

# Journal of the House

FORTY-NINTH DAY

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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 27<sup>th</sup> 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	Roger Holthaus: head coach
Dusty Thompson: assistant coach	Janelle Glatczak: assistant coach
Ben Steinlage: assistant coach	Lora Whetzal: assistant coach
Levi Koch	Maegan Koch
Trenton Stallbaumer	Katie Glatczak
Dustin Talley	Sadie Jones
Collin Holthaus	Parker Bowers
Sean Rempe	Kori McNally
Braden Deters	Drew Kramer
Alec Duryea	Cassidy Haufler
Jason Gore	Mayda Stallbaumer
Jonathan Johnson	Sadi Boyce
Stephan LeBlanc	Madison Lueger
Bryson Johnson	Tara Bergman
Kobe Rumbo	Chelsea Huerter
Trenton Flentie	Kate Elliott
Managers: Otto Nermo and Tristan Meade	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 115<sup>th</sup> 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 50<sup>th</sup> 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.

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#### 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, Derrick 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 27<sup>th</sup> 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 10<sup>th</sup> 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 line 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: Alcalá, 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) On and after January 1, 2018, 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.

BECKIE HENDRICKS, JENNY HAUGH, *Journal Clerk.*

SUSAN W. KANNARR, *Chief Clerk.*

