

Journal of the Senate

FIFTY-THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 27, 2018, 10:00 a.m.

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

Heavenly Father, all around the world people are celebrating Passion Week. Those days in which Jesus was led through enormous suffering to be crucified on Friday and then triumph over the grave on Sunday.

They hailed Him on Palm Sunday. Then 5 days later, on Friday, they turned on Him. Keep us mindful Lord, not to get overly excited about the admiration of people. Because, like the crowds that hailed Him, they can praise us for the good we do and then turn on us in the blink of an eye.

But Lord, You never promised that determining to live right would be a bed of roses. In his second letter to his son Timothy, You inspired the Apostle Paul, in 3:10-12, to share that anyone who desires to live a good and righteous life in Christ will suffer persecution.

So Lord, as the men and women in these halls look to make progress in bettering the lives of Your people...as they debate, negotiate and compromise various positions, help them to stand firm for right and righteousness.

And even if they get crucified for it, remind them that the power of resurrection will be on their side. I thank You today for placing that power in my life. In Jesus' Name, Amen

The Pledge of Allegiance was led by President Wagle.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 456, AN ACT concerning state highways; relating to the secretary of transportation; use of rights-of-way; amending K.S.A. 68-413b and repealing the existing section, by Committee on Assessment and Taxation.

SB 457, AN ACT concerning utilities; relating to the state corporation commission; ratemaking, hearings; amending K.S.A. 66-117 and repealing the existing section, by Committee on Assessment and Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Federal and State Affairs: **Sub HB 2427; HB 2526, HB 2778.**

MESSAGE FROM THE HOUSE

The House nonconcur in Senate amendments to **HB 2542**, requests a conference and has appointed Representatives Aurand, Dierks and Winn as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2571**, requests a conference and has appointed Representatives Finch, Ralph and Carmichael as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2579**, requests a conference and has appointed Representatives Finch, Ralph and Carmichael as conferees on the part of the House.

Announcing passage of **HB 2644; Sub HB 2739; SB 386.**

Announcing passage of **SB 56** as amended by **H Sub SB 56.**

Announcing passage of **Sub SB 272** as amended; **SB 282** as amended, **SB 284** as amended, **SB 348** as amended.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2644; Sub HB 2739 were thereupon introduced and read by title.

FINAL ACTION ON CONSENT CALENDAR

SB 419, SB 449; HB 2524 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.

SB 419, AN ACT concerning the Kansas appraisal management company registration act; AMC ownership limitations and removal of appraisers; amending K.S.A. 2017 Supp. 58-4704, 58-4708, 58-4709 and 58-4721 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, Hilderbrand, Holland, Kelly, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

The bill passed.

SB 449, AN ACT concerning savings programs; relating to beneficiaries of ABLE accounts, transfers, qualified higher education expenses; income taxation, deduction for contributions; amending K.S.A. 2017 Supp. 75-655 and 79-32,117 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, Hilderbrand, Holland, Kelly, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

The bill passed.

HB 2524, AN ACT concerning rights to a wireless telephone number; relating to protection from abuse.

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

The bill passed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 301, AN ACT concerning the department of wildlife, parks and tourism; relating to hunting; outfitters and guides, was considered on final action.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 31; Nays 9; Present and Passing 0; Absent or Not Voting 0.

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

Nays: Alley, Fitzgerald, Hilderbrand, Holland, Masterson, Olson, Pilcher-Cook, Pyle, Tyson.

The bill passed, as amended.

The Call was lifted.

S Sub HB 2129, 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. 2017 Supp. 75-37,128 and repealing the existing sections, was considered on final action.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 33; Nays 7; Present and Passing 0; Absent or Not Voting 0.

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

Nays: Alley, Baumgardner, Hilderbrand, Masterson, Pilcher-Cook, Pyle, Tyson.

The substitute bill passed, as amended.

The Call was lifted.

S Sub HB 2184, AN ACT concerning workers compensation death benefits; initial payments; legal heirs; dependents; funeral expenses; conservatorship; adequacy and equivalency with respect to other benefit limits; high school children over 18 years of age; amending K.S.A. 2017 Supp. 44-510b and repealing the existing section, was considered on final action.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 35; Nays 5; Present and Passing 0; Absent or Not Voting 0.

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

Nays: Givens, Pilcher-Cook, Pyle, Tyson, Wilborn.

The substitute bill passed.

The Call was lifted.

HB 2419, AN ACT concerning state finances; transfers to and expenditures from the budget stabilization fund; {transfers to the pooled money investment portfolio; amending K.S.A. {2017} Supp. 75-4209 and 75-6706 and repealing the existing sections, was considered on final action.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 19; Nays 21; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Berger, Billinger, Bowers, Denning, Doll, Estes, Givens, Goddard, Hardy, Kerschen, Longbine, Lynn, McGinn, Petersen, V. Schmidt, Skubal, Wagle, Wilborn.

Nays: Baumgardner, Bollier, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Hilderbrand, Holland, Kelly, Masterson, Olson, Pettey, Pilcher-Cook, Pyle, Rogers, Suellentrop, Sykes, Taylor, Tyson.

The Call was lifted.

A constitutional majority having failed to vote in favor of the bill, **HB 2419** did not pass.

