

Journal of the Senate

FORTY-EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, March 24, 2016, 10:00 a.m.

The Senate was called to order by President Susan Wagle.

The roll was called with 40 senators present.

Senator Wagle introduced guest chaplain Kent Otott, Executive Director, North Central Kansas Teens For Christ, Concordia who delivered the following invocation:

Our Most Gracious God, at this very moment, I want to lift up the ladies and gentlemen here today as they begin to conduct business which will affect the people of the State of Kansas. We know by Your Word the people in this chamber are in their positions because of You and the desires of their constituents. Whether the people in this room acknowledge You or not, You will be the One they humbly bow before one day to give an account of their decisions. So guide their hearts, oh God, and allow them to be sensitive to Your desires. Two verses from the Book of James will serve us all well today, "Draw near to God and He will draw near to you. Cleanse your hands, you sinners; and purify your hearts, you double-minded." and "Humble yourselves in the presence of the Lord, and He will exalt you." James 4: 8,10 (NASB) As many will go home to celebrate the Resurrection of Your Son this weekend, give them rest and a splendid time with their families and friends who have missed them during this long, arduous session. As we close our time together in prayer, may you strengthen the people of the great State of Kansas. Bless their businesses, farms, families, and those who are serving in our Armed Forces. Be with those who protect our cities, serve our citizens and educate our children. These things I ask in the name of Your Risen Son, Jesus Christ! Amen!

The Pledge of Allegiance was led by President Wagle.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committee as indicated:

Judiciary: **HB 2713**

CHANGE OF REFERENCE

An objection having been made to **HB 2571** appearing on the Consent Calendar, the President directed the bill be removed and placed on the calendar under the heading of General Orders.

The President withdrew **S Sub HB 2479, HB 2558** from the Calendar under the heading of **General Orders**, and referred the bills to the Committee on **Ways and Means**.

COMMITTEE OF THE WHOLE

On motion of Senator Bruce, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Knox in the chair.

On motion of Senator Knox the following report was adopted:

The committee report on **HB 2655** recommending **S Sub HB 2655** be adopted, be amended by motion of Senator Lynn: on page 12, in line 43, by striking "2015" and inserting "2016", and **S Sub HB 2655** be passed as amended.

A motion by Senator Francisco to further amend **S Sub HB 2655** failed and the following amendment was rejected: on page 2, in line 16, by striking "4" and inserting "3";

On page 3, in line 1, by striking "3" and inserting "2"; in line 10, by striking "4" and inserting "3"; by striking all in lines 27 through 43;

On page 4, by striking all in lines 1 through 30;

On page 7, in line 33, by striking "3 and 4" and inserting "2 and 3";

On page 8, in line 17, by striking "3 through 5" and inserting "2 through 4";

On page 16, in line 13, by striking "3 through 5" and inserting "2 through 4,"; in line 15, by striking "3 through 5" and inserting "2 through 4"; in line 19, by striking "3 through 5" and inserting "2 through 4"; and by renumbering sections accordingly.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 8; Nays 30; Present and Passing 1; Absent or Not Voting 1.

Yeas: Faust-Goudeau, Francisco, Haley, Hawk, Hensley, Holland, Kelly, Pettey.

Nays: Abrams, Arpke, Bowers, Bruce, Denning, Donovan, Fitzgerald, Holmes, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pilcher-Cook, Powell, Pyle, V. Schmidt, Tyson, Wagle, Wilborn, Wolf.

Present and Passing: Baumgardner.

Absent or Not Voting: Smith.

CHANGE OF REFERENCE

The President withdrew **S Sub HB 2479** from the Committee on **Ways and Means**, and referred to the calendar under the heading of **General Orders**.

The President withdrew **HB 2558** from the Committee on **Ways and Means**, and referred to the calendar under the heading of **General Orders**.

MESSAGE FROM THE HOUSE

The House nonconcurrs in Senate amendments to **S Sub HB 2018**, requests a conference and has appointed Representatives Gonzalez, Pauls and Highberger as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 19** and has appointed Representatives Barker, Macheers and Carmichael as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **Sub SB 22** and has appointed Representatives Barker, Macheers and Carmichael as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 407** and has appointed Representatives Barker, Macheers and Carmichael as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 408** and has appointed Representatives Barker, Macheers and Carmichael as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 449** and has appointed Representatives Hawkins, Dove and Ward as conferees on the part of the House.

The following bills have been stricken from the Calendar under House Rule 1507: **SB 17; H Sub Sub SB 18; H Sub SB 58; SB 97; H Sub SB 106, H Sub SB 125, H Sub SB 136; SB 159, SB 361, SB 365, SB 370, SB 375, SB 382, SB 405, SB 426.**

The House adopts the Conference Committee report to agree to disagree on **SB 318**, and has appointed Representatives Hedke, Corbet and Kuether as second conferees on the part of the House.

The House adopts the Conference Committee report on **SB 367**.

The House concurs in Senate amendments to **HB 2134**, and requests return of the bill.

The House concurs in Senate amendments to **HB 2387**, and requests return of the bill.

The House concurs in Senate amendments to **HB 2447**, and requests return of the bill.

MESSAGES FROM THE GOVERNOR

Sub SB 103; SB 358, SB 369 approved on March 23, 2016

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 318** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

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

DENNIS HEDKE

KEN CORBET

ANNIE KUETHER

Conferees on part of House

ROB OLSON

MIKE PETERSEN

MARCI FRANCISCO

Conferees on part of Senate

On motion of Senator Olson the Senate adopted the conference committee report on **SB 318**, and requested a new conference be appointed.

The President appointed Senators Olson, Petersen and Francisco as a second Conference Committee on the part of the Senate on **SB 318**.

ORIGINAL MOTION

On motion of Senator Bruce, the Senate acceded to the request of the House for a conference on **S Sub HB 2018**.

The President appointed Senators Smith, Knox and Pettey as conferees on the part of the Senate.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Bruce an emergency was declared by a 2/3 constitutional majority, and **HB 2655** was advanced to Final Action and roll call.

S Sub HB 2655, AN ACT concerning education; relating to the financing and instruction thereof; making and concerning appropriations for the fiscal year ending June 30, 2017, for the department of education; relating to the classroom learning assuring student success act; amending K.S.A. 2015 Supp. 72-6463, 72-6465, 72-6474, 72-6476, 72-6481 and 74-4939a and repealing the existing sections.

On roll call, the vote was: Yeas 32; Nays 5; Present and Passing 3; Absent or Not Voting 0.

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

Nays: Faust-Goudeau, Hensley, Holland, Kelly, Pettey.

Present and Passing: Francisco, Haley, Hawk.

The bill passed, as amended.

EXPLANATION OF VOTE

Madam President: I vote yes on **Senate Sub for HB 2655**. I believe the legislature should quickly respond to the Supreme Court's equity decision and, more importantly, because it will allow the legislature to focus on developing a new education finance package, one that is based upon input from all of the stakeholders. This will ensure that all Kansas children continue to receive the opportunity to be on the path to being successful by pursuing their chosen occupation through a suitable public education.—

STEVEN ABRAMS

Senators Arpke, Fitzgerald, King, Masterson and Petersen request the record to show they concur with the "Explanation of Vote" offered by Senator Abrams on **S Sub HB 2655**.

Madam President: I vote yes on **Senate Sub for HB 2655** to avoid disruption of public education and to keep the schools open. The Supreme Court, in Gannon, ruled that existing school funding legislation concerning local option budget and capital outlay equalization was unconstitutional and could be enjoined, and in so instructing us to comply. In addition, unless we enacted a law that complied with these equalization concerns by June 30, 2016, all Kansas Public Schools would be closed. Having reviewed the evidence and testimony put on the record for the proceedings, I believe that this bill at all levels of scrutiny satisfies the Court's demand on the legislature. This

will allow the schools to open on time as scheduled, avoiding any unnecessary disruption to public education.—TOM ARPKE

Senators Fitzgerald and Masterson request the record to show they concur with the "Explanation of Vote" offered by Senator Arpke on **S Sub HB 2655**.

Madam President: I vote yes on **Senate Sub for HB 2655** because of the evidence presented. There were three solutions identified. The first two, **SB 512** and **HB 2371**, were fashioned after the prior formulas that the Supreme Court suggested would be one obvious choice. But, not a single school district supported the plan. The members of the respective committees that heard evidence on the bill did not believe it was the best option for Kansas schools. **Senate Sub for HB 2655**, however, was supported, in person, by two school districts and another school district sent a letter in support. Moreover, it includes a "hold harmless" provision that means no school district loses funds. All the school districts that testified – even the opponents of this bill – acknowledged that the hold harmless provision is necessary in light of the legislature's obligation to respond to the Court's remedial order while the school districts' budgeting processes are occurring. The Department of Education witnesses confirmed this view, too. I believe that this bill is the best option among those that I have seen and the evidence that I have reviewed.—JIM DENNING

Senators Arpke, Fitzgerald, Lynn, Masterson, Melcher, Smith, Wagle and Wolf request the record to show they concur with the "Explanation of Vote" offered by Senator Denning on **S Sub HB 2655**.

Madam President: I vote to "PASS" on the **Senate Substitute for House Bill 2655**. I want to support a bill to address the issue of funding equity because I understand how important it is to address the Kansas Supreme Court's concern about equity and keep our schools open. However this bill claims to have its intent "to ensure that public school students receive a constitutionally adequate education through a fair allocation of resources among the school districts and that the distribution of these funds does not result in unreasonable wealth-based disparities among districts." It also claims "Furthermore, the evidence before the legislature confirms that the total amount of school funding meets or exceeds the Supreme Court's standard for adequacy." Although the intent of **S Sub for HB 2655** may also be for the legislature to respond to the court order, there are serious questions about how well it addresses the issue of equity and if it is constitutional. In no way can the legislature, with this bill, confirm that the total amount of school funding meets or exceeds the Supreme Court's standard for adequacy. I urge us to consider a bill that adds \$38 million to fund the current equalization formulas and would most likely pass constitutional muster.—MARCI FRANCISCO

Senators Faust-Goudeau and Hawk request the record to show they concur with the "Explanation of Vote" offered by Senator Francisco on **S Sub HB 2655**.

Madam President: **Senate Substitute for HB 2655**: I pass. A "yes" vote would have conveyed that I believe the plan to be a good one. I don't. A "no" vote would have conveyed that I have no problem with schools having to shut down. I do have a problem with that scenario. It is my hope that my pass expresses my belief that **Senate Substitute for HB 2655** is not equitable because it is just a continuation of the unconstitutional block grant (**SB 7**), yet I want to get a proposal to the court for its consideration in order to assure continued attempts to keep schools open.—TOM HAWK

Madam President: I vote yes on **Senate Sub for HB 2655** because Dale Dennis, of the Department of Education, expressly told me that this plan allowed sufficient flexibility to address any potential equity issues that may arise in the future. Based upon the testimony that he (and others) provided, I feel confident that this plan satisfies the Court's equity concerns and, if inequities arise in the future, sufficient funds will be within Mr. Dennis' discretion to resolve any potential disparity that may occur after enactment.—TY MASTERTSON

Senator Arpke requests the record to show he concurs with the "Explanation of Vote" offered by Senator Masterson on **S Sub HB 2655**.

