

# Journal of the Senate

FIFTY-FIFTH DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Wednesday, April 5, 2017, 10:00 a.m.

The Senate was called to order by Vice President Jeff Longbine.  
The roll was called with 40 senators present.  
Invocation by Reverend Cecil T. Washington:

We thank You for the rain we've had and for the rain yet to come. While You're blessing the crops, Lord, fulfill our need for wisdom. And, the need we have is for Your wisdom. In 1 Corinthians 1:19, we learn that there's a wisdom that is not of You; a wisdom that is void of Your Divine influence.

Since true wisdom is seeing everything from Your perspective, increase our ability to see things as You see them.

Shower us with the wisdom needed for today; wisdom for the tasks that stand before us; wisdom regarding how to reach across the aisle; wisdom regarding interpersonal relationships. Give us Your insights and Your guidance on how to rise above the irritations of others.

In fact, Lord, in the wisdom of Proverbs 27:17, You said that as iron scrapes against iron, it sharpens it. So, the various scuffs and scratches of others are used by You to improve us. And, Lord, we want to improve. We want to be better...better in this house...in our house and in all the houses we enter.

So, strengthen our resolve to be wise in following You, for You are the Potter and we are the clay. Mold us, Lord, in Your way.

I pray in the Name of Jesus, Amen.

The Pledge of Allegiance was led by Vice President Longbine.

## **POINTS OF PERSONAL PRIVILEGE**

Senator Hardy rose on a Point of Personal Privilege to recognize the coaches and team members of the Salina Sacred Heart High School boys basketball team as the 2017 2A State Champions.

The senate honored the coaches and team members with a standing ovation.

Senator Kerschen rose on a Point of Personal Privilege to honor Senate Chaplain, Reverend Cecil T. Washington and his wife Audrey. Senate spouses recognized Chaplain Washington for his work with the PALS (Prayers Answered, Lives Saved) Bible-based, 12 step program for those suffering from addiction.

The senate honored Pastor Washington and Audrey with a standing ovation.

## **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**SB 244**, AN ACT concerning crimes, punishment and criminal procedure; relating to abolition of the death penalty; creating the crime of aggravated murder; sentences of imprisonment for life without the possibility of parole; amending K.S.A. 2016 Supp. 21-5419, 21-6614, 21-6618, 21-6620, 21-6622, 21-6628, 21-6629, 21-6806, 22-3717, 22-4902, 22-4906, 38-2255, 38-2271, 38-2312, 38-2365, 39-970, 65-5117, 72-1397 and 75-52,148 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 21-5401, 21-6614g, 21-6614h, 21-6617 and 21-6619, by Committee on Ways and Means.

**SB 245**, AN ACT concerning administrative rules and regulations; relating to review of rules and regulations by state agencies; functions of the joint committee on administrative rules and regulations; reports including impact on business and economic development; amending K.S.A. 2016 Supp. 77-416 and 77-436 and repealing the existing sections, by Committee on Ways and Means.

**SB 246**, AN ACT concerning compensation of legislators during the regular sessions of the legislature, by Committee on Ways and Means.

**SCR 1607**— A PROPOSITION to amend section 1 of the bill of rights of the constitution of the state of Kansas, relating to equal rights, by Committee on Federal and State Affairs

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 1 of the bill of rights of the constitution of the state of Kansas is hereby amended to read as follows:

"**§ 1. Equal rights.** All men are possessed of equal and inalienable natural rights, among which are life, liberty, and the pursuit of happiness. *Recognizing the authority of the state of Kansas to exercise its police power and its sovereign right to adopt individual liberties in the constitution of the state of Kansas more expansive than those conferred by the constitution of the United States, the state of Kansas shall hereby guarantee the inalienable rights, equal protection and due process of law of every human being from the beginning of the biological development of that human being, including fertilization.*"

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

*"Explanatory statement.* The purpose of this amendment is to expand the class of human beings that currently enjoy inalienable rights, equal protection, and due process of the law under the constitution of the state of Kansas to every human being from the beginning of the biological development of that human being, including fertilization.