EXPLANATION OF VOTE

Madam President: I vote “NO” on **HB 2419**. Although I support the establishment of a budget stabilization fund and agree with the split of transfers to such a fund and the pooled money investment portfolio, I object to the method for determination of the individual income tax revenue receipts for a fiscal year if some of the receipts collected resulted from any tax increase legislation in the current or preceding fiscal year. Any receipts resulting from the legislation should be added to, not subtracted from, preceding years in the calculation to determine if there are excess funds available for transfer.—MARCI FRANCISCO

Senators Bollier, Faust-Goudeau, Haley, Hawk, Holland, Kelly, Pettey, Rogers, Suellentrop, Sykes and Taylor request the record to show they concur with the "Explanation of Vote" offered by Senator Francisco on **HB 2419**.

Madam President: I have a longstanding record of supporting a rainy-day fund. In fact, in the past, I have sponsored legislation to create a rainy-day fund. I believe it is an important element to sound fiscal management. However, in order to be effective, it needs to be constitutional and timing of implementation needs to be taken into consideration. When we can't pay our bills and pay down our debts, it is no time to be putting money away in savings. Madam President, I vote “NO” on **House Bill 2419**.—

LAURA KELLY

HB 2444, AN ACT repealing K.S.A. 2017 Supp. 74-4921c and 74-4921d; concerning retirement and pensions; relating to the Kansas public employees retirement system; investments by the KPERS board; new investments and divestment of current investment in companies with operations in Sudan, was considered on final action.

Upon the showing of five hands a Call of the Senate was requested.

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, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kelly, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Nays: Fitzgerald, Hilderbrand.

The bill passed, as amended.

The Call was lifted.

HB 2472, AN ACT concerning health and healthcare; relating to anatomical gifts; pertaining to driver's licenses; identification cards; revising the uniform anatomical gift act; amending K.S.A. 2017 Supp. 8-240, 8-243, 8-247, 8-1324, 65-3221, 65-3228, 65-3229 and 65-3237 and repealing the existing sections, was considered on final action.

Upon the showing of five hands a Call of the Senate was requested.

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

The bill passed.

The Call was lifted.

HB 2501, AN ACT concerning the Kansas department for aging and disability services; disposition of fees; creating the health occupations credentialing fee fund; amending K.S.A. 65-5913 and 65-6512 and K.S.A. 2017 Supp. 39-936, 39-979 and 65-3503 and repealing the existing sections, was considered on final action.

Upon the showing of five hands a Call of the Senate was requested.

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

Nays: Tyson.

The bill passed.

The Call was lifted.

HB 2511, AN ACT concerning commercial driver's licenses, renewal period; amending K.S.A. 2017 Supp. 8-247 and 8-2,135 and repealing the existing sections, was considered on final action.

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

The bill passed, as amended.

Sub HB 2556, AN ACT concerning emergency communications services; establishing the state interoperability advisory committee, was considered on final action.

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

Nays: Fitzgerald, Hilderbrand, Pyle.

The substitute bill passed, as amended.

HB 2580, AN ACT concerning unfair trade and consumer protection; relating to the fair credit reporting act; security freeze on consumer report; fees; amending K.S.A. 50-722 and K.S.A. 2017 Supp. 50-723 and 50-725 and repealing the existing sections, was considered on final action.

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

The bill passed.

HB 2581, AN ACT concerning crimes, punishment and criminal procedure; relating to giving a false alarm; criminal penalties; amending K.S.A. 2017 Supp. 21-6207 and repealing the existing section, was considered on final action.

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

The bill passed.

HB 2590, AN ACT concerning the state long-term care ombudsman; review by secretary for aging and disability services of the state long-term care ombudsman program; access to certain records; amending K.S.A. 2017 Supp. 75-7302, 75-7303, 75-7304, 75-7306, 75-7309 and 75-7310 and repealing the existing sections, was considered on final action.

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

The bill passed, as amended.

HB 2597, AN ACT concerning counties; designating Sedgwick county as an urban area; concerning nonprofit cemetery corporations in certain urban area counties; amending K.S.A. 17-1312f and 19-2654 and repealing the existing sections, was considered on final action.

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

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

Nays: Bollier.

The bill passed, as amended.

HB 2599, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the special olympics Kansas{,} the choose life, the city of Wichita, Korean war, operation desert storm, operation Iraqi freedom and operation enduring freedom license plates; amending K.S.A. 2017 Supp. 8-1,141 and 8-1,147 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 36; Nays 2; Present and Passing 2; Absent or Not Voting 0.

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

Nays: Bollier, Pettey.

Present and Passing: Francisco, Haley.

The bill passed, as amended.

EXPLANATION OF VOTE

Madam President: Having voted in the Affirmative on innumerable commemoratives (license plates; highway, bill and committee renamings to name but a few options) during almost a quarter of a century in this Legislature, for the first time I “PASS” on granting distinction to various entities listed in this one. To my knowledge, we never granted any state required, tax payer supplement to any other political opinion or speech. And whatever your opinion and support of one political opinion or another on a social issue of the day might be, it is a slippery slope which (demanding “equal time” freedom of speech provisions) could devolve Kansas’ auto tags into “officialized” commercialism. I believe that if “Pro Choice” or “Pro Life”; “Pro Gun” or “Pro Gun Control”; etc. an auto’s owner can get a bumper sticker to tout the same. Although there

are some real nice, non-partisan designees in this bill, there too is at least, in my mind, one topic here creating a new departing and dangerous precedent. Again, bad policy so I must "PASS."—DAVID HALEY

S Sub HB 2600, AN ACT concerning the department of health and environment; relating to powers, duties and functions thereof; providing for the assessment of fees for noncontiguous sites under the nuclear energy development and radiation control act; directing the secretary of health and environment to study and investigate maternal deaths in the state of Kansas; access to records; confidentiality; amending K.S.A. 48-1606 and K.S.A. 2017 Supp. 65-177 and repealing the existing sections, was considered on final action.

