Died, Comm
2504 Died, Comm
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2508 Stricken, Rule 1507
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2509 Signed, Eff Dt. 7/1/16
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2512 Signed, Eff Dt. 7/1/16
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2513 Died, Cal
2514 Died, Comm
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2516 Signed, Eff Dt. 7/1/16
2517 Died, Comm
2518 Signed, Eff Dt. 7/1/16
2519 Died, Comm
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2522 Signed, Eff Dt. 7/1/16
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2531 Died, Comm
2532 Killed
2533 Died, Comm
2534 Died, Sen Comm
2535 Died, Comm
2536 Signed, Eff Dt. 7/1/16
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2545 Signed, Eff Dt. 7/1/16
2546 Stricken, Rule 1507
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2549 Signed, Eff Dt. 4/7/16
2550 Stricken, Rule 1507
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2613 Died, Comm
2614 Died, Cal
2615 Signed, Eff Dt. 7/1/16
2616 Died, Comm
2617 Signed, Eff Dt. 7/1/16
2618 Died, Comm
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2620 Died, Sen Comm
2621 Stricken, Rule 1507
2622 Signed, Eff Dt. 7/1/16
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2632 Signed, Eff Dt. 5/19/16
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2640 Stricken, Rule 1507
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2652 Stricken, Rule 1507
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2708 Died, Comm
2709 Died, Cal
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2712 Died, Comm
2713 Died, Sen Comm
2714 Died, Comm
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2723 Died, Comm
2724 Died, Sen Comm

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2731 Died, Comm
2732 Died, Comm
2733 Died, Comm
2734 Died, Cal
2735 Died, Cal
2736 Died, Comm
2737 Died, Comm
2738 Died, Comm
2739 Signed, Eff Dt. 7/1/16
2740 Died, Comm
2741 Died, Comm
2742 Died, Comm

ACTION ON HOUSE CONCURRENT RESOLUTIONS CARRIED OVER FROM 2015 SESSION

5003 Died, Comm
5004 Died, Cal
5005 Killed
5006 Died, Comm
5007 Died, Comm
5008 Enrolled
5009 Died, Comm
5010 Killed
5011 Died, Comm
5012 Died, Comm
5013 Died, Comm
5014 Died, Comm
5015 Died, Comm
5018 Died, Comm

NUMERICAL SCHEDULE OF HOUSE CONCURRENT RESOLUTIONS 2015 SESSION

5020 Enrolled
5021 Enrolled
5022 Died, Sen Comm
5023 Died, Cal
5024 Enrolled
5025 Enrolled
5026 Enrolled
5027 Enrolled

NUMERICAL SCHEDULE OF HOUSE RESOLUTIONS 2016 SESSION

6029 Enrolled
6030 Enrolled
6031 Enrolled
6032 Enrolled
6033 Enrolled
6034 Enrolled
6035 Enrolled
6036 Enrolled
6037 Enrolled
6038 Died, Cal
6039 Enrolled
6040 Enrolled
6041 Enrolled
6042 Enrolled
6043 Enrolled
6044 Enrolled
6045 Enrolled
6046 Enrolled
6047 Enrolled
6048 Enrolled
6049 Enrolled
6050 Enrolled
6051 Enrolled
6052 Enrolled
6053 Enrolled
6054 Enrolled
6055 Enrolled
6056 Enrolled
6057 Died, Comm
6058 Enrolled
6059 Enrolled
6060 Enrolled
6061 Enrolled

ACTION ON SENATE BILLS CARRIED OVER FROM 2015 SESSION

6 Died, Comm
17 Stricken, Rule 1507
H Sub Sub
18 Stricken, Rule 1507
19 P Am, Sen Con
Sub SB 22, CCR Adopted
23 Died, Comm
24 Died, Comm
H Sub
29 Died, Cal
31 Died, Comm
42 Died, Comm
H Sub 44, P Am, Sen Con
48 Died, Comm
H Sub 55 P Am, Sen Con
56 Died, Comm
57 Died, Comm
H Sub
58 Stricken, Rule 1507
H Sub
59 Died, Cal
Sub
60 Died, Comm
62 Died, Comm
H Sub
63 Killed; CCR Not Adopted
H Sub
64 Died, Cal
H Sub
65 Died, Cal
86 Died, Comm
97 Stricken, Rule 1507
98 Died, Comm
Sub 99, P Am, Sen Con
Sub 103 Passed
H Sub
106 Stricken, Rule 1507
H Sub
121 Died, Comm
H Sub
125 Stricken, Rule 1507
H Sub 128 CCR Adopted
Sub
131 Died, Cal
133 P Am, Sen Con
H Sub
136 Stricken, Rule 1507
H Sub 149 CCR Adopted
Sub
155 Died, Comm
H Sub
159 Stricken, Rule 1507
H Sub
161 Line Item Veto Sustained
H Sub 168 CCR Adopted
Sub
171 Died, Comm
175 Passed
180 Died, Comm
181 Died, Comm
Sub 182 Died, Comm
188 Killed
190 Died, Comm
H Sub 193 CCR Adopted
197 Died, Comm
215 Died, Comm
H Sub Sub
216 Died, Cal
224 P Am, Sen Con
225 Passed
H Sub 227, CCR Adopted
239 Died, Comm
241 Died, Cal
242 Died, Cal
243 Died, Cal
244 Died, Comm
H Sub 245 P Am, Sen Con
246 Died, Comm
247 Passed
248 CCR Adopted
H Sub 249 CCR Adopted
250 P Am, Sen Con
H Sub 255 P Am, Sen Con
271 Died, Comm
274 Died, Comm
Sub
277 Died, Comm
278 Passed
H Sub
280 Veto Overridden
288 Died, Comm

ACTION ON SENATE BILLS -- 2016 SESSION

312 Passed
313 Died, Cal
314 Passed
318 CCR Adopted
319 CCR Adopted
321 P Am, Sen Con
Sub 323 CCR Adopted
325 CCR Adopted
326 CCR Adopted
329 Passed
330 Passed
334 Passed
Sub
335 Died, Comm
H Sub 337 CCR Adopted
338 Passed
341 Died, Comm
342 Died, Comm
349 Passed
352 Passed
353 Died, Comm
Sub
356 Died, Comm
349 Passed
352 349 Passed
358 Passed
359 Died, Comm

361 Stricken, Rule 1507
362 Passed
363 Died, Comm
365 Stricken, Rule 1507
366 CCR Adopted
367 CCR Adopted
369 Passed
370 Stricken, Rule 1507
372 Died, Comm
373 CCR Adopted
374 Died, Comm
375 Stricken, Rule 1507
376 Passed
379 Died, Comm
382 Stricken, Rule 1507
387 CCR Adopted
388 CCR Adopted
390 CCR Adopted
391 Died, Comm
392 Passed
393 Died, Comm
395 Died, Comm
H Sub 402 CCR Adopted
404 Died, Comm
405 Stricken, Rule 1507
407 P Am, Sen Con
408 P Am, Sen Con
410 Died, Comm
412 Passed
415 Died, Comm
418 CCR Adopted
419 Died, Comm
421 Died, Comm
422 Died, Comm
423 Passed
424 Died, Comm
426 Stricken, Rule 1507
Sub
428 Died, Cal
436 Died, Comm
437 Died, Comm
438 Passed
439 Died, Comm
Sub
440 Died, Comm
443 Passed
445 Died, Comm
449 CCR Adopted
453 Died, Comm
454 Died, Comm
457 Died, Comm
459 Passed
Sub
462 Died, Comm
469 Died, Comm
474 Died, Comm
476 Died, Comm
480 Died, Comm
484 Passed
485 Passed
509 Died, Comm

ACTION ON SENATE CONCURRENT RESOLUTIONS CARRIED OVER FROM 2015 SESSION

No SCRs carried over

NUMERICAL SCHEDULE OF SENATE CONCURRENT 2016 RESOLUTIONS SESSION

1610 Died, Comm
1613 Adopted

LEGEND

Adptd	Adopted
CCR	Conference Committee Report
Comm	Committee
Cal	Calendar
Conf Comm	Conference Committee
Con	Concur
Eff Dt	Effective Date
Fin Act	Final Action
Gen Orders	General Orders
H	House
Mat Chgd	Ruled Materially Changed by originating chamber
Non	Nonconcur
P Am	Passed as amended
Sub	Substitute
Sen	Senate

Summary of Actions on House Bills and Resolutions
2016 Session

House Bills

House bills introduced in the 2016 session..... 307
House bills carried over from 2015 session..... 335
House bills passed both houses and presented to Governor 53
House bills signed by Governor.....53
House bills signed with line item vetoes 0
House bills vetoed by Governor 0
House bills returned unsigned 0
House bills killed in House.....11
House bills that died on House Calendar.....46
House bills that died in House committees..... 487
House bills killed in Senate.....0
House bills that died on Senate Calendar.....4
House bills that died in Senate committees.....35
House bills that died in conference.....6
Subtotal 642
Total..... 642

House Concurrent Resolutions

House concurrent resolutions introduced in 2016 session.....8
House concurrent resolutions carried over from 2015 session.....14
House concurrent resolutions adopted by both houses 7
House concurrent resolutions that died in committee.....10
House concurrent resolutions that died on calendar. 2
House concurrent resolutions killed in House.....2
House concurrent resolutions that died in Senate Committee.....1
House concurrent resolutions that died on Senate Calendar.....0
House concurrent resolutions killed in Senate.....0
Subtotal.....22
Total.....22

House Resolutions

House resolutions introduced in 2016 session.....33
House resolutions adopted.....31
House resolutions that died in committee.....1
House resolutions that died on calendar.....1
House resolutions killed.....0
Subtotal.....33
Total.....33

APPOINTMENTS, GUESTS, COMMUNICATIONS FROM STATE OFFICERS, IN THE 2016 HOUSE JOURNAL

APPOINTMENTS

Of Susan Kannarr, chief clerk, p. 1909.

Of Fostor Chisolm, sergeant-at-arms, p. 1909.

Of Rev. Eunice Brubaker, chaplain, p. 1909.

Committee assignments, pp. 1915-1917.

Select Committee Insurance and Financial Institutions assignments, p. 1917.

Rep. Gonzalez to replace Rep. Rubin as chair of the Committee on Corrections and Juvenile Justice, p. 2275.

Rep. Pauls to replace Rep. Gonzalez as vice chair of Committee on Corrections and Juvenile Justice, p. 2275.

Rep. Pauls to replace Rep. Barker as chair of Committee on House Rules and Journal, p. 2275.

Rep. Todd to replace Rep. Barker as member of Committee on House Rules and Journal, p. 2275.

RULES

SPECIAL GUESTS

Speaker Merrick introduced Dr. Diane Steere of Wichita, President of the Kansas Academy of Family Physicians. She is the 68th president of the Kansas Academy of Family Physicians, the group that sponsors the Doctor of the Day program, providing daily assistance for health concerns o those serving the Statehouse during the session, pp. 1917.

In recognition of Northwest Kansas Technical College being selected as an Apple Distinguished School for 2015-2017, Rep. Billinger introduced Dr. Ed Mills; Ron Kaus; Brad Bergsma; Apple Representative, Nathan Ray and Adam Elliott, Apple Distinguished Educator, p. 1944.

Rep. Hill introduced Emporia State University's 17th President, Dr. Allison Garrett who began her tenure on January 4, 2016, p. 1957.

Rep. Houser introduced members of the Cherokee County Sheriff's Department to the House. Deputy Brad Knight was recognized for his selfless act of bravery during a flood water rescue. Also assisting in the rescue was Deputy Tim Reitz, p. 1962.

Rep. Highland introduced the Regional Finalists for the Kansas Teacher of the Year: Kristoffer R. Barikmo, Blue Valley USD 229; Lucinda M. Crenshaw, Lawrence USD 497; Shelly Jennings, Maize USD 266; Sheila E. Koup, Eureka USD 389; Nona Mason, Goodland USD 352; B. Jolene Pennington, Paola USD 368; Anna Sahadeo, De Soto USD 232 and The 2016 Kansas Teacher of the Year, Justin Coffey, Dodge City USD 443, p. 1963.

Rep. Victors introduced some of Haskell's outstanding students. Chris Sindone, pursuing a degree in Business and is from the Pawnee, Otoe, Ioway, Kiowa, Cheyenne, and Oglala Lakota Nation. He is the student congress President for American Indian Higher Education consortium and the current student senate president at Haskell Indian Nations University. Barbara Wolfin is currently a Haskell EcoAmbassador (a student-led initiative that focused on Haskell wetlands) and wetlands protection organization

club president and is from the Pit river Nation. David Waybenais is a student in the environmental science department and has participated in the Native American and Pacific Islander research experience, Lori Hasselman is a member of the Delaware and Shawnee nation and is a Native American journalist association fellow for 2015-2016. She is editor of the school's newspaper and was Haskell student of the year in 2015. Miss Haskell for 2015-2016, Brettnee Beartrack is a member of the Kiowa/Apache tribe majoring in Business Administration. Haskell Brave is Calvin Smith and he is from the Navajo Nation majoring in American Indian Studies, pp. 1979-1980..

Rep. Swanson introduced Kristen Wright , the 2015-2016 *Outstanding School Counselor of the Year* by the Kansas School Counselor Association, p. 1980.

Rep. Barton introduced Phyllis Bass, first director of the Richard Allen Cultural Center in Leavenworth. He also welcomed members of Mrs. Bass's family; Mrs. Edna Wagner, current Director of the Richard Allen Cultural Center and Gloria Wallace, a volunteer at the center to the House, pp. 1986-1987.

Rep. Proehl welcomed Kansas Phi Theta Kappa All-State Academic Team students Nurali Mamedov – Independence Community College; Reina Garcia – Coffeyville Community College; Alayna Hernandez – Kansas City Kansas Community College; Kaitlin Jurging – Butler Community College; Kendall Elliott – Labette Community College; Ruthanne Wark – Neosho County Community College-Ottawa; Angela Sas – Johnson County Community College; Johnathan Dallman – Highland Community College; Alexis Vaughan – Garden City Community College; Kayla Drybread – Neosho County Community College, pp. 2036-2037.

Reps. Victors, Boldra and Schwartz welcomed the women of the Kansas Farm Bureau to the House. In attendance were Pam Meng, Doniphan Co.; Debbie Kueser, Anderson Co.; Christy Springer, Wilson Co.; Lexy Goyer, Cowley Co.; Carrie Fraser, Cloud Co.; Gimmie Jo Jansonius, Phillips Co.; Sheryl MacNair, Hodgeman Co.; Carol Deaver, Finney Co.; Susan May, Decatur Co.; Marieta Hauser, Grant Co.; Paige Pratt, Morris Co, pp. 2037-2038.

Rep. Hawkins introduced three of the dentists who have served as President of the Dental Lifeline Network: Dr. Cindi Sherwood, Independence is the current President; Dr. Charles Squire, Wichita and Dr. R. Wayne Thompson, Shawnee, p. 2041.

Rep. Concannon introduced Lindy Richardson Lindquist for her induction to the National 4-H Hall of Fame, the 13**th** Kansan to ever receive that honor, p.

Rep. B. Carpenter introduced a group from Derby High School, 6A State Champions. Principal, Tim Hamblin; Head Coach, Brandon Clark; and players: Damar Simms (Damar has signed with the US Air Force Academy); Brady Rust (Brady is a shrine bowl selection and has signed with Butler County Community College); Ryan Stang (Ryan has accepted an engineering scholarship at WSU) and Trevor Hudson (Trevor has signed with Butler Community College), pp. 2060-2061.

Rep. Jennings introduced the 2015 Holcomb High School football team, winners of the 2015 4A Division II state championship, pp. 2067-2068.

Rep. Williams introduced Rose Hill Boys' Soccer Team , the first athletic program in Rose Hill History to win back-to-back State championships, p. 2068.

Rep. Will Carpenter recognized members of Leadership Butler **C**ounty, pp. 2068-2069.

Reps. Kuether and Tietze introduced the family of Andrea Burton who is memorialized in **HR 6039**, pp. 2086-2087.

Rep. Finch introduced Delaney Murphy, Little Miss Wheelchair Kansas, p. 2108.

Rep. Schwartz introduced the 2015-2016 FFA Leadership Team: Karl Wilhelm, President, Holton; Bailey Peterson, Vice President, Buhler; Dean Klahr, Secretary, Holton; Lane Coberly, Treasurer, Chapman; Kyler Langvardt, Reporter, Chapman; Gabryelle Gilliam, Sentinel, Washington County., p. 2108.

Reps. Kleeb and Carlin introduced American Cancer Society representatives, pp. 2110-2111.

Rep. Clark introduced representatives of Veteran Service Organizations, p. 2127.

Rep. Goico introduced Kansans who are Korean War Veterans, p. 2129.

Rep. K. Jones introduced Norman Holle, and recognized him for his work with veterans who suffer from PTSD , p. 2131.

Rep. Johnson recognized KPERS staff and study commission, pp. 2189-2190.

Rep. Goico introduced the family of Captain Christopher Norgren, pp. 2192-2193.

Rep. Rooker introduced the Consul General of Israel to the Midwest, Roey Gilad, Israel's highest ranking official in the Midwest responsible for 11 states in this region, including the great state of Kansas, p. 2207.

Rep. Kiegerl introduced Elfriede Jass, President of the German American Society and the Liederkranz Singers, a group of immigrants and their descendants from Germany, p. 2212.