"A vote for this proposition would amend the Kansas constitution to explicitly incorporate into it the inalienable right to life of every human being irrespective of age, race, gender, health, function, condition of dependency, including physical or mental dependency, or method of reproduction, from the beginning of their biological development, including fertilization. The proposed constitutional amendment also would prohibit the state from discriminating against any class of human beings in the application, interpretation and

enforcement of its laws.

"A vote against this proposition would not amend the constitution, in which case the current federally mandated legal status of preborn humans would remain that of a class of human beings that can intentionally be killed."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the Senate, and two-thirds of the members elected (or appointed) and qualified to the House of Representatives shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2018 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

#### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **HB 2235**.

Federal and State Affairs: **Sub HB 2277**.

Ways and Means: **HB 2360, HB 2407**.

#### CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator LaTurner the Senate nonconcur in the House amendments to **H Sub SB 70** and requested a conference committee be appointed.

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

On motion of Senator LaTurner the Senate nonconcur in the House amendments to **SB 83** and requested a conference committee be appointed.

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

Upon motion of Senator Denning the senate recessed to the sound of the gavel.

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

#### CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Longbine moved the Senate concur in House amendments to **SB 20**.

**SB 20**, AN ACT concerning financial institutions; relating to certain acts under the administration of the state bank commissioner; amending K.S.A. 9-2204, 50-1118, 50-1119, 50-1120, 50-1121, 50-1122, 50-1123, 50-1124, 50-1125, 50-1126, 50-1127, 50-1128 and 50-1129 and K.S.A. 2016 Supp. 9-508, 9-509, 9-513a, 9-1101, 9-1102, 9-1104, 9-1114, 9-2203, 9-2206, 9-2211, 9-2216a and 50-1117 and repealing the existing sections.

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

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley,

Holland, Kelly, Kerschen, LaTurner, Longbine, Lynn, McGinn, Olson, Petersen, Pettey, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Wagle, Wilborn.

Nays: Masterson, Pilcher-Cook, Pyle, Tyson.

The Senate concurred.

Senator V. Schmidt moved the Senate concur in House amendments to **H Sub SB 51**.

**H Sub SB 51**, AN ACT concerning controlled substances; the state board of pharmacy; relating to scheduling of controlled substance analogs, controlled substances and new drugs; emergency scheduling; amending K.S.A. 2016 Supp. 21-5701, 65-4101, 65-4102, 65-4105, 65-4107, 65-4111 and 65-4113 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: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kelly, Kerschen, LaTurner, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

The Senate concurred.

Senator Longbine moved the Senate concur in House amendments to **SB 65**.

**SB 65**, AN ACT concerning alcoholic beverages; pertaining to alcoholic liquors pledged as collateral; relating to sale by creditors thereof; amending K.S.A. 41-1125 and repealing the existing section.

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

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kelly, Kerschen, LaTurner, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

The Senate concurred.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2080** submits the following report:

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

On page 1, following line 5, by inserting:

"Section 1. K.S.A. 2016 Supp. 8-1,134 is hereby amended to read as follows: 8-1,134. (a) Except as provided in subsection ~~(d)~~ (c): (1) Each motor vehicle, trailer or semitrailer owned or leased by any city, county, township, water district or school district of this state or by any agency or instrumentality of any city, county or township and used exclusively for governmental, water district or school district purposes and not for any private purposes, which is not otherwise exempt from registration; or (2) each truck tractor, trailer or semitrailer leased by a community college or technical college and used exclusively for a truck driver training program, which is not otherwise exempt from registration, shall be registered for a fee established by rules and regulations adopted by the secretary of revenue, except that such fee shall not exceed the actual cost

of such registration. Such registration shall be permanent in nature and designed in such a manner as to remain with a vehicle for the duration of the life span of the vehicle, the duration of the lease or until the title is transferred to an owner who is not a city, county, township, water district, school district, community college or technical college.

(b) License plates issued for city, county, township, water district, school district, community college or technical college vehicles shall be distinctive and shall contain the words city, county, township, water district, school district, community college or technical college, as applicable and there shall be no year date thereon.