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

The substitute bill passed.

HB 2606, AN ACT concerning drivers' licenses; relating to electronic online renewal; vision requirements; reports to legislature; amending K.S.A. 2017 Supp. 8-240 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 35; Nays 5; Present and Passing 0; Absent or Not Voting 0.

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

Nays: Baumgardner, Bollier, McGinn, V. Schmidt, Tyson.

The bill passed, as amended.

ORIGINAL MOTION

Having voted on the prevailing side, Senator Bollier moved the Senate reconsider its action on **SB 2419**. The motion failed.

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

On roll call, the vote was: Yeas 19; Nays 21; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bowers, Denning, Doll, Estes, Goddard, Hardy, Kerschen, Longbine, McGinn, Petersen, V. Schmidt, Skubal, Sykes, Wagle, Wilborn.

Nays: Bollier, Faust-Goudeau, Fitzgerald, Francisco, Givens, Haley, Hawk, Hensley, Hilderbrand, Holland, Kelly, Lynn, Masterson, Olson, Pettey, Pilcher-Cook, Pyle, Rogers, Suellentrop, Taylor, Tyson.

COMMITTEE OF THE WHOLE

On motion of Senator Denning, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders

with Senators Bollier, Masterson and Kerschen in the chair.

On motion of Senator Kerschen the following report was adopted

HB 2516 be passed.

SB 429 be amended. by motion of Senator V. Schmidt; on page 2, in line 4, after "(d)" by inserting "(1)"; following line 10, by inserting:

"(2) On or before February 1, 2019, the attorney general shall submit a report to the president of the senate, the speaker of the house of representatives and the standing committees on judiciary in the senate and the house of representatives on the progress achieved in establishing the database required by this subsection.", and **SB 429** be passed as further amended.

SB 352, SB 422; HB 2496, HB 2549; Sub HB 2602; HB 2639 be amended by the adoption of the committee amendments, and the bills be passed as amended.

A motion by Senator Hensley to amend **SB 422** failed and the following amendment was rejected; on page 1, following line 7, by inserting:

"Section 1. K.S.A. 2017 Supp. 72-5132 is hereby amended to read as follows: 72-5132. As used in the Kansas school equity and enhancement act, K.S.A. 2017 Supp. 72-5131 et seq., and amendments thereto:

(a) "Adjusted enrollment" means the enrollment of a school district adjusted by adding the following weightings, if any, to the enrollment of a school district: At-risk student weighting; bilingual weighting; career technical education weighting; declining enrollment weighting; high-density at-risk student weighting; high enrollment weighting; low enrollment weighting; school facilities weighting; ancillary school facilities weighting; cost-of-living weighting; special education and related services weighting; and transportation weighting.

(b) "Ancillary school facilities weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5158, and amendments thereto, on the basis of costs attributable to commencing operation of one or more new school facilities by such school districts.

(c) (1) "At-risk student" means a student who is eligible for free meals under the national school lunch act, and who is enrolled in a school district that maintains an approved at-risk student assistance program.

(2) The term "at-risk student" shall not include any student enrolled in any of the grades one through 12 who is in attendance less than full time, or any student who is over 19 years of age. The provisions of this paragraph shall not apply to any student who has an individualized education program.

(d) "At-risk student weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5151(a), and amendments thereto, on the basis of costs attributable to the maintenance of at-risk educational programs by such school districts.

(e) "Base aid for student excellence" or "BASE aid" means an amount appropriated by the legislature in a fiscal year for the designated year. The amount of BASE aid shall be as follows:

~~(1) For school year 2017-2018, \$4,006;~~

~~(2) for school year 2018-2019, \$4,128; and~~

~~(3)(1) For school year 2018-2019, \$4,415;~~

~~(2) for school year 2019-2020, \$4,701;~~

~~(3) for school year 2020-2021, \$4,986; and~~

(4) for school year ~~2019-2020~~ 2021-2022, and each school year thereafter, the BASE aid shall be the BASE aid amount for the immediately preceding school year plus an amount equal to the average percentage increase in the consumer price index for all urban consumers in the midwest region as published by the bureau of labor statistics of the United States department of labor during the three immediately preceding school years.

(f) "Bilingual weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5150, and amendments thereto, on the basis of costs attributable to the maintenance of bilingual educational programs by such school districts.

(g) "Board" means the board of education of a school district.

(h) "Budget per student" means the general fund budget of a school district divided by the enrollment of the school district.

(i) "Categorical fund" means and includes the following funds of a school district: Adult education fund; adult supplementary education fund; at-risk education fund; bilingual education fund; career and postsecondary education fund; driver training fund; educational excellence grant program fund; extraordinary school program fund; food service fund; parent education program fund; preschool-aged at-risk education fund; professional development fund; special education fund; and summer program fund.

(j) "Cost-of-living weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5159, and amendments thereto, on the basis of costs attributable to the cost of living in such school districts.

(k) "Current school year" means the school year during which state foundation aid is determined by the state board under K.S.A. 2017 Supp. 72-5134, and amendments thereto.