Rep. Clark introduced a"Buffalo Soldier" describing their service to The United States of America and The Great State of Kansas. Master Sgt. Nolan Self and his wife Wilma; one of their seven children, Mr. Curtis Self, his wife Charlotte; their daughter April and grandson, Derron Johnson, p. 2215.

Rep. Garber introduced Anna Knapp of rural Seneca, winner of VFW Voice of Democracy contest, p. 2260.

Rep. Osterman introduced members of the Civil Air Patrol, p. 2263.

Rep. Read introduced the Fort Scott Symbols of Sacrifice Tribute Fund organizers, p. 2268.

Rep. Read introduced Kevin Gleason and Bill Johnston, Vocational Agriculture Educators form Southeast Kansas, p. 2285.

Rep. Mast introduced Colby Johnson, Burlington High School winner of 4A State Wrestling Championship and his parents, p. 2335.

Rep. Highberger introduced Jazmyne McNair, the 2016 Kansas Boys and Girls Club Youth of the Year, pp. 2335-2336.

Rep. Schwab introduced KayCee, Curt Nelson, Director of the Royals Hall of Fame, and Toby Cook, Vice President of Publicity, in recognition of **HR 6054,** pp. 2336-2337.

Rep. Dove introduced Lieutenant Colonel Michael Essary, US Army, on his retirement, pp. 2362-2363.

Rep. Hutchins introduced the Jackson Heights Boys' Basketball team for winning 2016 2A Boys' State Basketball Champ, pp. 2395-2396.

Rep. Houston introduced Ms. Prisca Barnes, founder and CEO of Storytime Village, Inc., p. 2396.

Rep. DeGraaf and Claeys introduced Lisa Reser, Michelle Haub, former Rep. Basil Dannebohm and Courtney Blankenship, Miss Yellow Brick Road, all Parkinson's Disease sufferers, p. 2401-2403.

Rep. Winn introduced the Kansas City Kansas Community College Women's Basketball team, winners of the 2016 National Junior college Athletic Association Division II Championship, pp. 2403-2404.

Rep. Garber introduced members of Centralia High School boys and Girls class 1A

Division 1 State Basketball Championship teams, p. 2453.

Rep. Hoffman introduced Fire Chief Greg Ellis, Fire Chief Rick Wesley and Kansas State Firefighters Association members, p. 2454.

Rep. Mast introduced members of the Osage City boys basketball team, winners of the Kansas Class 3A State Championship, p. 2455.

Rep. Swanson introduced members of the Clay Center High School girls basketball team, winners of the Class 4A, Division II Championship, p. 2466.

Rep. Hineman introduced the Dighton girls basketball team, winners of the Class 1A Divison II Championship, p. 2466.

Rep. Whipple introduced members of the Wichita South girls basketball team, winners of the Class 6A Championship, pp. 2467-2468.

Speaker Merrick introduced Bob Davis, voice of the Jayhawks, in recognition of **HR 6060**, pp. 2471-2472.

Rep. Todd introduced Jerry Chang from the Tapei Economic and Cultural Office, in recognition of **HR 6058**, pp. 2472-2473.

Rep. Ryckman introduced the MidAmerica Nazarene Pioneers as the 2016 NAIA Division I women's Basketball Champions, pp. 2529-2530.

COMMUNICATIONS FROM STATE OFFICERS

From Secretary of State Kris Kobach concerning the certification of appointments by the Governor to fill unexpired terms for State Representative for the 58th, 83rd, 85th, and 110th Legislative Districts for Ben Scott, Henry Helgerson, Chuck Weber and Ken Rahjes, p. 1910,

Office of Chief Clerk has received the following communications during the interim since adjournment of the 2015 Regular Session of the Legislature:

From Susan Mosier, MD, Secretary, Department of Health and Environment, the Application from the Kansas Association of Sleep Professionals for credentialing Polysomnographic Technologists, p. 1911.

From Derek Schmidt, Attorney General, pursuant to K.S.A. 22a-243, the 2015 annual report of the Kansas State Child Death Review Board, p. 1911.

From Dennis L. Mesa, Executive Director, Kansas Housing Resources Corporation, the audited financial statements for the fiscal year ending June 30, 2015, p. 1911.

From Ed Eilert, Chairman, Johnson County Education Research Triangle, in accordance with the requirements of K.S.A. 19-5005(e), its Annual Report concerning the financial activities of the Authority, 1911.

From Tim Shallenburger, President, Kansas Development Finance Authority, the statutorily required financial statements for the fiscal years ended June 30, 2014 and 2015, p. 1911.

From Robin Lewis, Chair, Kansas Advisory Group on Juvenile Justice and Delinquency Prevention, the Annual Report to the Governor, p. 1911.

From William B. Swearer, Chair, Kansas Commission on Judicial Qualifications, the Annual Report for 2014, p. 1911.

From Bob Page, President and Chief Executive Officer, The University of Kansas Hospital, the 2015 Annual Report, p. 1911.

From Alan D. Conroy, Executive Director, and Judy McNeal, Chief Fiscal Officer, Kansas Public Employees Retirement System, the 2015 Comprehensive Annual Financial Report, also available online at http://www.kpers.org/annualreport2015.pdf, p. 1911.

From Alan D. Conroy, Executive Director, Kansas Public Employees Retirement System,the required report on alternative investments as of December 31. 2015, p. 1911.

From Scott W. Miller, Director of Investments, in compliance with K.S.A. 75-4222(h), the Annual Report of the Pooled Money Investment Board for Fiscal Year 2015, p. 1911.

From the Office of Governor Sam Brownback:
Executive Directive No. 15-462, Authorizing Personnel Transactions and Authorizing Expenditure of Federal Funds.
Executive Directive No. 15-463, Authorizing Expenditure of Federal Funds.
Executive Directive No. 15-464, Authorizing Fund Transfers.
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Executive Order No. 15-04, a Drought Watch, replacing Executive Order No. 14-04.
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Executive Order No. 15-06, Designation of the **KANSAS**WORKS State Board as the State Workforce Development Board.
Executive Order No. 15-07, Protecting Kansas From Terrorism.
Executive Order No. 16-01, Protecting Kansas From Terrorism, pp. 1911-12.

From Derek Schmidt, Attorney General, pursuant to K.S.A. 75-723, the 2015 annual report of the Abuse, Neglect and Exploitation Unit, p. 1919.

From Robin Jennison, Secretary, Kansas Department of Wildlife, Parks and Tourism, a welcome letter to Kansas Legislators with a list of contacts for the KDWPT, p. 1919.

From Scott Frank, Legislative Post Auditor, Legislative Division of Post Audit, Annual Report to the 2016 Legislature, p. 1919.

From Shari Feist Albrecht, Chair and Ryan A. Hoffman, Director, Conservation Division, Kansas Corporation Commission; Oil and Gas Remediation Site Status Report, 2016 and the Abandoned Oil and Gas Well Status Report, 2016, p. 1919.

From Jon A. Roberts, Chair, Central Interstate Low-Level Radioactive Waste Commission, in accordance with Article IV.M.2. of the Central Interstate Low-Level Radioactive Waste Compact, the Annual Report for the fiscal year ending June 30, 2015, p.1919.

From Earnest A. Lehman, Chairman, Kansas Electric Transmission Authority, the 2015 Annual Report of KETA. , p. 1919

From Tracy Streeter, Kansas Water Office, 2016 Kansas Water Authority's Annual Report, p. 1933.

From State of Kansas, Board of Indigents' Defense Services, Annual Report Fiscal Year 2015, p. 1941.

From Kansas Department of Wildlife, Parks and Tourism, Division of Tourism, Annual Report FY15, p. 1941.

From Martha K. Gabehart, Executive Director, Kansas Commission on Disability Concerns, KCDC FY 2015 Annual Report, p. 1941.

From Mike Michael, Director, State Employee Health Plan, Division of Health Care

Finance, Kansas Department of Health and Environment; in compliance with K.S.A. 75-6509, Kansas State Employees Health Care Commission 2015 Annual Report, p. 1946.

From Kirk D. Thompson, Director, Kansas Bureau of Investigation, in compliance with K.S.A. 60-4117, report to the Legislature regarding the status of the KBI State Forfeiture Fund, p. 1952.

From Alexandra Blasi, JD, MBA, Executive Secretary, Kansas Board of Pharmacy, pursuant to K.S.A. 65-4102(b), Report on Substances Proposed for Scheduling, Rescheduling or Deletion, p. 1955.

From Mark A. Bruce, Superintendent, Kansas Highway Patrol, pursuant to K.S.A. 60-4117, 2015 Annual Report, State Forfeiture Fund, p. 1958.

From Keith Bradshaw, Director of Fiscal and Asset Management, Kansas Department of Transportation, current bond schedule and an updated State Highway Fund Transfer summary, p. 1963.

From Jerel Wright, Administrator, Kansas Department of Credit Unions, Special Order 2016-01, as required by Kansas Statute Annotated 17-2244, p. 1970.

From Lana Gordon, Secretary of Labor, Kansas Department of Labor, 2015 Annual Report, p. 1973.

From Honorable Frank J. Yeoman, Jr., Chair, Board of Directors, Kansas Guardianship Program, 2015 Annual Report, p. 1973.

From Ken Selzer, CPA, Commissioner of Insurance, Kansas Insurance Department, 2015 Annual Report of the Kansas Workers Compensation Fund, p. 1973.

From Lee E. Tafanelli, Major General, Kansas National Guard, The Adjutant General, 2015 Annual Report for the Adjutant General's Department, p. 1982..

From Elaine Frisbie, Kansas Board of Regents, as directed by K.S.A. 76-717, Annual Report on Exceptions to the Minimum Admission Standards at State Universities, p. 1982.

From Barbara J. Hickert, State LTC Ombudsman, per K.S.A. 75-7306, Kansas Long-Term Care Ombudsman Annual Report for State Fiscal Year 2015, p. 2023.

From Laura Jurgensen, Kansas State Department of Education, according to Kansas School Safety and Security Act, K.S.A. 72-89b01 to 89b05, Information Relating to School Safety and Security, p.

From Antonio Soave, Secretary of Commerce, in accordance with K.S.A. 12-17, 169(c), 2015 Annual Report for projects funded with special obligation or STAR bonds, p. 2061.

From Jeff McClannahan, Director of Utilities, Kansas Corporation Commission, 2016 Retail Rate Impact Report, p. 2085.

From Susan Mosier, MD, MBA, FACS, Secretary and State Health Officer, pursuant to K.S.A. 65-1,159a, Stan Clark Pregnancy Maintenance Initiative Program, p. 2192.

From Ken Selzer, CPA, Commissioner of Insurance, 2015 Annual Report of the Kansas Insurance Department, in accordance with provisions of K.S.A. 40-108, p. 2203.

From David N. Harper, Director, Division of Property Valuation, Kansas Department of Revenue, pursuant to K.S.A. 79-1490, 2015 Preliminary Real Estate Appraisal/Sales Ratio Study, p. 2277.

From Nick Jordan, Secretary of Revenue, pursuant to K.S.A. 74-50, 118(c), annual report to the Governor and Legislature estimating the state tax expenditures from income tax credits claimed and sales tax exemptions allowed under the Kansas Enterprise Zone Act, p. 2457.

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HB 2437 Requiring prior legislative approval of any federal maintenance of effort obligation of the state.
HB 2439 Moving workforce development from the department of commerce to the department of labor.
HB 2440 Personal and family protection act; regulating concealed carry in portions of public buildings.
HB 2443 Establishing a cabinet level office to promote the unmanned aircraft systems industry in Kansas.
HB 2556 Grandparents as caregivers act; age requirement; children deemed as foster children.
HB 2657 Requiring private water utilities to maintain water quality maintenance funds.
HB 2661 Prohibiting the relocation of refugees from certain countries to the state of Kansas.
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5023 Reaffirming 10th Amendment rights.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.

HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.
HR 6055 Designating the month of April as Parkinson's Disease Awareness Month.

Clark, Lonnie
HB 2148 Kansas transparency act.
HB 2515 Abolishing the death penalty and creating the crime of aggravated murder.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2586 Expanding access to long-acting reversible contraceptive services.
HCR 5018 State constitutional human life amendment.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6048 Honoring Albert Curley and Nolan Self.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Clayton, Stephanie
HB 2007 Creating a law enforcement mutual aid region for critical incidents.
HB 2076 Sales tax holiday.
HB 2148 Kansas transparency act.
HB 2220 Teachers' contracts; due process.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2664 Establishing the intercollegiate adaptive sport grant program.
HB 2667 Certain sex crimes where offender is over 18 and victim is under 14, which currently have a mandatory minimum sentence of 25 years, could be increased to 35 years if aggravating circumstances found.
HB 2668 Providing protections for employees who are victims of domestic violence.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Concannon, Susan
HB 2515 Abolishing the death penalty and creating the crime of aggravated murder.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2664 Establishing the intercollegiate adaptive sport grant program.
HB 2668 Providing protections for employees who are victims of domestic violence.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
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HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Corbet, Ken
HB 2547 Naming the bison herd at mined land wildlife area.
HCR 5018 State constitutional human life amendment.
HCR 5023 Reaffirming 10th Amendment rights.
HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6050 Commemorating the 75th Birthday of M&M'S® Brand Chocolate Candies in the State of Kansas and designating the month of March as M&M'S® Brand Chocolate Candies Month.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Couture-Lovelady, Travis
HCR 5008 Right of public to hunt, fish and trap.

Curtis, Pam
HB 2220 Teachers' contracts; due process.
HB 2230 Repealing the health care compact.
HB 2314 Repealing the prohibition against agencies and municipalities requiring contractors to enter into certain labor agreements for public works construction projects.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2668 Providing protections for employees who are victims of domestic violence.
HB 2669 Repealing the food sales tax credit and enacting the food sales tax refund.
HB 2670 Increasing the earned income tax credit.
HB 2671 Providing homestead property tax refunds for renters.
HB 2680 Income taxes; apportionment of income; allowing a water's-edge election for certain taxpayers.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Dannebohm, Basil
HB 2041 Parkinson's disease public awareness and education act.
HB 2136 Providing homestead property tax refunds for renters.
HCR 5010 Making application to the U.S. congress to call a convention of the states.

Davis, Erin
HB 2076 Sales tax holiday.
HCR 5026 National donate life blue and green day, April 15.

HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.
HR 6059 Congratulating the University of Kansas for 150 years of service to the state of Kansas.

DeGraaf, Pete
HB 2075 Establishing the capitol meditation room.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2661 Prohibiting the relocation of refugees from certain countries to the state of Kansas.
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5018 State constitutional human life amendment.
HCR 5023 Reaffirming 10th Amendment rights.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.
HR 6055 Designating the month of April as Parkinson's Disease Awareness Month.

Dierks, Diana
HB 2148 Kansas transparency act.
HB 2220 Teachers' contracts; due process.
HB 2515 Abolishing the death penalty and creating the crime of aggravated murder.
HB 2547 Naming the bison herd at mined land wildlife area.
HR 6039 Honoring the life and memory of Andrea Burton.
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Doll, John
HB 2148 Kansas transparency act.
HB 2515 Abolishing the death penalty and creating the crime of aggravated murder.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2586 Expanding access to long-acting reversible contraceptive services.
HB 2644 Overweight exception for haulers of grain and certain other agricultural goods.

HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
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Dove, Willie
HB 2007 Creating a law enforcement mutual aid region for critical incidents.
HB 2075 Establishing the capitol meditation room.
HB 2661 Prohibiting the relocation of refugees from certain countries to the state of Kansas.
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5018 State constitutional human life amendment.
HCR 5023 Reaffirming 10th Amendment rights.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
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Edmonds, John
HB 2547 Naming the bison herd at mined land wildlife area.
HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
HR 6039 Honoring the life and memory of Andrea Burton.
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Esau, Keith
HB 2075 Establishing the capitol meditation room.
HB 2664 Establishing the intercollegiate adaptive sport grant program.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5023 Reaffirming 10th Amendment rights.
HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
HR 6039 Honoring the life and memory of Andrea Burton.
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families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
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Estes, Bud
HB 2075 Establishing the capitol meditation room.
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5023 Reaffirming 10th Amendment rights.
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Ewy, John
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HB 2547 Naming the bison herd at mined land wildlife area.
HB 2664 Establishing the intercollegiate adaptive sport grant program.
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Finch, Blaine
HB 2547 Naming the bison herd at mined land wildlife area.
HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
HR 6039 Honoring the life and memory of Andrea Burton.
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Finney, Gail
HB 2011 Enacting the cannabis compassion and care act.

HB 2013 Omega Psi Phi license plate.
HB 2076 Sales tax holiday.
HB 2148 Kansas transparency act.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2580 Repealing prohibitions and restrictions on insurance coverage for abortion services.
HB 2581 Repealing requirement that abortifacients be administered in the presence of the prescribing physician.
HB 2586 Expanding access to long-acting reversible contraceptive services.
HR 6039 Honoring the life and memory of Andrea Burton.
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Francis, Shannon
HB 2547 Naming the bison herd at mined land wildlife area.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
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HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
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Frownfelter, Stan
HB 2316 Providing for a livable minimum wage.
HB 2547 Naming the bison herd at mined land wildlife area.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Gallagher, Linda
HB 2314 Repealing the prohibition against agencies and municipalities requiring contractors to enter into certain labor agreements for public works construction projects.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
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Garber, Randy
HB 2075 Establishing the capitol meditation room.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2644 Overweight exception for haulers of grain and certain other agricultural goods.
HB 2661 Prohibiting the relocation of refugees from certain countries to the state of Kansas.
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5018 State constitutional human life amendment.
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HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
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Goico, Mario
HB 2006 Disabled veterans; public parking facility; no charge.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5018 State constitutional human life amendment.
HCR 5023 Reaffirming 10th Amendment rights.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
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HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6044 Honoring Captain Christopher Norgren for service to his country and the world community.
HR 6049 Commemorating the 75th Anniversary of Civil Air Patrol.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Gonzalez, Ramon
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2655 State capitol; cornerstone memorial.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5023 Reaffirming 10th Amendment rights.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
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HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.
HR 6055 Designating the month of April as Parkinson's Disease Awareness Month.

