

# Journal of the House

## SIXTIETH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, April 6, 2018, 1:30 p.m.

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

The roll was called with 120 members present.

Rep. Frownfelter was excused on verified illness.

Reps. Arnberger, Delperdang, Schwab and Sloan were excused on excused absence by the Speaker.

Present later: Rep. Delperdang.

Excused later: Reps. Garber and Schroeder.

Prayer by Chaplain Brubaker:

Almighty God,  
we stand before You today  
grateful for the many blessings You provide for us.  
Jehovah Jireh – the God who provides—  
thank You for guiding this body of leadership  
throughout this session in all the difficult decisions that have been made.  
Thank You for helping them work together for the greater good.  
Thank You for the spirit of collaboration and cooperation  
that our leaders have shown in working together.  
As they finish out this session,  
there are still some very serious decisions to be made.  
May they continue to work together  
in a spirit of unity.  
We are reminded of Your Word:  
“Let those who are wise understand these things.  
Let those with discernment listen carefully.  
The paths of the Lord are true and right,  
And righteous people live by walking in them.”  
In Your Name I Pray, Amen.  
(Hosea 14:9)

The Pledge of Allegiance was led by Rep. Cox.

### MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **SB 375** and has appointed Senators Petersen, Goddard and Pettey as Second conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2470** and has appointed Senators Estes, Olson and Faust-Goudeau as Second conferees on the part of the Senate.

#### MESSAGES FROM THE SENATE

Announcing passage of **Sub SB 423**.

#### MESSAGES FROM THE SENATE

The Senate announced the appointment of Senators Baumgardner, Denning and Hensley to replace Senators McGinn, Billinger and Kelly as conferees on **H Sub for SB 109**.

The Senate announced the appointment of Senator Francisco to replace Senator Holland as a conferee on **HB 2488**.

The Senate announced the appointment of Senator Francisco to replace Senator Holland as a conferee on **HB 2492**.

The Senate announced the appointment of Senator Baumgardner to replace Senator Denning and Senator Denning to replace Senator McGinn as conferees on **S Sub for HB 2186**.

The Senate adopts the Conference Committee report on **HB 2597**.

#### INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bill was thereupon introduced and read by title:

**SB 423**.

#### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 217** 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 31, in line 17, by striking "an"; in line 18, by striking "annual" and inserting ", on or before October 1 of each year, a";

On page 114, by striking all in lines 6 through 11 and inserting:

"Sec. 31. K.S.A. 2017 Supp. 21-5909 is hereby amended to read as follows: 21-5909. (a) Intimidation of a witness or victim is preventing or dissuading, or attempting to prevent or dissuade, with an intent to vex, annoy, harm or injure in any way another person or an intent to thwart or interfere in any manner with the orderly administration of justice:

(1) Any witness or victim from attending or giving testimony at any civil or criminal trial, proceeding or inquiry authorized by law; or

(2) any witness, victim or person acting on behalf of a victim from:

(A) Making any report of the victimization of a victim to any law enforcement officer, prosecutor, probation officer, parole officer, correctional officer, community correctional services officer ~~or, judicial officer, the secretary of the department of social and rehabilitation~~ for children and families, the secretary for aging and disability

services, or any agent or representative of ~~the either~~ secretary, or any person required to make a report pursuant to K.S.A. 2017 Supp. 38-2223, and amendments thereto;

(B) causing a complaint, indictment or information to be sought and prosecuted; or causing a violation of probation, parole or assignment to a community correctional services program to be reported and prosecuted, and assisting in its prosecution;

(C) causing a civil action to be filed and prosecuted and assisting in its prosecution; or

(D) arresting or causing or seeking the arrest of any person in connection with the victimization of a victim.

(b) Aggravated intimidation of a witness or victim is intimidation of a witness or victim, as defined in subsection (a), when the:

(1) Act is accompanied by an expressed or implied threat of force or violence against a witness, victim or other person or the property of any witness, victim or other person;

(2) act is in furtherance of a conspiracy;

(3) act is committed by a person who has been previously convicted of corruptly influencing a witness or has been convicted of a violation of this section or any federal or other state's statute ~~which that~~, if the act prosecuted was committed in this state, would be a violation of this section;

(4) witness or victim is under 18 years of age; or

(5) act is committed for pecuniary gain or for any other consideration by a person acting upon the request of another person.

(c)(1) Intimidation of a witness or victim is a class B person misdemeanor.

(2) Aggravated intimidation of a witness or victim is a severity level 6, person felony.

Sec. 32. K.S.A. 2017 Supp. 22-3302 is hereby amended to read as follows: 22-3302. (1) At any time after the defendant has been charged with a crime and before pronouncement of sentence, the defendant, the defendant's counsel or the prosecuting attorney may request a determination of the defendant's competency to stand trial. If, upon the request of either party or upon the judge's own knowledge and observation, the judge before whom the case is pending finds that there is reason to believe that the defendant is incompetent to stand trial the proceedings shall be suspended and a hearing conducted to determine the competency of the defendant.

(2) If the defendant is charged with a felony, the hearing to determine the competency of the defendant shall be conducted by a district judge.

(3) The court shall determine the issue of competency and may impanel a jury of six persons to assist in making the determination. The court may order a psychiatric or psychological examination of the defendant. To facilitate the examination, the court may: (a) If the defendant is charged with a felony, commit the defendant to the state security hospital or any county or private institution for examination and report to the court, or, if the defendant is charged with a misdemeanor, commit the defendant to any appropriate state, county or private institution for examination and report to the court, except that the court shall not commit the defendant to the state security hospital or any other state institution unless, prior to such commitment, the director of a local county or private institution recommends to the court and to the secretary ~~of social and rehabilitation for aging and disability~~ services that examination of the defendant should be performed at a state institution; (b) designate any appropriate psychiatric or

psychological clinic, mental health center or other psychiatric or psychological facility to conduct the examination while the defendant is in jail or on pretrial release; or (c) appoint two qualified licensed physicians or licensed psychologists, or one of each, to examine the defendant and report to the court. If the court commits the defendant to an institution for the examination, the commitment shall be for not more than 60 days or until the examination is completed, whichever is the shorter period of time. No statement made by the defendant in the course of any examination provided for by this section, whether or not the defendant consents to the examination, shall be admitted in evidence against the defendant in any criminal proceeding. Upon notification of the court that a defendant committed for psychiatric or psychological examination under this subsection has been found competent to stand trial, the court shall order that the defendant be returned not later than seven days after receipt of the notice for proceedings under this section. If the defendant is not returned within that time, the county in which the proceedings will be held shall pay the costs of maintaining the defendant at the institution or facility for the period of time the defendant remains at the institution or facility in excess of the seven-day period.

(4) If the defendant is found to be competent, the proceedings which have been suspended shall be resumed. If the proceedings were suspended before or during the preliminary examination, the judge who conducted the competency hearing may conduct a preliminary examination or, if a district magistrate judge was conducting the proceedings prior to the competency hearing, the judge who conducted the competency hearing may order the preliminary examination to be heard by a district magistrate judge.

(5) If the defendant is found to be incompetent to stand trial, the court shall proceed in accordance with K.S.A. 22-3303, and amendments thereto.

(6) If proceedings are suspended and a hearing to determine the defendant's competency is ordered after the defendant is in jeopardy, the court may either order a recess or declare a mistrial.

(7) The defendant shall be present personally at all proceedings under this section.

Sec. 33. K.S.A. 2017 Supp. 36-502 is hereby amended to read as follows: 36-502.

(a) It shall be unlawful for any person to engage in the business of conducting a lodging establishment unless such person shall have in effect a valid license therefor issued by the secretary. Applications for such licenses shall be made on forms prescribed by the secretary, and each such application shall be accompanied by the appropriate license fee required by subsection (c). Prior to the issuance of any such license, the secretary shall inspect or cause to be inspected the lodging establishment designated in the application, to determine that it complies with the standards for lodging establishments promulgated pursuant to this act. If such lodging establishment is found to be in compliance, and the completed application and accompanying fees have been submitted, the secretary shall issue the license. If such lodging establishment is found not to be in compliance, the secretary shall deny such application after providing notice and opportunity for a hearing in accordance with the provisions of the Kansas administrative procedure act.

(b) Each license shall designate whether the licensed lodging unit is a hotel, rooming house or boarding house. Any person obtaining a license to engage in the business of conducting a rooming house or boarding house shall not have the right to use the name "hotel" in connection with such business. Every license issued hereunder shall be displayed conspicuously in the lodging establishment for which it is issued, and

no such license shall be transferable to any other person or location. Whenever any such license is lost, destroyed or mutilated, a duplicate license shall be issued to any otherwise qualified licensee upon application therefor and the payment of a fee in the amount of \$5.

(c) The fee for a license to conduct a lodging establishment in this state for all or any part of any calendar year shall be \$30, except that the fee for any lodging establishment containing 10 sleeping rooms shall be \$40 and for every additional 10 rooms therein, an additional fee of \$10 shall be charged. All lodging establishments ~~which that~~ are newly constructed, newly converted to use as a lodging establishment or have a change of ownership shall pay an application fee ~~which that~~ may be adjusted in accordance with the type of establishment or based on other criteria as determined by the secretary, but in no event shall any application fee exceed \$200 in addition to the license fee.

(d) Any lodging establishment that also has a food establishment license shall have a fee set by rule and regulation of the secretary. Such fee shall not exceed the fees for lodging establishments as provided in subsection (c).

(e) A guest house shall not be required to have a lodging license, but such guest house shall be required to be inspected if the secretary receives a complaint concerning such guest house and shall be subject to the temporary closure provisions of ~~subsection (b) of K.S.A. 36-515a(b)~~, and amendments thereto.

(f) A lodging establishment operated in connection with any premises licensed, registered or permitted by the secretary of health and environment, the secretary ~~of social and rehabilitation services for children and families~~, the secretary of corrections or the secretary ~~of for aging, which and disability services that~~ is inspected and regulated pursuant to the respective law or rule and regulation of such secretary, shall not require a license as provided in this section, and the secretary of agriculture shall not be authorized to inspect or cause such premises to be inspected. This subsection shall not apply to a lodging establishment whose primary function is not in connection with any premises licensed, registered or permitted pursuant to the respective law or rule and regulation of such secretary.

Sec. 34. K.S.A. 2017 Supp. 38-2006 is hereby amended to read as follows: 38-2006. The secretary ~~of social and rehabilitation services for children and families~~ shall advise and consult with the secretary of health and environment on issues relating to children's health status.

Sec. 35. K.S.A. 2017 Supp. 38-2212 is hereby amended to read as follows: 38-2212. (a) *Principle of appropriate access.* Information contained in confidential agency records concerning a child alleged or adjudicated to be in need of care may be disclosed as provided in this section. Disclosure shall in all cases be guided by the principle of providing access only to persons or entities with a need for information that is directly related to achieving the purposes of this code.