(l) "Declining enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5160, and amendments thereto, on the basis of costs attributable to the declining enrollment of such school districts.

(m) "Enrollment" means:

(1) The number of students regularly enrolled in kindergarten and grades one through 12 in the school district on September 20 of the preceding school year plus the number of preschool-aged at-risk students regularly enrolled in the school district on September 20 of the current school year, except a student who is a foreign exchange student shall not be counted unless such student is regularly enrolled in the school district on September 20 and attending kindergarten or any of the grades one through 12 maintained by the school district for at least one semester or two quarters, or the equivalent thereof.

(2) If the enrollment in a school district in the preceding school year has decreased from enrollment in the second preceding school year, the enrollment of the school district in the current school year means the sum of:

(A) The enrollment in the second preceding school year, excluding students under paragraph (2)(B), minus enrollment in the preceding school year of preschool-aged at-risk students, if any, plus enrollment in the current school year of preschool-aged at-risk students, if any; and

(B) the adjusted enrollment in the second preceding school year of any students participating in the tax credit for low income students scholarship program pursuant to

K.S.A. 2017 Supp. 72-4351 et seq., and amendments thereto, in the preceding school year, if any, plus the adjusted enrollment in the preceding school year of preschool-aged at-risk students who are participating in the tax credit for low income students scholarship program pursuant to K.S.A. 2017 Supp. 72-4351 et seq., and amendments thereto, in the current school year, if any.

(3) For any school district that has a military student, as that term is defined in K.S.A. 2017 Supp. 72-5139, and amendments thereto, enrolled in such district, and that received federal impact aid for the preceding school year, if the enrollment in such school district in the preceding school year has decreased from enrollment in the second preceding school year, the enrollment of the school district in the current school year means whichever is the greater of:

(A) The enrollment determined under subsection (m)(2); or

(B) the sum of the enrollment in the preceding school year of preschool-aged at-risk students, if any, and the arithmetic mean of the sum of:

(i) The enrollment of the school district in the preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any;

(ii) the enrollment in the second preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any; and

(iii) the enrollment in the third preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any.

(4) (A) For school year 2017-2018, the enrollment determined under paragraph (1), (2) or (3), except if the school district offers kindergarten on a full-time basis in such school year, students regularly enrolled in kindergarten in the school district in the preceding school year shall be counted as one student regardless of actual attendance during such preceding school year.

(B) For school year 2018-2019 and each school year thereafter, the enrollment determined under paragraph (1), (2) or (3), except if the school district begins to offer kindergarten on a full-time basis in such school year, students regularly enrolled in kindergarten in the school district in the preceding school year shall be counted as one student regardless of actual attendance during such preceding school year.

(n) "February 20" has its usual meaning, except that in any year in which February 20 is not a day on which school is maintained, it means the first day after February 20 on which school is maintained.

(o) "Federal impact aid" means an amount equal to the federally qualified percentage of the amount of moneys a school district receives in the current school year under the provisions of title I of public law 874 and congressional appropriations therefor, excluding amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program. The amount of federal impact aid shall be determined by the state board in accordance with terms and conditions imposed under the provisions of the public law and rules and regulations thereunder.

(p) "General fund" means the fund of a school district from which operating expenses are paid and in which is deposited all amounts of state foundation aid provided under this act, payments under K.S.A. 2017 Supp. 72-528, and amendments thereto, payments of federal funds made available under the provisions of title I of public law 874, except amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program and such other moneys as are provided by law.

(q) "General fund budget" means the amount budgeted for operating expenses in the general fund of a school district.

(r) "High-density at-risk student weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5151(b), and amendments thereto, on the basis of costs attributable to the maintenance of at-risk educational programs by such school districts.

(s) "High enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5149(b), and amendments thereto, on the basis of costs attributable to maintenance of educational programs by such school districts.

(t) "Juvenile detention facility" means the same as such term is defined in K.S.A. 2017 Supp. 72-1173, and amendments thereto.

(u) "Local foundation aid" means the sum of the following amounts:

(1) An amount equal to any unexpended and unencumbered balance remaining in the general fund of the school district, except moneys received by the school district and authorized to be expended for the purposes specified in K.S.A. 2017 Supp. 72-5168, and amendments thereto;

(2) an amount equal to any remaining proceeds from taxes levied under authority of K.S.A. 72-7056 and 72-7072, and amendments thereto, prior to their repeal;

(3) an amount equal to the amount deposited in the general fund in the current school year from moneys received in such school year by the school district under the provisions of K.S.A. 2017 Supp. 72-3123(a), and amendments thereto;

(4) an amount equal to the amount deposited in the general fund in the current school year from moneys received in such school year by the school district pursuant to contracts made and entered into under authority of K.S.A. 2017 Supp. 72-3125, and amendments thereto;

(5) an amount equal to the amount credited to the general fund in the current school year from moneys distributed in such school year to the school district under the provisions of articles 17 and 34 of chapter 12 of the Kansas Statutes Annotated, and amendments thereto, and under the provisions of articles 42 and 51 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto;

(6) an amount equal to the amount of payments received by the school district under the provisions of K.S.A. 2017 Supp. 72-3423, and amendments thereto;

(7) an amount equal to the amount of any grant received by the school district under the provisions of K.S.A. 2017 Supp. 72-3425, and amendments thereto; and

(8) an amount equal to 70% of the federal impact aid of the school district.