Madam President: I vote yes on **Senate Substitute for HB 2655** because I firmly believe that the Preamble and Section 2 reflect my view of the evidence that was presented to the committees, and my intention is that this bill will keep our schools open.—LARRY POWELL

Senators Arpke and Masterson request the record to show they concur with the "Explanation of Vote" offered by Senator Powell on **Senate Sub HB 2655**.

Protest of Senator Hensley against Senate Substitute for House Bill No. 2655
March 24, 2016

Madam President: I hereby exercise my right under Article 2, Section 10, of the Kansas Constitution to protest **Senate Substitute for House Bill No. 2655**.

After submission of a bill at the rail on Monday, March 21, assignment of a bill number (**Senate Bill No. 515**) on Tuesday, getting the bill in print by early evening and a rushed committee hearing on Wednesday that provided no meaningful opportunity for testimony from the many districts impacted by the passage of this bill, this body now rushes to judgment to enact this bill (**Senate Substitute for House Bill No. 2655**) that demonstrably harms equity rather than curing the equity defects found by the Kansas Supreme Court. The bill does nothing to actually equalize purchasing power between districts due to differences in local wealth. Furthermore, it is a freeze of equalization payments at the current levels accomplished through the artifice of a "hold harmless" provision that benefits wealthier school districts at the expense of poorer districts. It also harms equity by effectively expanding LOB authority only for districts wealthy enough to afford local property tax increases. This Supposed Equity Bill is the very definition of a constitutionally inequitable bill.

Given the time constraints imposed on the Legislature by the Supreme Court's decision, which was itself precipitated by this body's unconstitutional actions, prudence would have dictated that the Legislature take as its guiding star a system that has been repeatedly found by the District Court Panel and the Supreme Court to be constitutionally equitable; namely, the old equalization formulas. Those formulas, in combination, pass the Supreme Court's equity test; this bill does not. The bill continues to create "winners and losers" as the attached chart and spreadsheet graphically demonstrate by comparing the bill's effects to the old equalization formulas previously found constitutional. My school district, Topeka USD 501, testified against this bill in the house and presented the spreadsheet and chart below along with their written testimony yesterday. The data was not presented to the Senate Committee and I want the entire Senate to have the benefit of reviewing this information.

When compared to the old equalization formulas, the bill's disastrous effects on

equity become apparent. The bill essentially switches the Local Option Budget (LOB) equalization formula to a less generous equalization formula than was previously authorized. While the capital outlay equalization formula might have been approved *for capital outlay* it was not approved for LOB. LOB is a much larger component in classroom funding. This is the direct result of this body attempting to construct a formula based not on educational reasons for the funding, but rather based on the amount of money politically deemed available in the State's checkbook. The bill prorates down the amount of LOB equalization to fit current dollars. Such a proration has been specifically found to be unconstitutional by the Supreme Court in *Gannon I*.

In addition, the hold harmless provisions in the bill (called "school district equalization state aid" in the bill) allow wealthier districts to retain more resources and thus retain the ability to provide more educational opportunity. This allows the wealthier districts to keep the advantage given to them by the block grants enacted under 2015 **House Substitute for Senate Bill No. 7** and their wealth. This runs directly counter to the purpose of equalization aid which is supposed to "equalize" purchasing power. The bill instead ensures that the wealthier districts retain their advantages over less wealthy districts and thus fails the equity test.

Additionally, the bill's system allows wealthy districts to game the equalization system in a way that less wealthy districts cannot. For example, Shawnee Mission USD 512, a district that regularly touts their ability to pass increased local school mill levies, could raise their mill levy to completely backfill the \$3,040,285 amount they lose in LOB equalization aid under the Supposed Equity Bill's LOB equalization formula. In addition, they would then receive an additional \$3,040,285 in "hold harmless" money, thereby allowing them to *increase* spending by \$3 million dollars over the block grant. On the other hand, Kansas City USD 500 also loses \$2,502,864 in equalization aid. However, Kansas City is much less likely to get taxpayer approval for an increased local school mill levy to backfill this loss. The "hold harmless" money Kansas City receives will be only \$1,240,706, resulting in a *decrease* in LOB funding to Kansas City by \$1,262,158 over the amount granted under the block grant bill. This does not result in substantially similar educational opportunity through similar tax effort.

The bill also continues the cannibalization of equalization funds that the courts have repeatedly been found to be unconstitutional. By ensuring that any gains in capital outlay equalization are then deducted against any "hold harmless" money the district would receive, it harms the districts that receive capital outlay equalization compared to districts that do not.

Additionally, local school mill levies continue to range from 7.87 mills in Meade to 44.4 mills in South Haven for providing the same educational opportunity. This might have been acceptable to the Court had we used their safe harbor and simply re-adopted and funded the old formulas, however, since we did not, the new scheme must pass the equity test. Under the bill's system, districts will be incentivized to shift more funding locally to backfill the loss of LOB aid due to the less generous LOB formula. This will only exacerbate the range of tax effort required to obtain "similar educational opportunity." It violates the Supreme Court mandate that "School districts must have reasonably equal access to substantially similar educational opportunity through similar tax effort." This tax effort difference is not even close to "similar."

The Topeka Public Schools are already being forced to consider proposals to raise their LOB mill levy in order to make up for losses incurred through the operation of the

block grants. The bill means that Topeka taxpayers will face even higher potential local tax increases just to stay even. For districts like Topeka and other less wealthy districts, the bill can only be viewed as yet another package of concessions for wealthier, more politically powerful districts that continues to arbitrarily reassign winners and losers. This merely furthers the inequity in funding for classrooms across the state; it does not cure it as required by the Supreme Court.

The bill is the product of politics and not a consideration of the actual cost to educate Kansas school children. Clearly, the bill does not, by design or in its likely implementation, provide for “reasonably equal access to substantially similar educational opportunity through similar tax effort.” An attempted repackaging of the same resources previously found to violate the Kansas Constitution through a bill that perpetuates wealth-based disparities between the districts rather than curing them cannot reasonably be viewed as a constitutional response to the Supreme Court’s mandate. By passing the bill, this body once again fails in its constitutional duty under Article 6 to provide an equitable education to all Kansas school children.

In addition, if this bill is subsequently found to be unconstitutional by the Supreme Court, the majority party of this Legislature will have brought us dangerously closer to the Court’s June 30 deadline to comply with the *Gannon* decision. If the majority party is truly concerned about keeping schools open next fall, they should have appropriated \$38 million in the fiscal year 2017 budget bill which passed the Legislature over a month ago. Appropriating \$38 million would have been and remains a far more certain solution in meeting the equity test in *Gannon* than the uncertainty resulting from the passage of this bill. —ANTHONY HENSLEY

Senators Faust-Goudeau, Haley, Hawk, Holland, Kelly, and Pettey request the record to show they concur with the “Constitutional Protest” offered by Senator Hensley on **S Sub HB 2655**.

Senator Francisco requested the record to show she concurred with the “Constitutional Protest” offered by Senator Hensley on **S Sub HB 2655**. On objection, the request was denied.

(This page intentionally left blank)

			RETURN TO OLD FORMULAS Supreme Court Safe Harbor		
			A	B	C
			Gain/Loss in Capital Outlay Aid	Gain/Loss in LOB Aid	Total Gain/Loss in Aid
			Calculated		
USD#	County Name	USD Name	SF16-126 Col 4	SF16-116 Col 4	(A + B)
259	Sedgwick	Wichita	4,508,756	5,132,809	9,641,565
500	Wyandotte	Kansas City	1,262,158	970,843	2,233,001
497	Douglas	Lawrence	656,309	1,496,590	2,152,899
501	Shawnee	Topeka Public Schools	829,524	1,032,306	1,861,830
437	Shawnee	Auburn Washburn	776,699	1,061,106	1,837,805
260	Sedgwick	Derby	822,104	769,429	1,591,533
305	Saline	Salina	560,848	587,798	1,148,646
457	Finney	Garden City	293,038	771,202	1,064,241
231	Johnson	Gardner Edgerton	532,373	374,709	907,082
266	Sedgwick	Maize	629,126	120,546	749,672
443	Ford	Dodge City	419,403	318,461	737,865
253	Lyon	Emporia	557,901	168,711	726,613
265	Sedgwick	Goddard	417,394	292,761	710,154
368	Miami	Paola	231,900	478,744	710,644
345	Shawnee	Seaman	354,751	166,303	521,054
313	Reno	Buhler	238,318	279,662	517,980
204	Wyandotte	Bonner Springs	281,143	231,411	512,554
489	Ellis	Hays	0	487,958	487,958
214	Grant	Ulysses	0	487,259	487,259
203	Wyandotte	Piper-Kansas City	162,149	322,090	484,239
450	Shawnee	Shawnee Heights	307,760	167,957	475,716
250	Crawford	Pittsburg	130,319	330,234	460,553
490	Butler	El Dorado	78,638	367,066	445,703
263	Sedgwick	Mulvane	246,570	369,731	616,301
416	Miami	Louisburg	149,710	263,758	413,468
453	Leavenworth	Leavenworth	226,875	185,708	412,584
202	Wyandotte	Turner-Kansas City	218,981	159,606	378,587
375	Butler	Circle	72,089	288,346	360,435
262	Sedgwick	Valley Center Pub Sch	176,871	162,394	339,265
458	Leavenworth	Basehor-Linwood	183,164	140,731	323,896
407	Russell	Russell County	70,624	576,112	646,736
290	Franklin	Ottawa	199,433	111,953	311,386
331	Kingman	Kingman - Norwich	113,499	270,026	383,525
428	Barton	Great Bend	129,100	175,520	304,620
413	Neosho	Chanute Public Schools	202,962	96,141	299,103
435	Dickinson	Abilene	178,373	115,150	293,523
418	McPherson	McPherson	148,145	129,670	277,814
308	Reno	Hutchinson Public Schools	163,146	113,387	276,533
480	Seward	Liberal	0	261,677	261,677