Grosserode, Amanda
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6039 Honoring the life and memory of Andrea Burton.
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Hawkins, Daniel
HB 2041 Parkinson's disease public awareness and education act.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2655 State capitol; cornerstone memorial.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5023 Reaffirming 10th Amendment rights.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6035 Designating February 2016 as Self-Care Month.
HR 6037 Recognizing the Donated Dental Service Program's 20 years of service.
HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6052 Commending hospitals in the state of Kansas for offering, and urging them to continue offering, inpatients, 65 years of age and older, immunization against the influenza virus prior to their discharge.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Hedke, Dennis
HB 2075 Establishing the capitol meditation room.
HB 2139 Postsecondary education; tuition and fees for aliens.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5018 State constitutional human life amendment.
HCR 5023 Reaffirming 10th Amendment rights.
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Helgerson, Henry
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2663 Creating the school district finance and quality performance act of 2016.
HB 2672 Eliminating certain income tax modifications for business income.
HB 2673 Redeemable beverage containers and establishing the container deposit fund.
HB 2675 Establishing the Kansas efficiency fund, Kansas rainy day fund and sales tax on food rate reduction fund in the state treasury; disposition of moneys identified as savings from the Kansas statewide efficiency reviews; sales tax rate on food.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
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Hemsley, Lane
HB 2547 Naming the bison herd at mined land wildlife area.
HR 6039 Honoring the life and memory of Andrea Burton.
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Henderson, Broderick
HB 2220 Teachers' contracts; due process.
HB 2547 Naming the bison herd at mined land wildlife area.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
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Henry, Jerry
HB 2283 Sales tax exemption for sales of farm products sold at farmers' markets.
HB 2284 Sales tax exemption for Highland pride, inc.
HB 2515 Abolishing the death penalty and creating the crime of aggravated murder.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2680 Income taxes; apportionment of income; allowing a water's-edge election for certain

taxpayers.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Hibbard, Larry
HB 2148 Kansas transparency act.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2644 Overweight exception for haulers of grain and certain other agricultural goods.
HB 2655 State capitol; cornerstone memorial.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
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Highberger, Dennis "Boog"
HB 2148 Kansas transparency act.
HB 2220 Teachers' contracts; due process.
HB 2230 Repealing the health care compact.
HB 2314 Repealing the prohibition against agencies and municipalities requiring contractors to enter into certain labor agreements for public works construction projects.
HB 2316 Providing for a livable minimum wage.
HB 2515 Abolishing the death penalty and creating the crime of aggravated murder.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2580 Repealing prohibitions and restrictions on insurance coverage for abortion services.
HB 2581 Repealing requirement that abortifacients be administered in the presence of the prescribing physician.
HB 2586 Expanding access to long-acting reversible contraceptive services.
HB 2669 Repealing the food sales tax credit and enacting the food sales tax refund.
HB 2670 Increasing the earned income tax credit.
HB 2671 Providing homestead property tax refunds for renters.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
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Highland, Ron
HB 2076 Sales tax holiday.
HB 2547 Naming the bison herd at mined land wildlife area.
HCR 5018 State constitutional human life amendment.
HCR 5023 Reaffirming 10th Amendment rights.

HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6032 Congratulating and commending the members of the 2016 Kansas Teacher of the Year team.
HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
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Hildabrand, Brett
HB 2075 Establishing the capitol meditation room.
HB 2139 Postsecondary education; tuition and fees for aliens.
HB 2148 Kansas transparency act.
HB 2445 Prohibit use of carbon monoxide chambers for euthanizing dogs and cats.
HB 2547 Naming the bison herd at mined land wildlife area.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5023 Reaffirming 10th Amendment rights.
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Hill, Don
HB 2148 Kansas transparency act.
HB 2547 Naming the bison herd at mined land wildlife area.
HR 6039 Honoring the life and memory of Andrea Burton.
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HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6046 Recognizing the Kansas Small Business Development Center's 2016 Businesses of the Year.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Hineman, Don
HB 2148 Kansas transparency act.
HB 2547 Naming the bison herd at mined land wildlife area.
HR 6034 Recognizing February 5, 2016, as National Wear Red Day.

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HR 6039 Honoring the life and memory of Andrea Burton.
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Hoffman, Kyle
HB 2075 Establishing the capitol meditation room.
HB 2661 Prohibiting the relocation of refugees from certain countries to the state of Kansas.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5018 State constitutional human life amendment.
HCR 5023 Reaffirming 10th Amendment rights.
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Houser, Michael
HB 2003 Cities; annexation of non-adjoining land.
HB 2075 Establishing the capitol meditation room.
HB 2515 Abolishing the death penalty and creating the crime of aggravated murder.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5023 Reaffirming 10th Amendment rights.
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Houston, Roderick
HB 2220 Teachers' contracts; due process.
HB 2515 Abolishing the death penalty and creating the crime of aggravated murder.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2586 Expanding access to long-acting reversible contraceptive services.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.

HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Huebert, Steve
HB 2075 Establishing the capitol meditation room.
HB 2547 Naming the bison herd at mined land wildlife area.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5018 State constitutional human life amendment.
HCR 5023 Reaffirming 10th Amendment rights.
HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
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Hutchins, Becky
HB 2139 Postsecondary education; tuition and fees for aliens.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2661 Prohibiting the relocation of refugees from certain countries to the state of Kansas.
HB 2664 Establishing the intercollegiate adaptive sport grant program.
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5018 State constitutional human life amendment.
HCR 5023 Reaffirming 10th Amendment rights.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Hutton, Mark
HB 2075 Establishing the capitol meditation room.
HB 2444 Eliminating the business non-wage income tax exemption and reducing the sales tax rate on food.
HCR 5018 State constitutional human life amendment.
HCR 5023 Reaffirming 10th Amendment rights.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer

Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6046 Recognizing the Kansas Small Business Development Center's 2016 Businesses of the Year.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Jennings, Russell
HB 2547 Naming the bison herd at mined land wildlife area.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
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Johnson, Steven
HB 2547 Naming the bison herd at mined land wildlife area.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
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Jones, Dick
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5023 Reaffirming 10th Amendment rights.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Jones, Kevin
HB 2075 Establishing the capitol meditation room.
HB 2076 Sales tax holiday.
HB 2139 Postsecondary education; tuition and fees for aliens.

HB 2598 Limiting powers of rural water districts.
HB 2661 Prohibiting the relocation of refugees from certain countries to the state of Kansas.
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5018 State constitutional human life amendment.
HCR 5023 Reaffirming 10th Amendment rights.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6043 Recognizing Norman Holle for his work in helping veterans with PTSD.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Kahrs, Mark
HB 2075 Establishing the capitol meditation room.
HB 2661 Prohibiting the relocation of refugees from certain countries to the state of Kansas.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5023 Reaffirming 10th Amendment rights.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
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Kelley, Kasha
HB 2075 Establishing the capitol meditation room.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5023 Reaffirming 10th Amendment rights.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
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Kelly, Jim
HB 2547 Naming the bison herd at mined land wildlife area.

HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
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Kiegerl, Mike
HB 2075 Establishing the capitol meditation room.
HB 2139 Postsecondary education; tuition and fees for aliens.
HB 2445 Prohibit use of carbon monoxide chambers for euthanizing dogs and cats.
HB 2661 Prohibiting the relocation of refugees from certain countries to the state of Kansas.
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5018 State constitutional human life amendment.
HCR 5023 Reaffirming 10th Amendment rights.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
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HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
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Kleeb, Marvin
HB 2547 Naming the bison herd at mined land wildlife area.
HCR 5023 Reaffirming 10th Amendment rights.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
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Kuether, Annie
HB 2148 Kansas transparency act.
HB 2220 Teachers' contracts; due process.
HB 2314 Repealing the prohibition against agencies and municipalities requiring contractors to enter into certain labor agreements for public works construction projects.
HB 2316 Providing for a livable minimum wage.
HB 2500 Enacting the Kansas ratepayers protection act and clarifying CURB's powers.
HB 2515 Abolishing the death penalty and creating the crime of aggravated murder.
HB 2547 Naming the bison herd at mined land wildlife area.

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HB 2580 Repealing prohibitions and restrictions on insurance coverage for abortion services.
HB 2581 Repealing requirement that abortifacients be administered in the presence of the prescribing physician.
HB 2586 Expanding access to long-acting reversible contraceptive services.
HB 2680 Income taxes; apportionment of income; allowing a water's-edge election for certain taxpayers.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Lane, Harold
HB 2220 Teachers' contracts; due process.
HB 2230 Repealing the health care compact.

Lewis, Greg
HB 2547 Naming the bison herd at mined land wildlife area.
HB 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Lunn, Jerry
HB 2075 Establishing the capitol meditation room.
HB 2098 Designating a portion of U.S. 69 as the 2nd Lieutenant Justin L Sisson memorial highway.
HB 2139 Postsecondary education; tuition and fees for aliens.
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5023 Reaffirming 10th Amendment rights.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
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Lusk, Nancy
HB 2148 Kansas transparency act.
HB 2220 Teachers' contracts; due process.

HB 2547 Naming the bison herd at mined land wildlife area.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Lusker, Adam
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2655 State capitol; cornerstone memorial.
HCR 5008 Right of public to hunt, fish and trap.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Macheers, Charles
HB 2075 Establishing the capitol meditation room.
HB 2139 Postsecondary education; tuition and fees for aliens.
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
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Mason, Les
HB 2075 Establishing the capitol meditation room.
HB 2547 Naming the bison herd at mined land wildlife area.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5023 Reaffirming 10th Amendment rights.
HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
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Mast, Peggy
HB 2075 Establishing the capitol meditation room.
HCR 5023 Reaffirming 10th Amendment rights.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
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McPherson, Craig
HB 2661 Prohibiting the relocation of refugees from certain countries to the state of Kansas.
HCR 5023 Reaffirming 10th Amendment rights.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
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Merrick, Ray
HB 2436 Allowing persons to take motorcycle license driving exam on a 3-wheeled motorcycle and restricting such licenses.
HB 2438 Fire districts; city territory adjoining a fire district to be added.
HB 2547 Naming the bison herd at mined land wildlife area.
HCR 5002 Joint rules for the Senate and House of Representatives, 2015-2016.
HCR 5017 Adjournment of the legislature for a time during the 2015 session.
HCR 5020 Committee to inform governor that the two houses of the legislature are organized and ready to receive communications.
HCR 5021 Joint session for hearing message of the governor.
HCR 5023 Reaffirming 10th Amendment rights.
HCR 5025 Relating to adjournment of senate and house of representatives for a period of time during the 2016 regular session of the legislature.
HCR 5027 Adjournment of the 2016 regular session of the legislature.
HR 6029 Organization of the House of Representatives, 2016.
HR 6030 Relating to assignment of seats in the house of representatives, 2016.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.

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HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.
HR 6058 Supporting Taiwan's participation in international trade agreements and international organizations and reaffirming Kansas' commitment to its relationship with Taiwan.
HR 6060 Congratulating and commending Bob Davis on his outstanding sports broadcasting career and retirement; and designating April 28, 2016, as Bob Davis Day.

Moxley, Tom
HB 2148 Kansas transparency act.
HB 2547 Naming the bison herd at mined land wildlife area.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

O'Brien, Connie
HB 2075 Establishing the capitol meditation room.
HB 2515 Abolishing the death penalty and creating the crime of aggravated murder.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2661 Prohibiting the relocation of refugees from certain countries to the state of Kansas.
HB 2664 Establishing the intercollegiate adaptive sport grant program.
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5018 State constitutional human life amendment.
HCR 5023 Reaffirming 10th Amendment rights.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
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Osterman, Les
HB 2075 Establishing the capitol meditation room.
HB 2139 Postsecondary education; tuition and fees for aliens.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2655 State capitol; cornerstone memorial.
HB 2661 Prohibiting the relocation of refugees from certain countries to the state of Kansas.
HB 2664 Establishing the intercollegiate adaptive sport grant program.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5023 Reaffirming 10th Amendment rights.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
HR 6039 Honoring the life and memory of Andrea Burton.
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Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6049 Commemorating the 75th Anniversary of Civil Air Patrol.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Ousley, Jarrod
HB 2220 Teachers' contracts; due process.
HB 2230 Repealing the health care compact.
HB 2314 Repealing the prohibition against agencies and municipalities requiring contractors to enter into certain labor agreements for public works construction projects.
HB 2547 Naming the bison herd at mined land wildlife area.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
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Patton, Fred
HB 2547 Naming the bison herd at mined land wildlife area.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
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Pauls, Jan
HB 2075 Establishing the capitol meditation room.
HB 2076 Sales tax holiday.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5018 State constitutional human life amendment.
HCR 5023 Reaffirming 10th Amendment rights.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
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Peck, Virgil
HB 2075 Establishing the capitol meditation room.
HB 2076 Sales tax holiday.
HB 2139 Postsecondary education; tuition and fees for aliens.
HB 2644 Overweight exception for haulers of grain and certain other agricultural goods.
HB 2661 Prohibiting the relocation of refugees from certain countries to the state of Kansas.
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5018 State constitutional human life amendment.
HCR 5023 Reaffirming 10th Amendment rights.
HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6053 Honoring Frank Foster for his service in World War II, the Korean War and the Vietnam War.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Phillips, Tom
HB 2148 Kansas transparency act.
HB 2547 Naming the bison herd at mined land wildlife area.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
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Powell, Randy
HB 2075 Establishing the capitol meditation room.
HB 2076 Sales tax holiday.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2661 Prohibiting the relocation of refugees from certain countries to the state of Kansas.
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5018 State constitutional human life amendment.
HCR 5023 Reaffirming 10th Amendment rights.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
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HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.

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HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Proehl, Richard
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2655 State capitol; cornerstone memorial.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
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Rahjes, Ken
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5023 Reaffirming 10th Amendment rights.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
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Read, Marty
HB 2075 Establishing the capitol meditation room.
HB 2139 Postsecondary education; tuition and fees for aliens.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2644 Overweight exception for haulers of grain and certain other agricultural goods.
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5018 State constitutional human life amendment.
HCR 5023 Reaffirming 10th Amendment rights.
HR 6039 Honoring the life and memory of Andrea Burton.
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Rhoades, Marc
HB 2075 Establishing the capitol meditation room.
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5010 Making application to the U.S. congress to call a convention of the states.

HCR 5018 State constitutional human life amendment.
HCR 5023 Reaffirming 10th Amendment rights.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
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Rooker, Melissa
HB 2007 Creating a law enforcement mutual aid region for critical incidents.
HB 2076 Sales tax holiday.
HB 2148 Kansas transparency act.
HB 2220 Teachers' contracts; due process.
HB 2230 Repealing the health care compact.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2586 Expanding access to long-acting reversible contraceptive services.
HR 6039 Honoring the life and memory of Andrea Burton.
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Rubin, John
HB 2075 Establishing the capitol meditation room.
HB 2139 Postsecondary education; tuition and fees for aliens.
HB 2148 Kansas transparency act.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
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HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
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HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Ruiz, Louis
HB 2230 Repealing the health care compact.