(b) *Free exchange of information.* Pursuant to K.S.A. 2017 Supp. 38-2210, and amendments thereto, the secretary and juvenile intake and assessment agencies shall participate in the free exchange of information concerning a child who is alleged or adjudicated to be in need of care.

(c) *Necessary access.* The following persons or entities shall have access to information from agency records. Access shall be limited to information reasonably necessary to carry out their lawful responsibilities, to maintain their personal safety and

the personal safety of individuals in their care, or to educate, diagnose, treat, care for or protect a child alleged to be in need of care. Information authorized to be disclosed pursuant to this subsection shall not contain information ~~which that~~ identifies a reporter of a child who is alleged or adjudicated to be a child in need of care.

(1) A child named in the report or records, a guardian ad litem appointed for the child and the child's attorney.

(2) A parent or other person responsible for the welfare of a child, or such person's legal representative.

(3) A court-appointed special advocate for a child, a citizen review board or other advocate ~~which that~~ reports to the court.

(4) A person licensed to practice the healing arts or mental health profession in order to diagnose, care for, treat or supervise: (A) A child whom such service provider reasonably suspects may be in need of care; (B) a member of the child's family; or (C) a person who allegedly abused or neglected the child.

(5) A person or entity licensed or registered by the secretary of health and environment or approved by the secretary ~~of social and rehabilitation services for children and families~~ to care for, treat or supervise a child in need of care.

(6) A coroner or medical examiner when such person is determining the cause of death of a child.

(7) The state child death review board established under K.S.A. 22a-243, and amendments thereto.

(8) An attorney for a private party who files a petition pursuant to ~~subsection (b) of~~ K.S.A. 2017 Supp. 38-2233**(b)**, and amendments thereto.

(9) A foster parent, prospective foster parent, permanent custodian, prospective permanent custodian, adoptive parent or prospective adoptive parent. In order to assist such persons in making an informed decision regarding acceptance of a particular child, to help the family anticipate problems ~~which that~~ may occur during the child's placement, and to help the family meet the needs of the child in a constructive manner, the secretary shall seek and shall provide the following information to such person's as the information becomes available to the secretary:

(A) Strengths, needs and general behavior of the child;

(B) circumstances ~~which that~~ necessitated placement;

(C) information about the child's family and the child's relationship to the family ~~which that~~ may affect the placement;

(D) important life experiences and relationships ~~which that~~ may affect the child's feelings, behavior, attitudes or adjustment;

(E) medical history of the child, including third-party coverage ~~which that~~ may be available to the child; and

(F) education history, to include present grade placement, special strengths and weaknesses.

(10) The state protection and advocacy agency as provided by ~~subsection (a)(10) of~~ K.S.A. 65-5603**(a)(10)** or ~~subsection (a)(2)(A) and (B) of~~ K.S.A. 74-5515**(a)(2)(A) and (B)**, and amendments thereto.

(11) Any educational institution to the extent necessary to enable the educational institution to provide the safest possible environment for its pupils and employees.

(12) Any educator to the extent necessary to enable the educator to protect the personal safety of the educator and the educator's pupils.

(13) Any other federal, state or local government executive branch entity or any agent of such entity, having a need for such information in order to carry out such entity's responsibilities under the law to protect children from abuse and neglect.

(d) *Specified access.* The following persons or entities shall have access to information contained in agency records as specified. Information authorized to be disclosed pursuant to this subsection shall not contain information ~~which that~~ identifies a reporter of a child who is alleged or adjudicated to be a child in need of care.

(1) Information from confidential agency records of the Kansas department of social and rehabilitation services for children and families, a law enforcement agency or any juvenile intake and assessment worker of a child alleged or adjudicated to be in need of care shall be available to members of the standing house or senate committee on judiciary, house committee on corrections and juvenile justice, house committee on appropriations, senate committee on ways and means, legislative post audit committee and any joint committee with authority to consider children's and families' issues, when carrying out such member's or committee's official functions in accordance with K.S.A. 75-4319, and amendments thereto, in a closed or executive meeting. Except in limited conditions established by  $\frac{2}{3}$  of the members of such committee, records and reports received by the committee shall not be further disclosed. Unauthorized disclosure may subject such member to discipline or censure from the house of representatives or senate. The ~~secretary of social and rehabilitation services for children and families~~ shall not summarize the outcome of department actions regarding a child alleged to be a child in need of care in information available to members of such committees.

(2) The ~~secretary of social and rehabilitation services for children and families~~ may summarize the outcome of department actions regarding a child alleged to be a child in need of care to a person having made such report.

(3) Information from confidential reports or records of a child alleged or adjudicated to be a child in need of care may be disclosed to the public when:

(A) The individuals involved or their representatives have given express written consent; or

(B) the investigation of the abuse or neglect of the child or the filing of a petition alleging a child to be in need of care has become public knowledge, provided, however, that the agency shall limit disclosure to confirmation of procedural details relating to the handling of the case by professionals.

(e) *Court order:* Notwithstanding the provisions of this section, a court of competent jurisdiction, after in camera inspection, may order disclosure of confidential agency records pursuant to a determination that the disclosure is in the best interests of the child who is the subject of the reports or that the records are necessary for the proceedings of the court and otherwise admissible as evidence. The court shall specify the terms of disclosure and impose appropriate limitations.

(f) (1) Notwithstanding any other provision of law to the contrary, except as provided in paragraph (4), in the event that child abuse or neglect results in a child fatality or near fatality, reports or records of a child alleged or adjudicated to be in need of care received by the secretary, a law enforcement agency or any juvenile intake and assessment worker shall become a public record and subject to disclosure pursuant to K.S.A. 45-215, and amendments thereto.

(2) Within seven days of receipt of a request in accordance with the procedures adopted under K.S.A. 45-220, and amendments thereto, the secretary shall notify any

affected individual that an open records request has been made concerning such records. The secretary or any affected individual may file a motion requesting the court to prevent disclosure of such record or report, or any select portion thereof. If the affected individual does not file such motion within seven days of notification, and the secretary has not filed a motion, the secretary shall release the reports or records. If such motion is filed, the court shall consider the effect such disclosure may have upon an ongoing criminal investigation, a pending prosecution, or the privacy of the child, if living, or the child's siblings, parents or guardians. The court shall make written findings on the record justifying the closing of the records and shall provide a copy of the journal entry to the affected parties and the individual requesting disclosure pursuant to the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto.

(3) For reports or records requested pursuant to this subsection, the time limitations specified in this subsection shall control to the extent of any inconsistency between this subsection and K.S.A. 45-218, and amendments thereto. As used in this section, "near fatality" means an act that, as certified by a person licensed to practice medicine and surgery, places the child in serious or critical condition.

(4) Nothing in this subsection shall allow the disclosure of reports, records or documents concerning the child and such child's biological parents ~~which that~~ were created prior to such child's adoption. Nothing herein is intended to require that an otherwise privileged communication lose its privileged character.

Sec. 36. K.S.A. 2017 Supp. 39-1702 is hereby amended to read as follows: 39-1702. As used in this act:

(a) "Children and adolescents who require multiple levels and kinds of specialized services which are beyond the capability of one agency" means children and adolescents who are residents of Kansas, and with respect to whom there is documentation that: (1) Various agencies have acknowledged the need for a certain type of service and have taken action to provide that level of care; (2) various agencies have collaborated to develop a program plan to meet the needs of the child or adolescent; and (3) various agencies have collaborated to develop programs and funding to meet the need of the child or adolescent, and that existing or alternative programs and funding have been exhausted or are insufficient or inappropriate in view of the distinctive nature of the situation of the child or adolescent.

(b) "Agency" means and includes county health departments, area offices of the Kansas department of social and rehabilitation services for children and families or the Kansas department for aging and disability services, district offices of the department of health and environment, local offices of the department of labor, boards of education of public school districts, community mental health centers, community facilities for people with intellectual or developmental disabilities, or both, district courts, county commissions; and law enforcement agencies.

(c) "Authorized decision makers" means agency representatives who have the authority to commit the resources of the agency they represent in the provision of services to any child or adolescent whose needs are brought before a regional interagency council.

(d) "District court" means the chief judge for a judicial district.

(e) "Parent" means a natural parent, an adoptive parent, a stepparent, a foster care provider of a child or adolescent for whom services are needed from more than one agency; or a person acting as parent of a child or adolescent for whom services are



needed from more than one agency.

(f) "Person acting as parent" means a guardian or conservator, or a person, other than a parent, who is liable by law to maintain, care for, or support a child or adolescent, ~~or~~ who has actual care and custody of the child or adolescent and is contributing the major portion of the cost of support of the child or adolescent, ~~or~~ who has actual care and control of the child or adolescent with the written consent of a person who has legal custody of the child or adolescent; or who has been granted custody of the child or adolescent; by a court of competent jurisdiction.

Sec. 37. K.S.A. 2017 Supp. 40-4702 is hereby amended to read as follows: 40-4702. (a) The governor of the state of Kansas shall appoint a committee ~~which that~~ shall be known as the Kansas business health policy committee, whose purpose is to explore opportunities and encourage employer participation in health plans developed by the committee for low and modest wage employees of small employers.

(b) The Kansas business health policy committee, hereinafter referred to as the health committee, shall consist of:

- (1) The secretary of the department of commerce or the secretary's designee;
- (2) the secretary ~~of the department of social and rehabilitation services for children and families~~ or the secretary's designee;
- (3) the secretary for aging and disability services or the secretary's designee;
- (4) the commissioner of insurance or the commissioner's designee;
- ~~(4)~~(5) one member appointed by the president of the senate;
- ~~(5)~~(6) one member appointed by the speaker of the house of representatives;
- ~~(6)~~(7) one member appointed by the minority leader of the senate;
- ~~(7)~~(8) one member appointed by the minority leader of the house of representatives; and
- ~~(8)~~(9) three members at large from the private sector appointed by the governor.

The secretary of each state agency represented on this committee shall provide such staff and other resources as the health committee may require.

(c) (1) The initial meeting of the health committee shall be convened within 60 days after the effective date of this act by the governor at a time and place designated by the governor.

(2) Meetings of the health committee subsequent to its initial meeting shall be held and conducted in accordance with policies and procedures established by the health committee.

(3) Commencing at the time of the initial meeting of the health committee, the powers, authorities, duties and responsibilities conferred and imposed upon the health committee by this act shall be operative and effective.

(d) The health committee shall develop and approve a request for proposals for a qualified entity to serve as the Kansas business health partnership, hereinafter referred to as health partnership, ~~which that~~ shall provide a mechanism to combine federal and state subsidies with contributions from small employers and eligible employees to purchase health insurance in accordance with guidelines developed by the health committee.

(e) The health committee shall evaluate responses to the request for proposals and select the qualified entity to serve as the health partnership.