S Sub for HB 2655
New LOB Formula and Hold Harmless

D	E	F	G	H	I
Gain/Loss in LOB Aid	Gain/Loss in Capital Outlay Aid	New Formula Gain/Loss in Aid	Hold Harmless Payment	Total Aid Gain/Loss in Aid	Difference Between Old Formulas and S Sub for HB2655
		Calculated		Calculated	Calculated
SF16-126 Col 4	SF16-117 Col 4	(D + E)	SF16-133 Col 4	(F + G)	(H - C)
-6,045,648	4,508,756	-1,536,892	1,536,892	0	-9,641,565
-2,502,864	1,262,158	-1,240,706	1,240,706	0	-2,233,001
-2,377,404	656,309	-1,721,096	1,721,096	0	-2,152,899
-1,804,935	829,524	-975,411	975,411	0	-1,861,830
-622,735	776,699	153,964	0	153,964	-1,683,841
-735,024	822,104	87,080	0	87,080	-1,504,453
-1,248,914	560,848	-688,066	688,066	0	-1,148,646
-595,555	293,038	-302,517	302,517	0	-1,064,241
-706,254	532,373	-173,881	173,881	0	-907,082
-1,165,811	629,126	-536,684	536,684	0	-749,672
-788,687	419,403	-369,283	369,283	0	-737,865
-633,906	557,901	-76,005	76,005	0	-726,613
-680,851	417,394	-263,457	263,457	0	-710,154
-47,738	231,900	184,162	0	184,162	-526,482
-714,134	354,751	-359,383	359,383	0	-521,054
-331,796	238,318	-93,478	93,478	0	-517,980
-427,970	281,143	-146,826	146,826	0	-512,554
-317,906	0	-317,906	317,906	0	-487,958
0	0	0	0	0	-487,259
-269,147	162,149	-106,997	106,997	0	-484,239
-596,977	307,760	-289,218	289,218	0	-475,716
-282,583	130,319	-152,264	152,264	0	-460,553
-269,181	78,638	-190,544	190,544	0	-445,703
-55,372	246,570	191,198	0	191,198	-425,103
-172,834	149,710	-23,125	23,125	0	-413,468
-587,559	226,875	-360,684	360,684	0	-412,584
-484,713	218,981	-265,733	265,733	0	-378,587
-293,716	72,089	-221,627	221,627	0	-360,435
-299,711	176,871	-122,841	122,841	0	-339,265
-279,044	183,164	-95,880	95,880	0	-323,896
257,388	70,624	328,012	0	328,012	-318,724
-382,498	199,433	-183,065	183,065	0	-311,386
-35,949	113,499	77,551	0	77,551	-305,974
-434,133	129,100	-305,033	305,033	0	-304,620
-319,215	202,962	-116,253	116,253	0	-299,103
-184,899	178,373	-6,527	6,527	0	-293,523
-688,878	148,145	-540,733	540,733	0	-277,814
-762,972	163,146	-599,826	599,826	0	-276,533
-495,290	0	-495,290	495,290	0	-261,677

			RETURN TO OLD FORMULAS Supreme Court Safe Harbor		
			A	B	C
			Gain/Loss in Capital Outlay Aid	Gain/Loss in LOB Aid	Total Gain/Loss in Aid
			Calculated		
USD#	County Name	USD Name	SF16-126 Col 4	SF16-116 Col 4	(A + B)
469	Leavenworth	Lansing	109,147	147,380	256,527
409	Atchison	Atchison Public Schools	112,164	128,622	240,786
466	Scott	Scott County	21,880	218,133	240,013
445	Montgomery	Coffeyville	55,251	183,890	239,141
383	Riley	Manhattan-Ogden	0	226,458	226,458
261	Sedgwick	Haysville	-24,663	240,573	215,911
494	Hamilton	Syracuse	35,806	197,949	233,755
491	Douglas	Eudora	109,827	80,278	190,105
405	Rice	Lyons	70,841	208,526	279,367
230	Johnson	Spring Hill	0	181,581	181,581
205	Butler	Bluestem	57,613	124,168	181,781
348	Douglas	Baldwin City	120,067	60,705	180,772
394	Butler	Rose Hill Public Schools	104,596	74,905	179,502
114	Doniphan	Riverside	0	188,397	188,397
402	Butler	Augusta	193,229	-18,809	174,421
431	Barton	Hoisington	48,885	339,358	388,243
232	Johnson	De Soto	495,480	-331,295	164,185
483	Seward	Kismet-Plains	0	161,412	161,412
373	Harvey	Newton	236,161	-76,532	159,628
257	Allen	Iola	89,321	66,862	156,183
355	Barton	Ellinwood Public Schools	45,148	343,455	388,603
417	Morris	Morris County	56,732	95,080	151,811
400	McPherson	Smoky Valley	110,105	38,343	148,447
350	Stafford	St John-Hudson	0	148,413	148,413
264	Sedgwick	Clearwater	99,239	48,853	148,092
396	Butler	Douglass Public Schools	47,544	100,531	148,075
270	Rooks	Plainville	0	146,454	146,454
267	Sedgwick	Renwick	154,108	-12,291	141,817
385	Butler	Andover	445,569	-303,842	141,727
470	Cowley	Arkansas City	51,508	78,233	129,741
273	Mitchell	Beloit	76,722	52,695	129,417
287	Franklin	West Franklin	56,631	69,784	126,415
366	Woodson	Woodson	2,648	122,461	125,109
506	Labette	Labette County	91,923	31,683	123,606
508	Cherokee	Baxter Springs	83,323	82,595	165,919
218	Morton	Elkhart	151,571	183,297	334,868
293	Gove	Quinter Public Schools	36,505	104,602	141,107
340	Jefferson	Jefferson West	63,272	49,212	112,485
477	Gray	Ingalls	7,671	136,357	144,028

S Sub for HB 2655
New LOB Formula and Hold Harmless

D	E	F	G	H	I
Gain/Loss in LOB Aid	Gain/Loss in Capital Outlay Aid	New Formula Gain/Loss in Aid	Hold Harmless Payment	Total Aid Gain/Loss in Aid	Difference Between Old Formulas and S Sub for HB2655
		Calculated		Calculated	
SF16-126 Col 4	SF16-117 Col 4	(D + E)	SF16-133 Col 4	(F + G)	(H - C)
-301,893	109,147	-192,746	192,746	0	-256,527
-223,242	112,164	-111,078	111,078	0	-240,786
-135,092	21,880	-113,212	113,212	0	-240,013
-389,721	55,251	-334,470	334,470	0	-239,141
-1,536,205	0	-1,536,205	1,536,205	0	-226,458
-422,672	-24,663	-447,335	447,335	0	-215,911
-15,072	35,806	20,734	0	20,734	-213,021
-164,977	109,827	-55,150	55,150	0	-190,105
19,028	70,841	89,869	0	89,869	-189,498
-293,948	0	-293,948	293,948	0	-181,581
-56,881	57,613	732	0	732	-181,049
-258,149	120,067	-138,082	138,082	0	-180,772
-179,755	104,596	-75,159	75,159	0	-179,502
12,411	0	12,411	0	12,411	-175,986
-380,141	193,229	-186,912	186,912	0	-174,421
166,216	48,885	215,100	0	215,100	-173,143
-2,022,965	495,480	-1,527,485	1,527,485	0	-164,185
0	0	0	0	0	-161,412
-689,770	236,161	-453,610	453,610	0	-159,628
-189,235	89,321	-99,914	99,914	0	-156,183
190,623	45,148	235,771	0	235,771	-152,832
-164,849	56,732	-108,118	108,118	0	-151,811
-249,239	110,105	-139,135	139,135	0	-148,447
0	0	0	0	0	-148,413
-194,003	99,239	-94,764	94,764	0	-148,092
-52,688	47,544	-5,144	5,144	0	-148,075
0	0	0	0	0	-146,454
-486,381	154,108	-332,273	332,273	0	-141,817
-1,224,162	445,569	-778,593	778,593	0	-141,727
-383,843	51,508	-332,335	332,335	0	-129,741
-203,131	76,722	-126,409	126,409	0	-129,417
-147,513	56,631	-90,882	90,882	0	-126,415
-33,810	2,648	-31,162	31,162	0	-125,109
-215,501	91,923	-123,578	123,578	0	-123,606
-40,859	83,323	42,465	0	42,465	-123,454
60,515	151,571	212,086	0	212,086	-122,782
-16,562	36,505	19,943	0	19,943	-121,164
-145,711	63,272	-82,439	82,439	0	-112,485
24,186	7,671	31,858	0	31,858	-112,171

			RETURN TO OLD FORMULAS Supreme Court Safe Harbor		
			A	B	C
			Gain/Loss in Capital Outlay Aid	Gain/Loss in LOB Aid	Total Gain/Loss in Aid
			Calculated		
USD#	County Name	USD Name	SF16-126 Col 4	SF16-116 Col 4	(A + B)
382	Pratt	Pratt	109,265	2,663	111,928
388	Ellis	Ellis	63,307	201,209	264,516
330	Wabaunsee	Mission Valley	52,513	55,913	108,426
309	Reno	Nickerson	54,188	52,922	107,109
353	Sumner	Wellington	164,453	-58,742	105,711
432	Ellis	Victoria	0	103,522	103,522
252	Lyon	Southern Lyon County	50,257	52,988	103,245
282	Elk	West Elk	20,962	79,880	100,842
325	Phillips	Phillipsburg	32,150	55,746	87,896
369	Harvey	Burrton	40,259	139,219	179,479
503	Labette	Parsons	44,300	42,991	87,291
289	Franklin	Wellsville	71,910	15,316	87,226
484	Wilson	Fredonia	20,189	60,945	81,135
473	Dickinson	Chapman	-17,436	97,535	80,099
397	Marion	Centre	45,106	69,540	114,646
113	Nemaha	Prairie Hills	72,950	4,477	77,427
347	Edwards	Kinsley-Offerle	37,583	38,995	76,578
286	Chautauqua	Chautauqua Co Community	6,395	68,962	75,357
511	Harper	Attica	11,276	72,073	83,349
358	Sumner	Oxford	45,956	141,459	187,414
101	Neosho	Erie-Galesburg	42,938	26,178	69,115
268	Sedgwick	Cheney	49,452	18,719	68,171
487	Dickinson	Herington	0	66,014	66,014
410	Marion	Durham-Hillsboro-Lehigh	58,680	6,415	65,096
447	Montgomery	Cherryvale	44,627	18,001	62,628
509	Sumner	South Haven	9,665	105,538	115,203
434	Osage	Santa Fe Trail	34,670	26,102	60,772
439	Harvey	Sedgwick Public Schools	12,600	47,653	60,253
207	Leavenworth	Ft Leavenworth	3,023	69,289	72,312
465	Cowley	Winfield	164,626	-105,386	59,239
320	Pottawatomie	Wamego	61,788	-3,896	57,892
376	Rice	Sterling	49,189	7,963	57,152
403	Rush	Otis-Bison	0	57,129	57,129
333	Cloud	Concordia	67,847	-13,962	53,885
404	Cherokee	Riverton	-6,456	57,760	51,304
288	Franklin	Central Heights	39,054	10,257	49,311
395	Rush	LaCrosse	7,025	41,347	48,372
357	Sumner	Belle Plaine	38,894	8,386	47,280
248	Crawford	Girard	30,793	15,867	46,660

