

# Journal of the Senate

FIFTIETH DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Thursday, April 28, 2016, 10:00 a.m.

The Senate was called to order by Vice President Jeff King.  
The roll was call with 40 Senators present.  
Invocation by Reverend Cecil Washington, Jr.:

Heavenly Father, in view of President Wagle's passionate plea regarding the health of her daughter, we come to You on her behalf. Give the medical profession wisdom and guidance in her daughter's care. And please encourage the family to know that You, more than the doctors, are truly in control. Touch her body as only You can and Lord, please bring healing. Also, as we gather for prayer this morning, many will be gathering for more prayer outside at the noon hour. Franklin Graham is touring the nation and calling us to prayer. But, like the Psalmist said in Psalm 66:18, if we regard iniquity in our hearts, You would not hear us. So, Lord, help Your people, those of us who have put our faith and trust in You, have the positive, refining impact of salt and light in our areas of influence (Matthew 5:13-16). So that the combined prayers of Your people will be a sweet, fragrance to You, that You would hear our prayers and as You said in 2 Chronicles 7:14-15, You would bless and heal our land. Lord, I pray that You put a hedge of protection around all of those involved in the rally this afternoon. Thanks for favorable weather and safe travel. I come before Your precious throne, in the name of Jesus, Amen and Amen.

The Pledge of Allegiance was led by Vice President King.

## **POINT OF PERSONAL PRIVILEGE**

Senator Faust-Goudeau rose on a Point of Personal Privilege to recognize Miss Kansas-USA, Victoria Wiggins. Victoria volunteers with organizations such as Dads Care 2 and Warriors for Ross, as well as encouraging positive self-esteem among youth. She will represent the State of Kansas at the Miss USA Pageant, Sunday June 5, 2016.

Also introduced were her father, Jeffrey Wiggins, and stepmother, Doralene Griffin-Wiggins. The senate honored Victoria and her guests with a standing ovation.

## **REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to Committees as indicated:

Ways and Means: **SB 517**.

**INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS**

Senator Ostmeyer introduced the following Senate resolution, which was read:  
SENATE RESOLUTION No. 1792—

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 Senate 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 Secretary of the Senate shall send three enrolled copies of this resolution to Senator Ostmeyer.

On emergency motion of Senator Ostmeyer **SR 1792** was adopted unanimously. Guests introduced were Bob Davis and Rich Epp. The senate honored the guests with a standing ovation.

Senator Powell introduced the following Senate resolution, which was read:  
SENATE RESOLUTION No. 1787—

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 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 Senate 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 Secretary of the Senate shall send two enrolled copies of this resolution to Senator Powell.

On emergency motion of Senator Powell **SR 1787** was adopted unanimously.

Guests introduced were Foster Lee and Jerry Chang.

The senate honored the guests with a standing ovation.

### CHANGE OF CONFERENCE

Under the authority of the President, the Vice President announced the appointment of Senator Masterson to replace Senator Longbine, Senator Denning to replace Senator Bowers and Senator Kelly to replace Senator Hawk as members of the Conference Committee on **HB 2632**.

On motion of Senator Bruce, the Senate recessed until 2:00 p.m.

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The Senate met pursuant to recess with President Wagle in the chair.

### MESSAGE FROM THE HOUSE

The House concurs in Senate amendments to **HB 2480**, and requests return of the bill.

The House accedes to the request of the Senate for a conference on **SB 224** and has appointed Representatives Pauls, Todd and Tietze as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub SB 280** and has appointed Representatives Barker, Macheers and Carmichael as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 326** and has appointed Representatives Pauls, Todd and Tietze as conferees on the part of the House.

The House adopts the Conference Committee report on **HB 2563**.

The House adopts the Conference Committee report to agree to disagree on **HB 2615**, and has appointed Representatives Hawkins, Dove and Ward as second conferees on the part of the House.

The House announced the appointment of Representative Wilson as a conferee on **H Sub SB 227**.