HB 2314 Repealing the prohibition against agencies and municipalities requiring contractors to enter into certain labor agreements for public works construction projects.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2580 Repealing prohibitions and restrictions on insurance coverage for abortion services.
HB 2581 Repealing requirement that abortifacients be administered in the presence of the prescribing physician.
HB 2668 Providing protections for employees who are victims of domestic violence.
HB 2680 Income taxes; apportionment of income; allowing a water's-edge election for certain taxpayers.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
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Ryckman, Ron
HB 2075 Establishing the capitol meditation room.
HCR 5023 Reaffirming 10th Amendment rights.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
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Ryckman Sr., Ronald
HB 2075 Establishing the capitol meditation room.
HB 2547 Naming the bison herd at mined land wildlife area.
HCR 5023 Reaffirming 10th Amendment rights.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6031 Congratulating and commending Bethany Ellis for her work as the high school state president of SkillsUSA Kansas.
HR 6032 Congratulating and commending the members of the 2016 Kansas Teacher of the Year team.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Sawyer, Tom
HB 2515 Abolishing the death penalty and creating the crime of aggravated murder.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2664 Establishing the intercollegiate adaptive sport grant program.
HB 2668 Providing protections for employees who are victims of domestic violence.
HB 2669 Repealing the food sales tax credit and enacting the food sales tax refund.
HB 2670 Increasing the earned income tax credit.
HB 2671 Providing homestead property tax refunds for renters.
HB 2680 Income taxes; apportionment of income; allowing a water's-edge election for certain taxpayers.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
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Scapa, Joseph
HB 2075 Establishing the capitol meditation room.
HB 2076 Sales tax holiday.
HB 2661 Prohibiting the relocation of refugees from certain countries to the state of Kansas.
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5018 State constitutional human life amendment.
HCR 5023 Reaffirming 10th Amendment rights.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
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Schroeder, Don
HB 2075 Establishing the capitol meditation room.
HB 2515 Abolishing the death penalty and creating the crime of aggravated murder.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2664 Establishing the intercollegiate adaptive sport grant program.
HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
HR 6039 Honoring the life and memory of Andrea Burton.
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HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
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HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Schwab, Scott
HB 2547 Naming the bison herd at mined land wildlife area.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
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Schwartz, Sharon
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6045 Urging the federal government to require the use of sound science in evaluating crop protection chemistries and nutrients.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Scott, Ben
HB 2547 Naming the bison herd at mined land wildlife area.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
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Seiwert, Joe
HB 2661 Prohibiting the relocation of refugees from certain countries to the state of Kansas.
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5018 State constitutional human life amendment.
HR 6039 Honoring the life and memory of Andrea Burton.
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HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
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Sloan, Tom
HB 2002 Sexual exploitation of a child; definition of "sexually explicit conduct".
HB 2014 Authorizing the Kansas water office, with approval of the Kansas water authority, to establish the clean drinking water fee by rules and regulations and imposing a cap on such fee.
HB 2478 Creating the public safety prepaid wireless communications device committee.
HB 2586 Expanding access to long-acting reversible contraceptive services.
HB 2594 Utilities and the sale of electricity.
HB 2664 Establishing the intercollegiate adaptive sport grant program.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
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Smith, Charles
HB 2075 Establishing the capitol meditation room.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2586 Expanding access to long-acting reversible contraceptive services.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
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Suellentrop, Gene
HB 2139 Postsecondary education; tuition and fees for aliens.
HB 2547 Naming the bison herd at mined land wildlife area.
HCR 5023 Reaffirming 10th Amendment rights.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
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Sutton, William
HB 2075 Establishing the capitol meditation room.
HB 2076 Sales tax holiday.
HB 2139 Postsecondary education; tuition and fees for aliens.

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HB 2515 Abolishing the death penalty and creating the crime of aggravated murder.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2664 Establishing the intercollegiate adaptive sport grant program.
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HCR 5010 Making application to the U.S. congress to call a convention of the states.
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HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
HR 6039 Honoring the life and memory of Andrea Burton.
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HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Swanson, Susie
HB 2103 Designating bridge no. 14 (030) in Clay county as the Clay county Vietnam veterans bridge.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2562 Parentage; retroactive child support guidelines.
HCR 5026 National donate life blue and green day, April 15.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
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Thimesch, Jack
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2661 Prohibiting the relocation of refugees from certain countries to the state of Kansas.
HCR 5018 State constitutional human life amendment.
HCR 5023 Reaffirming 10th Amendment rights.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
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Thompson, Kent
HB 2076 Sales tax holiday.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2644 Overweight exception for haulers of grain and certain other agricultural goods.

HB 2655 State capitol; cornerstone memorial.
HCR 5023 Reaffirming 10th Amendment rights.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
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Tietze, Annie
HB 2148 Kansas transparency act.
HB 2220 Teachers' contracts; due process.
HB 2230 Repealing the health care compact.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2580 Repealing prohibitions and restrictions on insurance coverage for abortion services.
HB 2581 Repealing requirement that abortifacients be administered in the presence of the prescribing physician.
HB 2680 Income taxes; apportionment of income; allowing a water's-edge election for certain taxpayers.
HR 6039 Honoring the life and memory of Andrea Burton.
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Todd, James
HB 2075 Establishing the capitol meditation room.
HB 2076 Sales tax holiday.
HB 2186 Prohibiting the use of state aid by public postsecondary educational institutions to support certain academic entities that are academically boycotting certain countries where certain institutions of higher education are located.
HB 2188 Driver's licenses; requiring entering into a payment plan for certain individuals to receive restricted driving privileges when license has expired while on suspension.
HB 2547 Naming the bison herd at mined land wildlife area.
HCR 5023 Reaffirming 10th Amendment rights.
HR 6036 Designating February 9, 2016, as Kansas MS Action Day.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.
HR 6058 Supporting Taiwan's participation in international trade agreements and international organizations and reaffirming Kansas' commitment to its relationship with Taiwan.

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Trimmer, Ed

HB 2148 Kansas transparency act.
HB 2220 Teachers' contracts; due process.
HB 2487 Legislative subsistence allowance; repealing the provisions increasing the allowance to match the federal employee per diem expenses and setting the allowance at $129 per day.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2664 Establishing the intercollegiate adaptive sport grant program.
HB 2667 Certain sex crimes where offender is over 18 and victim is under 14, which currently have a mandatory minimum sentence of 25 years, could be increased to 35 years if aggravating circumstances found.
HB 2668 Providing protections for employees who are victims of domestic violence.
HB 2669 Repealing the food sales tax credit and enacting the food sales tax refund.
HB 2670 Increasing the earned income tax credit.
HB 2671 Providing homestead property tax refunds for renters.
HB 2672 Eliminating certain income tax modifications for business income.
HB 2673 Redeemable beverage containers and establishing the container deposit fund.
HB 2675 Establishing the Kansas efficiency fund, Kansas rainy day fund and sales tax on food rate reduction fund in the state treasury; disposition of moneys identified as savings from the Kansas statewide efficiency reviews; sales tax rate on food.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
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Vickrey, Jene

HB 2547 Naming the bison herd at mined land wildlife area.
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5023 Reaffirming 10th Amendment rights.
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HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
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Victors, Ponka-We

HB 2220 Teachers' contracts; due process.
HB 2230 Repealing the health care compact.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2586 Expanding access to long-acting reversible contraceptive services.
HR 6039 Honoring the life and memory of Andrea Burton.
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HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Ward, Jim
HB 2012 Enacting the Kansas working families pay raise act.
HB 2045 Relating to eligibility requirements for the Kansas program of medical assistance.
HB 2046 Repealing the health care compact.
HB 2047 Patient empowerment act relating to I/DD waiver program.
HB 2143 Lobbying restrictions; certain elected state officers and executive staff.
HB 2144 Voter registration; affidavit to verify name change.
HB 2145 Help Kansas vote act.
HB 2146 County election officers; nepotism rule applied.
HB 2148 Kansas transparency act.
HB 2220 Teachers' contracts; due process.
HB 2452 Enacting the Kansas protection against terrorists act.
HB 2500 Enacting the Kansas ratepayers protection act and clarifying CURB's powers.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2580 Repealing prohibitions and restrictions on insurance coverage for abortion services.
HB 2581 Repealing requirement that abortifacients be administered in the presence of the prescribing physician.
HB 2586 Expanding access to long-acting reversible contraceptive services.
HR 6039 Honoring the life and memory of Andrea Burton.
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Waymaster, Troy
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2589 Public assistance ineligibility for children who withdraw from school.
HB 2655 State capitol; cornerstone memorial.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6039 Honoring the life and memory of Andrea Burton.
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HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.
HR 6055 Designating the month of April as Parkinson's Disease Awareness Month.

Weber, Chuck
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5023 Reaffirming 10th Amendment rights.
HCR 5024 Urging the U.S. President to not send terrorist detainees to Kansas or elsewhere in the U.S.
HR 6038 Urging all Kansans to become educated about human trafficking and slavery.

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HR 6039 Honoring the life and memory of Andrea Burton.
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Whipple, Brandon
HB 2076 Sales tax holiday.
HB 2148 Kansas transparency act.
HB 2172 Nurse aide trainees; criminal history record information check; before the state of school.
HB 2220 Teachers' contracts; due process.
HB 2314 Repealing the prohibition against agencies and municipalities requiring contractors to enter into certain labor agreements for public works construction projects.
HB 2316 Providing for a livable minimum wage.
HB 2317 Requiring employment of Kansas workers for certain state contracts and tax incentives.
HB 2318 Partnering with western governors university to provide online, competency-based education.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2664 Establishing the intercollegiate adaptive sport grant program.
HB 2667 Certain sex crimes where offender is over 18 and victim is under 14, which currently have a mandatory minimum sentence of 25 years, could be increased to 35 years if aggravating circumstances found.
HB 2668 Providing protections for employees who are victims of domestic violence.
HB 2669 Repealing the food sales tax credit and enacting the food sales tax refund.
HB 2670 Increasing the earned income tax credit.
HB 2671 Providing homestead property tax refunds for renters.
HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
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Whitmer, John
HB 2075 Establishing the capitol meditation room.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2573 Live streaming of legislative meetings and the information network of Kansas.
HB 2661 Prohibiting the relocation of refugees from certain countries to the state of Kansas.
HB 2664 Establishing the intercollegiate adaptive sport grant program.
HB 2676 Development and establishment of K-12 curriculum standards.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5023 Reaffirming 10th Amendment rights.
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HR 6038 Urging all Kansans to become educated about human trafficking and slavery.
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Williams, Kristey
HB 2075 Establishing the capitol meditation room.
HB 2148 Kansas transparency act.
HCR 5010 Making application to the U.S. congress to call a convention of the states.
HCR 5023 Reaffirming 10th Amendment rights.
HR 6039 Honoring the life and memory of Andrea Burton.
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HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

Wilson, John
HB 2201 Adult care homes; staffing, inspections, admissions, reporting and penalties.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2586 Expanding access to long-acting reversible contraceptive services.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
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Winn, Valdenia
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2586 Expanding access to long-acting reversible contraceptive services.
HB 2664 Establishing the intercollegiate adaptive sport grant program.
HB 2667 Certain sex crimes where offender is over 18 and victim is under 14, which currently have a mandatory minimum sentence of 25 years, could be increased to 35 years if aggravating circumstances found.
HB 2668 Providing protections for employees who are victims of domestic violence.
HB 2669 Repealing the food sales tax credit and enacting the food sales tax refund.
HB 2670 Increasing the earned income tax credit.
HB 2671 Providing homestead property tax refunds for renters.
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HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
HR 6042 Honoring and recognizing Kansans who are Korean War Veterans.
HR 6054 Congratulating and commending the Kansas City Royals baseball club on their 2015

World Championship of Major League Baseball.
HR 6056 Congratulating and commending the KCKCC Women's Basketball team on winning the 2016 NJCAA Division II Championship.

Wolfe Moore, Kathy
HB 2148 Kansas transparency act.
HB 2220 Teachers' contracts; due process.
HB 2230 Repealing the health care compact.
HB 2314 Repealing the prohibition against agencies and municipalities requiring contractors to enter into certain labor agreements for public works construction projects.
HB 2547 Naming the bison herd at mined land wildlife area.
HB 2680 Income taxes; apportionment of income; allowing a water's-edge election for certain taxpayers.
HR 6039 Honoring the life and memory of Andrea Burton.
HR 6040 Designating February, in 2016 and in each succeeding year, as Kansas Cancer Awareness Month.
HR 6041 Recognizing the patriotism and contributions of Veterans Service Organizations and families of veterans.
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State Legislature, House Committees

Agriculture and Natural Resources
H Sub for SB36 House Substitute for SB 36 by Committee on Agriculture and Natural Resources-Creating the local conservation lending program.
H Sub for SB64 House Substitute for SB 64 by Committee on Agriculture and Natural Resources - Limiting powers of rural water districts.
H Sub for SB125 House Substitute for SB 125 by Committee on Agriculture and Natural Resources - Amending the Kansas pet animal act.
H Sub for SB227 House Substitute for SB 227 by Committee on Agriculture and Natural Resources-Updating provisions relating to weights and measures.
H Sub for SB337 House Substitute for SB 337 by Committee on Agriculture and Natural Resources - Creating a penalty for failure to report annual water use.
HB 2029 Identification of domesticated deer.
HB 2030 Amendments to the Kansas pet animal act.
HB 2059 Authorizing chief engineer to allow augmentation to secure water.
HB 2060 Authorizing the governor to enter into the great plains interstate fire compact.
HB 2061 Amending the powers and duties of the Kansas department of agriculture division of conservation and the state conservation commission.
HB 2063 Amending the definition of project in the public water supply project loan program.
HB 2069 Allowing carryover and a change application for place of use for multi-year flex accounts.
HB 2116 Making the channel cat fish the official fish of the state of Kansas.
HB 2117 Requiring the completion of a boater safety education course.
HB 2156 Public water supply storage; interest rate change.
HB 2227 Creating water conservation areas.
HB 2231 Eliminating the annual licensing fee for any gas well used to strictly heat a dwelling or other structure.
HB 2278 Removing reference to the association of official analytical chemists in agricultural

liming materials provisions.
HB 2279 Amending the administrative hearing process for the department of agriculture.
HB 2322 Kansas expanded lottery act and racetrack gaming amendments; Kansas agricultural opportunity act.
HB 2329 Creating a program to research the use of industrial hemp.
HB 2341 Prioritizing options for disposal of seized wildlife.
HB 2351 Allowing conservation districts to sponsor local enhanced management areas.
HB 2479 Amendments to the Kansas noxious weed law.
HB 2480 Amendments to livestock brand law.
HB 2481 Clarifying approval of a change application for place of use for mutli-year flex accounts.
HB 2490 Allowing the secretary of the Kansas department of agriculture to contain chemical toxins and other plant pests for the protection of the public health.
HB 2491 Creating a penalty for failure to report annual water use.
HB 2492 Establishing the Kansas conservation reserve enhancement program.
HB 2523 Requiring veterinary premises to provide written notice when animal supervision is not provided outside normal business hours.
HB 2554 Amending the Kansas pet animal act.
HB 2606 Creating an equine dentistry license.
HB 2689 Requiring debt collection calls to be discontinued if the person being called provides evidence of mistaken identity.

Agriculture and Natural Resources Budget

HB 2072 Increasing assessments for the Kansas agricultural remediation reimbursement fund.

Appropriations

H Sub SB4 House Subsitute for SB 4 by Committee on Appropriations - Appropriation revisions and supplementals for FY 2015 and FY 2016 for various state agencies.
H Sub for SB7 House Substitute for SB 7 by Committee on Appropriations - Creating the classroom learning assuring student success act; making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education.
H Sub for SB11 House Substitute for SB 11 by Committee on Appropriations - State employees; essential employee defined.
H Sub for SB59 House Substitute for SB 59 by Committee on Appropriations - Amendments to the CLASS Act regarding supplemental general state aid and capital outlay state aid.
H Sub for SB161 House Substitute for SB161 by Committee on Appropriations - Appropriation revisions for FY 2016, FY 2017 and FY 2018 for various state agencies.
H Sub for SB249 Limiting the authority of state agencies to enter into indebtedness on behalf of the state; relating to the issuance of bonds by the Kansas development finance authority.
HB 2038 Appropriation revisions for FY 2015, FY 2016, FY 2017, and FY 2018 for various state agencies.
HB 2062 Relating to blackmail and breach of privacy.
HB 2085 Contracts between the secretary of transportation and the Kansas Turnpike Authority; annual reports from the authority; director of operations.
HB 2133 Appropriation revisions and supplementals for FY 2015 and FY 2016 for various state agencies.
HB 2134 Authorizing consumer credit report security freezes for individuals less than 18 years old.
HB 2151 Workplace bullying, abuse and harassment; policies for state employees.
HB 2152 Giving full-time state employees one additional discretionary holiday each year.

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HB 2153 Taxpayer empowerment, accountability and transparency in state contracting act.
HB 2166 Creating an exception to maximum vehicle length requirements for custom harvesters.
HB 2266 Requiring postsecondary education institutions to adopt a policy on sexual assault, domestic violence, dating violence and stalking.
HB 2267 Alternative project delivery; notice requirements and selection procedures.
HB 2268 Authorizing the state historical society to accept certain real property known as the Last Chance Store.
HB 2269 Lottery, gaming, parimutuel winnings, debt set off; child support.
HB 2299 Directing the secretary of labor to submit a statewide plan for state enforcement of OSHA standards.
HB 2303 Allowing the secretary of health and environment to establish variances to water quality standards.
HB 2304 Creating the local conservation lending program.
HB 2305 Creating an institutional license to practice veterinary medicine.
HB 2319 State medical assistance program; expansion of eligibility.
HB 2364 Removing sunset on the veterinary training program for rural Kansas.
HB 2365 Making appropriations for FY 16 and FY 17 for the judicial branch.
HB 2366 Capital improvement projects for various state agencies.
HB 2369 Prohibiting minors' access to a tanning device.
HB 2370 Appropriations for FY 2015, FY 2016, FY 2017, FY 2018 and FY 2019 for various state agencies.
Sub HB2370 Substitute for HB 2370 by Committee on Appropriations — Appropriations for FY 2015, FY 2016, FY 2017, FY 2018 and FY 2019 for various state agencies; capital improvement projects.
HB 2374 Establishing a new type of installment loan.
HB 2375 Enacting the gun violence restraining order act.
HB 2378 Establishing the Kansas legislature award for teaching excellence program.
HB 2382 Placement of juveniles in certain correctional facilities.
HB 2391 State employees; shared leave program limited to life threatening medical conditions; longevity bonuses only if moneys appropriated for such bonuses; classified positions converted to unclassified positions.
HB 2394 Career technical education incentive draw down.
HB 2395 State building projects; negotiating committees; alternative procurement.
HB 2403 Creating the classroom learning assuring student success act; making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education.
HB 2410 STAR bonds; economic impact study; base year assessed valuation for additions of area to project districts; financing in excess of approved amounts.
HB 2411 Abolishing the court of appeals; establishing the court of criminal appeals and the court of civil appeals; changing appellate court jurisdiction.
HB 2412 Providing optional notification by website.
HB 2416 KPERS; definition of compensation for purposes of computing final average salary.
HB 2418 Review of and limitations on contracts and lease-purchase agreements for energy conservation measures.
HB 2426 KPERS; definition of compensation for purposes of computing final average salary.
HB 2449 Repealing the nonseverability clause in 2015 House Bill No. 2005 and providing for the severability of the provisions of such bill, concerning the judicial branch.
HB 2482 Amending the nurse educator service scholarship program act.
HB 2483 Career technical education performance-based funding requirements.
HB 2513 Limitation on meeting days of legislative sessions.
Sub HB2513 Substitute HB2513 by Committee on Appropriations - Legislature; session length.