(c) Vehicles registered under this section which are used for utility purposes shall be issued license plates as prescribed by subsection (b), except that such license plates shall be issued for periods of five years, but shall be required to pay all license fees imposed pursuant to K.S.A. 8-143, and amendments thereto, as though such vehicles were registered annually. The secretary of revenue shall design decals to be affixed to such license plates containing the word utility and the date the registration is to expire.

(d) The secretary of revenue shall adopt rules and regulations necessary to carry out the provisions of this act.;

On page 2, in line 10, by striking "is" and inserting "and K.S.A. 2016 Supp. 8-1,134 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "rural"; also in line 1, after "to" by inserting "vehicle registration,"; in line 2, after "and" by inserting "K.S.A. 2016 Supp. 8-1,134"; in line 3, by striking "section" and inserting "sections";

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

SENATOR DAN KERSCHEN

SENATOR BUD ESTES

SENATOR MARCI FRANCISCO

*Conferees on part of Senate*

REPRESENTATIVE TOM SLOAN

REPRESENTATIVE KEN RAHJES

REPRESENTATIVE PONKA-WE VICTORS

*Conferees on part of House*

Senator Kerschen moved the Senate adopt the Conference Committee Report on **HB 2080**.

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

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kelly, Kerschen, LaTurner, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

The Conference Committee Report was adopted.

On motion of Senator Denning the senate recessed until 2:30 p.m.

The senate met pursuant to recess with Vice President Longbine in the chair.

**CONFERENCE COMMITTEE REPORT**

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2026** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2026 as follows:

On page 1, by striking all in lines 5 through 36;

On page 2, by striking all in lines 1 through 35; following line 35, by inserting:

"Section 1. (a) Upon request by a participating healthcare provider under the Kansas medical assistance program, the secretary of health and environment shall provide accurate and uniform patient encounter data that complies with the federal health insurance portability and accountability act of 1996 and applicable federal and state statutory and regulatory requirements, including, but not limited to, the:

- (1) Managed care organization claim number;
- (2) patient medicaid identification number;
- (3) patient name;
- (4) type of claim;
- (5) amount billed by revenue code and procedure code;
- (6) managed care organization paid amount and paid date; and
- (7) hospital patient account number.

(b) Upon receiving a request for patient encounter data pursuant to subsection (a), the department of health and environment shall furnish to the participating healthcare provider all requested information within 60 calendar days after receiving the request for data. The department of health and environment may charge a reasonable fee for furnishing requested data, including only the cost of any computer services, including staff time required.

(c) (1) The secretary shall require any managed care organization providing state medicaid or children's health insurance program services under the Kansas medical assistance program to provide documentation to a healthcare provider when the managed care organization denies any portion of any claim for reimbursement submitted by the provider, including a specific explanation of the reasons for denial and utilization of remark codes, remittance advice and health insurance portability and accountability act of 1996 standard denial reasons.

(2) Each managed care organization shall offer quarterly in-person training on remark codes and health insurance portability and accountability act of 1996 standard denial reasons and any other denial reasons or remark codes specific to the managed care organization.

(d) The secretary shall require managed care organizations providing state medicaid or children's health insurance program services under the Kansas medical assistance program to offer quarterly in-person education regarding billing guidelines, reimbursement requirements and program policies and procedures utilizing a format approved by the secretary and incorporating information collected through semi-annual surveys of participating healthcare providers.

(e) The secretary shall develop uniform standards to be utilized by each managed care organization providing state medicaid or children's health insurance program services under the Kansas medical assistance program regarding:

- (1) A standardized enrollment form and a uniform process for credentialing and re-

credentialing healthcare providers who have signed contracts or participation agreements with any such managed care organization;

(2) procedures, requirements, periodic review and reporting of reductions in and limitations for prior authorization for healthcare services and prescriptions;

(3) retrospective utilization review of re-admissions that complies with any applicable federal statutory or regulatory requirements for the medicaid program or the children's health insurance program, prohibiting such reviews for any recipient of medical assistance who is re-admitted with a related medical condition as an inpatient to a hospital more than 15 days after the recipient patient's discharge;

(4) a grievance, appeal and state fair hearing process that complies with applicable federal and state statutory and regulatory procedure requirements, including any statutory remedies for timely resolution of grievances, appeals and state fair hearings, imposed upon managed care organizations providing state medicaid or children's health insurance program services; and

(5) requirements that each managed care organization, within 60 calendar days of receiving an appeal request, provide notice and resolve 100% of provider appeals, subject to remedies, including, but not limited to, liquidated damages if provider appeals are not resolved within the required time.