(f) The health committee shall:

- (1) Develop, approve and revise subsidy eligibility criteria provided that:

(A) Low wage and modest wage employees of small employers shall be eligible for subsidies if:

(i) The small employer has not previously offered health insurance coverage within the two years next preceding the date upon which health insurance is offered; or

(ii) the small employer has previously offered health insurance coverage and a majority of such small employer's employees are low wage or modest wage employees as defined in K.S.A. 40-4701, and amendments thereto;

(B) any small employer's eligible employee with a child who is eligible for coverage under the state children's health insurance program established by K.S.A. 38-2001 et seq., and amendments thereto, or in the state medical assistance program shall be eligible automatically for a subsidy and shall be included in the determination of eligibility for the small employer and its low and modest wage employees; and

(C) at least 70% of the small employer's eligible employees without group health insurance coverage from another source are insured through the partnership; and

(2) determine and arrange for eligibility determination for subsidies of low wage or modest wage employees; and

(3) develop subsidy schedules based upon eligible employee wage levels and family income; and

(4) be responsible for arranging for the provision of affordable health care coverage for eligible employees of small employers and evaluating and creating the opportunity to improve health care provided by plans in the small group health insurance program.

(g) The health committee shall oversee and monitor the ongoing operation of any subsidy program and the financial accountability of all subsidy funds. If, in the judgment of the health committee, the entity selected to serve as the health partnership fails to perform as intended, the health committee may terminate its selection and designation of that entity as the health partnership and may issue a new request for proposal and select a different qualified entity to serve as the health partnership.

(h) The health committee is hereby authorized to accept funds from the federal government, or its agencies, or any other source whatsoever for research studies, investigation, planning and other purposes related to implementation of the objectives of this act. Any funds so received shall be deposited in the state treasury and shall be credited to a special revenue fund—~~which that~~ is hereby created and shall be known as the health committee insurance fund and used in accordance with or direction of the contributing federal agencies. Expenditures from such fund may be made for any purpose in keeping with the responsibilities, functions and authority of the department. Warrants on such fund shall be drawn in the same manner as required of other state agencies upon vouchers approved by the secretary of health and environment, or the secretary's designee, upon receiving prior approval of the health committee.

(i) The health committee is authorized to develop policies for the administration of the subsidy program and for the use of additional federal or private funds to subsidize health insurance coverage for low and modest wage employees of predominantly low-wage small employers. The health committee shall be responsible for setting benefit levels and establishing performance measures for health plans providing health care coverage for this program that include quality, preventative health and other supplementary measures. The health committee shall limit access to the program subsidy to the projected annualized expenditure.

(j) The health committee is hereby authorized to organize, or cause to be organized,

one or more advisory committees. No member of any advisory committee established under this subsection shall have previously received or currently receive any payment or other compensation from the health partnership. The membership of each advisory committee established under this subsection shall contain at least one representative who is a small employer and one representative who is an eligible employee as defined in K.S.A. 40-4701, and amendments thereto, and one representative of the insurance industry.

(k) The health committee shall report on an annual basis on the following subjects:

- (1) Quality assurance measures;
- (2) disease prevention activities;
- (3) disease management activities; and
- (4) other activities or programs the committee decides to include.

Sec. 38. K.S.A. 2017 Supp. 65-689 is hereby amended to read as follows: 65-689.

(a) It shall be unlawful for any person to engage in the business of conducting a food establishment or food processing plant unless such person shall have in effect a valid license therefor issued by the secretary.

(b) Applications for such licenses shall be made on forms prescribed by the secretary, and each such application shall be accompanied by an application fee and by a license fee. Prior to the issuance of any such license, the secretary shall inspect or cause to be inspected the food establishment or food processing plant designated in the application, to determine that it complies with rules and regulations adopted pursuant to the food, drug and cosmetic act, and amendments thereto. If the food establishment or food processing plant is found to be in compliance, and the completed application and accompanying fees have been submitted, the secretary shall issue the license. If the food establishment or food processing plant is found not to be in compliance, the secretary shall deny the application for a license after providing notice and opportunity for a hearing in accordance with the provisions of the Kansas administrative procedure act.

(c) Every license issued hereunder shall be displayed conspicuously in the food establishment or food processing plant for which it is issued, and no such license shall be transferable to any other person or location. Whenever any such license is lost, destroyed or mutilated, a duplicate license shall be issued to any otherwise qualified licensee upon application therefor and the payment of a fee in the amount of \$5.

(d) A license shall not be required by:

(1) A plant or facility registered or licensed by the department of agriculture pursuant to article 7 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, or licensed or registered by the department of agriculture pursuant to article 6a of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, shall not be required to obtain a separate license pursuant to this section if the inspections conducted under the respective acts encompass all operations of the facility.

(2) A registered nonprofit organization that provides food without charge solely to people who are food insecure, including, but not limited to, soup kitchens and food pantries.

(3) A location where prepackaged individual meals are distributed to persons eligible under the federal older Americans act.

(4) A person who produces food for distribution directly to the end consumer, if such food does not require time and temperature control for safety or specialized processing, as determined by the secretary.

(5) A person who serves food exclusively on interstate conveyances or common carriers.

(6) A person operating a food establishment for less than seven days in any calendar year.

(7) A person who prepares, serves or sells food for the sole purpose of soliciting funds to be used for community or humanitarian purposes or educational or youth activities.

(8) A person operating a food vending machine, if the food vending machine company:

(A) Is licensed as a food establishment, or if located in another state, licensed according to the laws of such state;

(B) maintains, and makes available to the secretary, a current record of the location of each food vending machine it operates or services; and

(C) conspicuously displays the company name, phone number and any additional information the secretary may require on each such vending machine.

(9) A person providing only complimentary coffee to its patrons whose primary business is unrelated to operating a food establishment or food processing plant.

(10) A person operating a farm winery, as defined in K.S.A. 41-102, and amendments thereto, who does not produce or offer any food products other than wine produced at such farm winery.

(11) A retailer, as defined in K.S.A. 41-102, and amendments thereto, that sells only alcoholic liquors and cereal malt beverages.

(12) A food establishment that sells or offers for sale only packaged foods that are non-hazardous and are received directly from a licensed food production facility in packaged form, if such food establishment contains less than 200 cubic feet as measured pursuant to ~~subsection (e) of~~ K.S.A. 65-688(e), and amendments thereto.

(13) A person who provides food samples, without charge, to promote, advertise or compliment the sale of food or associated food preparation equipment.

(14) A guest house, as defined in K.S.A. 36-501, and amendments thereto.

(e) The exemption provided to those entities provided in subsection (d) shall not be exempt from inspection or regulation when a violation is observed or reported to the secretary.

(f) A food establishment operated in connection with any premises licensed, registered or permitted by the secretary of health and environment, the secretary of ~~social and rehabilitation services for children and families~~, the secretary of corrections or the secretary of ~~for aging, which and disability services~~ that is inspected and regulated pursuant to the respective law or rule and regulation of such secretary, shall not require a license, and the secretary of agriculture shall not be authorized to inspect or cause such premises to be inspected. This subsection shall not apply to a food establishment whose primary function is not in connection with any premises licensed, registered or permitted pursuant to the respective law or rule and regulation of such secretary.

Sec. 39. K.S.A. 2017 Supp. 65-6610 is hereby amended to read as follows: 65-6610. (a) An applicant for licensure as an addiction counselor shall furnish evidence that the applicant:

(1) Has attained the age of 21;

(2) (A) has completed at least a baccalaureate degree from an addiction counseling

program that is part of a college or university approved by the board; or

(B) has completed at least a baccalaureate degree from a college or university approved by the board. As part of, or in addition to, the baccalaureate degree coursework, such applicant shall also complete a minimum number of semester hours of coursework on substance use disorders as approved by the board; or

(C) is currently licensed in Kansas as a licensed baccalaureate social worker and has completed a minimum number of semester hours of coursework on substance use disorders as approved by the board; and

(3) has passed an examination approved by the board;

(4) has satisfied the board that the applicant is a person who merits the public trust; and

(5) has paid the application fee established by the board under K.S.A. 2017 Supp. 65-6618, and amendments thereto.

(b) Applications for licensure as a master's addiction counselor shall be made to the board on a form and in the manner prescribed by the board. Each applicant shall furnish evidence satisfactory to the board that the applicant:

(1) (A) Has attained the age of 21;

(B) (i) has completed at least a master's degree from an addiction counseling program that is part of a college or university approved by the board;

(ii) has completed at least a master's degree from a college or university approved by the board. As part of or in addition to the master's degree coursework, such applicant shall also complete a minimum number of semester hours of coursework supporting the diagnosis and treatment of substance use disorders as approved by the board; or

(iii) is currently licensed in Kansas as a licensed master social worker, licensed professional counselor, licensed marriage and family therapist or licensed master's level psychologist; and

(C) has passed an examination approved by the board;

(D) has satisfied the board that the applicant is a person who merits the public trust; and

(E) has paid the application fee fixed under K.S.A. 2017 Supp. 65-6618, and amendments thereto; or

(2) (A) has met the following requirements on or before July 1, 2016:

(i) Holds an active license by the board as an addiction counselor; and

(ii) has completed at least a master's degree in a related field from a college or university approved by the board; and

(B) has completed six hours of continuing education in the diagnosis and treatment of substance use disorders during the three years immediately preceding the application date.

(c) Applications for licensure as a clinical addiction counselor shall be made to the board on a form and in the manner prescribed by the board. Each applicant shall furnish evidence satisfactory to the board that the applicant:

(1) Has attained the age of 21; and

(2) (A) (i) has completed at least a master's degree from an addiction counseling program that is part of a college or university approved by the board; and

(ii) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 4,000 hours of supervised professional experience including at least 1,500

hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 150 hours of clinical supervision, including not less than 50 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association; or has completed not less than one year of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 2,000 hours of supervised professional experience including at least 750 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 75 hours of clinical supervision, including not less than 25 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association, and such person has a doctoral degree in addiction counseling or a related field as approved by the board; or

(B) (i) has completed at least a master's degree from a college or university approved by the board. As part of or in addition to the master's degree coursework, such applicant shall also complete a minimum number of semester hours of coursework supporting the diagnosis and treatment of substance use disorders as approved by the board; and

(ii) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 4,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 150 hours of clinical supervision, including not less than 50 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association; or has completed not less than one year of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 2,000 hours of supervised professional experience including at least 750 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 75 hours of clinical supervision, including not less than 25 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association, and such person has a doctoral degree in addiction counseling or a related field as approved by the board; or

(C) (i) has completed a master's degree from a college or university approved by the board and is licensed by the board as a licensed master's addiction counselor; and

(ii) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 4,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 150 hours of clinical supervision, including not less than 50 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of

the diagnostic and statistical manual of mental disorders of the American psychiatric association; or has completed not less than one year of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 2,000 hours of supervised professional experience including at least 750 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 75 hours of clinical supervision, including not less than 25 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association, and such person has a doctoral degree in addiction counseling or a related field as approved by the board; or

(D) is currently licensed in Kansas as a licensed psychologist, licensed specialist clinical social worker, licensed clinical professional counselor, licensed clinical psychotherapist or licensed clinical marriage and family therapist and provides to the board an attestation from a professional licensed to diagnose and treat mental disorders, or substance use disorders, or both, in independent practice or licensed to practice medicine and surgery stating that the applicant is competent to diagnose and treat substance use disorders; and

(3) has passed an examination approved by the board; and

(4) has satisfied the board that the applicant is a person who merits the public trust; and

(5) has paid the application fee fixed under K.S.A. 2017 Supp. 65-6618, and amendments thereto.