S Sub for HB 2655					I
New LOB Formula and Hold Harmless					
D	E	F	G	H	
Gain/Loss in LOB Aid	Gain/Loss in Capital Outlay Aid	New Formula Gain/Loss in Aid	Hold Harmless Payment	Total Aid Gain/Loss in Aid	
		Calculated (D + E)		Calculated (F + G)	
SF16-126 Col 4	SF16-117 Col 4		SF16-133 Col 4		
-373,782	109,265	-264,517	264,517	0	-111,928
91,079	63,307	154,386	0	154,386	-110,130
-136,896	52,513	-84,383	84,383	0	-108,426
-272,711	54,188	-218,523	218,523	0	-107,109
-349,018	164,453	-184,565	184,565	0	-105,711
0	0	0	0	0	-103,522
-133,607	50,257	-83,350	83,350	0	-103,245
-36,436	20,962	-15,474	15,474	0	-100,842
-92,430	32,150	-60,280	60,280	0	-87,896
51,513	40,259	91,772	0	91,772	-87,706
-218,717	44,300	-174,417	174,417	0	-87,291
-206,772	71,910	-134,862	134,862	0	-87,226
-140,475	20,189	-120,285	120,285	0	-81,135
-226,618	-17,436	-244,053	244,053	0	-80,099
-8,485	45,106	36,621	0	36,621	-78,025
-383,134	72,950	-310,184	310,184	0	-77,427
-111,390	37,583	-73,807	73,807	0	-76,578
-16,048	6,395	-9,653	9,653	0	-75,357
-2,523	11,276	8,754	0	8,754	-74,596
67,172	45,956	113,128	0	113,128	-74,287
-165,559	42,938	-122,621	122,621	0	-69,115
-138,423	49,452	-88,971	88,971	0	-68,171
-47,114	0	-47,114	47,114	0	-66,014
-186,307	58,680	-127,627	127,627	0	-65,096
-103,575	44,627	-58,948	58,948	0	-62,628
44,602	9,665	54,267	0	54,267	-60,936
-212,642	34,670	-177,972	177,972	0	-60,772
-48,449	12,600	-35,849	35,849	0	-60,253
9,108	3,023	12,132	0	12,132	-60,180
-571,881	164,626	-407,256	407,256	0	-59,239
-327,496	61,788	-265,708	265,708	0	-57,892
-126,574	49,189	-77,386	77,386	0	-57,152
0	0	0	0	0	-57,129
-262,440	67,847	-194,593	194,593	0	-53,885
-122,514	-6,456	-128,970	128,970	0	-51,304
-130,682	39,054	-91,628	91,628	0	-49,311
-90,382	7,025	-83,358	83,358	0	-48,372
-118,039	38,894	-79,145	79,145	0	-47,280
-170,283	30,793	-139,490	139,490	0	-46,660

			RETURN TO OLD FORMULAS Supreme Court Safe Harbor		
			A	B	C
			Gain/Loss in Capital Outlay Aid	Gain/Loss in LOB Aid	Total Gain/Loss in Aid
					Calculated
USD#	County Name	USD Name	SF16-126 Col 4	SF16-116 Col 4	(A + B)
326	Phillips	Logan	0	46,463	46,463
327	Ellsworth	Ellsworth	31,417	14,956	46,373
249	Crawford	Frontenac Public Schools	21,842	22,896	44,739
245	Coffey	LeRoy-Gridley	0	44,381	44,381
372	Shawnee	Silver Lake	45,831	-1,857	43,974
341	Jefferson	Oskaloosa Public Schools	9,290	33,842	43,132
499	Cherokee	Galena	26,348	16,565	42,914
420	Osage	Osage City	24,153	18,422	42,575
323	Pottawatomie	Rock Creek	0	42,186	42,186
336	Jackson	Holton	65,919	-24,850	41,069
343	Jefferson	Perry Public Schools	23,623	16,745	40,368
504	Labette	Oswego	17,712	22,085	39,797
219	Clark	Minneola	0	39,699	39,699
464	Leavenworth	Tonganoxie	-26,998	62,946	35,948
367	Miami	Osawatomie	78,675	-42,949	35,726
206	Butler	Remington-Whitewater	23,597	10,562	34,159
421	Osage	Lyndon	29,991	3,809	33,801
356	Sumner	Conway Springs	49,413	-17,639	31,773
398	Marion	Peabody-Burns	0	30,713	30,713
285	Chautauqua	Cedar Vale	0	30,380	30,380
471	Cowley	Dexter	16,970	12,332	29,302
271	Rooks	Stockton	0	27,449	27,449
408	Marion	Marion-Florence	0	26,642	26,642
297	Cheyenne	St Francis Comm Sch	0	20,922	20,922
306	Saline	Southeast Of Saline	0	20,414	20,414
312	Reno	Haven Public Schools	66,528	-47,699	18,829
419	McPherson	Canton-Galva	13,823	4,217	18,040
212	Norton	Northern Valley	14,466	1,076	15,542
246	Crawford	Northeast	43,287	-29,258	14,028
386	Greenwood	Madison-Virgil	10,160	3,376	13,536
505	Labette	Chetopa-St. Paul	24,411	-10,982	13,429
371	Gray	Montezuma	9,554	2,554	12,108
242	Wallace	Weskan	0	11,506	11,506
359	Sumner	Argonia Public Schools	0	10,634	10,634
108	Washington	Washington Co. Schools	3,908	5,085	8,993
411	Marion	Goessel	9,414	-1,721	7,693
438	Pratt	Skyline Schools	31,108	-25,538	5,570
322	Pottawatomie	Onaga-Havensville-Wheaton	31,240	-27,230	4,009
448	McPherson	Inman	24,032	-21,078	2,954

S Sub for HB 2655					I
New LOB Formula and Hold Harmless					
D	E	F	G	H	
Gain/Loss in LOB Aid	Gain/Loss in Capital Outlay Aid	New Formula Gain/Loss in Aid	Hold Harmless Payment	Total Aid Gain/Loss in Aid	
		Calculated		Calculated	Difference Between Old Formulas and S Sub for HB2655
SF16-126 Col 4	SF16-117 Col 4	(D + E)	SF16-133 Col 4	(F + G)	
-46,844	0	-46,844	46,844	0	-46,463
-187,355	31,417	-155,937	155,937	0	-46,373
-111,824	21,842	-89,982	89,982	0	-44,739
0	0	0	0	0	-44,381
-157,086	45,831	-111,255	111,255	0	-43,974
-111,831	9,290	-102,541	102,541	0	-43,132
-102,278	26,348	-75,930	75,930	0	-42,914
-131,009	24,153	-106,857	106,857	0	-42,575
-164,492	0	-164,492	164,492	0	-42,186
-239,384	65,919	-173,465	173,465	0	-41,069
-289,101	23,623	-265,478	265,478	0	-40,368
-56,487	17,712	-38,775	38,775	0	-39,797
-84,689	0	-84,689	84,689	0	-39,699
-322,038	-26,998	-349,035	349,035	0	-35,948
-313,930	78,675	-235,255	235,255	0	-35,726
-201,860	23,597	-178,263	178,263	0	-34,159
-105,099	29,991	-75,108	75,108	0	-33,801
-135,100	49,413	-85,687	85,687	0	-31,773
-125,290	0	-125,290	125,290	0	-30,713
-3,358	0	-3,358	3,358	0	-30,380
-31,423	16,970	-14,453	14,453	0	-29,302
-80,629	0	-80,629	80,629	0	-27,449
-134,098	0	-134,098	134,098	0	-26,642
-92,022	0	-92,022	92,022	0	-20,922
-255,415	0	-255,415	255,415	0	-20,414
-383,753	66,528	-317,224	317,224	0	-18,829
-188,068	13,823	-174,245	174,245	0	-18,040
-89,530	14,466	-75,064	75,064	0	-15,542
-144,553	43,287	-101,266	101,266	0	-14,028
-86,657	10,160	-76,497	76,497	0	-13,536
-108,219	24,411	-83,808	83,808	0	-13,429
-101,046	9,554	-91,492	91,492	0	-12,108
-17,107	0	-17,107	17,107	0	-11,506
-73,925	0	-73,925	73,925	0	-10,634
-166,153	3,908	-162,245	162,245	0	-8,993
-85,801	9,414	-76,387	76,387	0	-7,693
-181,179	31,108	-150,071	150,071	0	-5,570
-145,165	31,240	-113,925	113,925	0	-4,009
-220,421	24,032	-196,389	196,389	0	-2,954

			RETURN TO OLD FORMULAS Supreme Court Safe Harbor		
			A	B	C
			Gain/Loss in Capital Outlay Aid	Gain/Loss in LOB Aid	Total Gain/Loss in Aid
			Calculated		
USD#	County Name	USD Name	SF16-126 Col 4	SF16-116 Col 4	(A + B)
393	Dickinson	Solomon	22,574	-20,377	2,197
224	Washington	Clifton-Clyde	0	1,579	1,579
220	Clark	Ashland	0	1,352	1,352
211	Norton	Norton Community Schools	36,424	-35,203	1,221
210	Stevens	Hugoton Public Schools	0	1,168	1,168
389	Greenwood	Eureka	10,316	-9,330	986
392	Osborne	Osborne County	19,440	-18,960	481
454	Osage	Burlingame Public School	0	473	473
468	Lane	Healy Public Schools	0	0	0
275	Logan	Triplains	0	0	0
291	Gove	Grinnell Public Schools	0	0	0
474	Kiowa	Haviland	0	0	0
476	Gray	Copeland	0	0	0
292	Gove	Wheatland	0	0	0
106	Ness	Western Plains	0	0	0
269	Rooks	Palco	0	0	0
502	Edwards	Lewis	0	0	0
399	Russell	Paradise	0	0	0
314	Thomas	Brewster	0	0	0
103	Cheyenne	Cheylin	0	0	0
332	Kingman	Cunningham	0	0	0
401	Rice	Chase-Raymond	0	0	0
217	Morton	Rolla	0	0	0
209	Stevens	Moscow Public Schools	0	0	0
241	Wallace	Wallace County Schools	0	0	0
216	Kearny	Deerfield	0	0	0
351	Stafford	Macksville	0	0	0
482	Lane	Dighton	0	0	0
459	Ford	Bucklin	0	0	0
255	Barber	South Barber	0	0	0
200	Greeley	Greeley County Schools	0	0	0
303	Ness	Ness City	0	0	0
227	Hodgeman	Hodgeman County Schools	0	0	0
310	Reno	Fairfield	0	0	0
507	Haskell	Satanta	0	0	0
300	Comanche	Comanche County	0	0	0
444	Rice	Little River	0	0	0
111	Doniphan	Doniphan West Schools	0	0	0
422	Kiowa	Kiowa County	0	0	0