(f) The secretary shall procure the services of an independent auditor for the purpose of reviewing, at least once per calendar year, a random sample of all claims paid and denied by each managed care organization and each managed care organization's subcontractors.

(1) Each managed care organization and each managed care organization's subcontractors shall be required to pay any claim that the independent auditor determines to be incorrectly denied. Each managed care organization and each managed care organization's subcontractors may also be required to pay liquidated damages, as determined by the department of health and environment.

(2) Each managed care organization and each managed care organization's subcontractors shall be required to pay the cost of audits conducted under this subsection.

(3) The provisions of this subsection shall expire on January 1, 2020.

(g) The secretary shall require each managed care organization to pay 100% of the state-established per diem rate to nursing facilities for current medicaid-enrolled residents during any re-credentialing process caused by a change in ownership of the nursing facility.

(h) On and after the effective date of this section, a managed care organization providing state medicaid or children's health insurance program services under the Kansas medical assistance program shall not discriminate against any licensed pharmacy or pharmacist located within the geographic coverage area of the managed care organization that is willing to meet the conditions for participation established by the Kansas medical assistance program and to accept reasonable contract terms offered by the managed care organization.

(i) The secretary shall adopt rules and regulations as may be necessary to implement the provisions of this section prior to January 1, 2018.";

On page 3, in line 7, after "(1)" by inserting "On and after January 1, 2020,";

On page 6, in line 2, by striking all after "(g)"; by striking all in lines 3 through 8; in line 9, by striking "(h)"; in line 11, by striking "2019" and inserting "2020";

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

SENATOR VICKI SCHMIDT  
 SENATOR BARBARA BOLLIER  
 SENATOR LAURA KELLY

*Conferees on part of Senate*

REPRESENTATIVE DANIEL HAWKINS  
 REPRESENTATIVE SUSAN CONCANNON  
 REPRESENTATIVE JOHN WILSON

*Conferees on part of House*

Senator V. Schmidt moved the Senate adopt the Conference Committee Report on **S Sub HB 2026**.

On roll call, the vote was: Yeas 37; Nays 3; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kelly, Kerschen, LaTurner, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Nays: Fitzgerald, Pilcher-Cook, Pyle.

The Conference Committee Report was adopted.

#### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2095** submits the following report:

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

On page 1, in line 11, by striking "and" and inserting "or";

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

SENATOR MIKE PETERSEN  
 SENATOR JOHN DOLL  
 SENATOR PAT PETTEY

*Conferees on part of Senate*

REPRESENTATIVE RICHARD PROEHL  
 REPRESENTATIVE SHANNON FRANCIS  
 REPRESENTATIVE ADAM LUSKER, SR.

*Conferees on part of House*

Senator Petersen moved the Senate adopt the Conference Committee Report on **HB 2095**.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland,

Kelly, Kerschen, LaTurner, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Nays: Francisco, Skubal.

The Conference Committee Report was adopted.

### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2158** submits the following report:

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

On page 1, following line 6, by inserting:

"Section 1. K.S.A. 2016 Supp. 25-213 is hereby amended to read as follows: 25-213. (a) At all national and state primary elections, the national and state offices as specified for each in this section shall be printed upon the official primary election ballot for national and state offices and the county and township offices as specified for each in this section shall be printed upon the official primary election ballot for county and township offices.

(b) The official primary election ballots shall have the following heading:

OFFICIAL PRIMARY ELECTION BALLOT

\_\_\_\_\_ Party

To vote for a person whose name is printed on the ballot make a cross or check mark in the square at the left of the person's name. To vote for a person whose name is not printed on the ballot, write the person's name in the blank space, if any is provided, and make a cross or check mark in the square to the left.