(v) "Low enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5149(a), and amendments thereto, on the basis of costs attributable to maintenance of educational programs by such school districts.

(w) "Operating expenses" means the total expenditures and lawful transfers from the general fund of a school district during a school year for all purposes, except expenditures for the purposes specified in K.S.A. 2017 Supp. 72-5168, and amendments thereto.

(x) "Preceding school year" means the school year immediately before the current school year.

(y) "Preschool-aged at-risk student" means an at-risk student who has attained the

age of four years, is under the age of eligibility for attendance at kindergarten, and has been selected by the state board in accordance with guidelines governing the selection of students for participation in head start programs.

(z) "Preschool-aged exceptional children" means exceptional children, except gifted children, who have attained the age of three years but are under the age of eligibility for attendance at kindergarten. The terms "exceptional children" and "gifted children" have the same meaning as those terms are defined in K.S.A. 2017 Supp. 72-3404, and amendments thereto.

(aa) "Psychiatric residential treatment facility" means the same as such term is defined in K.S.A. 2017 Supp. 72-1173, and amendments thereto.

(bb) "School district" means a school district organized under the laws of this state that is maintaining public school for a school term in accordance with the provisions of K.S.A. 2017 Supp. 72-3115, and amendments thereto.

(cc) "School facilities weighting" means an added component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5156, and amendments thereto, on the basis of costs attributable to commencing operation of one or more new school facilities by such school districts.

(dd) "School year" means the 12-month period ending June 30.

(ee) "September 20" has its usual meaning, except that in any year in which September 20 is not a day on which school is maintained, it means the first day after September 20 on which school is maintained.

(ff) "Special education and related services weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5157, and amendments thereto, on the basis of costs attributable to the maintenance of special education and related services by such school districts.

(gg) "State board" means the state board of education.

(hh) "State foundation aid" means the amount of aid distributed to [a] school district as determined by the state board pursuant to K.S.A. 2017 Supp. 72-5134, and amendments thereto.

(ii) (1) "Student" means any person who is regularly enrolled in a school district and attending kindergarten or any of the grades one through 12 maintained by the school district or who is regularly enrolled in a school district and attending kindergarten or any of the grades one through 12 in another school district in accordance with an agreement entered into under authority of K.S.A. 2017 Supp. 72-13,101, and amendments thereto, or who is regularly enrolled in a school district and attending special education services provided for preschool-aged exceptional children by the school district.

(2) (A) Except as otherwise provided in this subsection, the following shall be counted as one student:

(i) A student in attendance full-time; and

(ii) a student enrolled in a school district and attending special education and related services, provided for by the school district.

(B) The following shall be counted as $\frac{1}{2}$ student:

(i) A student enrolled in a school district and attending special education and related services for preschool-aged exceptional children provided for by the school district; and

(ii) a preschool-aged at-risk student enrolled in a school district and receiving

services under an approved at-risk student assistance plan maintained by the school district.

(C) A student in attendance part-time shall be counted as that proportion of one student (to the nearest $\frac{1}{10}$) that the student's attendance bears to full-time attendance.

(D) A student enrolled in and attending an institution of postsecondary education that is authorized under the laws of this state to award academic degrees shall be counted as one student if the student's postsecondary education enrollment and attendance together with the student's attendance in either of the grades 11 or 12 is at least $\frac{5}{6}$ time, otherwise the student shall be counted as that proportion of one student (to the nearest $\frac{1}{10}$) that the total time of the student's postsecondary education attendance and attendance in grades 11 or 12, as applicable, bears to full-time attendance.

(E) A student enrolled in and attending a technical college, a career technical education program of a community college or other approved career technical education program shall be counted as one student, if the student's career technical education attendance together with the student's attendance in any of grades nine through 12 is at least $\frac{5}{6}$ time, otherwise the student shall be counted as that proportion of one student (to the nearest $\frac{1}{10}$) that the total time of the student's career technical education attendance and attendance in any of grades nine through 12 bears to full-time attendance.

(F) A student enrolled in a school district and attending a non-virtual school and also attending a virtual school shall be counted as that proportion of one student (to the nearest $\frac{1}{10}$) that the student's attendance at the non-virtual school bears to full-time attendance.

(G) A student enrolled in a school district and attending special education and related services provided for by the school district and also attending a virtual school shall be counted as that proportion of one student (to the nearest $\frac{1}{10}$) that the student's attendance at the non-virtual school bears to full-time attendance.

(H) (i) Except as provided in clause (ii), a student enrolled in a school district who is not a resident of Kansas shall be counted as follows:

- (a) For school years 2017-2018 and 2018-2019, one student;
- (b) for school year 2019-2020 and 2020-2021, $\frac{3}{4}$ of a student; and
- (c) for school year 2021-2022 and each school year thereafter, $\frac{1}{2}$ of a student.

(ii) This subparagraph (H) shall not apply to:

(a) A student whose parent or legal guardian is an employee of the school district where such student is enrolled; or

(b) a student who attended public school in Kansas during school year 2016-2017 and who attended public school in Kansas during the immediately preceding school year.

(3) The following shall not be counted as a student:

- (A) An individual residing at the Flint Hills job corps center;
- (B) except as provided in subsection (ii)(2), an individual confined in and receiving educational services provided for by a school district at a juvenile detention facility; and
- (C) an individual enrolled in a school district but housed, maintained and receiving educational services at a state institution or a psychiatric residential treatment facility.