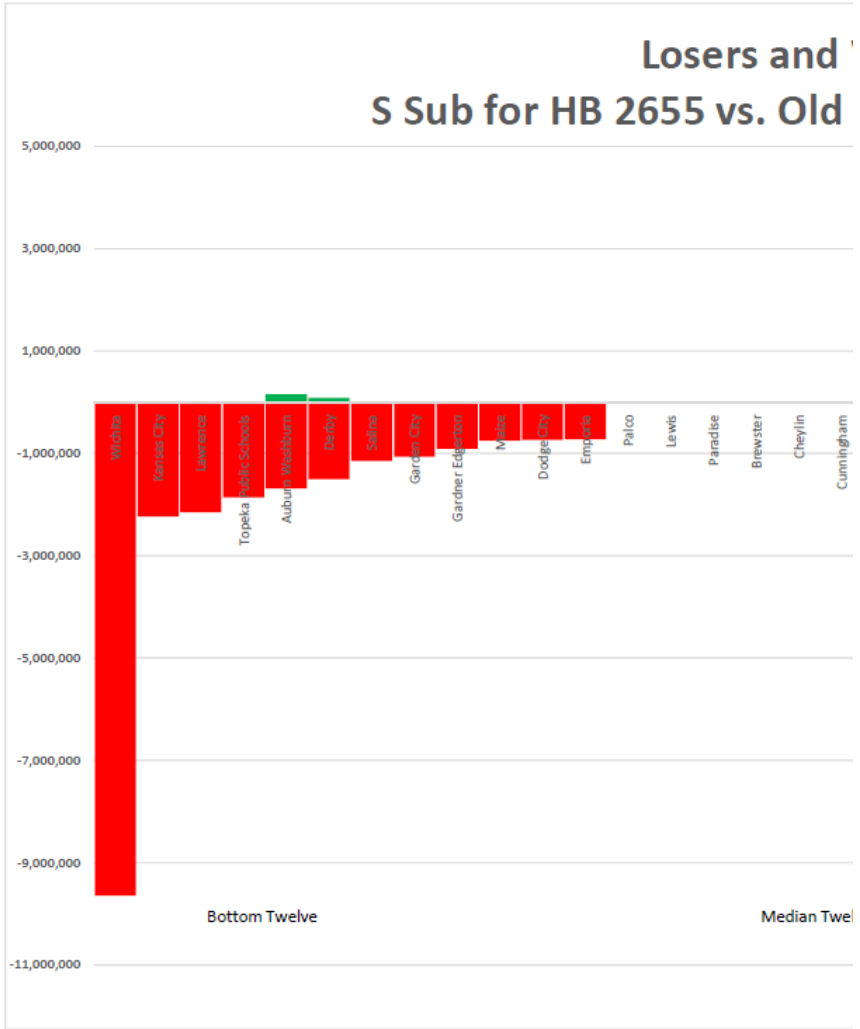
			RETURN TO OLD FORMULAS Supreme Court Safe Harbor		
			A	B	C
			Gain/Loss in Capital Outlay Aid	Gain/Loss in LOB Aid	Total Gain/Loss in Aid
			Calculated		
USD#	County Name	USD Name	SF16-126 Col 4	SF16-116 Col 4	(A + B)
281	Graham	Graham County	0	0	0
208	Trego	Wakeeney	0	0	0
226	Meade	Meade	0	0	0
274	Logan	Oakley	0	0	0
251	Lyon	North Lyon County	0	0	0
452	Stanton	Stanton County	0	0	0
374	Haskell	Sublette	0	0	0
254	Barber	Barber County North	0	0	0
112	Ellsworth	Central Plains	0	0	0
215	Kearny	Lakin	0	0	0
244	Coffey	Burlington	0	0	0
362	Linn	Prairie View	0	0	0
363	Finney	Holcomb	0	0	0
321	Pottawatomie	Kaw Valley	0	0	0
436	Montgomery	Caney Valley	22,058	-24,293	-2,235
342	Jefferson	McLouth	22,281	-24,544	-2,263
390	Greenwood	Hamilton	0	-2,897	-2,897
235	Bourbon	Uniontown	0	-3,103	-3,103
381	Ford	Spearsville	13,053	-17,426	-4,373
284	Chase	Chase County	0	-4,647	-4,647
460	Harvey	Hesston	46,316	-51,316	-5,000
384	Riley	Blue Valley	0	-6,899	-6,899
412	Sheridan	Hoxie Community Schools	0	-11,597	-11,597
339	Jefferson	Jefferson County North	20,071	-32,219	-12,148
429	Doniphan	Troy Public Schools	13,545	-26,369	-12,824
115	Nemaha	Nemaha Central	0	-15,619	-15,619
498	Marshall	Valley Heights	24,965	-41,096	-16,132
479	Anderson	Crest	0	-17,519	-17,519
338	Jefferson	Valley Falls	23,067	-40,674	-17,607
109	Republic	Republic County	0	-17,794	-17,794
461	Wilson	Neodesha	46,331	-65,813	-19,482
365	Anderson	Garnett	82,131	-101,643	-19,512
449	Leavenworth	Easton	28,299	-48,002	-19,703
107	Jewell	Rock Hills	0	-21,459	-21,459
349	Stafford	Stafford	6,337	-28,705	-22,367
337	Jackson	Royal Valley	41,950	-66,459	-24,509
462	Cowley	Central	17,280	-42,065	-24,785
378	Riley	Riley County	45,573	-70,468	-24,895
360	Sumner	Caldwell	10,773	-35,950	-25,177

			RETURN TO OLD FORMULAS Supreme Court Safe Harbor		
			A	B	C
			Gain/Loss in Capital Outlay Aid	Gain/Loss in LOB Aid	Total Gain/Loss in Aid
			Calculated		
USD#	County Name	USD Name	SF16-126 Col 4	SF16-116 Col 4	(A + B)
426	Republic	Pike Valley	8,614	-38,185	-29,571
496	Pawnee	Pawnee Heights	0	-30,949	-30,949
481	Dickinson	Rural Vista	0	-32,301	-32,301
493	Cherokee	Columbus	34,756	-68,315	-33,559
387	Wilson	Altoona-Midway	0	-39,888	-39,888
335	Jackson	North Jackson	3,723	-48,855	-45,132
430	Brown	South Brown County	39,756	-85,243	-45,487
311	Reno	Pretty Prairie	12,863	-59,709	-46,845
240	Ottawa	Twin Valley	29,667	-77,676	-48,009
334	Cloud	Southern Cloud	0	-49,047	-49,047
294	Decatur	Oberlin	0	-49,926	-49,926
440	Harvey	Halstead	24,940	-78,075	-53,135
272	Mitchell	Waconda	0	-53,812	-53,812
239	Ottawa	North Ottawa County	-29,753	-25,092	-54,846
105	Rawlins	Rawlins County	5,221	-60,309	-55,087
315	Thomas	Colby Public Schools	44,730	-101,805	-57,075
380	Marshall	Vermillion	30,491	-88,829	-58,337
492	Butler	Flinthills	5,625	-64,096	-58,471
415	Brown	Hiawatha	0	-58,914	-58,914
316	Thomas	Golden Plains	0	-62,815	-62,815
456	Osage	Marais Des Cygnes Valley	0	-64,595	-64,595
237	Smith	Smith Center	11,968	-78,380	-66,411
102	Gray	Cimmaron-Ensign	18,267	-87,804	-69,537
467	Wichita	Leoti	0	-69,661	-69,661
329	Wabaunsee	Mill Creek Valley	9,206	-80,562	-71,356
299	Lincoln	Sylvan Grove	0	-72,558	-72,558
110	Phillips	Thunder Ridge Schools	1,237	-77,117	-75,880
463	Cowley	Udall	14,687	-90,872	-76,185
225	Meade	Fowler	0	-76,428	-76,428
361	Harper	Anthony-Harper	0	-80,374	-80,374
344	Linn	Pleasanton	18,628	-100,193	-81,566
307	Saline	Elk-Saline	33,772	-117,641	-83,869
243	Coffey	Lebo-Waverly	8,467	-100,949	-92,482
446	Montgomery	Independence	70,276	-163,324	-93,048
423	McPherson	Moundridge	0	-108,769	-108,769
379	Clay	Clay Center	-78,661	-41,669	-120,330
364	Marshall	Marysville	0	-132,249	-132,249
377	Atchison	Atchison Co Comm Schools	4,289	-142,627	-138,338
223	Washington	Barnes	0	-140,253	-140,253

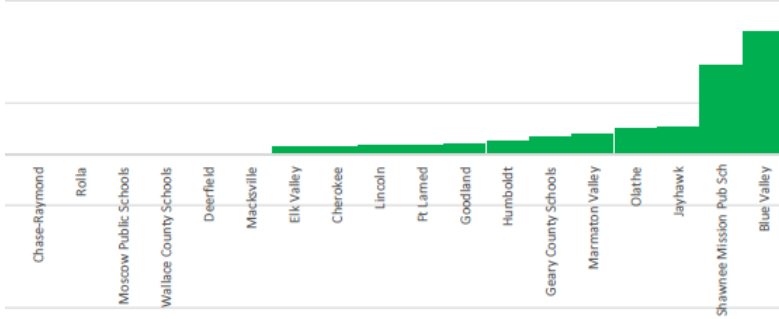
S Sub for HB 2655 New LOB Formula and Hold Harmless					I Difference Between Old Formulas and S Sub for HB2655
D	E	F	G	H	
Gain/Loss in LOB Aid	Gain/Loss in Capital Outlay Aid	New Formula Gain/Loss in Aid	Hold Harmless Payment	Total Aid Gain/Loss in Aid	
		Calculated (D + E)		Calculated (F + G)	
SF16-126 Col 4	SF16-117 Col 4		SF16-133 Col 4		Calculated (H - C)
-152,081	8,614	-143,467	143,467	0	29,571
-85,280	0	-85,280	85,280	0	30,949
-141,353	0	-141,353	141,353	0	32,301
-387,249	34,756	-352,494	352,494	0	33,559
-39,888	0	-39,888	39,888	0	39,888
-160,826	3,723	-157,103	157,103	0	45,132
-252,507	39,756	-212,752	212,752	0	45,487
-164,188	12,863	-151,324	151,324	0	46,845
-258,276	29,667	-228,609	228,609	0	48,009
-119,683	0	-119,683	119,683	0	49,047
-49,926	0	-49,926	49,926	0	49,926
-291,933	24,940	-266,992	266,992	0	53,135
-197,983	0	-197,983	197,983	0	53,812
-222,723	-29,753	-252,476	252,476	0	54,846
-218,936	5,221	-213,715	213,715	0	55,087
-457,878	44,730	-413,148	413,148	0	57,075
-260,333	30,491	-229,841	229,841	0	58,337
-170,372	5,625	-164,747	164,747	0	58,471
-197,162	0	-197,162	197,162	0	58,914
-162,331	0	-162,331	162,331	0	62,815
-155,879	0	-155,879	155,879	0	64,595
-274,626	11,968	-262,658	262,658	0	66,411
-285,031	18,267	-266,764	266,764	0	69,537
-157,678	0	-157,678	157,678	0	69,661
-290,683	9,206	-281,477	281,477	0	71,356
-72,558	0	-72,558	72,558	0	72,558
-205,051	1,237	-203,813	203,813	0	75,880
-206,438	14,687	-191,751	191,751	0	76,185
-89,000	0	-89,000	89,000	0	76,428
-80,374	0	-80,374	80,374	0	80,374
-192,875	18,628	-174,247	174,247	0	81,566
-252,817	33,772	-219,044	219,044	0	83,869
-270,076	8,467	-261,609	261,609	0	92,482
-627,014	70,276	-556,737	556,737	0	93,048
-121,534	0	-121,534	121,534	0	108,769
-369,689	-78,661	-448,351	448,351	0	120,330
-173,754	0	-173,754	173,754	0	132,249
-434,626	4,289	-430,337	430,337	0	138,338
-175,837	0	-175,837	175,837	0	140,253