~~(d) Prior to July 1, 2017, a person who was registered by the behavioral sciences regulatory board as an alcohol and other drug counselor or credentialed by the Kansas department for aging and disability services as an alcohol and drug credentialed counselor or credentialed by the Kansas association of addiction professionals as an alcohol and other drug abuse counselor in Kansas at any time prior to the effective date of this act, who was registered in Kansas as an alcohol and other drug counselor, an alcohol and drug credentialed counselor or a credentialed alcohol and other drug abuse counselor within three years prior to the effective date of this act and whose last registration or credential in Kansas prior to the effective date of this act was not suspended or revoked, upon application to the board, payment of fees and completion of applicable continuing education requirements, shall be licensed as a licensed addiction counselor by providing demonstration acceptable to the board of competence to perform the duties of an addiction counselor.~~

~~(e) Prior to July 1, 2017, any person who was registered by the behavioral sciences regulatory board as an alcohol and other drug counselor or credentialed by the department of social and rehabilitation services as an alcohol and drug credentialed counselor or credentialed by the Kansas association of addiction professionals as an alcohol and other drug abuse counselor in Kansas at any time prior to the effective date of this act, and who is also licensed to practice independently as a mental health practitioner or person licensed to practice medicine and surgery, and who was registered or credentialed in Kansas as an alcohol and other drug counselor within three years prior to the effective date of this act and whose last registration or credential in Kansas prior to the effective date of this act was not suspended or revoked, upon application to the board, payment of fees and completion of applicable continuing education~~

requirements, shall be licensed as a licensed clinical addiction counselor and may engage in the independent practice of addiction counseling and is authorized to diagnose and treat substance use disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations.

(f) ~~Prior to July 1, 2017, any person who was credentialed by the department of social and rehabilitation services as an alcohol and drug counselor and has been actively engaged in the practice, supervision or administration of addiction counseling in Kansas for not less than four years and holds a master's degree in a related field from a college or university approved by the board and whose last registration or credential in Kansas prior to the effective date of this act was not suspended or revoked, upon application to the board, payment of fees and completion of applicable continuing education requirements, shall be licensed as a clinical addiction counselor and may engage in the independent practice of addiction counseling and is authorized to diagnose and treat substance use disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations.~~

Sec. 40. K.S.A. 2017 Supp. 75-7d01 is hereby amended to read as follows: 75-7d01. (a) There is hereby created in the office of the attorney general a batterer intervention program certification unit.

(b) Except as otherwise provided by law, the books, documents, papers, records or other sources of information obtained and the investigations conducted by the unit shall be confidential as required by state or federal law.

(c) The purpose of the batterer intervention program certification unit is to certify and inspect batterer intervention programs in Kansas. To accomplish this purpose, upon request of the unit, the unit shall have access to all records of reports, investigation documents and written reports of findings related to confirmed cases of domestic violence or exploitation of persons or cases in which there is reasonable suspicion to believe domestic violence has occurred ~~which that~~ are received or generated by the Kansas department of social and rehabilitation services for children and families, the Kansas department on for aging and disability services, the department of health and environment or the Kansas bureau of investigation.

(d) The attorney general shall develop a set of tools, methodologies, requirements and forms for the domestic violence offender assessment required by ~~subsection (p) of~~ K.S.A. 2017 Supp. 21-6604(p), and amendments thereto. The batterer intervention program tools, methodologies, requirements and forms shall be developed in consultation with the agency certified by the centers for disease control and prevention and the department of health and human services as the domestic violence coalition for the state and with local domestic violence victims' services organizations.

(e) The attorney general may appoint a panel to assist the attorney general by making recommendations regarding the:

- (1) Content and development of a batterer intervention certification program; and
- (2) rules and regulations.

(f) The attorney general may appoint such advisory committees as the attorney general deems necessary to carry out the purposes of the batterer intervention program certification act. Except as provided in K.S.A. 75-3212, and amendments thereto, no member of any such advisory committee shall receive any compensation, subsistence,



mileage or other allowance for serving on an advisory committee or attending any meeting thereof.

Sec. 41. K.S.A. 75-5309 is hereby amended to read as follows: 75-5309. Except as otherwise provided in this order, or in K.S.A. 75-5310, and amendments thereto, the secretary of social and rehabilitation services for children and families shall appoint, subject to the Kansas civil service act, all subordinate officers and employees of the Kansas department of social and rehabilitation services for children and families, and all such subordinate officers and employees shall be within the classified service.

Sec. 42. K.S.A. 2017 Supp. 75-5321a is hereby amended to read as follows: 75-5321a. The secretary of social and rehabilitation services for children and families shall take necessary actions to transfer the administration of certain long-term care programs and services to the secretary of for aging and disability services. The programs shall include the nursing facility services payment program, the home and community based services for the frail elderly waiver program, the case management for the frail elderly program and the income-eligible (home care) program. Excluding nursing facility programs, the programs to be transferred shall not include long-term care programs for individuals under the age of 65 with mental illness, intellectual disability, other mental disabilities or physical disabilities. All such transfers shall be made only in accordance with federal grant requirements related to such programs.

Sec. 43. K.S.A. 75-5904 is hereby amended to read as follows: 75-5904. (a) On and after July 1, 1977, all the powers, duties, functions, records, property and personnel of the existing services to the aging section of the department of social and rehabilitation services are hereby transferred to and conferred and imposed upon the secretary of aging created by this act for aging and disability services, except as otherwise provided.

(b) The secretary of aging created by this act for aging and disability services shall be a continuation of the services to the aging section of the department of social and rehabilitation services and shall be the successor in every way to the powers, duties and functions of the section, except as herein otherwise provided. On and after July 1, 1977, every act performed in the exercise of such powers, duties and functions by or under the authority of the secretary of aging for aging and disability services shall be deemed to have the same force and effect as if performed by the services for aging section of the department of social and rehabilitation services in which such functions were vested prior to July 1, 1977.

(c) On and after July 1, 1977, wherever the services to the aging section of the department of social and rehabilitation services, or words of like effect, is referred to or designated by a statute, contract or other document, such reference or designation shall be deemed to apply to the secretary of aging for aging and disability services.

(d) All orders and directives of the services to the aging section of the department of social and rehabilitation services in existence immediately prior to July 1, 1977, shall continue in force and effect and shall be deemed to be duly issued orders and directives of the secretary of aging for aging and disability services, until reissued, amended or nullified pursuant to law.

Sec. 44. K.S.A. 76-157 is hereby amended to read as follows: 76-157. Whenever a blind person has been an actual resident of the state for one year next preceding, and a student in actual attendance at a community junior college in the state or at a college, university, technical or professional school located in this state, and authorized by law to grant degrees, other than an institution established for the regular instruction of the

blind, and such student shall be designated by the secretary of ~~social and rehabilitation services for children and families~~ as a fit person to receive and as one who ought to receive the aid hereinafter provided for, ~~said the~~ secretary shall employ persons to read to such student from textbooks and pamphlets used by such ~~students~~ student in ~~his or her~~ the student's studies at such college, university, or school.

Sec. 45. K.S.A. 76-158 is hereby amended to read as follows: 76-158. The secretary of ~~social and rehabilitation services for children and families~~ is hereby authorized and empowered to select such persons as are entitled to the benefits of this act in the several colleges, universities or schools. The secretary of ~~social and rehabilitation services for children and families~~ shall not furnish a reader to any blind person who is not regularly matriculated; who is not in good and regular standing; who is not working for a degree from the institution in which ~~he or she~~ such person is matriculated; and who is not doing the work regularly prescribed by the institution for the degree for which ~~he or she~~ such person is a candidate, and after making such selection the secretary of ~~social and rehabilitation services for children and families~~ is authorized to name and designate some suitable and capable person to read to such blind student from textbooks and pamphlets used by ~~him or her~~ such person in studies in such college, university, or school and to fix the pay to be received by such reader for such services.

Sec. 46. K.S.A. 76-1238 is hereby amended to read as follows: 76-1238. This act is cumulative, and is intended to give authority to the Kansas department of ~~social and rehabilitation for aging and disability~~ services to enter into new contract with the city of Osawatomie; for such water supply; upon the termination of like contract about to expire.

Sec. 47. K.S.A. 76-14a04 is hereby amended to read as follows: 76-14a04. (a) The secretary of ~~social and rehabilitation for aging and disability~~ services is hereby authorized and empowered to execute any lease upon such terms and conditions deemed advisable by the secretary, for the exploration or production of any oil, gas or other minerals retained by the state of Kansas in and under the property in Ellsworth county described as the southwest quarter of section 29, township 15, range eight, except the portion thereof used for cemetery purposes, as provided in K.S.A. 76-14a03.

(b) The amount of money received from such lease including any money received for the production of any oil, gas or other minerals shall be credited to the state general fund.

(c) The property described in subsection (a) is deemed to be under the control of the secretary for purposes of executing such leases for the exploration or production of any oil, gas or other minerals.

Sec. 48. K.S.A. 76-1519a is hereby amended to read as follows: 76-1519a. The secretary of ~~social and rehabilitation for aging and disability~~ services is hereby authorized and empowered to lease, upon such terms and conditions as it shall deem advisable, any part of the property at the Norton state hospital, which is not now needed for the care and treatment of tuberculosis patients, for the purpose of providing a home for the aged or for the establishment of a school or home for ~~retarded~~ children and adults with intellectual or developmental disability or for the establishment of a public or private nonprofit alcoholic treatment center. Such lease shall not be made for a period of more than two ~~(2)~~ years, but may be renewed for like periods from time to time. All moneys received from any such lease shall be paid into the state treasury, and the state

treasurer shall credit the same to the general fee fund of the state sanatorium of tuberculosis.