The words national and state or the words county and township shall appear on the line preceding the part of the form shown above.

The form shown shall be followed by the names of the persons for whom nomination petitions or declarations have been filed according to law for political parties having primary elections, and for the national and state offices in the following order: United States senator, United States representative from \_\_\_\_\_ district, governor and lieutenant governor, secretary of state, attorney general, state treasurer, commissioner of insurance, senator \_\_\_\_\_ district, representative \_\_\_\_\_ district, district judge \_\_\_\_\_ district, district magistrate judge \_\_\_\_\_ district, district attorney \_\_\_\_\_ judicial district, and member state board of education \_\_\_\_\_ district. For county and township offices the form shall be followed by the names of persons for whom nomination petitions or declarations have been filed according to law for political parties having primary elections in the following order: Commissioner \_\_\_\_\_ district, county clerk, treasurer, register of deeds, county attorney, sheriff, township trustee, township treasurer, township clerk. When any office is not to be elected, it shall be omitted from the ballot. Other offices to be elected but not listed, shall be inserted in the proper places. For each office there shall be a statement of the number to vote for.

To the left of each name there shall be printed a square. Official primary election ballots may be printed in one or more columns. The names certified by the secretary of state or county election officer shall be printed on official primary election ballots and no others. In case there are no nomination petitions or declarations on file for any

particular office, the title to the office shall be printed on the ballot followed by a blank line with a square, and such title, followed by a blank line, may be printed in the list of candidates published in the official paper. No blank line shall be printed following any office where there are nomination petitions or declarations on file for the office except following the offices of precinct committeeman and precinct committeewoman.

(c) Except as otherwise provided in this section, no person's name shall be printed more than once on either the official primary election ballot for national and state offices or the official primary election ballot for county and township offices. No name that is printed on the official primary election ballot as a candidate of a political party shall be printed or written in as a candidate for any office on the official primary election ballot of any other political party. If a person is a candidate for the unexpired term for an office, the person's name may be printed on the same ballot as a candidate for the next regular term for such office. The name of any candidate on the ballot may be printed on the same ballot as such candidate and also as a candidate for precinct committeeman or committeewoman. No name that is printed on the official primary election ballot for national and state offices shall be printed or written in elsewhere on ~~such the~~ ballot or on the official primary election ballot for county and township offices except for precinct committeeman or committeewoman. No name that is printed on the official primary election ballot for county and township offices shall be printed or written in on the official primary election ballot for national and state offices or elsewhere on ~~such the~~ county and township ballot except for precinct committeeman or committeewoman.

(d) No person shall be elected to the office of precinct committeeman or precinct committeewoman where no nomination petitions or declarations have been filed, unless the person receives at least five write-in votes. As a result of a primary election, no person shall receive the nomination and no person's name shall be printed on the official general election ballot when no nomination petitions or declarations were filed, unless the person receives votes equal in number to not less than 5% of the total of the current voter registration designated in the state, county or district in which the office is sought, as compiled by the office of the secretary of state, except that a candidate for township office may receive the nomination and have such person's name printed on the ballot where no nomination petitions or declarations have been filed if such candidate receives three or more write-in votes. No such person shall be required to obtain more than 5,000 votes.

(e) The secretary of state by rules and regulations shall develop the official ballot for municipal elections in odd-numbered year elections.

(f) A person who won the primary election as a result of the person's name being written in on the primary ballot shall have such person's name printed on the official general election ballot for national, state, county, township or municipal office, unless the person notifies, in writing, the secretary of state for national or state office or the county election office for all other offices within 10 days following the canvass of the primary election that the person does not want such person's name on the official general election ballot."