			RETURN TO OLD FORMULAS Supreme Court Safe Harbor		
			A	B	C
			Gain/Loss in Capital Outlay Aid	Gain/Loss in LOB Aid	Total Gain/Loss in Aid
					Calculated
USD#	County Name	USD Name	SF16-126 Col 4	SF16-116 Col 4	(A + B)
234	Bourbon	Fort Scott	-28,319	-112,514	-140,833
283	Elk	Elk Valley	0	-141,713	-141,713
247	Crawford	Cherokee	15,868	-166,473	-150,605
298	Lincoln	Lincoln	-10,762	-151,278	-162,041
495	Pawnee	Ft Larned	-74,248	-94,812	-169,060
352	Sherman	Goodland	-22,702	-185,127	-207,828
258	Allen	Humboldt	59,573	-307,364	-247,791
475	Geary	Geary County Schools	-154,601	-180,051	-334,652
256	Allen	Marmaton Valley	0	-400,146	-400,146
233	Johnson	Olathe	557,018	-1,055,910	-498,892
346	Linn	Jayhawk	-27,233	-512,901	-540,133
512	Johnson	Shawnee Mission Pub Sch	0	-1,737,506	-1,737,506
229	Johnson	Blue Valley	0	-2,407,372	-2,407,372
	TOTALS		23,489,840	14,512,479	38,002,319

S Sub for HB 2655					I	
New LOB Formula and Hold Harmless						
D	E	F	G	H		
Gain/Loss in LOB Aid	Gain/Loss in Capital Outlay Aid	New Formula Gain/Loss in Aid	Hold Harmless Payment	Total Aid Gain/Loss in Aid		
		Calculated		Calculated		
SF16-126 Col 4	SF16-117 Col 4	(D + E)	SF16-133 Col 4	(F + G)		
-429,972	-28,319	-458,290	458,290	0		140,833
-156,179	0	-156,179	156,179	0		141,713
-369,680	15,868	-353,812	353,812	0		150,605
-327,143	-10,762	-337,905	337,905	0		162,041
-389,566	-74,248	-463,813	463,813	0	169,060	
-568,624	-22,702	-591,325	591,325	0	207,828	
-485,907	59,573	-426,335	426,335	0	247,791	
-1,363,276	-154,601	-1,517,877	1,517,877	0	334,652	
-400,146	0	-400,146	400,146	0	400,146	
-9,575,361	557,018	-9,018,343	9,018,343	0	498,892	
-660,809	-27,233	-688,042	688,042	0	540,133	
-3,040,285	0	-3,040,285	3,040,285	0	1,737,506	
-2,407,372	0	-2,407,372	2,407,372	0	2,407,372	
		0				
-82,908,792	23,489,840	-59,418,952	61,792,947	2,373,994	-35,628,324	



Winners: Formulas (Safe Harbor)



Ive

Top Twelve

CONSIDERATION OF APPOINTMENTS

In accordance with Senate Rule 56, the following appointments, submitted by the Governor to the Senate for confirmation were considered.

Senator Bruce moved the following appointments be confirmed as recommended by the Committees on Federal and State Affairs, Financial Institutions and Insurance Judiciary and Public Health and Welfare.

By the Governor

On the appointment to the:

State Board of Indigents Defense Services:

Paul Beck, Term ends January 15, 2019.

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

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

The appointment was confirmed.

By the Governor

On the appointment to the:

University of Kansas Hospital Authority:

Robba Moran, Term ends March 15, 2018.

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

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

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Human Rights Commission:

Melvin Neufeld, Term ends January 15, 2020.

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

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

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Human Rights Commission:

Harold Schorn, Term ends January 15, 2018.

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

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

The appointment was confirmed.

By the Governor

On the appointment to the:

University of Kansas Hospital Authority:

Mark Uhlig, Term ends March 15, 2020

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

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

The appointment was confirmed.

By the Governor

On the appointment to the:

State Lottery Commission:

James Washington, Term ends March 15, 2020

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

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

The appointment was confirmed.

By the Governor

On the appointment to the:

State Banking Board:

Brian Weisel, Term ends March 15, 2018

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

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

The appointment was confirmed.

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

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Melcher introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1785—

A RESOLUTION congratulating and commending Lauren Browning on receiving a 2016 Prudential Spirit of Community Award for exemplary volunteer service.

WHEREAS, Lauren Browning, an esteemed resident of Overland Park, Kansas, and a student at Blue Valley Southwest High School, has achieved national recognition for exemplary volunteer service by receiving a 2016 Prudential Spirit of Community Award; and

WHEREAS, This prestigious award, presented by Prudential Financial in partnership with the National Association of Secondary School Principals, honors young volunteers across America who have demonstrated extraordinary commitment to serving their communities; and

WHEREAS, Lauren Browning began painting faces at community events when she was nine years old to benefit children with cancer. She now oversees an organization called "Faces of Hope," which currently has 10 trained volunteers who paint as many as 3,500 faces a year. Lauren and her staff paint, for free, at numerous community events throughout the year, with an emphasis on events that benefit the fight against childhood cancer. They also paint faces at private functions in exchange for donations to cancer-related charities, sometimes raising as much as \$500 in a single day; and

WHEREAS, The success of the State of Kansas, the strength of our communities and the overall vitality of American society depend, in great measure, upon the dedication of young people like Lauren Browning who use their considerable talents and resources to serve others: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Lauren Browning on receiving a 2016 Spirit of Community Award and recognize her outstanding record of volunteer service, peer leadership and community spirit. We extend our best wishes for her continued leadership and success; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Lauren Browning.

On emergency motion of Senator Melcher **SR 1785** was adopted unanimously.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Longbine moved the Senate concur in House amendments to **H Sub SB 55**.

H Sub SB 55, AN ACT concerning health care facilities; relating to correction orders; civil penalties; amending K.S.A. 2015 Supp. 39-945 and 39-946 and repealing the existing sections.

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

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

The Senate concurred.

Senator Petersen moved the Senate concur in House amendments to **Sub SB 99**.

Sub SB 99, AN ACT concerning the uniform act regulating traffic; relating to height, weight and length of vehicles and loads; exceptions to maximums; amending K.S.A. 8-1905 and 8-1909 and K.S.A. 2015 Supp. 8-1904 and repealing the existing sections.

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

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

The Senate concurred.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 367** submits the following report:

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

On page 3, in line 1, by striking "two months" and inserting "one month"; in line 2, by striking "four" and inserting "three"; in line 6, after the period by inserting "When the court extends the term of probation for a juvenile offender, the court services officer or community correctional services officer responsible for monitoring such juvenile offender shall record the reason given for extending probation. Court services officers shall report such records to the office of judicial administration, and community correctional services officers shall report such records to the department of corrections. The office of judicial administration and the department of corrections shall report such recorded data to the Kansas juvenile justice oversight committee on a quarterly basis.";

On page 6, by striking all in line 36; following line 39, by inserting:

"(F) the requirement for youth residential facilities to maintain sight and sound separation between children in need of care that have an open juvenile offender case and children in need of care that do not have an open juvenile offender case;"

On page 7, in line 2, after "identify" by inserting "evidence-based"; in line 23, by striking "and"; in line 26, by striking "attorney" and inserting "attorneys"; also in line 26, after "training" by inserting "; and

(8) data received from the office of judicial administration and the department of corrections, pursuant to section 1, and amendments thereto, pertaining to extensions of probation for juvenile offenders and an analysis of such data to identify how probation extensions are being used and conclusions regarding the effectiveness of such extensions";

On page 58, in line 29, by striking "a" and inserting "an evidence-based";

On page 59, in line 32, by striking "7" and inserting "6";

On page 65, in line 31, before "secretary" by inserting "office of judicial administration and the"; also in line 31, by striking all after "corrections"; by striking all in line 32;

On page 66, in line 27, by striking "a" and inserting "an"; in line 28, by striking "felony";

On page 108, by striking all in lines 31 through 43;

On page 109, by striking all in lines 1 through 22 and inserting:

"Sec. 61. K.S.A. 75-3722, as amended by section 111 of 2016 House Substitute for Senate Bill No. 161, is hereby amended to read as follows: 75-3722. (a) An allotment system will be applicable to the expenditure of the resources of any state agency, under rules and regulations established as provided in K.S.A. 75-3706, and amendments thereto, only if in the opinion of the secretary of administration on the advice of the director of the budget, the use of an allotment plan is necessary or beneficial to the state. In making this determination the secretary of administration shall take into consideration all pertinent factors including:

- (1) Available resources;
- (2) current spending rates;
- (3) work loads;
- (4) new activities, especially any proposed activities not covered in the agency's request to the governor and the legislature for appropriations;
- (5) the minimum current needs of each agency;
- (6) requests for deficiency appropriations in prior fiscal years;
- (7) unexpended and unencumbered balances; and
- (8) revenue collection rates and prospects.

(b) Whenever for any fiscal year it appears that the resources of the general fund or any special revenue fund are likely to be insufficient to cover the appropriations made against such general fund or special revenue fund, the secretary of administration, on the advice of the director of the budget, shall, in such manner as he or she may determine, inaugurate the allotment system so as to assure that expenditures for any particular fiscal year will not exceed the available resources of the general fund or any special revenue fund for that fiscal year.

(c) (1) The allotment system shall not apply to the legislature or to the courts or their officers and employees, or to payments made from the juvenile justice improvement fund, established in section 13, and amendments thereto, for the development and implementation of evidence-based community programs and practices for juvenile offenders and their families. During the fiscal year ending June 30, 2017, the allotment system provided by this section shall not apply to any item of appropriation for employer contributions for the state of Kansas and participating employers who are eligible employers as specified in K.S.A. 74-4931(1), (2) and (3), and amendments thereto, under the Kansas public employees retirement system pursuant to K.S.A. 74-4939, and amendments thereto.

(2) Agencies affected by decisions of the secretary of administration under this section shall be notified in writing at least 30 days before such decisions may become effective and any affected agency may, by written request addressed to the governor within 10 days after such notice, ask for a review of the decision by the finance council. The finance council shall hear appeals and render a decision within 20 days after the governor receives requests for such hearings.";

On page 119, in line 10, after "75-3722" by inserting ", as amended by section 111 of 2016 House Substitute for Senate Bill No. 161,"; in line 12, by striking the fourth comma;

On page 1, in the title, in line 2, after "75-3722" by inserting ", as amended by section 111 of 2016 House Substitute for Senate Bill No.161,";

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

RAMON GONZALEZ

BLAINE FINCH

BOOG HIGHBERGER

Conferees on part of House

GREG SMITH

FORREST KNOX

PAT PETTEY

Conferees on part of Senate

Senator Smith moved the Senate adopt the Conference Committee Report on **SB 367**.

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

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

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2563** submits the following report:

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

On page 1, by striking all in lines 6 through 34;

By striking all on page 2;

On page 3, by striking all in lines 1 and 2; following line 2, by inserting:

"Section 1. K.S.A. 2015 Supp. 8-197 is hereby amended to read as follows: 8-197.