Sec. 49. K.S.A. 19-4016, 40-2,116, 40-12a01, 75-5309, 75-5904, 76-157, 76-158, 76-371, 76-1238, 76-14a04, 76-1510b, 76-1519a, and 76-1522 and K.S.A. 2017 Supp. 12-736, 21-5417, 21-5909, 21-6109, 22-3302, 22-4612, 36-501, 36-502, 38-2006, 38-2212, 39-1430, 39-1431, 39-1433, 39-1602, 39-1702, 39-1903, 40-2,105, 40-2,105a, 40-3401, 40-3403, 40-4702, 59-2946, 59-29b46, 59-3077, 65-689, 65-4412, 65-4432, 65-4915, 65-4921, 65-5601, 65-6610, 65-6805, 75-7d01, 75-5321a, 75-5923, 75-6102, 75-7033, 79-201b and 79-3606 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 through 8; in line 9, by striking all before the period and inserting "certain state agencies; relating to the Kansas department for aging and disability services and the Kansas department for children and families; making certain statutory revisions and updates to laws in accordance with prior legislative enactment and executive order; amending K.S.A. 19-4016, 40-2,116, 40-12a01, 75-5309, 75-5904, 76-157, 76-158, 76-1238, 76-14a04 and 76-1519a and K.S.A. 2017 Supp. 12-736, 21-5417, 21-5909, 21-6109, 22-3302, 22-4612, 36-501, 36-502, 38-2006, 38-2212, 39-1430, 39-1431, 39-1433, 39-1602, 39-1702, 39-1903, 40-2,105, 40-2,105a, 40-3401, 40-3403, 40-4702, 59-2946, 59-29b46, 59-3077, 65-689, 65-4412, 65-4432, 65-4915, 65-4921, 65-5601, 65-6610, 65-6805, 75-7d01, 75-5321a, 75-5923, 75-6102, 79-201b and 79-3606 and repealing the existing sections; also repealing K.S.A. 76-371, 76-1510b and 76-1522 and K.S.A. 2017 Supp. 75-7033";

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

DANIEL HAWKINS  
SUSAN CONCANNON  
MONICA MURNAN

*Conferees on part of House*

VICKI SCHMIDT  
BARBARA BOLLIER  
LAURA KELLY

*Conferees on part of Senate*

On motion of Rep. Hawkins, the conference committee report on **SB 217** was adopted.

On roll call, the vote was: Yeas 118; Nays 1; Present but not voting: 1; Absent or not voting: 5.

Yeas: Alcalá, Alford, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bergquist, Bishop, Blex, Brim, Burris, Burroughs, Carlin, B. Carpenter, Claeyes, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Horn, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Probst,

Proehl, Raffie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimboli, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Winn, Wolfe Moore.

Nays: Ward.

Present but not voting: Carmichael.

Absent or not voting: Arnberger, Delperdang, Frownfelter, Schwab, Sloan.

### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 282** 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 20, by striking all in lines 25 through 41;

On page 22, in line 4, by striking "man" and inserting "humans"; in line 6, by striking "man" and inserting "humans";

On page 24, in line 32, by striking "any"; in line 33, by striking all before the period and inserting "cannabidiol (other trade name: 2-[(3-methyl-6-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol)";

On page 29, in line 24, by striking all after "(3)"; in line 25, by striking all before the period and inserting "cannabidiol (other trade name: 2-[(3-methyl-6-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol)";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking "concerning CBD"; in line 3, by striking "products";

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

DANIEL R. HAWKINS

SUSAN CONCANNON

MONICA MURNAN

*Conferees on part of House*

VICKI SCHMIDT

BARBARA BOLLIER

LAURA KELLY

*Conferees on part of Senate*

On motion of Rep. Hawkins, the conference committee report on **SB 282** was adopted.

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

Yeas: Alcalá, Alford, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bergquist, Bishop, Blex, Brim, Burris, Burroughs, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Horn, Houser, Huebert, Humphries, Jacobs,

Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Probst, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimboli, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Arnberger, Delperdang, Frownfelter, Schwab, Sloan.

### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to SB 307 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 23, after "fee" by inserting "of \$50"; in line 24, by striking all after "application"; by striking all in lines 25 through 34; in line 35, by striking "\$10";

On page 2, in line 6, by striking "fees" and inserting "fee";

On page 4, in line 20, after "days" by inserting ", or 160 hours,";

On page 5, in line 41, after "organization" by inserting "or other nationally recognized organization";

On page 6, in line 15, by striking "30" and inserting "35";

On page 7, in line 37, after "organization" by inserting "or other nationally recognized organization"; in line 38, by striking "water"; also in line 38, after "that" by inserting "uses water to propel the patron through the ride and that"; in line 39, by striking "the"; in line 40, by striking "water" and inserting "such";

On page 11, in line 41, by striking the third comma;

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

JOHN E. BARKER

RONALD L. HIGHLAND

LOUIS E. RUIZ

*Conferees on part of House*

BUD ESTES

RICK BILLINGER

OLETHA FAUST GOUDEAU

*Conferees on part of Senate*

On motion of Rep. Highland, the conference committee report on **SB 307** was adopted.

On roll call, the vote was: Yeas 114; Nays 6; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bergquist, Bishop, Blex, Brim, Burris, Burroughs, B. Carpenter, Clark, Clayton, Concannon,

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

Nays: Carlin, Carmichael, Claeys, Jacobs, Kuether, Ryckman.

Present but not voting: None.

Absent or not voting: Arnberger, Delperdang, Frownfelter, Schwab, Sloan.

### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 348** submits the following report:

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

On page 1, in line 14, by striking "or nonprofit dental services corporation"; in line 21, by striking all after "plan"; in line 22, by striking all before "that"; in line 23, by striking all after "plan";

On page 5, in line 13, by striking "or nonprofit dental services corporation"; following line 13, by inserting:

"New Sec. 4. (a) In the coverage for the next health plan coverage year commencing on January 1, 2019, the state employees health care commission shall provide for the coverage for amino acid-based elemental formula, regardless of delivery method, for the diagnosis or treatment of food protein-induced enterocolitis syndrome, eosinophilic disorders or short bowel syndrome, if prescribed by a prescriber, as defined by K.S.A. 65-1626, and amendments thereto, authorized by the pharmacy act of the state of Kansas and the applicable medical professional licensure entity in the state of Kansas.

(b) (1) Pursuant to the provisions of K.S.A. 40-2249a, and amendments thereto, on or before March 1, 2020, the state employees health care commission shall submit to the president of the senate and to the speaker of the house of representatives a report including the following information pertaining to the mandated coverage for amino acid-based elemental formula provided during the plan year commencing on January 1, 2019, and ending on December 31, 2019:

(A) The impact that the mandated coverage for amino acid-based elemental formula required by subsection (a) has had on the state health care benefits program;

(B) data on the utilization of coverage for amino acid-based elemental formula by covered individuals and the cost of providing such coverage for amino acid-based elemental formula; and

(C) a recommendation whether such mandated coverage for amino acid-based elemental formula should continue for the state health care benefits program or whether

additional utilization and cost data is required.

(2) At the next legislative session following receipt of the report required in paragraph (1), the legislature may consider whether or not to require the coverage for amino acid-based elemental formula required by subsection (a) to be included in any individual or group health insurance policy, medical service plan, contract, hospital service corporation contract, hospital and medical service corporation contract, fraternal benefit society or health maintenance organization that provides coverage for accident and health services and that is delivered, issued for delivery, amended or renewed in this state on or after July 1, 2021.";

Also on page 5, in line 7, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the semicolon by inserting "relating to health insurance;"; in line 2, after the semicolon by inserting "coverage for amino acid-based elemental formula;";

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

JENE VICKREY

WILLIE O. DOVE

CINDY NEIGHBOR

*Conferees on part of House*

JEFF LONGBINE

RICK BILLINGER

LYNN W. ROGERS

*Conferees on part of Senate*

On motion of Rep. Vickrey, the conference committee report on **SB 348** was adopted.

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

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

Nays: None.

Present but not voting: None.

Absent or not voting: Arnberger, Delperdang, Frownfelter, Schwab, Sloan.

### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2597** 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 3, by inserting:

"Sec. 3. K.S.A. 12-104 is hereby amended to read as follows: 12-104. ~~In acts granting or limiting executive or administrative powers to city governments, or prescribing procedure, the designation of "the governing body" shall be held to include mayor and council, mayor and commissioners and board of commissioners, as the status of cities affected may require; and the commission to revise the statutes is authorized to substitute the words, "the governing body" for the terms mayor and council, mayor and commissioners or board of commissioners in all acts~~ In commission and commission-manager cities, the mayor shall be considered part of the city governing body in all matters. In mayor-council, modified mayor-council and mayor-council-manager cities, the mayor shall be considered part of the city governing body for the purpose of voting on the passage of a charter ordinance. Whether the mayor is considered part of the governing body for purposes of voting on any other matter shall otherwise be established by ordinance of the city passed by a 2/3 majority of the council. All existing ordinances and charter ordinances relating to the mayor being considered part of the city governing body shall remain in effect until amended or repealed by such city.

Sec. 4. K.S.A. 19-3419a is hereby amended to read as follows: 19-3419a. The election commissioners in any county shall receive a salary in an amount to be fixed by resolution of the board of county commissioners of the county. ~~On and after January 1, 1977, the compensation so fixed shall be in an amount not less than ten thousand dollars (\$10,000) per annum.~~ Such salary shall be an annual salary payable in equal monthly installments ~~or in the manner as other county officers and employees.~~

The election commissioner shall receive a car allowance in an amount to be fixed by resolution of the board of county commissioners.

Sec. 5. K.S.A. 19-3420 is hereby amended to read as follows: 19-3420. ~~The election commissioner shall appoint one assistant, known as assistant election commissioner, who shall receive an annual salary to be fixed by the election commissioner and shall be paid in the same manner as other county officers and employees, and in addition the election commissioner shall certify to the board of county commissioners the amount necessary for clerk hire and expense, which amount shall be allowed by the board of county commissioners of said county. The board of county commissioners shall also authorize the statutory mileage allowance provided for in K.S.A. 75-3203 for the assistants of the election commissioner, to provide and maintain means of travel within their county. In counties having a population of more than two hundred thousand (200,000) the election commissioner shall appoint two (2) assistants, known as assistant election commissioners who shall be paid as provided for in this act~~ The election commissioner may appoint one or more assistants, known as assistant election commissioners, who shall receive an annual salary to be fixed by the election commissioner, consistent with the compensation policies and pay plan adopted by the board of county commissioners, and shall be paid in the same manner as other



county officers and employees. In addition, the election commissioner may hire additional staff as may be needed to effectively operate the office of election commissioner and to conduct the elections required by law, subject to the adopted policies and procedures of the board of county commissioners. Such staff shall be paid and provided employment benefits in the same manner as other county employees.