On page 11, following line 13, by inserting:

"Sec. 10. K.S.A. 25-4144 is hereby amended to read as follows: 25-4144. Not later than 10 days after becoming a candidate, every candidate shall appoint a treasurer or in lieu thereof shall appoint a candidate committee. The treasurer so appointed may be the

candidate making such appointment. No candidate shall appoint more than one candidate committee to exist at the same time. If a candidate appoints a candidate committee, such candidate shall appoint a chairperson and a treasurer thereof, and the treasurer so appointed may be the candidate. No person who is registered as a lobbyist in accordance with K.S.A. 46-265, and amendments thereto, shall be eligible for appointment as treasurer for any candidate or candidate committee. The name ~~and~~ address and email address, which such email address shall be optional, of each treasurer and chairperson appointed under this section by a candidate for a state office shall be reported to the secretary of state by the candidate not later than 10 days after such appointment. The name ~~and~~ address and email address, which such email address shall be optional, of each treasurer and chairperson appointed under this section by a candidate for a local office shall be reported to the county election officer by the candidate not later than 10 days after such appointment. The candidate for governor shall carry out the requirements and responsibilities of the candidate under the campaign finance act, for the pair of candidates for governor and lieutenant governor, unless another specific provision applies.

Sec. 11. K.S.A. 2016 Supp. 25-4145 is hereby amended to read as follows: 25-4145. (a) Each party committee and each political committee which anticipates receiving contributions or making expenditures shall appoint a chairperson and a treasurer. The chairperson of each party committee and each political committee which anticipates receiving contributions or making expenditures for a candidate for state office shall make a statement of organization and file it with the secretary of state not later than 10 days after establishment of such committee. The chairperson of each political committee which anticipates receiving contributions or making expenditures for any candidate for local office, shall make a statement of organization and file it with the county election officer not later than 10 days after establishment of such committee.

(b) Every statement of organization shall include:

(1) The name and address of the committee. The name of the committee shall reflect the full name of the organization with which the committee is connected or affiliated or sufficiently describe such affiliation. If the political committee is not connected or affiliated with any one organization, the name shall reflect the trade, profession or primary interest of the committee as reflected by the statement of purpose of such organization;

(2) the names ~~and~~ addresses and email addresses, which such email addresses shall be optional, of the chairperson and treasurer of the committee;

(3) the names and addresses of affiliated or connected organizations; and

(4) in the case of a political committee, the full name of the organization with which the committee is connected or affiliated or, name or description sufficiently describing the affiliation or, if the committee is not connected or affiliated with any one organization, the trade, profession or primary interest of the political committee as reflected by the statement of purpose of such organization.

(c) Any change in information previously reported in a statement of organization shall be reported on a supplemental statement of organization and filed not later than 10 days following the change.

(d) (1) Each political committee which anticipates receiving contributions shall register annually with the commission on or before July 1 of each year. Each political committee registration shall be in the form and contain such information as may be

required by the commission.

(2) Each registration by a political committee anticipating the receipt of \$2,501 or more in any calendar year shall be accompanied by an annual registration fee of \$300.

(3) Each registration by a political committee anticipating the receipt of more than \$500 but less than \$2,501 in any calendar year shall be accompanied by an annual registration fee of \$50.

(4) Each registration by a political committee anticipating the receipt of \$500 or less in any calendar year shall be accompanied by an annual registration fee of \$25.

(5) Any political committee which is currently registered under subsection (d)(3) or (d)(4) and which receives contributions in excess of \$2,500 for a calendar year, shall file, within three days of the date when contributions exceed such amount, an amended registration form which shall be accompanied by an additional fee for such year equal to the difference between \$300 and the amount of the fee that accompanied the current registration.

(6) Any political committee which is currently registered under subsection (d)(4) and which receives contributions in excess of \$500 but which are less than \$2,501, shall file, within three days of the date when contributions exceed \$500, an amended registration form which shall be accompanied by an additional fee of \$25 for such year.

(e) All such fees received by or for the commission shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the governmental ethics commission fee fund.

Sec. 12. K.S.A. 2016 Supp. 25-4148b is hereby amended to read as follows: 25-4148b. (a) Every treasurer for a candidate for state or local office shall file reports of campaign contributions as prescribed by this act. Reports filed by treasurers for candidates for state office, ~~other than officers elected on a state-wide basis~~, shall be filed in ~~both the office of the secretary of state and in the office of the county election officer of the county in which the candidate is a resident~~. Reports filed by treasurers for ~~candidates for state-wide office shall be filed only with the secretary of state~~. Reports filed by treasurers for candidates for local office shall be filed in the office of the county election officer of the county in which the name of the candidate is on the ballot. Reports required by this section shall be in addition to any other reports required by law.