(a) The provisions of K.S.A. 8-197 to 8-199, inclusive, and amendments thereto, shall be a part of and supplemental to the provisions of article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto, and as used in such sections, the words and phrases defined by K.S.A. 8-126, and amendments thereto, shall have the meanings respectively ascribed to them therein.

(b) As used in K.S.A. 8-197 through 8-199, and amendments thereto:

(1) (A) "Nonhighway vehicle" means:

(i) Any motor vehicle which cannot be registered because it is not manufactured for the purpose of using the same on the highways of this state and is not provided with the equipment required by state statute for vehicles of such type which are used on the highways of this state;

(ii) any motor vehicle, other than a salvage vehicle, for which the owner has not provided motor vehicle liability insurance coverage or an approved self insurance plan under K.S.A. 40-3104, and amendments thereto, and has not applied for or obtained

registration of such motor vehicle in accordance with article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto;

(iii) any all-terrain vehicle;
 (iv) any work-site utility vehicle;
 (v) any micro utility truck; ~~or~~
 (vi) recreational off-highway vehicle; or
 (vii) any travel trailer which cannot be registered because it is not manufactured for the purpose of using the travel trailer on the highways of this state and is not provided with the equipment by state statute for travel trailers which are used on the highways of this state; and

(B) "nonhighway vehicle" shall not include an implement of husbandry, as defined in K.S.A. 8-126, and amendments thereto.

(2) "Salvage vehicle" means:

(A) Any motor vehicle, other than a late model vehicle, which is of a type required to be registered in this state, but which cannot be registered because it has been wrecked or damaged to the extent that: The equipment required by state statute on any such vehicle used on the highways of this state is not present or is not in good condition or proper adjustment, as prescribed by state statute or any rules and regulations adopted pursuant thereto, or such vehicle is in an inoperable condition or a condition that would render the operation thereof on the highways of this state a hazard to the public safety; and in either event, such vehicle would require substantial repairs to rebuild or restore such vehicle to a condition which will permit the registration thereof;

(B) a late model vehicle which is of a type required to be registered in this state and which has been wrecked or damaged to the extent that the total cost of repair is 75% or more of the fair market value of the motor vehicle immediately preceding the time it was wrecked or damaged and such condition was not merely exterior cosmetic damage to such vehicle as a result of windstorm or hail; ~~or~~

(C) a motor vehicle, which is of a type required to be registered in this state that the insurer determines is a total loss and for which the insurer takes title; or

(D) a travel trailer which is of a type required to be registered in this state, but which cannot be registered because it has been wrecked or damaged to the extent that:
(i) The equipment required by state statute on any such travel trailer used on the highways of this state is not present or is not in good condition or proper adjustment, as prescribed by state statute or any rules and regulations; or (ii) such travel trailer is in an inoperable condition or a condition that would render the operation on the highways of this state a hazard to the public safety; and in either event, such travel trailer would require substantial repairs to rebuild or restore to a condition which will permit the registration of the travel trailer;

(3) "salvage title" means a certificate of title issued by the division designating a motor vehicle or travel trailer a salvage vehicle;

(4) "rebuilt salvage vehicle" means any motor vehicle or travel trailer previously issued a salvage title;

(5) "rebuilt salvage title" means a certificate of title issued by the division for a vehicle previously designated a salvage vehicle which is now designated a rebuilt salvage vehicle;

(6) "late model vehicle" means any motor vehicle which has a manufacturer's model year designation of or later than the year in which the vehicle was wrecked or

damaged or any of the six preceding years;

(7) "fair market value" means the retail value of a motor vehicle as:

(A) Set forth in a current edition of any nationally recognized compilation, including an automated database of retail value; or

(B) determined pursuant to a market survey of comparable vehicles with regard to condition and equipment; and

(8) "cost of repairs" means the estimated or actual retail cost of parts needed to repair a vehicle plus the cost of labor computed by using the hourly labor rate and time allocations for automobile repairs that are customary and reasonable. Retail costs of parts and labor rates may be based upon collision estimating manuals or electronic computer estimating systems customarily used in the automobile industry. The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing or reinstalling tires, sound systems, or any sales tax on parts or materials to rebuild or reconstruct the vehicle.

Sec. 2. K.S.A. 2015 Supp. 8-198 is hereby amended to read as follows: 8-198. (a) A nonhighway or salvage vehicle shall not be required to be registered in this state, as provided in K.S.A. 8-135, and amendments thereto, but nothing in this section shall be construed as abrogating, limiting or otherwise affecting the provisions of K.S.A. 8-142, and amendments thereto, which make it unlawful for any person to operate or knowingly permit the operation in this state of a vehicle required to be registered in this state.

(b) Upon the sale or transfer of any nonhighway vehicle or salvage vehicle, the purchaser thereof shall obtain a nonhighway certificate of title or salvage title, whichever is applicable, in the following manner:

(1) If the transferor is a vehicle dealer, as defined in K.S.A. 8-2401, and amendments thereto, and a certificate of title has not been issued for such vehicle under this section or under the provisions of K.S.A. 8-135, and amendments thereto, such transferor shall make application for and assign a nonhighway certificate of title or a salvage title, whichever is applicable, to the purchaser of such nonhighway vehicle or salvage vehicle in the same manner and under the same conditions prescribed by K.S.A. 8-135, and amendments thereto, for the application for and assignment of a certificate of title thereunder. Upon the assignment thereof, the purchaser shall make application for a new nonhighway certificate of title or salvage title, as provided in subsection (c) or (d).

(2) Except as provided in ~~subsection (b) of~~ K.S.A. 8-199**(b)**, and amendments thereto, if a certificate of title has been issued for any such vehicle under the provisions of K.S.A. 8-135, and amendments thereto, the owner of such nonhighway vehicle or salvage vehicle may surrender such certificate of title to the division of vehicles and make application to the division for a nonhighway certificate of title or salvage title, whichever is applicable, or the owner may obtain from the county treasurer's office a form prescribed by the division of vehicles and, upon proper execution thereof, may assign the nonhighway certificate of title, salvage title or the regular certificate of title with such form attached to the purchaser of the nonhighway vehicle or salvage vehicle. Upon receipt of the nonhighway certificate of title, salvage title or the regular certificate of title with such form attached, the purchaser shall make application for a new nonhighway certificate of title or salvage title, whichever is applicable, as provided in subsection (c) or (d).

(3) If the transferor is not a vehicle dealer, as defined in K.S.A. 8-2401, and amendments thereto, and a certificate of title has not been issued for the vehicle under this section or a certificate of title was not required under K.S.A. 8-135, and amendments thereto, the transferor shall make application to the division for a nonhighway certificate of title or salvage title, whichever is applicable, as provided in this section, except that in addition thereto, the division shall require a bill of sale or such transferor's affidavit, with at least one other corroborating affidavit, that such transferor is the owner of such nonhighway vehicle or salvage vehicle. If the division is satisfied that the transferor is the owner, the division shall issue a nonhighway certificate of title or salvage title, whichever is applicable, for such vehicle, and the transferor shall assign the same to the purchaser, who shall make application for a new nonhighway certificate of title or salvage title, whichever is applicable, as provided in subsection (c) or (d).

(c) Every purchaser of a nonhighway vehicle, whether assigned a nonhighway certificate of title or a regular certificate of title with the form specified in ~~paragraph (2) of subsection (b)(2)~~ attached, shall make application to the county treasurer of the county in which such person resides for a new nonhighway certificate of title in the same manner and under the same conditions as for an application for a certificate of title under K.S.A. 8-135, and amendments thereto. Such application shall be in the form prescribed by the director of vehicles and shall contain substantially the same provisions as required for an application under ~~subsection (c)(1) of K.S.A. 8-135(c)(1)~~, and amendments thereto. In addition, such application shall provide a place for the applicant to certify that the vehicle for which the application for a nonhighway certificate of title is made is a nonhighway vehicle and other provisions the director deems necessary. Each application for a nonhighway certificate of title shall be accompanied by a fee of \$10, and if the application is not made to the county treasurer within the time prescribed by K.S.A. 8-135, and amendments thereto, for making application for a certificate of title thereunder, an additional fee of \$2.

(d) (1) Except as otherwise provided by this section, the owner of a vehicle that meets the definition of a salvage vehicle shall apply for a salvage title before the ownership of the motor vehicle or travel trailer is transferred. In no event shall such application be made more than 60 days after the vehicle is determined to be a salvage vehicle.

(2) Every insurance company, which pursuant to a damage settlement, acquires ownership of a vehicle that has incurred damage requiring the vehicle to be designated a salvage vehicle, shall apply for a salvage title within 60 days after the title is assigned and delivered by the owner to the insurance company, with all liens released. In the event that an insurance company is unable to obtain voluntary assignment of the title after 30 days from the date the vehicle owner enters into an oral or written damage settlement agreement where the owner agrees to transfer the title, the insurance company may submit an application on a form prescribed by the division for a salvage title. The form shall be accompanied by an affidavit from the insurance company stating that: (A) The insurance company is unable to obtain a transfer of the title from the owner following an oral or written acceptance of an offer of damage settlement; (B) there is evidence of the damage settlement; (C) that there are no existing liens on the vehicle or all liens on the vehicle have been released; (D) the insurance company has physical possession of the vehicle; and (E) the insurance company has provided the

owner, at the owner's last known address, 30 days' prior notice of such intent to transfer and the owner has not delivered a written objection to the insurance company.

(3) Every insurance company which makes a damage settlement for a vehicle that has incurred damage requiring such vehicle to be designated a salvage vehicle, but does not acquire ownership of the vehicle, shall notify the vehicle owner of the owner's obligation to apply for a salvage title for the motor vehicle or travel trailer, and shall notify the division of this fact in accordance with procedures established by the division. The vehicle owner shall apply for a salvage title within 60 days after being notified by the insurance company.

(4) The lessee of any vehicle which incurs damage requiring the vehicle to be designated a salvage vehicle shall notify the lessor of this fact within 30 days of the determination that the vehicle is a salvage vehicle.

(5) The lessor of any motor vehicle or travel trailer which has incurred damage requiring the vehicle to be titled as a salvage vehicle, shall apply for a salvage title within 60 days after being notified of this fact by the lessee.

(6) Every person acquiring ownership of a motor vehicle or travel trailer that meets the definition of a salvage vehicle, for which a salvage title has not been issued, shall apply for the required document prior to any further transfer of such vehicle, but in no event, more than 60 days after ownership is acquired.

(7) Every purchaser of a salvage vehicle, whether assigned a salvage title or a regular certificate of title with the form specified in ~~paragraph (2) of subsection (b)(2)~~ attached, shall make application to the county treasurer of the county in which such person resides for a new salvage title, in the same manner and under the same condition as for an application for a certificate of title under K.S.A. 8-135, and amendments thereto. Such application shall be in the form prescribed by the director of vehicles and shall contain substantially the same provisions as required for an application under ~~subsection (c)(1) of K.S.A. 8-135(c)(1)~~, and amendments thereto. In addition, such application shall provide a place for the applicant to certify that the vehicle for which the application for salvage title is made is a salvage vehicle, and other provisions the director deems necessary. Each application for a salvage title shall be accompanied by a fee of \$10 and if the application is not made to the county treasurer within the time prescribed by K.S.A. 8-135, and amendments thereto, for making application for a certificate of title thereunder, an additional fee of \$2.