Sec. 6. K.S.A. 19-3424 is hereby amended to read as follows: 19-3424. (a) The election commissioner, in the conduct of elections, shall operate under the general supervision of the secretary of state and shall comply with the statutes, rules and regulations and standards and directives that relate to the registration of voters and the conduct of elections. The election commissioner, as a part of his or her official duties shall have and exercise the following powers and authority:

~~(a)(1) Such commissioner shall~~ Establish and fix the boundaries of wards and precincts within the county and in all cities the greater part of the population of which is located in ~~said the~~ county. ~~Such The~~ commissioner shall accept and file nomination and declaration papers of candidates and declarations of party affiliation.;

~~(b)(2) Such commissioner shall~~ give notice by publication in the official county paper, at least ~~fifteen (15)~~ 15 days before the holding of any election, except as otherwise provided by law, of the time of holding ~~such the~~ election, and the officers at that time to be chosen, and any other matters to be voted upon.;

~~(c)(3) Such commissioner shall~~ publish notice giving the proper party designation if required by law, the title of each office, the names and addresses of all persons seeking national and state offices and as certified to ~~such the~~ county election officer by the secretary of state, ~~as provided by law~~, and of all persons from whom nomination papers or declarations have been filed with ~~such the~~ election officer ~~as provided by law~~, giving the name and address of each, the title to ~~such the~~ office, the day of the election, the hours during which the polls will be open and the location of the voting place in each precinct or area, and mail to all persons whose nomination or declaration papers are on file with ~~such the~~ election officer, a copy of the first issue containing ~~such the~~ publication notice.;

~~(d)(4) Such commissioner shall~~ have charge of the printing of the ballots for all elections to which this act applies held within the county, or held within any city, school district, township or drainage district located in ~~said the~~ county. ~~Such The~~ commissioner shall conduct negotiations for the letting of the contract to print ~~such~~ ballots and shall let the contract, with the approval of the board of county commissioners.;

~~(e)(5) Such commissioner shall~~ be the clerk of the court for the trial of contested elections except national and state elections, and all intentions to contest any election shall be filed with ~~said the~~ election commissioner, ~~and shall proceed in accordance with any laws of the state dealing with the subject.~~

~~On or before July 15 of each year, the election commissioner shall certify to the board of county commissioners an itemized statement showing the amount necessary to pay the salary of the election commissioner, the deputy election commissioner and other employees in the office of the election commissioner and other expenses of said office during the next ensuing budget year and the county commissioners shall cause the same to be included in the county budget for such ensuing budget year~~

(b) In the administration of the office of the election commissioner, any action taken by the election commissioner shall be subject to the following provisions established by the board of county commissioners applicable to all county departments,

agencies and officials:

- (1) Personnel policies and procedures;
- (2) any pay plan, compensation plan and benefits for county employees;
- (3) purchasing policies and procedures;
- (4) budgeting policies and procedures;
- (5) financial policies and procedures; and
- (6) auditing policies and procedures.

(c) Each year, consistent with the county's budgeting procedures, the election commissioner shall submit to the board of county commissioners a requested budget for the office of the election commissioner showing the amount of funding deemed necessary to pay the costs for salaries of the election commissioner, any deputy or assistant election commissioners, and other employees of the office, together with the projected costs and expenses of the office for the next ensuing budget year. The board of county commissioners shall consider the request in the same manner as other departments and agencies of the county and shall approve and adopt a budget for the office of election commissioner within the county budget in an amount determined by the board of county commissioners to be sufficient and adequate for the performance of the duties of the office and the conduct of elections as required by law."

Also on page 2, in line 4, after "K.S.A." by inserting "12-104,"; also in line 4, by striking "and" and inserting a comma; also in line 4, after "19-2654" by inserting ", 19-3419a, 19-3420 and 19-3424"; in line 6, by striking "Kansas register" and inserting "statute book";

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 "amending" and inserting "local government; relating to urban areas; city governing bodies; county commission authority concerning election commissioners;"; also in line 3, after "K.S.A." by inserting "12-104,"; also in line 3, by striking the first "and" and inserting a comma; also in line 3, after "19-2654" by inserting ", 19-3419a, 19-3420 and 19-3424";

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

ELAINE BOWERS  
STEVE FITZGERALD  
OLETHA FAUST GOUDEAU  
*Conferees on part of Senate*

KRISTEY WILLIAMS  
JACK THIMESCH  
JOHN ALCALA  
*Conferees on part of House*

On motion of Rep. Williams, the conference committee report on **HB 2597** was adopted.

On roll call, the vote was: Yeas 90; Nays 30; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcala, Alford, Aurand, Baker, Ballard, Barker, Becker, Bergquist, Bishop, Blex, Brim, Burroughs, Carlin, B. Carpenter, Clark, Clayton, Concannon, Cox, Curtis, E. Davis, Dierks, Dietrich, Dove, Elliott, Eplee, Finch, Francis, Gallagher, Gartner,

Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hoffman, Horn, Houser, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Landwehr, Lewis, Lusk, Markley, Mason, Mastroni, Miller, Murman, Neighbor, Orr, Osterman, F. Patton, Phelps, Phillips, Probst, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Schreiber, Schroeder, Seiwert, Smith, A., Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimmer, Waymaster, Weber, C., Weigel, Wheeler, Whitmer, K. Williams, Winn, Wolfe Moore.

Nays: Awerkamp, Burris, Carmichael, Claeys, Corbet, Crum, S., Deere, Ellis, Esau, Finney, Garber, Hodge, Holscher, Huebert, Jacobs, K. Jones, Lusker, Ohaebosim, Ousley, Parker, Pittman, R. Powell, Sawyer, Smith, E., Stogsdill, Trimboli, Vickrey, Victors, Ward, Whipple.

Present but not voting: None.

Absent or not voting: Arnberger, Delperdang, Frownfelter, Schwab, Sloan.

#### EXPLANATION OF VOTE

MR. SPEAKER: I vote No on the conference committee report for **HB 2597**. The CCR contains HB 2509 which puts the election budget under control of the county commission. Unlike other areas of county budgets, elections affect the basic right of citizens to select their government officials. Controlling the Election Commissioner through control of the budget will only result in disenfranchised voters causing fewer polling places, fewer poll workers, longer lines, eliminating advanced ballot application notices for elections, and delays in counting the results. The very people who are canvassing the results of elections should not also have power over the process of elections. For these reasons, I vote No on **HB 2597**. – KEITH ESAU, JOHN CARMICHAEL, JESSE BURRIS

#### CONFERENCE COMMITTEE REPORT

On motion of Rep. Barker to adopt the conference committee report on **HB 2280**, Rep. Highland offered a substitute motion to not adopt the conference committee report and that a new conference committee be appointed.

The substitute motion of Rep. Highland prevailed and Speaker Ryckman thereupon appointed Reps. Barker, Highland and Ruiz as second conferees on the part of the House.

#### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Gallagher, the House concurred in Senate amendments to **HB 2232**, AN ACT concerning adult care homes; relating to electronic monitoring.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bergquist, Bishop, Blex, Brim, Burris, Burroughs, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Dierks, Dietrich, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Horn, Houser, Huebert, Humphries, Jacobs, Jennings,

Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Probst, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimboli, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Arnberger, Delperdang, Dove, Frownfelter, Schwab, Sloan.

On motion of Rep. Proehl, the House concurred in Senate amendments to **HB 2599**, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the special olympics Kansas, the choose life, the city of Wichita, Korean war, operation desert storm, operation Iraqi freedom and operation enduring freedom license plates; amending K.S.A. 2017 Supp. 8-1,141 and 8-1,147 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

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

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

Nays: None.

Present but not voting: None.

Absent or not voting: Arnberger, Delperdang, Frownfelter, Schwab, Sloan.

On motion of Rep. Hoffman, the House concurred in Senate amendments to **HB 2477**, AN ACT concerning agriculture; relating to the Kansas pet animal act; amending K.S.A. 47-1702, 47-1703, 47-1704, 47-1719, 47-1720, 47-1733, 47-1734 and 47-1736 and K.S.A. 2017 Supp. 47-1701, 47-1709, 47-1721 and 47-1723 and repealing the existing sections.

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

Yeas: Alcalá, Alford, Aurand, Baker, Ballard, Barker, Becker, Bergquist, Bishop, Blex, Brim, Burroughs, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton,

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

Nays: Averkamp, Burris, Garber, Sutton.

Present but not voting: None.

Absent or not voting: Arnberger, Delperdang, Frownfelter, Schwab, Sloan.

### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 375** 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.

RICHARD J. PROEHL

SHANNON FRANCIS

ADAM LUSKER

*Conferees on part of House*

MIKE PETERSEN

DANIEL GODDARD

PAT PETTEY

*Conferees on part of Senate*

On motion of Rep. Proehl the conference committee report on **SB 375** to agree to disagree, was adopted.

Speaker Ryckman thereupon appointed Reps. Proehl, Francis and Lusker as third conferees on the part of the House.

### CHANGE OF CONFEREES

Reps. Patton, Huebert, and Trimmer are appointed to replace Reps. Waymaster, Davis, and Wolfe Moore as members of the conference committee on **H Sub for SB 109**.

### MESSAGES FROM THE GOVERNOR

**HB 2516, HB 2524, HB 2590, HB 2628** approved on April 5, 2018.

### REPORTS OF STANDING COMMITTEES

Committee on **Taxation** recommends **HB 2761** be passed.

Committee on **Taxation** recommends **SB 415**, as amended by Senate Committee of the Whole, be amended on page 3, in line 27, after "effect" by inserting "on and after July 1, 2028, or"; in line 30, after "Kansas" by inserting "retailers"; and the bill be passed as amended.

Committee on **Taxation** recommends **SB 449** be amended on page 3, in line 1, after "beneficiary" by inserting ", unless otherwise required by section 1917(b) of the federal social security act, 42 U.S.C. § 1396p(b)"; and the bill be passed as amended.

### REPORT OF STANDING COMMITTEE

Your Committee on Calendar and Printing recommends on requests for resolutions and certificates that

**Request No. 94**, by Representative Landwehr, congratulating Sierra Scott for being named Ms. United States;

**Request No. 95**, by Representative Doug Blex, congratulating Wayne and Linda Moon on their 50th Wedding Anniversary;

**Request No. 96**, by Representative Kevin Jones, congratulating Bill and Joanie Qualls on their 60th Wedding Anniversary;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hineman, the committee report was adopted.

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

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### LATE AFTERNOON SESSION

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

### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Kelly, the House concurred in Senate amendments to **HB 2444**, AN ACT repealing K.S.A. 2017 Supp. 74-4921c and 74-4921d; concerning retirement and pensions; relating to the Kansas public employees retirement system; investments by the KPERs board; new investments and divestment of current investment in companies with operations in Sudan.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 111; Nays 8; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bergquist, Bishop, Blex, Brim, Burroughs, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Dierks, Dietrich, Dove, Elliott, Eplee, Esau, Finch, Finney, Francis, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Horn, Houser, Huebert, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Landwehr, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley,

Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Probst, Proehl, Raffie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Seiwert, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimboli, Trimmer, Victors, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Winn, Wolfe Moore.

Nays: Burris, Ellis, Garber, Jacobs, K. Jones, Mason, Vickrey, Ward.

Present but not voting: None.

Absent or not voting: Arnberger, Delperdang, Frownfelter, Schroeder, Schwab, Sloan.

### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 331** 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 26, by striking "an incorporated city within"; also in line 26, by striking all after "county"; in line 27, by striking all before "to"; in line 32, by striking "an incorporated city within"; also in line 32, by striking the comma; in line 33, by striking all before "to";

On page 2, in line 4, by striking "an incorporated city within"; also in line 4, by striking all after "county"; in line 5, by striking all before "to"; in line 10, by striking "an incorporated city within"; also in line 10, by striking all after "county"; also in line 11, by striking all before "to"; in line 16, by striking "an incorporated city within"; also in line 16, by striking the comma; in line 17, by striking all before "to"; in line 22, by striking "an incorporated city within"; in line 23, by striking ", or the resident's designee,."; in line 25, after "(c)" by inserting "The appointing authorities listed in subsection (b)(2) through (13) shall give consideration to individuals who own land that is adjacent to the Flint Hills nature trail when appointing members to the Flint Hills advisory council.

(d)";

And by redesignating subsections accordingly;

On page 3, following line 9, by inserting:

"(h) The provisions of this section shall expire on July 1, 2021.";

On page 4, following line 1, by inserting:

"Sec. 3. K.S.A. 2017 Supp. 79-201a is hereby amended to read as follows: 79-201a.

The following described property, to the extent herein specified, shall be exempt from all property or ad valorem taxes levied under the laws of the state of Kansas:

*First.* All property belonging exclusively to the United States, except property which congress has expressly declared to be subject to state and local taxation.

*Second.* All property used exclusively by the state or any municipality or political subdivision of the state. All property owned, being acquired pursuant to a lease-purchase agreement or operated by the state or any municipality or political subdivision of the state, including property which is vacant or lying dormant, which is used or is to be used for any governmental or proprietary function and for which bonds may be issued or taxes levied to finance the same, shall be considered to be used exclusively by the state, municipality or political subdivision for the purposes of this section. The lease

by a municipality or political subdivision of the state of any real property owned or being acquired pursuant to a lease-purchase agreement for the purpose of providing office space necessary for the performance of medical services by a person licensed to practice medicine and surgery or osteopathic medicine by the board of healing arts pursuant to K.S.A. 65-2801 et seq., and amendments thereto, dentistry services by a person licensed by the Kansas dental board pursuant to K.S.A. 65-1401 et seq., and amendments thereto, optometry services by a person licensed by the board of examiners in optometry pursuant to K.S.A. 65-1501 et seq., and amendments thereto, or K.S.A. 74-1501 et seq., and amendments thereto, podiatry services by a person licensed by the board of healing arts pursuant to K.S.A. 65-2001 et seq., and amendments thereto, or the practice of psychology by a person licensed by the behavioral sciences regulatory board pursuant to K.S.A. 74-5301 et seq., and amendments thereto, shall be construed to be a governmental function, and such property actually and regularly used for such purpose shall be deemed to be used exclusively for the purposes of this paragraph. The lease by a municipality or political subdivision of the state of any real property, or portion thereof, owned or being acquired pursuant to a lease-purchase agreement to any entity for the exclusive use by it for an exempt purpose, including the purpose of displaying or exhibiting personal property by a museum or historical society, if no portion of the lease payments include compensation for return on the investment in such leased property shall be deemed to be used exclusively for the purposes of this paragraph. All property leased, other than motor vehicles leased for a period of at least one year and property being acquired pursuant to a lease-purchase agreement, to the state or any municipality or political subdivision of the state by any private entity shall not be considered to be used exclusively by the state or any municipality or political subdivision of the state for the purposes of this section except that the provisions of this sentence shall not apply to any such property subject to lease on the effective date of this act until the term of such lease expires but property taxes levied upon any such property prior to tax year 1989, shall not be abated or refunded. Any property constructed or purchased with the proceeds of industrial revenue bonds issued prior to July 1, 1963, as authorized by K.S.A. 12-1740 through 12-1749, and amendments thereto, or purchased with proceeds of improvement district bonds issued prior to July 1, 1963, as authorized by K.S.A. 19-2776, and amendments thereto, or with proceeds of bonds issued prior to July 1, 1963, as authorized by K.S.A. 19-3815a and 19-3815b, and amendments thereto, or any property improved, purchased, constructed, reconstructed or repaired with the proceeds of revenue bonds issued prior to July 1, 1963, as authorized by K.S.A. 13-1238 ~~to through~~ 13-1245, ~~inclusive~~, and amendments thereto, or any property improved, reimproved, reconstructed or repaired with the proceeds of revenue bonds issued after July 1, 1963, under the authority of K.S.A. 13-1238 ~~to through~~ 13-1245, ~~inclusive~~, and amendments thereto, which had previously been improved, reconstructed or repaired with the proceeds of revenue bonds issued under such act on or before July 1, 1963, shall be exempt from taxation for so long as any of the revenue bonds issued to finance such construction, reconstruction, improvement, repair or purchase shall be outstanding and unpaid. Any property constructed or purchased with the proceeds of any revenue bonds authorized by K.S.A. 13-1238 ~~to through~~ 13-1245, ~~inclusive~~, and amendments thereto, 19-2776, 19-3815a and 19-3815b, and amendments thereto, issued on or after July 1, 1963, shall be exempt from taxation only for a period of 10 calendar years after the calendar year in which the bonds were



issued. Any property, all or any portion of which is constructed or purchased with the proceeds of revenue bonds authorized by K.S.A. 12-1740 ~~to through~~ 12-1749, ~~inclusive~~, and amendments thereto, issued on or after July 1, 1963 and prior to July 1, 1981, shall be exempt from taxation only for a period of 10 calendar years after the calendar year in which the bonds were issued. Except as hereinafter provided, any property constructed or purchased wholly with the proceeds of revenue bonds issued on or after July 1, 1981, under the authority of K.S.A. 12-1740 ~~to through~~ 12-1749, ~~inclusive~~, and amendments thereto, shall be exempt from taxation only for a period of 10 calendar years after the calendar year in which the bonds were issued. Except as hereinafter provided, any property constructed or purchased in part with the proceeds of revenue bonds issued on or after July 1, 1981, under the authority of K.S.A. 12-1740 ~~to through~~ 12-1749, ~~inclusive~~, and amendments thereto, shall be exempt from taxation to the extent of the value of that portion of the property financed by the revenue bonds and only for a period of 10 calendar years after the calendar year in which the bonds were issued. The exemption of that portion of the property constructed or purchased with the proceeds of revenue bonds shall terminate upon the failure to pay all taxes levied on that portion of the property which is not exempt and the entire property shall be subject to sale in the manner prescribed by K.S.A. 79-2301 et seq., and amendments thereto. Property constructed or purchased in whole or in part with the proceeds of revenue bonds issued on or after January 1, 1995, under the authority of K.S.A. 12-1740 ~~to through~~ 12-1749, ~~inclusive~~, and amendments thereto, and used in any retail enterprise identified under NAICS sectors 44 and 45, except facilities used exclusively to house the headquarters or back office operations of such retail enterprises identified thereunder, shall not be exempt from taxation. For the purposes of the preceding provision "NAICS" means the North American industry classification system, as developed under the authority of the office of management and budget of the office of the president of the United States. "Headquarters or back office operations" means a facility from which the enterprise is provided direction, management, administrative services, or distribution or warehousing functions in support of transactions made by the enterprise. Property purchased, constructed, reconstructed, equipped, maintained or repaired with the proceeds of industrial revenue bonds issued under the authority of K.S.A. 12-1740 et seq., and amendments thereto, which is located in a redevelopment project area established under the authority of K.S.A. 12-1770 et seq., and amendments thereto, shall not be exempt from taxation. Property purchased, acquired, constructed, reconstructed, improved, equipped, furnished, repaired, enlarged or remodeled with all or any part of the proceeds of revenue bonds issued under authority of K.S.A. 12-1740 ~~to through~~ 12-1749a, ~~inclusive~~, and amendments thereto, for any poultry confinement facility on agricultural land which is owned, acquired, obtained or leased by a corporation, as such terms are defined by K.S.A. 17-5903, and amendments thereto, shall not be exempt from such taxation. Property purchased, acquired, constructed, reconstructed, improved, equipped, furnished, repaired, enlarged or remodeled with all or any part of the proceeds of revenue bonds issued under the authority of K.S.A. 12-1740 ~~to through~~ 12-1749a, ~~inclusive~~, and amendments thereto, for a rabbit confinement facility on agricultural land which is owned, acquired, obtained or leased by a corporation, as such terms are defined by K.S.A. 17-5903, and amendments thereto, shall not be exempt from such taxation.

*Third.* All works, machinery and fixtures used exclusively by any rural water district

or township water district for conveying or production of potable water in such rural water district or township water district, and all works, machinery and fixtures used exclusively by any entity which performed the functions of a rural water district on and after January 1, 1990, and the works, machinery and equipment of which were exempted hereunder on March 13, 1995.

*Fourth.* All fire engines and other implements used for the extinguishment of fires, with the buildings used exclusively for the safekeeping thereof, and for the meeting of fire companies, whether belonging to any rural fire district, township fire district, town, city or village, or to any fire company organized therein or therefor.

*Fifth.* All property, real and personal, owned by county fair associations organized and operating under the provisions of K.S.A. 2-125 et seq., and amendments thereto.

*Sixth.* Property acquired and held by any municipality under the municipal housing law, K.S.A. 17-2337 et seq., and amendments thereto, except that such exemption shall not apply to any portion of the project used by a nondwelling facility for profit making enterprise.

*Seventh.* All property of a municipality, acquired or held under and for the purposes of the urban renewal law, K.S.A. 17-4742 et seq., and amendments thereto, except that such tax exemption shall terminate when the municipality sells, leases or otherwise disposes of such property in an urban renewal area to a purchaser or lessee which is not a public body entitled to tax exemption with respect to such property.

*Eighth.* All property acquired and held by the Kansas armory board for armory purposes under the provisions of K.S.A. 48-317, and amendments thereto.

*Ninth.* All property acquired and used by the Kansas turnpike authority under the authority of K.S.A. 68-2001 et seq., and amendments thereto, K.S.A. 68-2030 et seq., and amendments thereto, K.S.A. 68-2051 et seq., and amendments thereto, and K.S.A. 68-2070 et seq., and amendments thereto.

*Tenth.* All property acquired and used for state park purposes by the Kansas department of wildlife, parks and tourism. Property that is part of a state park listed in K.S.A. 32-837(a)(25) or (a)(26), and amendments thereto, and that is contained within or encumbered by any railroad rights-of-way that have been transferred or conveyed to the Kansas department of wildlife, parks and tourism for interim use, pursuant to 16 U.S.C. § 1247(d), shall be deemed to be acquired and used for state park purposes by the Kansas department of wildlife, parks and tourism for the purposes of this subsection.

*Eleventh.* The state office building constructed under authority of K.S.A. 75-3607 et seq., and amendments thereto, and the site upon which such building is located.

*Twelfth.* All buildings erected under the authority of K.S.A. 76-6a01 et seq., and amendments thereto, and all other student union buildings and student dormitories erected upon the campus of any institution mentioned in K.S.A. 76-6a01, and amendments thereto, by any other nonprofit corporation.