(b) The report shall contain the name and address of each person who has made one or more contributions in an aggregate amount or value of \$300 or more during the period commencing 11 days before a primary or general election at which a state or local officer is to be elected and ending at 11:59 p.m. on the Wednesday preceding the date of election. The report shall be made on or before the close of business on the Thursday preceding the date of the election. The report shall contain the amount and date of the contribution, including the name and address of every lender, guarantor and endorser when the contribution is in the form of an advance or loan.

(c) Reports required by this section shall be filed by hand delivery, express delivery service, facsimile transmission or any electronic method authorized by the secretary of state.

(d) (1) "Local office" shall have the meaning ascribed to it in K.S.A. 25-4143, and amendments thereto.

(2) "State office" shall have the meaning ascribed to it in K.S.A. 25-4143, and amendments thereto.

(e) The provisions of this section shall be part of and supplemental to the campaign finance act.":

Also on page 11, in line 14, by striking "and" and inserting a comma; in line 15, after "25-2701" by inserting "and 25-4144"; also in line 15, after "Supp." by inserting "25-213,"; also in line 15, by striking the second "and" and inserting a comma; also in line 15, after "25-3107" by inserting ", 25-4145 and 25-4148b";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "dealing with" and inserting "relating to"; in line 2, after the semicolon by inserting "write in candidates; candidate and political committee reports to the secretary of state; email addresses; reports of contributions preceding an election; filing location requirements,"; in line 3, by striking the first "and" and inserting a comma; also in line 3, after the second "and" by inserting "25-4144 and"; also in line 3, after "Supp." by inserting "25-213,"; also in line 3, by striking the third "and" and inserting a comma; also in line 3, after "25-3107" by inserting ", 25-4145 and 25-4148b";

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

SENATOR ELAINE BOWERS

SENATOR STEVE FITZGERALD

SENATOR OLETHA FAUST-GOUDEAU

*Conferees on part of Senate*

REPRESENTATIVE KEITH ESAU

REPRESENTATIVE BLAKE CARPENTER

REPRESENTATIVE VIC MILLER

*Conferees on part of House*

Senator Bowers moved the Senate adopt the Conference Committee Report on **HB 2158**.

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

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kelly, Kerschen, LaTurner, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

The Conference Committee Report was adopted.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2170** submits the following report:

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

On page 1, in line 6, by striking all after "between"; in line 7, after "sunset" by inserting "and sunrise";

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

SENATOR MIKE PETERSEN

SENATOR JOHN DOLL

SENATOR PAT PETTEY

*Conferees on part of Senate*

REPRESENTATIVE RICHARD PROEHL

REPRESENTATIVE SHANNON FRANCIS

REPRESENTATIVE ADAM LUSKER, SR.

*Conferees on part of House*

Senator Petersen moved the Senate adopt the Conference Committee Report on **HB 2170**.

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

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kelly, Kerschen, LaTurner, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

The Conference Committee Report was adopted.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2213** submits the following report:

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

On page 3, following line 38, by inserting the following:

"Sec. 2. K.S.A. 2016 Supp. 72-4484 is hereby amended to read as follows: 72-4484. The provisions of K.S.A. 2016 Supp. 72-4481, 72-4482 and 72-4483, and amendments thereto, shall expire on June 30, ~~2017~~ 2019.";

Also on page 3, in line 39, after "Supp." by inserting "72-4484 and"; also in line 39, by striking "is" and inserting "are";

And by renumbering remaining sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "relating to the postsecondary technical education authority;"; in line 3, after "Supp." by inserting "72-4484 and"; also in line 3, by striking "section" and inserting "sections";

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

SENATOR MOLLY BAUMGARDNER

SENATOR JOHN DOLL

SENATOR ANTHONY HENSLEY

*Conferees on part of Senate*

REPRESENTATIVE CLAY AURAND

REPRESENTATIVE DIANA DIERKS

REPRESENTATIVE VALDENIA WINN

*Conferees on part of House*

Senator Baumgardner moved the Senate adopt the Conference Committee Report on **HB 2213**.