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HB 2526 Prohibitions on carrying concealed handguns in postsecondary educational institution buildings.
HB 2530 Appropriation revisions for FY 2016, FY 2017 and FY 2018 for various state agencies.
HB 2559 State agencies; minimum staffing levels; reports.
HB 2560 State employees; working conditions.
HB 2571 Licensure renewal of community mental health centers.
HB 2576 Prohibiting cities or counties from adopting employee scheduling policies for private employers.
HB 2577 Appropriation revisions for FY 2017 and FY 2018 for various state agencies.
HB 2595 Reserving regulation of consumer incentive items and nutrition labeling for food menu items in restaurants and vending machines to the legislature.
HB 2605 Authorizing the director of the Kansas turnpike authority to instruct the division of vehicles to refuse to register certain vehicles.
HB 2665 City and county inspections of rental properties; limitations.
HB 2687 Supreme court general administrative authority over judicial branch.
HB 2703 Limiting the authority of state agencies to enter into indebtedness on behalf of the state; relating to the issuance of bonds by the Kansas development finance authority.
HB 2704 Judicial branch, salaries of judges and justices; making and concerning appropriations for fiscal year 2017.
HB 2705 Amending court docket fees and charges.
HB 2709 Death benefits for certain KP&F surviving spouses.
HB 2710 Allowing agents of the KBI to participate in the Kansas deferred retirement option program.
HB 2712 Updating provisions relating to weights and measures.
HB 2713 Amending the Kansas general corporation code and the business entity standard treatment act.
HB 2716 Implementing a health insurance exchange platform for public-employer retirees and eliminating retirees from participation in the state health care benefits program.
HB 2721 Boards, commissions and other entities; study committees.
HB 2722 Designating a portion of K-148 as the SGT Lavern W Tegtmeier memorial highway.
HB 2723 Implementing administrative cost recovery fees for department of commerce community finance, tax incentive and grant programs.
HB 2724 Placing limits on calculation of KPERS benefits related to amounts taxable under 409A and 457(f) plans.
HB 2725 Limiting compensation related to accumulated leave and 409A and 457(f) plans for purposes of computing final average salary for retirement benefits under KPERS.
HB 2726 Utilizing a competitive request for proposal process to rebid all statewide insurance procurement through the department of administration.
HB 2727 Authorizing the secretary for children and families to prohibit registration or renewal of registration of certain vehicles and certain vessels and boats by a person owing money under a support order.
HB 2728 School finance; general state aid adjustment for unencumbered cash balances.
HB 2729 Requiring school districts to procure specific spend categories through the department of administration.
HB 2730 Authorizing the establishment of a school district group-funded pool for insurance purposes.
HB 2731 Amendments to CLASS act regarding local option budget and capital outlay equalization.
HB 2732 Providing for certified nurse-midwife practice without collaborative practice agreements.
HB 2733 Prohibiting the state employees health care commission from changing coverage

options under the state health care benefits program in effect for the 2016 plan year without prior legislative approval.
HB 2734 Establishing a budget stabilization fund in the state treasury; revenue and expenditures; review of risk-based practices by the legislative budget committee.
HB 2735 Express warranties; registration card or form need not be filed to enforce warranty.
HB 2736 Requiring probable cause to conduct spot checks of motor carriers.
HB 2739 State agencies; performance based budgeting; program service inventory; integrated budget fiscal process.
HB 2740 Amendments to the CLASS Act regarding supplemental general state aid and capital outlay state aid.
HB 2741 Creating the school district finance and student success act.
HB 2742 Reconciling amendments to certain statutes.

Children and Seniors

HB 2058 Hospitals; regarding designated lay caregivers; duties of the hospital; policies and procedures.
HB 2100 Establishing tax deferred savings accounts for individuals with disabilities.
HB 2170 Grades K-12; use of seclusion and restraint of students with disabilities; reporting thereof.
Sub HB2170 Substitute for HB 2170 - Schools and school districts; seclusion and restraint of pupils.
HB 2534 Amendments to the freedom from unsafe restraint and seclusion act.
HB 2585 Establishing the foster care oversight task force.

Commerce, Labor and Economic Development

H Sub for SB106 House Substitute for SB 106 by Committee on Commerce, Labor and Economic Development-Enacting the alternative crop research act.
HB 2096 Kansas Uniform Common Interest Owners Bill of Rights Act.
Sub HB2200 Substitute for HB 2200 by Committee on Commerce, Labor and Economic Development - Alcoholic liquor; county option retailers act; grocery stores and convenience stores.
HB 2248 Tax increment financing eligibility for projects involving very old buildings and adjacent vacant or condemned lots.
HB 2254 Exempting certain general contractors from the roofing contractor registration act.
HB 2261 Amending unemployment insurance benefits determination; employer classification and contribution rates.
HB 2265 Unemployment benefits for privately contracted school bus drivers.
HB 2325 Enacting the public employee bargaining transparency act.
HB 2326 Contract negotiations for certain professional employees.
HB 2354 Project-related sales tax exemptions for certain businesses that create jobs.
HB 2355 Prohibiting advance payment for distribution of motion pictures to drive-in theaters.
HB 2356 Providing for public safety with regard to elevators.
HB 2357 Department of labor; employment security; disqualification for benefits, administrative review, personnel carrying out act, filing of wage reports.
HB 2512 Allowing students early access to the CPA examination.
HB 2574 Requiring employment of Kansas workers for certain state contracts and tax benefits.
HB 2617 Workers compensation; medical administrator; electronic filing.

Corrections and Juvenile Justice

H Sub for Sub SB216 House Substitute for Substitute for SB 216 by Committee on Corrections and Juvenile Justice - Adding and amending substances included in schedules I, III and IV of the uniform controlled substances act.

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HB 2017 Amending the crime of aggravated battery, concerning strangulation.
HB 2018 Images of children in a state of nudity.
HB 2031 School district plan addressing child sexual abuse; establishing Erin's law.
HB 2049 Amending penalty for first and second marihuana possession convictions.
HB 2050 Allow prison sanction without county jail sanction for absconders.
HB 2051 Amendments to calculation of good time and program credits for inmates.
HB 2052 Including diversions for felony violations in criminal history and the drug abuse treatment program.
HB 2055 Conversion of out of state misdemeanors.
HB 2056 Use of risk assessment tool for community corrections placement.
HB 2080 Including unlawful dissemination of consensually taken images in blackmail and breach of privacy.
HB 2105 Creating the Kansas comprehensive money laundering act.
HB 2106 Amending criminal penalties under the Kansas uniform securities act.
HB 2107 Delinquent time lost on parole while offender has absconded from supervision.
HB 2137 Enacting the police and citizen protection act; relating to use of body cameras by law enforcement officers.
HB 2138 Amending provisions relating to municipal appearance bonds.
HB 2140 Relating to interlocutory appeals by the state; transfer of appeals by prosecution to the supreme court.
HB 2141 Licensure of bail enforcement agents by the attorney general.
HB 2147 Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.
HB 2217 Racial profiling data collection and reporting requirements.
HB 2218 Amending burglary to exclude premises that are the time open to the public.
HB 2247 Including department of corrections employees in coronary or cerebrovascular injury provisions for workers compensation.
HB 2271 Requiring conviction before forfeiture of assets.
HB 2275 Relating to substances included in schedules I, II, III and IV of the uniform controlled substances act.
HB 2313 Amending assault and battery to increase penalty for assault or battery of a health care provider and creating the crime of unlawful interference with a health care provider.
HB 2335 Creating alternative incarceration credit for inmates.
HB 2336 Requiring use of risk assessment tool in certain juvenile cases.
HB 2337 Removing reference to conservation camps.
HB 2338 Amendments to inherently dangerous felony list.
HB 2339 Changing age of consent for sexual relations.
HB 2358 Removing age requirement from crime of female genital mutilation.
HB 2359 Requiring law enforcement vehicle and body camera videos to be confidential.
HB 2458 Repeal special sentencing rule for third time possession of a controlled substance.
HB 2459 Amending the criminal penalties for unlawfully tampering with electronic monitoring equipment.
HB 2460 Linking person or nonperson underlying crime designations to violations of the Kansas offender registration act.
HB 2461 Allow use of certified drug abuse treatment program for drug severity level 4 crimes.
HB 2462 Increase theft loss value required for felony.
HB 2463 Allow certain juvenile adjudications decay from criminal history.
HB 2464 Allow prison sanction without county jail sanction for absconders.
HB 2501 Clarifying the definition of crime committed with an electronic device.
HB 2502 Amending court procedures in motion to attack sentence regarding time limitations and findings of manifest injustice.

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HB 2540 Adding and amending substances included in schedules I, III and IV of the uniform controlled substances act.
HB 2545 Release of information in support of arrest warrants and search warrants.
HB 2548 Amending requirements for justification and approval of sureties.
HB 2592 Amending burglary to exclude premises that are at the time open to the public.
HB 2593 Requiring certain felony interrogations to be videotaped.
HB 2611 Providing compensation for people wrongfully convicted.
HB 2618 Authorizing the sale of prison-made goods to certain entities and Kansas residents.
HB 2619 Amending competitive bidding requirements for certain agricultural and non-agricultural products.
HB 2620 Delinquent time lost on parole while offender has absconded from supervision.
HB 2621 Amending length of postrelease supervision for certain drug offenders.
HB 2638 Amendments to asset seizure and forfeiture process.
HB 2639 Enacting the emergency observation and treatment act; using licensed crisis recovery centers for emergency observation and treatment of persons with mental illness, substance use disorders and co-occurring conditions.
HB 2647 Providing immunity from civil liability for damage to a motor vehicle related to the rescue of a person or animal.
HB 2648 Authorizing inmate vocational building program at Ellsworth correctional facility.
HB 2666 Amendments concerning good time credit for certain inmates.
HB 2677 Limiting the ability of a licensing board to deny an occupational license based on prior convictions not directly related to the licensed occupation.
HB 2678 Requiring the attorney general to investigate and prosecute cases relating to the death of a person caused by a law enforcement officer.
HB 2681 Requiring an opportunity for diversion in certain circumstances.
HB 2684 Creating a system of alternative incarceration.
HB 2688 Applying battery and assault of a law enforcement officer to correctional officers employed by private prisons.
HB 2694 Requiring presumptive prison for a seventh DUI conviction.
HB 2699 Amending the asset forfeiture process.

Education

H Sub for SB136 House Substitute for SB 136 by Committee on Education - Eliminating due process for certain postsecondary teachers.
H Sub for SB193 House Substitute for SB 193 - Requiring a degree prospectus for postsecondary degree programs.
HB 2027 Requiring school district and state department of education audits; creating the efficient operation of schools task force.
HB 2028 Creating the Kansas education standards study commission.
HB 2034 Reducing negotiable terms and conditions in the professional negotiations act.
HB 2035 Amending the tax credit for low income students scholarship program act.
HB 2099 Authorizing school districts to administer certain surveys and questionnaires under the student data privacy act.
S Sub for Sub HB 2170 Senate Substitute for Substitute for HB 2170 by Committee on Education -- Creating the freedom from unsafe restraint and seclusion act.
HB 2199 School districts; human sexuality education; policies and procedures.
HB 2207 Development and implementation of ethnic studies in schools.
HB 2257 Amendments to the professional negotiations act.
Sub HB2292 Substitute for HB 2292 by Committee on Education – Development and establishment of K-12 curriculum standards.
H Sub for Sub HB2292 Substitute for Substitute for HB 2292 by the Committee on Education-

Establishment of K-12 curriculum standards.
HB 2470 Citations for overtaking and passing a school bus captured on camera.
HB 2486 Creating the school district bond project review board.
Sub HB2486 Substitute for HB 2486 by Committee on Education-Providing a cap on capital improvement state aid for future bond payment obligations of school districts.
HB 2531 Eliminating due process for certain postsecondary teachers.
HB 2532 Including financial literacy as an educational capacity.
HB 2533 Creating the student online personal protection act.
HB 2588 Requiring encryption of student data.
HB 2590 Authorizing income tax contributions to school districts.
HB 2622 Board of regents; updating fees and making amendments to the Kansas private and out-of-state postsecondary educational institution act.
HB 2628 Establishing the school district preschool program benefit lottery game.
HB 2630 Amending the special education for exceptional children act.
HB 2650 Establishing the school district benefit lottery game.
HB 2698 Requiring school districts to adopt certain policies against bullying, harassment and cyberbullying.

Education Budget

HB 2203 School district agreements for consolidation of administrative services.
HB 2596 Creating the classroom-based funding act.
HB 2686 Including Pittsburg state university as an eligible postsecondary educational institution for the purposes of receiving career technical education performance-based funding.
HCR 5011 Foresight 2020 strategic plan.

Elections

HB 2082 Lobbyist defined.
HB 2083 Campaign finance; reports; required information.
HB 2104 Elections; filling vacancies of nominations.
HB 2108 Elections; straight ticket ballots.
HB 2182 Campaign finance solicitations; legislative session.
HB 2183 Political campaigns and use of technology.
HB 2184 Governmental ethics; limitations on gifts and travel; lobbyist filings.
HB 2185 Elections; polling places; unified school districts.
HB 2210 County commission boards; expansion of commissioners; special election.
HB 2211 Campaign finance; soliciting campaign funds.
HB 2212 City political committees.
HB 2213 Campaign finance; increasing contribution limits; contributions received during primary period.
HB 2214 Procedure of appointment when certain vacancies of office or nomination occur.
HB 2215 Campaign finance; transfer of campaign funds.
HB 2251 Elections; ballot on demand; advance voting changes; electronic polling books.
HB 2340 Elections; municipal, spring to fall, even years, partisan; special districts spring to fall, odd years.
HB 2506 False statements against candidates for state office.
HB 2507 Elections; ballots; city of candidate residence removed.
HB 2543 Elections; manual audit of certain election results by county election officer prior to canvass.
Sub HB2543 Substitute for HB 2543 by Committee on Elections - Election audits; voting machine requirements; time of canvass.
HB 2544 Elections; registration; election day registration.

Energy and Environment

H Sub for SB91 House Substitute for SB 91 by Committee on Energy and Environment - Renewable energy standards act and property tax exemptions for renewable energy resources.
HB 2131 Abandoned oil and gas well fund.
HB 2132 Injected natural gas and property rights.
HB 2177 Voluntary cleanup and property redevelopment act.
HB 2192 Kansas storage tank act.
HB 2193 Solid and hazardous waste and the risk management program act.
HB 2233 Electric utilities and carbon dioxide emissions.
HB 2516 Asbestos control act, state licensing requirements and federal compliance.
HB 2517 Vehicle tire tax and abolishing the solid waste grants advisory committee.
HB 2535 Hazardous waste and the department of health and environment.
HB 2623 Utilities and electric transmission lines.
HB 2649 Municipalities and assessments for energy efficiency improvements.
HB 2693 Secretary of agriculture and rule and regulation authority for pesticide application.
HR 6047 Encouraging the department of health and environment to develop guidelines for the disposal of household generated sharps.

Federal and State Affairs

H Sub for SB65 House Substitute for Substitute for SB 65 by Committee on Federal and State Affairs - Regulation of the possession of firearms.
Sub HB 2007 Substitute for HB 2007 by Committee on Federal and State Affairs - Creating a law enforcement mutual aid region for critical incidents.
HB 2026 Establishing requirements and fiduciary duties for pharmacy benefits managers under the state health care benefits program.
HB 2074 Regulating firearm possession.
HB 2087 Prohibiting local regulation of firearm sales by federal firearms licensees.
HB 2088 Alcoholic beverages; issuance of citations by the division of alcoholic beverage control.
HB 2089 Alcoholic beverages; disqualification of hidden owners from licensure.
HB 2125 Alcoholic beverages; amendments regarding regulation by the division of alcoholic beverage control.
HB 2171 Kansas lottery; sale of tickets; advertising; underage purchase of ticket prohibited.
HB 2174 Tax credit for low income students scholarship program act amendments.
HB 2175 Prohibit use of carbon monoxide chambers for euthanizing dogs and cats.
HB 2187 Creating the Kansas unborn child protection from dismemberment abortion act.
HB 2189 Limits on microbrewery production and distribution.
HB 2190 Saving communities amendments to the personal and family protection act.
HB 2191 Alcoholic beverages; sampling by distributor licensees.
HB 2200 Alcoholic beverages; expansion of retailer's licenses and the transfer thereof.
HB 2208 Prohibition on sales of powdered alcohol.
HB 2223 Alcoholic liquor; dispensing liquor and infusing flavor.
HB 2224 Scope of practice for technical professions.
Sub HB2224 Substitue for HB 2224 by Committee on Federal and State Affairs -- Technical professions act; definitions clarification.
HB 2232 Personal financial literacy course as a requirement for high school graduation.
HB 2245 Amending procedure for cases involving groundwater.
HB 2246 Municipalities; payment of claims, notice of claims procedures; employees added.
HB 2262 Providing a compliance deadline and penalties for non-compliance with the student data privacy act.
HB 2291 Charitable gaming act; regulation of bingo and raffles.