(4) A student enrolled in virtual school pursuant to K.S.A. 72-3711 et seq., and amendments thereto, shall be counted in accordance with the provisions of K.S.A. 2017 Supp. 72-3715, and amendments thereto.

(jj) "Total foundation aid" means an amount equal to the product obtained by

multiplying the BASE aid by the adjusted enrollment of a school district.

(kk) "Transportation weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5148, and amendments thereto, on the basis of costs attributable to the provision or furnishing of transportation.

(ll) "Virtual school" means the same as such term is defined in K.S.A. 2017 Supp. 72-3712, and amendments thereto.";

On page 10, in line 37, after "Supp." by inserting "72-5132,";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, before "local" by inserting "BASE aid amount;"; in line 4, after "Supp." by inserting "72-5132,"

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

On roll call, the vote was: Yeas 10; Nays 28; Present and Passing 0; Absent or Not Voting 2.

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

Nays: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Fitzgerald, Givens, Goddard, Hardy, Hilderbrand, Kerschen, Longbine, Masterson, McGinn, Olson, Petersen, Pilcher-Cook, Pyle, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Estes, Lynn.

A motion by Senator Hensley to amend **SB 422** failed and the following amendment was rejected; on page 1, following line 7, by inserting:

"Section 1. K.S.A. 2017 Supp. 72-5132 is hereby amended to read as follows: 72-5132. As used in the Kansas school equity and enhancement act, K.S.A. 2017 Supp. 72-5131 et seq., and amendments thereto:

(a) "Adjusted enrollment" means the enrollment of a school district adjusted by adding the following weightings, if any, to the enrollment of a school district: At-risk student weighting; bilingual weighting; career technical education weighting; declining enrollment weighting; high-density at-risk student weighting; high enrollment weighting; low enrollment weighting; school facilities weighting; ancillary school facilities weighting; cost-of-living weighting; special education and related services weighting; and transportation weighting.

(b) "Ancillary school facilities weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5158, and amendments thereto, on the basis of costs attributable to commencing operation of one or more new school facilities by such school districts.

(c) (1) "At-risk student" means a student who is eligible for free meals under the national school lunch act, and who is enrolled in a school district that maintains an approved at-risk student assistance program.

(2) The term "at-risk student" shall not include any student enrolled in any of the grades one through 12 who is in attendance less than full time, or any student who is over 19 years of age. The provisions of this paragraph shall not apply to any student who has an individualized education program.

(d) "At-risk student weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5151(a), and amendments thereto, on the basis of costs attributable to the maintenance of at-risk educational programs by such school districts.

(e) "Base aid for student excellence" or "BASE aid" means an amount appropriated by the legislature in a fiscal year for the designated year. The amount of BASE aid shall be as follows:

~~(1) For school year 2017-2018, \$4,006;~~

~~(2) for school year 2018-2019, \$4,128; and~~

~~(3)(1) For school year 2018-2019, \$4,344;~~

~~(2) for school year 2019-2020, \$4,559;~~

~~(3) for school year 2020-2021, \$4,773; and~~

(4) for school year ~~2019-2020~~ 2021-2022, and each school year thereafter, the BASE aid shall be the BASE aid amount for the immediately preceding school year plus an amount equal to the average percentage increase in the consumer price index for all urban consumers in the midwest region as published by the bureau of labor statistics of the United States department of labor during the three immediately preceding school years.

(f) "Bilingual weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5150, and amendments thereto, on the basis of costs attributable to the maintenance of bilingual educational programs by such school districts.

(g) "Board" means the board of education of a school district.

(h) "Budget per student" means the general fund budget of a school district divided by the enrollment of the school district.

(i) "Categorical fund" means and includes the following funds of a school district: Adult education fund; adult supplementary education fund; at-risk education fund; bilingual education fund; career and postsecondary education fund; driver training fund; educational excellence grant program fund; extraordinary school program fund; food service fund; parent education program fund; preschool-aged at-risk education fund; professional development fund; special education fund; and summer program fund.

(j) "Cost-of-living weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5159, and amendments thereto, on the basis of costs attributable to the cost of living in such school districts.

(k) "Current school year" means the school year during which state foundation aid is determined by the state board under K.S.A. 2017 Supp. 72-5134, and amendments thereto.

(l) "Declining enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5160, and amendments thereto, on the basis of costs attributable to the declining enrollment of such school districts.

(m) "Enrollment" means:

(1) The number of students regularly enrolled in kindergarten and grades one through 12 in the school district on September 20 of the preceding school year plus the number of preschool-aged at-risk students regularly enrolled in the school district on September 20 of the current school year, except a student who is a foreign exchange student shall not be counted unless such student is regularly enrolled in the school district on September 20 and attending kindergarten or any of the grades one through 12 maintained by the school district for at least one semester or two quarters, or the equivalent thereof.

(2) If the enrollment in a school district in the preceding school year has decreased

from enrollment in the second preceding school year, the enrollment of the school district in the current school year means the sum of:

(A) The enrollment in the second preceding school year, excluding students under paragraph (2)(B), minus enrollment in the preceding school year of preschool-aged at-risk students, if any, plus enrollment in the current school year of preschool-aged at-risk students, if any; and

(B) the adjusted enrollment in the second preceding school year of any students participating in the tax credit for low income students scholarship program pursuant to K.S.A. 2017 Supp. 72-4351 et seq., and amendments thereto, in the preceding school year, if any, plus the adjusted enrollment in the preceding school year of preschool-aged at-risk students who are participating in the tax credit for low income students scholarship program pursuant to K.S.A. 2017 Supp. 72-4351 et seq., and amendments thereto, in the current school year, if any.