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

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kelly, Kerschen, LaTurner, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Nays: Pilcher-Cook.

The Conference Committee Report was adopted.

**MESSAGE FROM THE HOUSE**

The House concurs in Senate amendments to **HB 2006; S Sub HB 2027; HB 2043; S Sub HB 2055; HB 2094, HB 2137**.

Announcing passage of **HB 2408, HB 2409**.

The House accedes to the request of the Senate for a conference on **SB 96** and has appointed Representatives Johnson, Phillips and Sawyer as conferees on the part of the House.

**INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS**

**HB 2408, HB 2409** were thereupon introduced and read by title.

**CONFERENCE COMMITTEE REPORT**

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2096** 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.

SENATOR MIKE PETERSEN

SENATOR JOHN DOLL

SENATOR PAT PETTEY

*Conferees on part of Senate*

REPRESENTATIVE RICHARD PROEHL

REPRESENTATIVE SHANNON FRANCIS

REPRESENTATIVE ADAM LUSKERS, SR.

*Conferees on part of House*

On motion of Senator Petersen the Senate adopted the conference committee report on **HB 2096**, and requested a new conference be appointed.

The Vice President appointed Senators Petersen, Doll and Pettey as a second Conference Committee on the part of the Senate on **HB 2096**.

**REPORTS OF STANDING COMMITTEES**

Committee on **Assessment and Taxation** recommends **SB 111** be amended on page

1, in line 5, by striking "6" and inserting "5";

On page 3, in line 33, after the semicolon by inserting "and"; in line 34, by striking all after "(D)"; by striking all in lines 35 through 37; in line 38, by striking "(E)";

On page 4, by striking all in lines 12 through 40; in line 42, by striking "4" and inserting "3";

On page 5, in line 3, by striking "5" and inserting "4"; following line 4, by inserting:  
"New Sec. 6. The provisions of sections 1 through 6, and amendments thereto, shall be part of and supplemental to the Kansas retailers' sales tax act.";

Also on page 5, in line 5, after "after" by inserting "January 1, 2018, and";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking "and reports"; and the bill be passed as amended.

Also, **SB 146** be amended on page 1, following line 6, by inserting:

"New Section 1. No ad valorem tax exemption for real or personal property granted after the effective date of this act by any governing body of any city or the board of county commissioners of any county pursuant to the provisions of either: (a) Section 13 of article 11 of the constitution of the state of Kansas; or (b) K.S.A. 12-1740 et seq. and 79-201a *Second*, and amendments thereto, for any property constructed or purchased with the proceeds of revenue bonds shall be deemed to exempt any such property from the ad valorem property tax levied by or on behalf of a school district.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 2, after "schools" by inserting ", limitation on exemption for certain property"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 201**; **HB 2098** be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

Committee on **Ways and Means** recommends **HB 2129** be amended by substituting a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2129," as follows:

"Senate Substitute for HOUSE BILL NO. 2129

By Committee on Ways and Means

"AN ACT concerning the department of administration; relating to exemption from monumental building surcharge for the division of post audit; energy audits, requirements; certain state contracts; amending K.S.A. 75-3743 and 75-3744 and K.S.A. 2016 Supp. 75-37,128 and repealing the existing sections.";

And the substitute bill be passed.

Also, **SB 240** be amended on page 2, following line 2, by inserting:

"(e) No conservation easement, as defined in K.S.A. 58-3810, and amendments thereto, shall be created for any of the tracts of land described in this section without prior specific authorization in an act of the legislature."; and the bill be passed as amended.

**HB 2353**, as amended by House Committee of the Whole, be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

**HB 2356**, as amended by House Committee, be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent

calendar.

On motion of Senator Denning the senate adjourned until 10:00.a.m., Thursday, April 6, 2017.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