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HB 2292 Development and establishment of K-12 curriculum standards.
HB 2293 Amending statutes concerning dangerous regulated animals.
HB 2294 Requiring the use of e-verify by employers.
HB 2295 Bingo act regulations; changes.
HB 2296 Cities and counties; public building commission; revenue bonds; election required.
HB 2297 Vietnam service medal license plate decal.
HB 2309 Sales tax exemption for purchases made by or on behalf of rotary club of Leawood, Kansas charitable fund, inc.
HB 2310 Excepting certain persons from the chemigation permit requirements.
HB 2311 Creating the Kansas firearms industry nondiscrimination act.
HB 2312 Kansas expanded lottery act; racetrack gaming.
HB 2330 Consumer protection; common interest owners rights.
HB 2331 Consumption of alcoholic liquor on public property at a catered event.
HB 2332 Authorizing microbreweries to manufacture and sell hard cider and mead.
HB 2333 Cause of action against a person who presents false identification to obtain alcoholic liquor.
HB 2334 Requirements on cash advance consumer loan transactions under the uniform consumer credit code.
HB 2353 Eliminating an obsolete reference to nonproficient pupils in the virtual school act.
HB 2368 Establishing arts and cultural districts for the promotion of arts and culture.
HB 2371 Exclusion of fantasy sports leagues from the crime of gambling.
HB 2376 Emergency medical services board authority to impose fines, investigate and issue subpoenas.
HB 2380 Regional system of cooperating libraries; appointment of members; certain members appointed by board of county commissioners.
HB 2381 Kansas department for children and families; eligibility requirements for public assistance.
HB 2383 Creating the Kansas charitable raffle act.
Sub HB2383 Substitute for HB 2383 by Committee on Federal and State Affairs -- Creating the Kansas charitable bingo and raffle act.
HB 2384 Rule of law restoration act; immigration.
HB 2385 Alcoholic beverages; authorizing additional temporary permits for the Kansas state fair.
HB 2386 Interstate compact for recognition of emergency personnel licensure.
HB 2387 Emergency medical services amendments.
HB 2393 Requiring school districts to use generally accepted accounting principles; financial publication requirements.
HB 2397 Unmanned aerial vehicle regulation and privacy act.
HB 2398 Elections; presidential preference primary date delayed.
HB 2407 State infrastructure projects; allowing for public private agreements.
HB 2413 Alcoholic beverages; creating the art studio permit.
HB 2414 Department of health and environment and economic impact reports for state implementation plans.
HB 2417 Abortion; prohibiting decapitation of unborn children.
HB 2450 Increasing the maximum speed limit on certain separated multilane highways to 80 miles per hour.
HB 2451 Expanding mandatory reporters of child abuse.
HB 2457 Amending the tax credit for low income students scholarship program act.
HB 2467 Authorizing the production of hard cider by microbreweries.
HB 2468 Authorizing possession of air guns on school property.
HB 2469 Increasing production limits for microbreweries.
HB 2484 Concerning charitable gaming; authorizing disclosure of licensee information.

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HB 2504 School district realignment.
HB 2514 Amending provisions in the Kansas pet animal act.
HB 2524 Requiring closure of all state offices on legal public holidays.
HB 2525 Prohibiting the employment of unauthorized aliens.
HB 2536 Amendments regarding accountant licensure.
HB 2537 Kansas expanded lottery act; racetrack gaming.
HB 2538 Concerning firearms; relating to the minimum age requirement for concealed carry licensees.
HB 2539 Counties; unsafe structures; power to repair, rehabilitate or remove unsafe structures in unincorporated platted areas.
HB 2549 Requests for law enforcement assistance from foreign jurisdictions.
HB 2552 Designating indigenous peoples day.
HB 2572 Prohibiting the operation of motor vehicles while using wireless communication device; exceptions; penalties.
HB 2575 Requirements for carrying a concealed handgun in a public building via a restricted access entrance.
HB 2587 Prohibiting adoption of sanctuary policies by municipalities.
HB 2612 Refugee resettlement; refugee absorptive capacity act.
HB 2613 Municipal audits; townships; costs.
HB 2624 Legislative compensation and subsistence limited to 90 days.
HB 2629 Requiring hospitals to offer flu vaccines.
HB 2633 KanCare bridge to a healthy Kansas program.
HB 2634 Enacting the alternative crop research act.
HB 2695 Enacting the respectful lending to Kansas seniors act.
HB 2702 Establishing an independent home and community-based services ombudsman.
HB 2707 Alcoholic beverages; authorizing a manufacturer licensee to hold a drinking establishment license.
HB 2711 Amending workers compensation benefit reductions due to retirement benefits.
HB 2715 Enacting the electronic communications privacy act; relating to electronic communications and search warrants.
HB 2720 Establishing restrictions on step therapy protocols.
HB 2737 Creating the student physical privacy act.
HCR 5003 Constitutional amendment; extend recall elections to elected judicial officers.
HCR 5014 Constitutional amendment; clarifying the power of the legislature to make appropriations.
HCR 5022 Urging congress to propose the regulation freedom amendment to the United States constitution.

Financial Institutions

HB 2216 Kansas money transmitter act.
HB 2258 Amending the Kansas mortgage business act.
HB 2259 Amending the county and municipal statement of indebtedness reporting deadlines.
HB 2260 Eliminating the one-sheet requirement for temporary notes for improvements.
HB 2352 Financial institutions and remote service units.

Insurance and Financial Institutions

H Sub for SB55 House Substitute for SB 55 by Committee on Insurance and Financial Institutions – Authorizing the use of correction orders and civil penalties for health care facilities that violate health care provider insurance statutes.
HB 2453 Including wraparound policies within the category of specially designed policies.
HB 2454 Allowing health insurers to offer policies that require health services to be rendered by

a participating provider.
HB 2485 Updating the effective date of the risk-based capital instructions.
HB 2508 Amending certain insurance examination requirements.
HB 2561 Sales tax exemption for the Kansas dui impact center, inc.
HB 2579 Authorizing the use of correction orders and civil penalties for health care facilities that violate health care provider insurance statutes.
HB 2602 Exempting certain social security disability income for the purpose of determining eligibility for the Kansas program of medical assistance.
HB 2632 Establishing the pooled money investment board as a separate state agency for purposes of budget submissions.
HB 2690 Amending the applied behavior analysis licensure act.

General Government Budget

HB 2240 Removing prohibition against board of tax appeals employees serving as hearing officers.
HB 2363 Repealing the statutory requirement that there be one judge of the district court in each county.
HB 2640 Allowing the Kansas human rights commission to accept electronically filed complaints.
HB 2641 Removing the requirement that copies of motor vehicle registration applications be mailed to vehicle owners.

Health and Human Services

H Sub for SB402 House Substitute for SB 402 by Committee on Health and Human Services - Providing for certified nurse-midwife practice without collaborative practice agreements.
HB 2016 Amending the school sports head injury prevention act.
HB 2032 Relating to diabetes information reporting.
HB 2042 Membership on the governor's behavioral health services planning council.
HB 2043 Secretary for aging and disability services, criminal history record information.
HB 2079 Kansas dental board; licensure of registered dental practitioners.
HB 2118 Podiatrists surgery treatment of the ankle.
HB 2119 Mental health technicians fees.
HB 2120 Board of nursing reinstatement of revoked licenses and reinstatement fee.
HB 2121 Board of nursing; assistant attorneys general.
HB 2122 Advanced practice registered nurses; scope of practice and prescribing authority.
HB 2123 Massage therapist licensure act.
HB 2149 Relating to donor human breast milk.
HB 2176 Prescription drug fills and refills.
HB 2202 Relating to service provider audits under the Kansas program of medical assistance.
HB 2204 Enacting the claim information reporting act and providing for short-term medical plans.
HB 2205 Advanced practice registered nurse.
HB 2225 Medical retainer agreements do not constitute insurance.
HB 2226 Hospital patient observation status.
HB 2244 The safe families act.
HB 2280 Board of nursing; certified nurse-midwife.
HB 2281 Enforcement of vision care services act.
HB 2282 Authorizing hemp treatments for seizure disorders.
HB 2315 Secretary for aging and disability services licensure of certain facilities and standards for treatment of certain individuals.
HB 2321 Expanding the definition of charitable health care providers.

HB 2324 Stillbirth research and dignity act.
HB 2362 Healing arts licensees, resident active licenses and health care records.
Sub HB2362 Substitute for HB 2362 by Committee on Health and Human Services - Healing arts licensees, resident active licenses and health care records.
HB 2455 Use of certain controlled substances to treat binge eating authorized.
HB 2456 Interstate medical licensure compact.
HB 2471 Kansas board of barbering; disciplinary authority.
HB 2518 Mandatory electronic filing of death certificates.
HB 2578 Amending the school sports head injury prevention act.
HB 2599 Healing arts; concerning anatomic pathology billing.
HB 2600 Amendments to Kansas public assistance eligibility, limitations and verification.
HB 2607 Restrictions on persons interacting with child care facilities.
HB 2608 Disclosing to trauma patients the reporting of confidential data to the Kansas trauma registry.
HB 2614 Pharmacy act amendments.
HB 2615 Charitable healthcare providers; continuing education credits for gratuitous care of eligible patients.
HB 2627 Replacing the term "maternity center" with "birth center" in certain statutes.
HB 2645 Mental health technician's licensure act amendments.
HB 2646 Allowing pharmacists and certain other individuals to administer any vaccine to any person six years of age or older.
HB 2658 Requiring medical doctors who perform convenient human abortions to disclose that they do so to new and existing patients.
HB 2682 Prohibiting agency changes to waiver services under the Kansas program of medical assistance without express legislative authorization.
HB 2691 Enacting the Kansas safe access act; relating to cannabis.
HB 2708 Mental health technician's licensure act amendments.

Insurance

H Sub for SB54 House Substitute for SB 54 by Committee on Insurance - Allowing retiring KHP troopers and officers to convert certain unused leave for use to continue state health plan benefits.
H Sub for SB117 House Substitute for SB 117 by Committee on Insurance - Regulation of transportation network company services.
HB 2064 Authorizing insurance companies to insure against the cost of legal services.
HB 2065 Insurance; nonprofit dental service corporation disbursements.
HB 2066 Amending certain statutes relating to investments by life insurance and other than life insurance companies.
HB 2067 Increasing minimum motor vehicle liability insurance policy limits.
HB 2126 Updating risk-based capital instructions effective date, expiration date for property and casualty actuarial opinion law and increasing the cap on consulting fees for certain insurance companies.
HB 2142 Amending the definitions of fraudulent insurance act and external review organization.
HB 2241 Prohibiting insurance companies from canceling or nonrenewing property and casualty policies due to claims arising from natural causes.
HB 2249 Enacting the transportation network company driver and passenger protection act.

Judiciary

H Sub for Sub SB18 House Substitute for Substitute for SB 18 by Committee on Judiciary – Regulating access to certain law enforcement audio and video recordings and adding an exception to disclosure under the open records act.

H Sub for SB44 House Substitute for SB 44 by Committee on Judiciary – Amending the commercial real estate broker lien act.
H Sub for SB58 House Substitute for SB 58 by Committee on Judiciary – Creating an exemption to the Kansas open records act for the central registry of Kansas police and law enforcement officers and amending the definition of "conviction" for applicant qualification under the Kansas law enforcement training act.
H Sub for SB128 House Substitute for SB 128 by Committee on Judiciary – Increasing the number of district court judge nominees sent to the governor by district judicial nominating commissions.
H Sub for SB159 House Substitute for SB 159 by Committee on Judiciary – Enacting the host families act, relating to temporary care for children.
H Sub for SB184 House Substitute for SB 184 by Committee on Judiciary - Requiring certain individuals to enter into a payment plan in order to receive restricted driving privileges when driver's license has expired while on suspension.
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HOUSE JOURNAL

PROCEEDINGS

OF THE

House of Representatives

OF

The Legislature

OF THE

STATE OF KANSAS

2016 SPECIAL SESSION

JUNE 23 THROUGH JUNE 24, 2016

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

DIVISION OF PRINTING
DEPARTMENT OF ADMINISTRATION
TOPEKA, KANSAS
2016

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SAM BROWNBACK, Topeka

Lieutenant Governor
JEFF COLYER, Overland Park

OFFICERS OF THE HOUSE

Special Session of 2016

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

HOUSE OF REPRESENTATIVES - 2016 SPECIAL SESSION
MEMBERS LISTED ALPHABETICALLY

Name	*Party*	*Dist.*	*Occupation*
Alcala, John, Shawnee	Dem.	57	Retired US Navy
Alford, Steve, Grant	Rep.	124	Farmer
Anthimides, Steven, Sedgwick	Rep.	98	Business Owner
Ballard, Barbara, Douglas	Dem.	44	University Administrator
Barker, John, Dickinson	Rep.	70	Retired Judge
Barton, Tony, Leavenworth	Rep.	41	Pastor
Becker, Steven, Reno	Rep.	104	Retired District Court Judge
Billinger, Rick, Sherman	Rep.	120	Retired Businessman/Farmer
Boldra, Sue, Ellis	Rep.	111	Educator
Bollier, Barbara, Johnson	Rep.	21	Retired Physician
Bradford, John, Leavenworth	Rep.	40	Consultant
Bruchman, Rob, Johnson	Rep.	20	Attorney
Burroughs, Tom, Wyandotte	Dem.	33	Ret. Colgate-Palmolive
Campbell, Larry, Johnson	Rep.	26	Banking/Professor
Carlin, Sydney, Riley	Dem.	66	Investments, Property manager
Carmichael, John, Sedgwick	Dem.	92	Attorney
Carpenter, Blake, Sedgwick	Rep.	81	Contractor - Rockwell Collins
Carpenter, Will, Butler	Rep.	75	Business Owner
Claeys, J. R. , Saline	Rep.	69	Nonprofit Management
Clark, Lonnie, Geary	Rep.	65	Retired
Clayton, Stephanie, Johnson	Rep.	19	Social Media Consultant
Concannon, Susan, Mitchell	Rep.	107	Former Executive Director-Medical Foundation
Corbet, Ken, Shawnee	Rep.	54	Business Owner
Curtis, Pam, Wyandotte	Dem.	32	Community Relations
Davis, Erin, Johnson	Rep.	15	Attorney
DeGraaf, Pete, Sumner	Rep.	82	Financial Consulting, Ministry Director
Dierks, Diana, Saline	Rep.	71	Realtor
Doll, John, Finney	Rep.	123	Self-employed
Dove, Willie, Wyandotte	Rep.	38	Insurance Sales
Edmonds, John, Barton	Rep.	112	Certified Public Accountant
Esau, Keith , Johnson	Rep.	14	Software Engineer
Estes, Bud, Ford	Rep.	119	Farm machinery dealer
Ewy, John, Hodgeman	Rep.	117	Community College Professor
Finch, Blaine, Franklin	Rep.	59	Attorney
Finney, Gail, Sedgwick	Dem.	84	Small Business Owner
Francis, Shannon, Seward	Rep.	125	Developer
Frownfelter, Stan, Wyandotte	Dem.	37	Sales
Gallagher, Linda, Johnson	Rep.	23	Freelance writer and editor

Garber, Randy, Nemaha	Rep.	62	Retired Navy/ Construction Worker
***Gartner, Jim,** Shawnee	Dem.	53	Retired
Goico, Mario, Sedgwick	Rep.	94	Financial Advisor
Gonzalez, Ramon, Jefferson	Rep.	47	Police Chief
Grosserode, Amanda, Johnson	Rep.	16	--
Hawkins, Daniel, Sedgwick	Rep.	100	Insurance Agent
Hedke, Dennis, Sedgwick	Rep.	99	Consulting Geophysicist
Helgerson, Henry, Sedgwick	Dem.	83	Businessman
Hemsley, Lane, Shawnee	Rep.	56	Attorney/Administrator
Henderson, Broderick, Wyandotte	Dem.	35	Parking Controller Office
Henry, Jerry, Atchison	Dem.	63	Executive Director- Achievement Services
Hibbard, Larry, Woodson	Rep.	13	Stockman/Rancher
Highberger, Dennis "Boog", Douglas	Dem.	46	Attorney
Highland, Ron, Pottawatomie	Rep.	51	Retired Veterinarian
Hildabrand, Brett, Johnson	Rep.	17	Job Recruiter
Hill, Don, Lyon	Rep.	60	Pharmacist
Hineman, Don, Lane	Rep.	118	Farmer
Hoffman, Kyle, Comanche	Rep.	116	Farmer/Rancher
Houser, Michael, Cherokee	Rep.	1	Construction Estimator
Houston, Roderick, Sedgwick	Dem.	89	Minister
Huebert, Steve, Sedgwick	Rep.	90	Self-employed
Hutchins, Becky, Jackson	Rep.	61	Retired
Hutton, Mark, Sedgwick	Rep.	105	General Contractor
Jennings, Russell, Kearny	Rep.	122	Government Consulting
Johnson, Steven, Saline	Rep.	108	Farmer
Jones, Dick, Shawnee	Rep.	52	Retired US Navy
Jones, Kevin, Franklin	Rep.	5	Entrepreneur
Kahrs, Mark, Sedgwick	Rep.	87	Attorney
Kelley, Kasha, Cowley	Rep.	80	Marketing
Kelly, Jim, Montgomery	Rep.	11	Banker
Kiegerl, Mike, Johnson	Rep.	121	Adjunct Professor, Ret.
Kleeb, Marvin, Johnson	Rep.	48	Business Owner
Kuether, Annie, Shawnee	Dem.	55	--
Lewis, Greg, Stafford	Rep.	113	Farmer/Rancher
Lunn, Jerry, Johnson	Rep.	28	Consultant/Real Estate Investment
Lusk, Nancy, Johnson	Dem.	22	Small Business Owner
Lusker, Adam , Cherokee	Dem.	2	Owner, A. Lusker Masonry LLC
Macheers, Charles, Johnson	Rep.	39	Attorney
Mason, Les, McPherson	Rep.	73	Business Owner
Mast, Peggy, Lyon	Rep.	76	Retired
McPherson, Craig, Johnson	Rep.	8	Attorney
Merrick, Ray, Johnson	Rep.	27	Retired
Moxley, Tom, Morris	Rep.	68	Farmer / Rancher
O'Brien, Connie, Leavenworth	Rep.	42	Private Investigator
Osterman, Les, Sedgwick	Rep.	97	Retired
Ousley, Jarrod, Johnson	Dem.	24	Paint Contractor
Patton, Fred, Shawnee	Rep.	50	Attorney
Pauls, Jan, Reno	Rep.	102	Attorney