*Thirteenth.* All buildings, as the same is defined in ~~subsection (c) of~~ K.S.A. 76-6a13(c), and amendments thereto, which are erected, constructed or acquired under the authority of K.S.A. 76-6a13 et seq., and amendments thereto, and building sites acquired therefor.

*Fourteenth.* All that portion of the waterworks plant and system of the city of Kansas City, Missouri, now or hereafter located within the territory of the state of Kansas pursuant to the compact and agreement adopted by K.S.A. 79-205, and amendments

thereto.

*Fifteenth.* All property, real and personal, owned by a groundwater management district organized and operating pursuant to K.S.A. 82a-1020, and amendments thereto.

*Sixteenth.* All property, real and personal, owned by the joint water district organized and operating pursuant to K.S.A. 80-1616 et seq., and amendments thereto.

*Seventeenth.* All property, including interests less than fee ownership, acquired for the state of Kansas by the secretary of transportation or a predecessor in interest which is used in the administration, construction, maintenance or operation of the state system of highways, regardless of how or when acquired.

*Eighteenth.* Any building used primarily as an industrial training center for academic or vocational education programs designed for and operated under contract with private industry, and located upon a site owned, leased or being acquired by or for an area vocational school, an area vocational-technical school, a technical college, or a community college, as defined by K.S.A. 2017 Supp 74-34,407, and amendments thereto, and the site upon which any such building is located.

*Nineteenth.* For all taxable years commencing after December 31, 1997, all buildings of an area vocational school, an area vocational-technical school, a technical college or a community college, as defined by K.S.A. 2017 Supp. 74-32,407, and amendments thereto, which are owned and operated by any such school or college as a student union or dormitory and the site upon which any such building is located.

*Twentieth.* For all taxable years commencing after December 31, 1997, all personal property which is contained within a dormitory that is exempt from property taxation and which is necessary for the accommodation of the students residing therein.

*Twenty-First.* All real property from and after the date of its transfer by the city of Olathe, Kansas, to the Kansas state university foundation, all buildings and improvements thereafter erected and located on such property, and all tangible personal property, which is held, used or operated for educational and research purposes at the Kansas state university Olathe innovation campus located in the city of Olathe, Kansas.

*Twenty-Second.* All real property, and all tangible personal property, owned by postsecondary educational institutions, as that term is defined in K.S.A. 74-3201b, and amendments thereto, or by the board of regents on behalf of the postsecondary educational institutions, which is leased by a for profit company and is actually and regularly used exclusively for research and development purposes so long as any rental income received by such postsecondary educational institution or the board of regents from such a company is used exclusively for educational or scientific purposes. Any such lease or occupancy described in this section shall be for a term of no more than five years.

*Twenty-Third.* For all taxable years commencing after December 31, 2005, any and all housing developments and related improvements located on United States department of defense military installations in the state of Kansas, which are developed pursuant to the military housing privatization initiative, 10 U.S.C. § 2871 et seq., or any successor thereto, and which are provided exclusively or primarily for use by military personnel of the United States and their families.

*Twenty-Fourth.* For all taxable years commencing after December 31, 2012, except as hereinafter provided, any property constructed or purchased in part with the proceeds of revenue bonds issued on or after July 1, 2013, under the authority of K.S.A. 12-1740 ~~to through~~ 12-1749a, ~~inclusive~~, and amendments thereto, shall be exempt from taxation

to the extent of the value of that portion of the property financed by the revenue bonds and only for a period of 10 calendar years after the calendar year in which the bonds were issued. The exemption of that portion of the property constructed or purchased with the proceeds of revenue bonds shall terminate upon the failure to pay all taxes levied on that portion of the property which is not exempt and the entire property shall be subject to sale in the manner prescribed by K.S.A. 79-2301 et seq., and amendments thereto. Property constructed or purchased in whole or in part with the proceeds of revenue bonds issued on or after January 1, 1995, under the authority of K.S.A. 12-1740 ~~to through~~ 12-1749a, ~~inclusive~~; and amendments thereto, and used in any retail enterprise identified under NAICS sectors 44 and 45, except facilities used exclusively to house the headquarters or back office operations of such retail enterprises identified thereunder, shall not be exempt from taxation. For the purposes of the preceding provision "NAICS" means the North American industry classification system, as developed under the authority of the office of management and budget of the office of the president of the United States. "Headquarters or back office operations" means a facility from which the enterprise is provided direction, management, administrative services, or distribution or warehousing functions in support of transactions made by the enterprise. Property purchased, constructed, reconstructed, equipped, maintained or repaired with the proceeds of industrial revenue bonds issued under the authority of K.S.A. 12-1740 et seq., and amendments thereto, which is located in a redevelopment project area established under the authority of K.S.A. 12-1770 et seq., and amendments thereto, shall not be exempt from taxation. Property purchased, acquired, constructed, reconstructed, improved, equipped, furnished, repaired, enlarged or remodeled with all or any part of the proceeds of revenue bonds issued under authority of K.S.A. 12-1740 ~~to through~~ 12-1749a, ~~inclusive~~; and amendments thereto, for any poultry confinement facility on agricultural land which is owned, acquired, obtained or leased by a corporation, as such terms are defined by K.S.A. 17-5903, and amendments thereto, shall not be exempt from such taxation. Property purchased, acquired, constructed, reconstructed, improved, equipped, furnished, repaired, enlarged or remodeled with all or any part of the proceeds of revenue bonds issued under the authority of K.S.A. 12-1740 ~~to through~~ 12-1749a, ~~inclusive~~; and amendments thereto, for a rabbit confinement facility on agricultural land which is owned, acquired, obtained or leased by a corporation, as such terms are defined by K.S.A. 17-5903, and amendments thereto, shall not be exempt from such taxation.

*Twenty-Fifth.* For all taxable years commencing after December 31, 2013, any and all utility systems and appurtenances located on United States department of defense military installations in the state of Kansas, which have been acquired after December 31, 2013, pursuant to the military utilities privatization initiative, 10 U.S.C. § 2688 et seq., or any successor thereto, or which have been installed after December 31, 2013, and which are provided exclusively or primarily for use by the military of the United States.

*Twenty-Sixth.* All land owned by a municipality that is a part of a public levee that is leased pursuant to K.S.A. 13-1243, and amendments thereto.

Except as otherwise specifically provided, the provisions of this section shall apply to all taxable years commencing after December 31, 2010.";

And by renumbering sections accordingly;

Also on page 4, in line 2, by striking "is" and inserting "and 79-201a are";

On page 1, in the title, in line 2, before "establishing" by inserting "the exemption of state park property from property and ad valorem taxes"; in line 4, after "32-837" by inserting "and 79-201a"; in line 5, by striking "section" and inserting "sections";

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

KYLE HOFFMAN

KENT THOMPSON

SYDNEY CARLIN

*Conferees on part of House*

DAN KERSCHEN

BUD ESTES

MARCI FRANCISCO

*Conferees on part of Senate*

On motion of Rep. Hoffman, the conference committee report on **SB 331** was adopted.

On roll call, the vote was: Yeas 96; Nays 23; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Alford, Aurand, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, Dierks, Dietrich, Elliott, Ellis, Eplee, Finch, Finney, Francis, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Holscher, Horn, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Landwehr, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murman, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Probst, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thompson, Trimboli, Trimmer, Victors, Ward, Waymaster, Weigel, Wheeler, Whipple, K. Williams, Winn, Wolfe Moore.

Nays: Averkamp, Bergquist, Burris, Burroughs, B. Carpenter, Corbet, Dove, Esau, Garber, Highland, Hoffman, Houser, Huebert, Jacobs, K. Jones, Mason, R. Powell, Resman, Seiwert, Thimesch, Vickrey, Weber, C., Whitmer.

Present but not voting: None.

Absent or not voting: Arnberger, Delperdang, Frownfelter, Schroeder, Schwab, Sloan.

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

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#### NIGHT SESSION

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

#### MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **HB 2280** and has appointed Senators Estes, Olson and Faust-Goudeau as Second conferees on the part of the Senate.

The Senate adopts the Conference Committee report to agree to disagree on **SB 375**,

and has appointed Senators Petersen, Goddard and Pettey as Third conferees on the part of the Senate.

### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 56** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 56, as follows:

On page 1, in line 21, after "of" by inserting "information"; in line 30, after the second comma by inserting "the adjutant general's department,";

On page 3, in line 3, after "established" by inserting "within and as a part of the office of information technology services";

On page 4, in line 7, after "agencies" by inserting "at no cost to the agencies";

On page 5, in line 14, by striking ". Such report shall be made available to the public upon request" and inserting "and submit such report to the house of representatives committee on government, technology and security or its successor committee and the senate committee on ways and means";

On page 6, in line 32, after "act" by inserting ", including cybersecurity fees charged by the KISO,"; also in line 32, after "be" by inserting "fixed by rules and regulations adopted by the agency and shall be"; in line 40, by striking "15" and inserting "17";

On page 7, in line 10, before "one" by inserting "the network manager of the information network of Kansas (INK); one representative with background and knowledge in technology and cybersecurity from the private sector, however, such representative or such representative's employer shall not be an information technology or cybersecurity vendor that does business with the state of Kansas,"; in line 11, by striking all after "the"; in line 12, by striking "technology" and inserting "senate ways and means committee"; also in line 12, after "senate" by inserting "or such member's designee"; in line 13, by striking all before "appointed" and inserting "senate ways and means committee"; in line 14, after "senate" by inserting "or such member's designee"; in line 15, after "committee" by inserting "or its successor committee"; in line 16, after "representatives" by inserting "or such member's designee"; in line 17, after "committee" by inserting "or its successor committee"; in line 18, after "representatives" by inserting "or such member's designee"; in line 19, by striking "two"; in line 21, by striking the first "and" and inserting a comma; in line 22, before "shall" by inserting "and the representative from the private sector"; in line 32, by striking "chairperson" and inserting "executive chief information technology officer";

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

TOM SLOAN

GREG LEWIS

PAM CURTIS

*Conferees on part of House*

CAROLYN MCGINN

RICK BILLINGER

TOM HAWK

*Conferees on part of Senate*

On motion of Rep. Lewis, the conference committee report on **H Sub for SB 56** was adopted.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

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

Nays: None.

Present but not voting: None.

Absent or not voting: Arnberger, Frownfelter, Garber, Schroeder, Schwab, Sloan.

#### REPORT ON ENGROSSED BILLS

**HB 2444, HB 2597** reported correctly engrossed April 6, 2018.

**HB 2145, HB 2454, HB 2606** reported correctly re-engrossed April 5, 2018.

**HB 2232, 2477, HB 2599** reported correctly re-engrossed April 6, 2018.

#### REPORT ON ENROLLED BILLS

**Sub HB 2147, HB 2639** reported correctly enrolled, properly signed and presented to the Governor on April 6, 2018.

#### REPORT ON ENROLLED RESOLUTIONS

**HR 6054** reported correctly enrolled and properly signed on April 6, 2018.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Saturday, April 7, 2018.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