(3) For any school district that has a military student, as that term is defined in K.S.A. 2017 Supp. 72-5139, and amendments thereto, enrolled in such district, and that received federal impact aid for the preceding school year, if the enrollment in such school district in the preceding school year has decreased from enrollment in the second preceding school year, the enrollment of the school district in the current school year means whichever is the greater of:

(A) The enrollment determined under subsection (m)(2); or

(B) the sum of the enrollment in the preceding school year of preschool-aged at-risk students, if any, and the arithmetic mean of the sum of:

(i) The enrollment of the school district in the preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any;

(ii) the enrollment in the second preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any; and

(iii) the enrollment in the third preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any.

(4) (A) For school year 2017-2018, the enrollment determined under paragraph (1), (2) or (3), except if the school district offers kindergarten on a full-time basis in such school year, students regularly enrolled in kindergarten in the school district in the preceding school year shall be counted as one student regardless of actual attendance during such preceding school year.

(B) For school year 2018-2019 and each school year thereafter, the enrollment determined under paragraph (1), (2) or (3), except if the school district begins to offer kindergarten on a full-time basis in such school year, students regularly enrolled in kindergarten in the school district in the preceding school year shall be counted as one student regardless of actual attendance during such preceding school year.

(n) "February 20" has its usual meaning, except that in any year in which February 20 is not a day on which school is maintained, it means the first day after February 20 on which school is maintained.

(o) "Federal impact aid" means an amount equal to the federally qualified percentage of the amount of moneys a school district receives in the current school year under the provisions of title I of public law 874 and congressional appropriations therefor, excluding amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program. The amount of federal impact aid shall be determined by the state board in accordance with terms and conditions

imposed under the provisions of the public law and rules and regulations thereunder.

(p) "General fund" means the fund of a school district from which operating expenses are paid and in which is deposited all amounts of state foundation aid provided under this act, payments under K.S.A. 2017 Supp. 72-528, and amendments thereto, payments of federal funds made available under the provisions of title I of public law 874, except amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program and such other moneys as are provided by law.

(q) "General fund budget" means the amount budgeted for operating expenses in the general fund of a school district.

(r) "High-density at-risk student weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5151(b), and amendments thereto, on the basis of costs attributable to the maintenance of at-risk educational programs by such school districts.

(s) "High enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5149(b), and amendments thereto, on the basis of costs attributable to maintenance of educational programs by such school districts.

(t) "Juvenile detention facility" means the same as such term is defined in K.S.A. 2017 Supp. 72-1173, and amendments thereto.

(u) "Local foundation aid" means the sum of the following amounts:

(1) An amount equal to any unexpended and unencumbered balance remaining in the general fund of the school district, except moneys received by the school district and authorized to be expended for the purposes specified in K.S.A. 2017 Supp. 72-5168, and amendments thereto;

(2) an amount equal to any remaining proceeds from taxes levied under authority of K.S.A. 72-7056 and 72-7072, and amendments thereto, prior to their repeal;

(3) an amount equal to the amount deposited in the general fund in the current school year from moneys received in such school year by the school district under the provisions of K.S.A. 2017 Supp. 72-3123(a), and amendments thereto;

(4) an amount equal to the amount deposited in the general fund in the current school year from moneys received in such school year by the school district pursuant to contracts made and entered into under authority of K.S.A. 2017 Supp. 72-3125, and amendments thereto;

(5) an amount equal to the amount credited to the general fund in the current school year from moneys distributed in such school year to the school district under the provisions of articles 17 and 34 of chapter 12 of the Kansas Statutes Annotated, and amendments thereto, and under the provisions of articles 42 and 51 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto;

(6) an amount equal to the amount of payments received by the school district under the provisions of K.S.A. 2017 Supp. 72-3423, and amendments thereto;

(7) an amount equal to the amount of any grant received by the school district under the provisions of K.S.A. 2017 Supp. 72-3425, and amendments thereto; and

(8) an amount equal to 70% of the federal impact aid of the school district.

(v) "Low enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5149(a), and amendments thereto, on the basis of costs attributable to maintenance of educational

programs by such school districts.

(w) "Operating expenses" means the total expenditures and lawful transfers from the general fund of a school district during a school year for all purposes, except expenditures for the purposes specified in K.S.A. 2017 Supp. 72-5168, and amendments thereto.

(x) "Preceding school year" means the school year immediately before the current school year.

(y) "Preschool-aged at-risk student" means an at-risk student who has attained the age of four years, is under the age of eligibility for attendance at kindergarten, and has been selected by the state board in accordance with guidelines governing the selection of students for participation in head start programs.

(z) "Preschool-aged exceptional children" means exceptional children, except gifted children, who have attained the age of three years but are under the age of eligibility for attendance at kindergarten. The terms "exceptional children" and "gifted children" have the same meaning as those terms are defined in K.S.A. 2017 Supp. 72-3404, and amendments thereto.

(aa) "Psychiatric residential treatment facility" means the same as such term is defined in K.S.A. 2017 Supp. 72-1173, and amendments thereto.

(bb) "School district" means a school district organized under the laws of this state that is maintaining public school for a school term in accordance with the provisions of K.S.A. 2017 Supp. 72-3115, and amendments thereto.