The House announced the appointment of Representative Wilson to replace Representative Victors as a conferee on **H Sub SB 337; S Sub HB 2059, S Sub HB 2156; HB 2490, HB 2547**.

The House announced the appointment of Representative Pauls to replace Representative Finch as a conferee on **SB 325; S Sub HB 2049; HB 2460**.

The House announced the appointment of Representatives Kleeb, Suellentrop and

Sawyer as conferees on **HB 2632** to replace Representatives Schwab, Kelly and Houston.

The House announced the appointment of Representative Kleeb, Suellentrop, Sawyer as conferees on **H Sub SB 280**.

### INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Petersen, Donovan, Faust-Goudeau, Kerschen, Masterson, McGinn, O'Donnell, V. Schmidt and Wagle introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1793—

A RESOLUTION congratulating and commending the Wichita South  
High School girls' basketball team on winning the 2016 KSHSAA  
Class 6A State Basketball Championship.

WHEREAS, The Wichita South High School girls' basketball team won the 2016 Kansas State High School Activities Association (KSHSAA) Class 6A State Basketball Championship after defeating the Shawnee Mission Northwest High School girls' basketball team with a score of 36-30; and

WHEREAS, This is the fourth consecutive state title the Wichita South High School girls' basketball team has won; and

WHEREAS, Members of this year's Wichita South High School girls' basketball team include: Aerihna Afoa, Alexsis Beard, Brittanie Brickhouse, Kyla Callins, Kendrian Elliott, Naria Hall, Trezure Jobe, Ericka Mattingly, Destiny Pittman, Krissandra Pollard, Mauri Scales and Deionne White. The team's cumulative GPA is 3.25. The team managers are Stephanie Gonzales and O'Shiana Rogers; and

WHEREAS, The team's coach, Antwain Scales, along with assistant coaches, Heidi Dreiling and Wayne Riddle, worked diligently with this year's team, improving the team's skills and ultimately leading them to the 2016 KSHSAA Class 6A State Basketball Championship; and

WHEREAS, The Wichita South High School girls' basketball team's overall record under coach Antwain Scales is 110-13 in the past five seasons. The team ended the current 25-0 season ranked 19<sup>th</sup> in a national high school girls' basketball team ranking. In the past four seasons, Wichita South has won four consecutive Greater Wichita Athletic League titles, four mid-season tournament titles and four 6A State titles. Wichita South became the first 6A girls' team in history to capture four state titles in a row. This year's team allowed just 19.4 points per game, holding 13 opponents under 20 points; and

WHEREAS, Ericka Mattingly was awarded the 2016 McDonald's All-American Games Nominee, All-Classes, and 6A Sports in Kansas 2016 Girls Basketball Player of the Year awards, and Kendrian Elliott was awarded the 2015-2016 Gatorade Kansas Player of the Year award. Both Ericka and Kendrian were chosen to play on the 2016 Kansas All-State girls' basketball team: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we congratulate and commend the Wichita South High School girls' basketball team on winning the 2016 KSHSAA Class 6A State Basketball Championship. These young women have worked hard throughout the season, and this state title is a testament to that hard work; and

*Be it further resolved:* That the Secretary of the Senate shall send 20 enrolled copies of this resolution to Senator Petersen.

On emergency motion of Senator Petersen **SR 1793** was adopted unanimously.

The team, coaches and other guests were honored with a standing ovation.

### ORIGINAL MOTION

Senator Senator Bruce moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bills: **SB 318, SB 373, SB 387, SB 390; S Sub HB 2008, S Sub HB 2088; HB 2446; Sub HB 2473; HB 2522, HB 2610, HB 2622.**

### 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*

Senator Petersen moved the Senate adopt the Conference Committee Report on **SB 318**.

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

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

Nays: Francisco.

The Conference Committee Report was adopted.