(8) Failure to apply for a salvage title as provided by this subsection shall be a class C nonperson misdemeanor.

(e) A nonhighway certificate of title or salvage title shall be in form and color as prescribed by the director of vehicles. A nonhighway certificate of title or salvage title shall indicate clearly and distinctly on its face that it is issued for a nonhighway vehicle or salvage vehicle, whichever is applicable. A nonhighway certificate of title or salvage title shall contain substantially the same information as required on a certificate of title issued under K.S.A. 8-135, and amendments thereto, and other information the director deems necessary.

(f) (1) A nonhighway certificate of title or salvage title may be transferred in the same manner and under the same conditions as prescribed by K.S.A. 8-135, and amendments thereto, for the transfer of a certificate of title, except as otherwise provided in this section. A nonhighway certificate of title or salvage title may be assigned and transferred only while the vehicle remains a nonhighway vehicle or

salvage vehicle.

(2) Upon transfer or sale of a nonhighway vehicle in a condition which will allow the registration of such vehicle, the owner shall assign the nonhighway certificate of title to the purchaser, and the purchaser shall obtain a certificate of title and register such vehicle as provided in K.S.A. 8-135, and amendments thereto. No regular certificate of title shall be issued for a vehicle for which there has been issued a nonhighway certificate of title until there has been compliance with K.S.A. 8-116a, and amendments thereto.

(3) (A) Upon transfer or sale of a salvage vehicle which has been rebuilt or restored or is otherwise in a condition which will allow the registration of such vehicle, the owner shall assign the salvage title to the purchaser, and the purchaser shall obtain a rebuilt salvage title and register such vehicle as provided in K.S.A. 8-135, and amendments thereto. No rebuilt salvage title shall be issued for a vehicle for which there has been issued a salvage title until there has been compliance with K.S.A. 8-116a, and amendments thereto, and the notice required in ~~paragraph (3)(B) of this subsection~~(f)(3)(B) has been attached to such vehicle.

(B) As part of the inspection for a rebuilt salvage title conducted under K.S.A. 8-116a, and amendments thereto, the Kansas highway patrol shall attach a notice affixed to the left door frame of the rebuilt salvage vehicle indicating the vehicle identification number of such vehicle and that such vehicle is a rebuilt salvage vehicle. In addition to any fee allowed under K.S.A. 8-116a, and amendments thereto, a fee of \$5 shall be collected from the owner of such vehicle requesting the inspection for the notice required under this paragraph. All moneys received under this paragraph shall be remitted in accordance with ~~subsection (e) of K.S.A. 8-116a(e)~~, and amendments thereto.

(C) Failure to apply for a rebuilt salvage title as provided by this paragraph shall be a class C nonperson misdemeanor.

(g) The owner of a salvage vehicle which has been issued a salvage title and has been assembled, reconstructed, reconstituted or restored or otherwise placed in an operable condition may make application to the county treasurer for a permit to operate such vehicle on the highways of this state over the most direct route from the place such salvage vehicle is located to a specified location named on the permit and to return to the original location. No such permit shall be issued for any vehicle unless the owner has motor vehicle liability insurance coverage or an approved self-insurance plan under K.S.A. 40-3104, and amendments thereto. Such permit shall be on a form furnished by the director of vehicles and shall state the date the vehicle is to be taken to the other location, the name of the insurer, as defined in K.S.A. 40-3103, and amendments thereto, and the policy number or a statement that the vehicle is included in a self-insurance plan approved by the commissioner of insurance, a statement attesting to the correctness of the information concerning financial security, the vehicle identification number and a description of the vehicle. Such permit shall be signed by the owner of the vehicle. The permit shall be carried in the vehicle for which it is issued and shall be displayed so that it is visible from the rear of the vehicle. The fee for such permit shall be \$1 which shall be retained by the county treasurer, who shall annually forward 25% of all such fees collected to the division of vehicles to reimburse the division for administrative expenses, and shall deposit the remainder in a special fund for expenses of issuing such permits.

(h) A nonhighway vehicle or salvage vehicle for which a nonhighway certificate of title or salvage title has been issued pursuant to this section shall not be deemed a motor vehicle for the purposes of K.S.A. 40-3101 to 40-3121, inclusive, and amendments thereto, except when such vehicle is being operated pursuant to subsection (g). Any person who knowingly makes a false statement concerning financial security in obtaining a permit pursuant to subsection (g), or who fails to obtain a permit when required by law to do so is guilty of a class C misdemeanor.

(i) Any person who, on July 1, 1996, is the owner of an all-terrain vehicle, as defined in K.S.A. 8-126, and amendments thereto, shall not be required to file an application for a nonhighway certificate of title under the provisions of this section for such all-terrain vehicle, unless the person transfers an interest in such all-terrain vehicle.

(j) Any person who, on July 1, 2006, is the owner of a work-site utility vehicle, as defined in K.S.A. 8-126, and amendments thereto, shall not be required to file an application for a nonhighway certificate of title under the provisions of this section for such work-site utility vehicle, unless the person transfers an interest in such work-site utility vehicle.

Sec. 3. K.S.A. 8-199 is hereby amended to read as follows: 8-199. (a) Except as provided in subsection (b), it shall be unlawful for any person to sell or transfer the ownership of any nonhighway vehicle or salvage vehicle, unless such person shall give to the purchaser thereof an assigned nonhighway certificate of title or salvage title.

(b) The sale or transfer of ownership of a nonhighway vehicle or salvage vehicle shall include the acquisition of any such vehicle by an insurer, as defined by K.S.A. 40-3103, and amendments thereto, from any person upon payment of consideration therefor in satisfaction of such insurer's obligation under a policy of motor vehicle insurance but the transferor of a vehicle for which a title has been issued under K.S.A. 8-135, and amendments thereto, shall not be required to obtain a nonhighway certificate of title or salvage title for such vehicle and may assign to the insurer the certificate of title issued pursuant to K.S.A. 8-135, and amendments thereto. It shall be unlawful for any insurer to sell or attempt to sell any nonhighway vehicle or salvage vehicle, through power of attorney or otherwise, unless such insurer shall obtain a nonhighway certificate of title or salvage title issued in the name of the insurer.

(c) Any person, firm, company, corporation, partnership, association or other legal entity who violates the provisions of this section shall be guilty of a class C misdemeanor.

(d) Nothing in this act shall be construed as relieving any person of the payment of the tax imposed on the sale of a motor vehicle or travel trailer pursuant to K.S.A. 79-3603, and amendments thereto.";

Also on page 3, in line 3, before "K.S.A" by inserting "K.S.A. 8-199 and"; also in line 3, by striking "8-235 is" and inserting "8-197 and 8-198 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "motor"; also in line 1, by striking all after "to"; in line 2, by striking all before the semicolon and inserting "travel trailers"; also in line 2, after "amending" by inserting "K.S.A. 8-199 and"; in line 3, by striking "8-235" and inserting "8-197 and 8-198"; also in line 3, by striking "section" and inserting "sections";

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

MIKE PETERSEN

KAY WOLF

PAT PETTEY

Conferees on part of Senate

RICHARD PROEHL

RON RYCKMAN, SR.

ADAM LUSKER

Conferees on part of House

Senator Petersen moved the Senate adopt the Conference Committee Report on **HB 2563**.

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

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

The Conference Committee Report was adopted.

COMMITTEE OF THE WHOLE

On motion of Senator Bruce, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Knox in the chair.

On motion of Senator Knox the following report was adopted:

HB 2571 be amended by motion of Senator O'Donnell: on page 3, in line 10, by striking "statute book" and inserting "Kansas register" and the bill be passed as amended.

An amendment was offered by Senator LaTurner. A ruling of the chair was requested as to the germaneness to the bill. The Chair of the Rules Committee ruled the amendment not germane.

A motion to reconsider Senator O'Donnell's amendment failed.

HB 2558 be amended by the adoption of the committee amendments, and the bill be passed as amended.

S Sub HB 2479 be passed over and retain a place on the calendar.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Bruce an emergency was declared by a 2/3 constitutional majority, and **HB 2558**, **HB 2571** were advanced to Final Action and roll call.

HB 2571, AN ACT concerning community mental health centers; relating to license renewal; amending K.S.A. 2015 Supp. 75-3307b and repealing the existing section.

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

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly,

Kerschen, King, Knox, LaTurner, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

Absent or Not Voting: Longbine.

The bill passed, as amended.

HB 2558, AN ACT concerning elections; amending K.S.A. 2015 Supp. 25-21a01 and 80-2508 and repealing the existing sections.

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

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

Absent or Not Voting: Longbine.

The bill passed, as amended.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **SB 390**.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Bruce the Senate nonconcurred in the House amendments to **SB 224** and requested a conference committee be appointed.

The Vice President appointed Senators Ostmeyer, LaTurner and Faust-Goudeau as a conference committee on the part of the Senate.

On motion of Senator Bruce the Senate nonconcurred in the House amendments to **H Sub SB 280** and requested a conference committee be appointed.

The Vice President appointed Senators Donovan, Tyson and Holland as a conference committee on the part of the Senate.

On motion of Senator Bruce the Senate nonconcurred in the House amendments to **SB 326** and requested a conference committee be appointed.

The Vice President appointed Senators Ostmeyer, LaTurner and Faust-Goudeau as a conference committee on the part of the Senate.

CHANGE OF CONFERENCE

The Vice President announced the appointment of Senator Ostmeyer as a member of the Conference Committee on **HB 2502** to replace Senator King.

The Vice President announced the appointment of Senator LaTurner as a member of the Conference Committee on **HB 2502** to replace Senator Smith.

The Vice President announced the appointment of Senator Faust-Goudeau as a member of the Conference Committee on **HB 2502** to replace Senator Haley.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced and read by title:

SENATE CONCURRENT RESOLUTION No. 1613—

By Senators Wagle, Bruce and Hensley

A CONCURRENT RESOLUTION relating to the 2016 regular session of the legislature; extending such session beyond 90 calendar days; and providing for adjournment thereof.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected to the Senate and two-thirds of the members elected to the House of Representatives concurring therein: That the 2016 regular session of the legislature shall be extended beyond 90 calendar days; and

Be it further resolved: That the legislature shall adjourn at the close of business of the daily session convened on March 24, 2016, and shall reconvene at 10:00 a.m. on April 27, 2016; and

Be it further resolved: That the legislature may adjourn and reconvene at any time during the period on and after April 27, 2016, to June 1, 2016, but the legislature shall reconvene at 10:00 a.m. on June 1, 2016, at which time the legislature shall continue in session and shall adjourn sine die at the close of business on June 1, 2016; and

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

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

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

On emergency motion of Senator Bruce **SCR 1613** was adopted by voice vote.

REPORT ON ENROLLED BILLS

SR 1784, SR 1785 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on March 24, 2016.

On motion of Senator Bruce, the Senate adjourned until 10:00 a.m., Wednesday, April 27, 2016.

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

□