Peck, Virgil, Montgomery	Rep.	12	Insurance Agent
Phillips, Tom, Riley	Rep.	67	Community Development Consultant
Powell, Randy , Johnson	Rep.	30	Financial Advisor
Proehl, Richard, Labette	Rep.	7	Banker
Rahjes, Ken, Phillips	Rep.	110	Agricultural Communications
Read, Marty, Linn	Rep.	4	Auctioneer/ Realtor/ Rancher
Rhoades, Marc, Harvey	Rep.	72	Advisor Associate
Rooker, Melissa, Johnson	Rep.	25	Retired film executive
Rubin, John, Johnson	Rep.	18	Attorney and Arbitrator
Ruiz, Louis, Wyandotte	Dem.	31	Retired; Lucent
Ryckman, Ron, Johnson	Rep.	78	Business Consultant/Contractor
Ryckman Sr., Ronald, Meade	Rep.	115	Retired Teacher/Coach
Sawyer, Tom, Sedgwick	Dem.	95	Accountant
Scapa, Joseph, Sedgwick	Rep.	88	Realtor
Schroeder, Don, McPherson	Rep.	74	Farmer
Schwab, Scott, Johnson	Rep.	49	Healthcare Sales
Schwartz, Sharon, Washington	Rep.	106	Business Manager
Scott, Ben, Shawnee	Dem.	58	Retired
Seiwert, Joe, Reno	Rep.	101	Agricultural Business
Sloan, Tom, Douglas	Rep.	45	Farmer/Strategic Consultant
Smith, Charles , Crawford	Rep.	3	Teacher-Coach
Suellentrop, Gene, Sedgwick	Rep.	91	Business Owner
Sutton, William, Johnson	Rep.	43	Steelworker
Swanson, Susie, Clay	Rep.	64	Social Worker
Thimesch, Jack, Kingman	Rep.	114	Farmer/Construction
Thompson, Kent, Allen	Rep.	9	Real Estate/Rancher
Todd, James, Johnson	Rep.	29	Attorney at Law
Trimmer, Ed, Cowley	Dem.	79	Retired Teacher
Vickrey, Jene, Miami	Rep.	6	Floor Covering
Victors, Ponka-We, Sedgwick	Dem.	103	Community Support Worker
Ward, Jim, Sedgwick	Dem.	86	Attorney
Waymaster, Troy, Russell	Rep.	109	Farmer/Office Manager
Weber, Chuck, Sedgwick	Rep.	85	Film producer/writer
Whipple, Brandon, Sedgwick	Dem.	96	College Instructor
Whitmer, John, Sedgwick	Rep.	93	Small Business Owner
Williams, Kristey, Butler	Rep.	77	former mayor/former teacher
Wilson, John , Douglas	Dem.	10	Training and Professional Development Manager
Winn, Valdenia, Wyandotte	Dem.	34	College Professor
Wolfe Moore, Kathy, Wyandotte	Dem.	36	Business Director/KU Hospital

* Rep. Gartner sworn June 22, 2016 replacing Rep. Tietze who resigned effective June 6, 2016.

STANDING COMMITTEES OF THE HOUSE
2016 SPECIAL SESSION

See 2016 Regular Session Committee information.

LEGISLATIVE RULES

For rules governing the 2016 Special Session, please refer to the Legislative Rules for the 2016 Regular Session.

JOURNAL

OF THE

HOUSE

2016 SPECIAL SESSION
JUNE 23 THROUGH ADJOURNMENT JUNE 24, 2016

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

EXPLANATION OF ABBREVIATIONS

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

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

EXPLANATION OF PAGE NUMBERING

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

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

SPECIAL SESSION

Journal of the House

FIRST DAY

Hall of the House of Representatives,
Topeka, KS, Thursday, June 23, 2016, 8:00 a.m.

Pursuant to the Governor's proclamation of June 8, 2016, the House met in special session at 8:00 a.m.

The following proclamation of the governor was read by Kris W. Kobach, Secretary of State.

PROCLAMATION CALLING THE LEGISLATURE INTO SPECIAL SESSION TO ADDRESS SCHOOL FINANCE

TO THE PEOPLE OF THE STATE OF KANSAS, GREETINGS:

WHEREAS, the State of Kansas has outstanding public schools; and

WHEREAS, the State of Kansas has appropriated more than $4 billion, a record amount of funding, to ensure the high quality of those public schools; and

WHEREAS, the State of Kansas recognizes the importance of high quality public schools in preparing our children to be successful adults; and

WHEREAS, Article 6, Section 6(b) of the Constitution of the State of Kansas provides that the "legislature shall make suitable provision for finance of the educational interests of the state;" and

WHEREAS, the ruling of the Kansas Supreme Court in *Gannon v. State of Kansas* has created an extraordinary occasion pursuant to Article 1, Section 5 of the Constitution of the State of Kansas, in which the Kansas Supreme Court has threatened to cause the closure of all Kansas public schools;

NOW, THEREFORE, I, Sam Brownback, GOVERNOR OF THE STATE OF KANSAS, by the authority vested in me by the Constitution of the State of Kansas, do hereby call the Legislature of the State of Kansas into Special Session to address school finance at the Capitol in Topeka, Kansas, on the 23rd day of June, 2016, at the hour of 8:00 o'clock a.m., to enact legislation to respond to the ruling of the Kansas Supreme Court in *Gannon v. State of Kansas*.

DONE: At the Capitol in Topeka
under the Great Seal of the
State this 8th day of
June, A.D. 2016

BY THE GOVERNOR: SAM BROWNBACK
Governor of Kansas
KRIS W. KOBACH
Secretary of State
ERIC K. RUCKER
Assistant Secretary of State

OATH OF OFFICE

Representative-elect Jim Gartner took and subscribed to the following oath of office, which was administered by Bryan A. Caskey, Deputy Assistant Secretary of State.

STATE OF KANSAS, COUNTY OF SHAWNEE, SS:
I do solemnly swear, or affirm, that I will support the Constitution of the United States, and the Constitution of the State of Kansas, and will faithfully discharge the duties of the office of member of the House of Representatives, so help me God.
Subscribed and sworn to, or affirmed, before me this 22nd day of June, 2016.

Bryan A. Caskey
Deputy Assistant Secretary of State

Speaker Merrick called the House to order.
The roll was called with 120 members present.
Reps. Claeys, Edmonds, Goico, Hedke and Suellentrop were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

All-knowing God,
Here we are gathered again so soon –
not something that we expected,
but it is no surprise to You.
And, if the heat outside
is any indication of
the heat inside,
we might be in trouble.
God, we are here to settle a serious issue
of which everyone has an opinion
and have voiced their opinions
over the last few weeks.
The rhetoric of solutions have been voiced by
special interest groups, lobbyists, the media,
different levels of state government,
members of this chamber and the Senate Chamber,
and, of course, our citizens.
The voices have been deafening –
sharp – biting – critical – negative.

And now we are here to make a decision
and the only voice we need to hear
and listen to is Yours.
Help these leaders to block out all the noise –
and listen to the voice that matters the most.
Because of all the voices,
Yours is the only voice of true reason,
the only voice that knows the future,
the voice that brings wisdom and calmness
to all the chaos.
Speak to these leaders today –
and help them to heed Your Word,
"real wisdom, God's wisdom begins with a holy life
and is characterized by peace-loving,
being considerate, submissive,
full of mercy and good fruit,
impartial and sincere."
In Christ's Name I pray, Amen.
(James 3.17 – MSG/NIV)

The Pledge of Allegiance was led by Rep. Clayton.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

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

HOUSE RESOLUTION No. **HR 6001--**

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

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

That the Chief Clerk of the House of Representatives notify the Senate that the House is organized with the following officers:

Ray Merrick, speaker,
Peggy Mast, speaker pro tem,
Gene Vickrey, majority leader,
Tom Burroughs, minority leader,
Susan Kannarr, chief clerk,
Foster Chisholm, sergeant at arms,
and awaits the pleasure of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

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

HOUSE RESOLUTION No. **HR 6002--**

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

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

That the members of the 2016 special session of the legislature shall occupy the same seats assigned pursuant to 2016 House Resolution No. 6030 with the following exception: Gartner, seat No. 50.

The House stood at ease until the sound of the gavel.

Speaker Merrick called the House to order.

COMMITTEE ASSIGNMENT CHANGES

Speaker Merrick announced the appointment of Rep. Johnson to replace Rep. Claeys on Committee on Appropriations for June 23.

Also, the appointment of Rep. Mason to replace Rep. Suellentrop on Committee on Appropriations for June 23.

The House stood at ease until the sound of the gavel.

Speaker Merrick called the House to order.

MESSAGES FROM THE SENATE

Announcing adoption of **SR 1701**, a resolution relating to the organization of the Senate. The Senate is organized with the following officers:

Susan Wagle, President,
Jeff King, Vice President,
Terry Bruce, Majority Leader,
Anthony Hensley, Minority Leader,
Corey Carnahan, Secretary,
Charles (Nick) Nicolay, Sergeant at Arms,
and awaits the pleasure of the House of Representatives.

Announcing adoption of **SCR 1601**, a concurrent resolution relating to a committee to wait upon the Governor and advise him the 2016 special session of the Legislature is duly organized and ready to receive communications. Appointing Senators Baumgardner and Kelly as members of the committee.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Burroughs, **SCR 1601**, relating to a committee to wait upon the Governor and advise him the 2016 special session of the Legislature is duly organized and ready to receive communications, was thereupon introduced and adopted.

In accordance with **SCR 1601**, Speaker Merrick appointed Reps. Rahjes, Weber and Scott as members of the committee to wait upon the Governor.

Upon unanimous consent, the House referred back to the regular business,

Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2001, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2017, and June 30, 2018, for certain agencies; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing, by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

Speaker Merrick announced the referral of **HB 2001** to the Committee on Appropriations.

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

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

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill and concurrent resolution were introduced and read by title:

HB 2002, AN ACT concerning courts; establishing the superior court; relating to appellate court jurisdiction; amending K.S.A. 3-709, 12-811, 13-1228h, 19-3517, 20-101, 20-139, 20-158, 20-163, 20-1a14, 20-205, 20-207, 20-208, 20-211, 20-310b, 20-2201, 20-2616, 20-3016, 20-3018, 20-3208, 22-2514, 22-2804, 22-4507, 24-702, 25-3206, 48-2922, 48-2925, 60-1301, 60-2101, 60-3201, 60-3208, 68-527a and 75-3216 and K.S.A. 2015 Supp. 7-121b, 9-1905, as amended by section 53 of 2016 Senate Bill No. 390, 20-1a15, 20-2601, 20-2622, 20-3002, 20-3017, 20-3021, 20-3202, 21-5207, 21-5905, 21-6619, 21-6628, 21-6702, 22-2202, 22-3402, 22-3601, 22-3602, 22-3604, 22-3612, 22-4701, as amended by section 1 of 2016 Senate Bill No. 362, 26-504, 45-217, as amended by section 10 of 2016 Substitute for Senate Bill No. 22, 55-1410, 60-1501, 60-2102, 65-4211, 72-64b03, 74-8762, 74-8813, 74-8815, 75-430, 75-702, 75-3120l, 75-3692, 75-37,135 and 82a-1505 and repealing the existing sections; also repealing K.S.A. 2015 Supp. 20-3301, by Committee on Judiciary.

HOUSE CONCURRENT RESOLUTION No. **HCR 5001—**
By Committee on Judiciary

HCR 5001—A PROPOSITION to amend article 6 of the constitution of the state of Kansas by amending section 6 thereof to establish requirements for the finance of

public elementary and secondary schools and to define the legal remedies for violations of article 6.

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

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 6 of article 6 of the constitution of the state of Kansas is hereby amended to read as follows:

"**§ 6. Finance.** (a) The legislature may levy a permanent tax for the use and benefit of state institutions of higher education and apportion among and appropriate the same to the several institutions, which levy, apportionment and appropriation shall continue until changed by statute. Further appropriation and other provision for finance of institutions of higher education may be made by the legislature.

(b) The legislature shall make ~~suitable~~ provision for finance of the educational interests of the state *as follows: For any fiscal year that commences on or after July 1, 2017, the legislature shall designate and appropriate for the finance of public elementary and secondary schools an amount that is 45% of the preceding fiscal year's total state revenue for the ensuing fiscal year. The state board of education shall have exclusive authority and responsibility to allocate and distribute funds designated and appropriated by the legislature for the finance of public elementary and secondary schools*. No tuition shall be charged for attendance at any public school to pupils required by law to attend such school, except such fees or supplemental charges as may be authorized by law. The legislature may authorize the state board of regents to establish tuition, fees and charges at institutions under its supervision.

(c) In any civil action in which a statute or other legislative enactment of this state has been held unconstitutional as a violation of this article, no court shall have the authority to order a school district or any attendance center within a school district to be closed, or make or enforce any other order or remedy, the effect of which is to prohibit the expenditure of funds such that a school district or any attendance center within a school district shall not operate. Nor shall the legislature have such authority when its action is in direct response to a court ruling that a statute or other legislative enactment of this state has been held unconstitutional as a violation of this article.

~~(c)~~ *(d)* No religious sect or sects shall control any part of the public educational funds.

(e) As used in this section, the term "total state revenue" means all moneys received by the state from any source except any of the following:

(1) Moneys received as grants, gifts or donations which are to be expended for purposes specified by the donor;

(2) moneys received from the federal government; and

(3) moneys which are income earned on moneys in permanent endowment funds, trust funds, deferred compensation funds or pension funds and which are

credited to such funds."

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

"*Explanatory statement.* The purpose of this amendment is to specify, as a percentage of the state's total revenue, the amount of funds the legislature is to appropriate each year for public schools. The amendment also gives the state board of education exclusive authority to allocate and distribute funds appropriated for public schools. The amendment also limits the legal remedies available to both the courts of this state and the legislature by prohibiting the closure of schools as a legal remedy in cases where a law is held to be unconstitutional as a violation of article 6 of the constitution of the state of Kansas.

"A vote for this proposition would require the legislature to appropriate 45% of the state's total revenue each year for the purpose of financing public schools and would grant exclusive authority to the state board of education to allocate and distribute such funds. It would also prohibit courts in this state from issuing any order to close one or more schools as a remedy in a lawsuit where a law is held to be unconstitutional as a violation of article 6 of the constitution of the state of Kansas. It would also prohibit the legislature from enacting any law that would close one or more schools if such law is in direct response to a court ruling that a law is unconstitutional as a violation of article 6 of the constitution of the state of Kansas.

"A vote against this proposition would make no changes to current law. The legislature would retain its responsibility to provide suitable finance for the educational interests of this state. Also, courts would be able to continue issuing orders that could have the effect of closing schools, and the legislature would retain authority to close schools by law."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2016, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

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

LATE AFTERNOON SESSION

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

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2003, AN ACT concerning education; relating to the financing and instruction thereof; making and concerning appropriations for the fiscal years ending June 30, 2017, and June 30, 2018, for certain agencies; relating to the classroom learning assuring student success act; repealing the tax credit for low income students scholarship program act; amending K.S.A. 2015 Supp. 72-3715, 72-6463, as amended by section 6 of 2016 Senate Substitute for House Bill No. 2655, 72-6481, as amended by section 10 of 2016 Senate Substitute for House Bill No. 2655 and 79-32,138 and repealing the existing sections; also repealing K.S.A. 2015 Supp. 72-6476, as amended by section 9 of 2016 Senate Substitute for House Bill No. 2655, 72-99a01, 72-99a02, 72-99a03, 72-99a04, 72-99a05, 72-99a06 and 72-99a07 and sections 2, 3 and 5 of 2016 Senate Substitute for House Bill No. 2655, by Committee on Appropriations.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2001** be passed.

On motion of Rep. Vickrey, the House adjourned until 9:00 a.m., Friday, June 24, 2016.

SPECIAL SESSION

Journal of the House

SECOND DAY

Hall of the House of Representatives,
Topeka, KS, Friday, June 24, 2016, 9:00 a.m.

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

The roll was called with 123 members present.
Reps. Goico and Suellentrop were excused on excused absence by the Speaker.
Excused later: Rep. Rahjes.