### 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.

RICH PROEHL  
RONALD RYCKMAN, SR.  
ADAM LUSKER  
*Conferees on part of House*

KAY WOLF  
MIKE PETERSEN  
PAT PETTEY  
*Conferees on part of Senate*

Senator Petersen moved the Senate adopt the Conference Committee Report on **SB 373**.

On roll call, the vote was: Yeas 36; Nays 4; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, V. Schmidt, Smith, Wilborn, Wolf.

Nays: LaTurner, Pyle, Tyson, Wagle.

The Conference Committee Report was adopted.

### 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 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*

Senator Longbine moved the Senate adopt the Conference Committee Report on **SB 387**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The Conference Committee Report was adopted.

#### 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*

Senator Longbine moved the Senate adopt the Conference Committee Report on **SB 390**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The Conference Committee Report was adopted.

## 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 ABRAMS

TOM ARPKE

ANTHONY HENSLEY

*Conferees on part of Senate*

RON HIGHLAND

JERRY LUNN

VALDENIA WINN

*Conferees on part of House*

Senator Abrams moved the Senate adopt the Conference Committee Report on **S Sub HB 2008**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The Conference Committee Report was adopted.

#### 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*

Senator Longbine moved the Senate adopt the Conference Committee Report on **HB 2446**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeier, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The Conference Committee Report was adopted.

## 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 PETTY

*Conferees on part of Senate*

RICH PROEHL

RONALD RYCKMAN, SR.

ADAM LUSKER

*Conferees on part of House*

Senator Petersen moved the Senate adopt the Conference Committee Report on **Sub HB 2473**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The Conference Committee Report was adopted.

### **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 PETTY

*Conferees on part of Senate*

RICH PROEHL

RONALD RYCKMAN, SR.

ADAM LUSKER

*Conferees on part of House*

Senator Petersen moved the Senate adopt the Conference Committee Report on **HB 2522**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The Conference Committee Report was adopted.

## 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*

RICH PROEHL

RONALD RYCKMAN, SR.

ADAM LUSKER

*Conferees on part of House*

Senator Petersen moved the Senate adopt the Conference Committee Report on **HB 2610**.

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

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, V. Schmidt, Smith, Wagle, Wilborn, Wolf.

Nays: Tyson.

The Conference Committee Report was adopted.

#### **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 ABRAMS  
TOM ARPKE  
ANTHONY HENSLEY

*Conferees on part of Senate*

RON HIGHLAND  
JERRY LUNN  
VALDENIA WINN

*Conferees on part of House*

Senator Abrams moved the Senate adopt the Conference Committee Report on **HB 2622**.

On roll call, the vote was: Yeas 34; Nays 6; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Haley, Hawk, Hensley, Holland, Holmes, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pilcher-Cook, Powell, Pyle, Smith, Tyson, Wagle, Wilborn.

Nays: Francisco, Kelly, Kerschen, Pettey, V. Schmidt, Wolf.

The Conference Committee Report was adopted.

## 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 Senator Donovan the Senate adopted the conference committee report on **S Sub HB 2088**, and requested a new conference be appointed.

The President appointed Senators Donovan, Tyson and Holland as a second Conference Committee on the part of the Senate on **S Sub HB 2088**.

**REPORTS OF STANDING COMMITTEES**

Committee on **Ways and Means** recommends **HB 2285**, as amended by House Committee, be amended by substituting a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2285," as follows:

"Senate Substitute for HOUSE BILL NO. 2285

By Committee on Ways and Means

"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.";

And the substitute bill be passed.

Also, **HB 2662**, as amended by House Committee of the Whole, be amended on page 3, by striking all in lines 5 through 10;

And by renumbering sections accordingly; and the bill be passed as amended.

**HB 2739** be amended on page 1, in line 8, after "department" by inserting a comma; and the bill be passed as amended.

On motion of Senator Bruce, the Senate adjourned until 10:00 a.m., Friday, April 29, 2016.

ROSE MARIE GLATT, CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks*.  
COREY CARNAHAN, *Secretary of the Senate*.