Prayer by Chaplain Brubaker:

O Lord, my God,
Today I exalt You and thank You for Your faithfulness
and for the many blessings and miracles
You have provided for these our leaders.
You have promised to keep in perfect peace
those whose minds are steadfast and trust in You.
I pray for this today.

You have said that in repentance and rest is our salvation,
in quietness and trust is our strength.
I pray for this today.

You instruct us that the fruit of righteousness will be peace;
the effect of righteousness will be quietness and confidence forever.
I pray for this today.

You have promised to be the sure foundation for our times,
a rich store of salvation and wisdom and knowledge.
I pray for this today,

And You have promised that those who hope in You
will renew their strength. They will soar on wings like eagles;
they will run and not grow weary, they will walk and not be faint.
I pray for this today.

In Your Son's Name I pray, Amen.
(Isaiah 25:1; 26:3; 30:15; 32:17; 33:6; 40:31 – NIV)

The Pledge of Allegiance was led by Rep. Hutton.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2003**.
Judiciary: **HB 2002; HCR 5001**.

On motion of Rep. Vickrey, the House recessed until 11:00 a.m.

LATE MORNING

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

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

EARLY AFTERNOON

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

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2001** from the Calendar under the heading General Orders and rereferral to Committee on Appropriations.

COMMITTEE ASSIGNMENT CHANGES

Speaker Merrick announced the appointment of Rep. Johnson to replace Rep. Suellentrop on Committee on Appropriations for June 24.

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

AFTERNOON

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

On motion of Rep. Vickrey, the House recessed until 5:30 p.m.

LATE AFTERNOON

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

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2001** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2001," as follows:

"Substitute for HOUSE BILL NO. 2001
By Committee on Appropriations

"AN ACT making and concerning appropriations for the fiscal years ending June 30, 2017, and June 30, 2018, for certain agencies; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing.";

And the substitute bill be passed.

(**Sub HB 2001** was thereupon introduced and read by title.)

On motion of Rep. Vickrey, the House recessed until 7:00 p.m.

EARLY EVENING

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

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, to suspend House Rule 3905, requiring the printing and distribution of appropriation bills 24 hours before consideration, the motion prevailed and the rule was suspended for the purpose of considering **Sub HB 2001**.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Vickrey, pursuant to House Rule 2311, **Sub HB 2001** was advanced to Final Action on Bills and Concurrent Resolutions, subject to amendment, debate and roll call.

On roll call, the vote was: Yeas 118; Nays 3; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Ruiz, Jr. Ryckman, Sr. Ryckman, Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, Smith, Sutton, Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: D. Jones, K. Jones, Rubin.

Present but not voting: None.
Absent or not voting: Goico, Moxley, Rahjes, Suellentrop.
Having received the required 2/3 majority, the motion prevailed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Ryckman, **Sub HB 2001** was amended on page 3, in line 31, by striking $13,000,000" and inserting "$8,000,000";

Sub HB 2001, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2017, and June 30, 2018, for certain agencies; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 6; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, rep_gartner_james_1, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Read, Rhoades, Rooker, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Houser, D. Jones, K. Jones, Kiegerl, McPherson, Rubin.

Present but not voting: None.

Absent or not voting: Goico, Rahjes, Suellentrop.

The substitute bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: Although the judges said there would be winners and losers, my home town of Pretty Prairie and Haven were losers today. I supported this bill as I have tried for several years to protect our rural schools. I vote yes on **Sub HB 2001. –** JOE SEIWERT

MR. SPEAKER: Today I vote Yes on **Sub HB 2001** in order to assure that our schools remain open despite the threatening actions of the Kansas Supreme Court. My disappointment in passing this bill is that it returns us to the same old flawed equity formula that time and again has failed rural districts, treating many of them as rich and wealthier urban districts as poor. – KYLE HOFFMAN

MR. SPEAKER: Article 2, Sections 1 and 24 of the Kansas Constitution grant the sole and exclusive right and authority to appropriate funds to the Kansas Legislature. The Kansas Supreme Court's decision in *Gannon v. State,* issued on May 27, 2016,

effectively directing the Kansas Legislature to appropriate additional funds for Kansas schools, flagrantly violates these constitutional provisions, and as such, abrogates the sacred separation of powers enshrined in the Kansas Constitution. It renders the Kansas Legislature a second class branch of government subservient to the Court. As such, I must vote no on **Sub HB 2001**. – John J. Rubin

Mr. Speaker: I am one of the handful of members who were here in 2005, and for the first 8 hours today, it seemed much the same. Second verse same as the first. That said, I vote yes with much frustration. We will be back here within 10 years doing this again. The day will come when this body is going to have to decide if it wants to recover its authority on school finance. We will someday need to decide if we want political pressure to come from across the street or from our constituency at home. I vote yes on **Sub HB 2001**. – Scott Schwab

Mr. Speaker: I vote yes on **Sub HB 2001** to keep schools open and give property tax relief to my county. The root problem remains unaddressed however. I hope the voters join me in voting to not retain the unlawful, unconstitutional justices who use our children as pawns in their political games. Though barred statutorily from closing schools – over less than 1% of funding – their ruling has more to do with thuggery and power than children. This court again showed us why they are one of the most overturned supreme courts in the nation and must not be retained. – Joseph Scapa, John Bradford, Leslie Osterman, Will Carpenter, John Whitmer, Chuck Weber, Jan Pauls, Tony Barton, Pete DeGraaf

PERSONAL PRIVILEGE

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

What a blessing it has been to share with you all the opportunity to come to work in this wonderful place and to serve our great state of Kansas!

It has always been my personal goal to be in a growth mode and one of my favorite sayings is "The only world we have is the world we know." Serving in the legislature absolutely forces each of us to grow, and the fulfillment which results in meeting new people, making new friends, learning new information and gaining a broader perspective will obviously be something that each of us will take away from our experience in Kansas House of Representatives.

If I have had any measure of success here (and that is arguable) it may be because of lessons I learned early in my career from some wonderful mentors. With your indulgence a will share just a couple of those lessons. It was almost exactly 30 years ago that I sat with my Leadership Kansas classmates just across the rotunda in the Senate chambers and the dean of Kansas lobbyists at the time shared her two simple keys to success in the Capitol. Don't lie and don't get mad. I hope we will all succeed heeding that advice.

A second observation came from one of my early mentors, Health Committee Chairman, Dr. Jim Morrison. In my very first committee meeting after being elected Chairman Morrison shared with our committee. "You know, issues we face in the legislature are like pancakes – never so thin that they don't have two sides." More great advice! May we always seek to understand all sides of an issue.

And finally, another mentor and former Speaker admonished me that we should always focus on policy first. I have said at this well before and I will say again with emphasis – I have never seen good policy passed on a party line vote. Good policy is good politics and I wish for this body and the state of Kansas that the trends toward hyper-partisanship and polarization can be dialed back.

I leave this place with a treasure of experiences, with many life-long friends and a heart full of gratitude. Thank you all for sharing and putting up with me! Shalom.

On motion of Rep. Vickrey, the House recessed until 8:30 p.m.

EVENING

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

MESSAGES FROM THE SENATE

Announcing adoption of **SCR 1604**.

Announcing passage of **Substitute for HB 2001**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Burroughs, **SCR 1604**, a concurrent resolution relating to the 2016 special session of the legislature and providing for the adjournment thereof, was thereupon introduced and adopted.

REPORT ON ENROLLED RESOLUTIONS

HR 6001, HR 6002 reported correctly enrolled and properly signed on June 24, 2016.

The hour for final adjournment having arrived, Speaker Merrick announced, "By virtue of the authority vested in me, as Speaker of the House of Representatives of the 2016 special session, I do now declare the House adjourned sine die."

BECKIE HENDRICKS, JENNY HAUGH, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

REPORT ON ENROLLED BILLS

Sub HB 2001 Special Session reported correctly enrolled, properly signed and presented to the Governor on June 27, 2016.

MESSAGES FROM THE GOVERNOR

Sub HB 2001 approved on June 27, 2016.

□

TITLE AND HISTORY

OF

HOUSE BILLS

AND

HOUSE RESOLUTIONS

TITLE AND HISTORY OF HOUSE BILLS

H 2001 Bill by Appropriations
Making appropriations for FY17 and FY18 for various state agencies.
06/23/2016 House—Introduced—HJ 5
06/23/2016 House—Referred to Committee on Appropriations—HJ 5
06/23/2016 House—Committee Report recommending bill be passed by Committee on Appropriations—HJ 8
06/24/2016 House—Withdrawn from Calendar, Rereferred to Committee on Appropriations—HJ 10
06/24/2016 House—Committee Report recommending substitute bill be passed by Committee on Appropriations
06/24/2016 House—Motion pursuant to House Rule 2311 to advance bill to Final Action subject to amendment, debate and roll call adopted. Yea: 118 Nay: 3
06/24/2016 House—Emergency Final Action - Passed as amended; Yea: 116 Nay: 6
06/24/2016 Senate—Received and Introduced—SJ 9
06/24/2016 Senate—Referred to the Calendar.
06/24/2016 Senate—Motion by Senator Masterson to advance to Final Action, subject to amendment and debate.
06/24/2016 Senate—Final Action - Passed; Yea: 38 Nay: 1—SJ 10
06/24/2016 House—Enrolled and presented to Governor on Monday, June 27, 2016
06/24/2016 House—Approved by Governor on Monday, June 27 , 2016

H 2002 Bill by Judiciary
Establishing the superior court and changing appellate court jurisdiction.
06/23/2016 House—Introduced—HJ 5
06/24/2016 House—Referred to Committee on Judiciary
06/24/2016 House—Died in Committee

H 2003 Bill by Appropriations
Amendments to the CLASS act regarding supplemental general state aid.
06/23/2016 House—Introduced—HJ 8
06/24/2016 House—Referred to Committee on Appropriations
06/24/2016 House—Died in Committee

TITLE AND HISTORY OF HOUSE CONCURRENT RESOLUTIONS

H 5001 Concurrent Resolution by Judiciary
Constitutional amendment establishing requirements for the finance of public elementary and secondary schools and defining legal remedies for violations of article 6.
06/23/2016 House—Introduced—HJ 5
06/24/2016 House—Referred to Committee on Judiciary
06/24/2016 House—Died in Committee

(SJ & HJ Nos. refer to 2016 Senate and House Special Session Journals)

TITLE AND HISTORY OF HOUSE RESOLUTIONS

H 6001 Resolution by Representatives Merrick, Burroughs
Organization of the House of Representatives, special session, 2016.
06/23/2016 House—Introduced
06/23/2016 House—Adopted without roll call—HJ 3
06/24/2016 House—Enrolled on Friday, June 24, 2016—HJ 14

H 6002 Resolution by Representatives Merrick, Burroughs
Assignment of seats in the House of Representatives, special session 2016.
06/23/2016 House—Introduced
06/23/2016 House—Adopted without roll call—HJ 3
06/24/2016 House—Enrolled on Friday, June 24, 2016—HJ 14

HISTORY OF HOUSE PETITIONS

No petitions filed during 2016 Special Session

HISTORY OF EXECUTIVE REORGANIZATION ORDERS

No Executive Reorganization Orders were submitted by the Governor during the 2016 Special Session.

SPECIAL SESSION
FINAL

HOUSE CALENDAR

No. 3

JUNE 23-24, 2016

NUMERICAL SCHEDULE OF HOUSE BILLS 2016 SPECIAL SESSION

Sub 2002 Died, Comm 2003 Died, Comm
2001 Signed, Ef Dt. 7/1/16

NUMERICAL SCHEDULE OF HOUSE CONCURRENT RESOLUTIONS 2016 SPECIAL SESSION

5001 Died, Comm

NUMERICAL SCHEDULE OF HOUSE RESOLUTIONS 2016 SPECIAL SESSION

6001 Adopted, Enr 6002 Adopted, Enr

NUMERICAL SCHEDULE OF SENATE BILLS 2016 SPECIAL SESSION

None

NUMERICAL SCHEDULE OF SENATE CONCURRENT RESOLUTIONS 2016 SPECIAL SESSION

1601 Adopted 1604 Adopted

LEGEND

Comm	Committee
Ef Dt	Effective Date
Enr	Enrolled
Sub	Substitute

Summary of Actions on House Bills, Resolutions and Concurrent Resolutions

House Bills

House bills introduced in the 2016 special session.....3
House bills passed both houses and presented to Governor. 1
House bills signed by Governor.....1
House bills becoming law without Governor's signature. 0
House bills with line item vetoes.....0
House bills vetoed by Governor 0
House bills killed in House.....0
House bills killed in Senate.....0
House bills that died in House 2
House bills that died in Senate 0
House bills that died in conference committees.....0
Subtotal.....2
TOTAL.....3

House Concurrent Resolutions

House concurrent resolutions introduced in 2016 special session.....1
House concurrent resolutions adopted by both houses.....0
House concurrent resolutions killed in House.....0
House concurrent resolutions killed in Senate.....0
House concurrent resolutions that died in House.....1
House concurrent resolutions that died in Senate 0
TOTAL.....1

House Resolutions

House resolutions introduced in 2016 special session.....2
House resolutions adopted.....2
House resolutions killed.....0
House resolutions that died in committee.....0
House resolutions that died on Calendar.....0
TOTAL.....2

COMMUNICATIONS FROM STATE OFFICERS

From the office of Governor Sam Brownback:
Proclamation calling the Legislature into Special Session to Address School Finance., p. 1.

AUTHOR INDEX

This index includes all legislation sponsored by House Members, House committees, Joint Committees, Select Committees and Special Committees.

Burroughs, Tom

HCR 5002 Relating to the adjournment of the 2016 special session of the legislature.
HR 6001 Organization of the House of Representatives, special session, 2016.
HR 6002 Assignment of seats in the House of Representatives, special session 2016.

Merrick, Ray

HCR 5002 Relating to the adjournment of the 2016 special session of the legislature.
HR 6001 Organization of the House of Representatives, special session, 2016.
HR 6002 Assignment of seats in the House of Representatives, special session 2016.

State Legislature, House Committees (Various)

Appropriations

HB 2001 Appropriation revisions for fiscal year 2017 for various agencies.
Sub HB2001 Making appropriations for FY17 and FY18 for various state agencies.
HB 2003 Amendments to the CLASS act regarding supplemental general state aid.

Judiciary

HB 2002 Establishing the superior court and changing appellate court jurisdiction.
HCR 5001 Constitutional amendment establishing requirements for the finance of public elementary and secondary schools and defining legal remedies for violations of article 6.

For page numbers see "Title and History of Bills" in House and Senate Journal Books

SUBJECT INDEX

This index includes all legislation sponsored by House and Senate Members, House and Senate Committees, Joint Committees and Special Committees.

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Constitutional Amendments (Kansas) 24
Courts 24
Health and Health Care 24
Legislature 24
Repealers 24
Resolutions 24
Schools 24

For page numbers see "Title and History of Bills" in House and Senate Journal Books
(Bill numbers printed in **bold** type are enacted bills.)

Appropriations
H 2001 2016 special session, Appropriations for FY 2017 for school finance
S 1 2016 special session, Appropriations for FY 2017 for school finance

Constitutional Amendments (Kansas)
HCR 5001 School finance, Defining legal remedies for violations of article 6
SCR 1602 School finance, Prohibiting the closure of schools as legal remedy
SCR 1603 School finance, Prohibiting the denial of a public education as legal remedy
HCR 5001 School finance, Requirements for finance of public education

Courts
H 2002 Superior court, establishment of
H 2002 Supreme court, jurisdiction

Health and Health Care
S 2 Controlled substances, schedule I drugs

Legislature
HR 6001 House of representatives, Organization
HR 6002 House of representatives, Seat assignments
SCR 1701 Senate, Organization

Repealers
H 2003 Schools, extraordinary need fund
S 3 Schools, extraordinary need fund
H 2003 Tax credit for low income students scholarship program act
S 3 Tax credit for low income students scholarship program act

Resolutions
HCR 5001 Constitutional amendments, School finance, Defining legal remedies for violations of article 6
SCR 1602 Constitutional amendments, School finance, Prohibiting the closure of schools as legal remedy
SCR 1603 Constitutional amendments, School finance, Prohibiting the denial of a public education as legal remedy
HCR 5001 Constitutional amendments, School finance, Requirements for finance of public education
HR 6001 Legislature, Organization, House of representatives
SCR 1701 Legislature, Organization, Senate
HR 6002 Legislature, Seat assignments, house of representatives

Schools
H 2003 Choice, Tax credit for low income students scholarship program act, repeal of
S 3 Choice, Tax credit for low income students scholarship program act, repeal of
H 2001 Finance, Extraordinary need fund
H 2003 Finance, Extraordinary need fund
S 1 Finance, Extraordinary need fund
S 3 Finance, Extraordinary need fund
H 2001 Finance, Supplemental general state aid
H 2003 Finance, Supplemental general state aid
S 1 Finance, Supplemental general state aid
S 3 Finance, Supplemental general state aid
H 2001 Finance, Virtual school state aid
H 2003 Finance, Virtual school state aid
S 1 Finance, Virtual school state aid
S 3 Finance, Virtual school state aid
H 2003 Tax credit for low income students scholarship program act, repeal of
S 3 Tax credit for low income students scholarship program act, repeal of

For page numbers see “Title and History of Bills” in House and Senate Journal Books
(Bill numbers printed in **bold** type are enacted bills.)