(cc) "School facilities weighting" means an added component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5156, and amendments thereto, on the basis of costs attributable to commencing operation of one or more new school facilities by such school districts.

(dd) "School year" means the 12-month period ending June 30.

(ee) "September 20" has its usual meaning, except that in any year in which September 20 is not a day on which school is maintained, it means the first day after September 20 on which school is maintained.

(ff) "Special education and related services weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5157, and amendments thereto, on the basis of costs attributable to the maintenance of special education and related services by such school districts.

(gg) "State board" means the state board of education.

(hh) "State foundation aid" means the amount of aid distributed to [a] school district as determined by the state board pursuant to K.S.A. 2017 Supp. 72-5134, and amendments thereto.

(ii) (1) "Student" means any person who is regularly enrolled in a school district and attending kindergarten or any of the grades one through 12 maintained by the school district or who is regularly enrolled in a school district and attending kindergarten or any of the grades one through 12 in another school district in accordance with an agreement entered into under authority of K.S.A. 2017 Supp. 72-13,101, and amendments thereto, or who is regularly enrolled in a school district and attending special education services provided for preschool-aged exceptional children by the school district.

(2) (A) Except as otherwise provided in this subsection, the following shall be counted as one student:

(i) A student in attendance full-time; and
 (ii) a student enrolled in a school district and attending special education and related services, provided for by the school district.

(B) The following shall be counted as $\frac{1}{2}$ student:

(i) A student enrolled in a school district and attending special education and related services for preschool-aged exceptional children provided for by the school district; and

(ii) a preschool-aged at-risk student enrolled in a school district and receiving services under an approved at-risk student assistance plan maintained by the school district.

(C) A student in attendance part-time shall be counted as that proportion of one student (to the nearest $\frac{1}{10}$) that the student's attendance bears to full-time attendance.

(D) A student enrolled in and attending an institution of postsecondary education that is authorized under the laws of this state to award academic degrees shall be counted as one student if the student's postsecondary education enrollment and attendance together with the student's attendance in either of the grades 11 or 12 is at least $\frac{5}{6}$ time, otherwise the student shall be counted as that proportion of one student (to the nearest $\frac{1}{10}$) that the total time of the student's postsecondary education attendance and attendance in grades 11 or 12, as applicable, bears to full-time attendance.

(E) A student enrolled in and attending a technical college, a career technical education program of a community college or other approved career technical education program shall be counted as one student, if the student's career technical education attendance together with the student's attendance in any of grades nine through 12 is at least $\frac{5}{6}$ time, otherwise the student shall be counted as that proportion of one student (to the nearest $\frac{1}{10}$) that the total time of the student's career technical education attendance and attendance in any of grades nine through 12 bears to full-time attendance.

(F) A student enrolled in a school district and attending a non-virtual school and also attending a virtual school shall be counted as that proportion of one student (to the nearest $\frac{1}{10}$) that the student's attendance at the non-virtual school bears to full-time attendance.

(G) A student enrolled in a school district and attending special education and related services provided for by the school district and also attending a virtual school shall be counted as that proportion of one student (to the nearest $\frac{1}{10}$) that the student's attendance at the non-virtual school bears to full-time attendance.

(H) (i) Except as provided in clause (ii), a student enrolled in a school district who is not a resident of Kansas shall be counted as follows:

(a) For school years 2017-2018 and 2018-2019, one student;

(b) for school year 2019-2020 and 2020-2021, $\frac{3}{4}$ of a student; and

(c) for school year 2021-2022 and each school year thereafter, $\frac{1}{2}$ of a student.

(ii) This subparagraph (H) shall not apply to:

(a) A student whose parent or legal guardian is an employee of the school district where such student is enrolled; or

(b) a student who attended public school in Kansas during school year 2016-2017 and who attended public school in Kansas during the immediately preceding school year.

(3) The following shall not be counted as a student:

(A) An individual residing at the Flint Hills job corps center;

(B) except as provided in subsection (ii)(2), an individual confined in and receiving educational services provided for by a school district at a juvenile detention facility; and

(C) an individual enrolled in a school district but housed, maintained and receiving educational services at a state institution or a psychiatric residential treatment facility.

(4) A student enrolled in virtual school pursuant to K.S.A. 72-3711 et seq., and amendments thereto, shall be counted in accordance with the provisions of K.S.A. 2017 Supp. 72-3715, and amendments thereto.

(jj) "Total foundation aid" means an amount equal to the product obtained by multiplying the BASE aid by the adjusted enrollment of a school district.

(kk) "Transportation weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5148, and amendments thereto, on the basis of costs attributable to the provision or furnishing of transportation.

(ll) "Virtual school" means the same as such term is defined in K.S.A. 2017 Supp. 72-3712, and amendments thereto.";

On page 10, in line 37, after "Supp." by inserting "72-5132,";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, before "local" by inserting "BASE aid amount;"; in line 4, after "Supp." by inserting "72-5132,"

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

On roll call, the vote was: Yeas 10; Nays 26; Present and Passing 0; Absent or Not Voting 4.

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

Nays: Alley, Baumgardner, Berger, Billinger, Bollier, Denning, Fitzgerald, Givens, Goddard, Hardy, Hilderbrand, Kerschen, Longbine, Masterson, McGinn, Olson, Pilcher-Cook, Pyle, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Bowers, Estes, Lynn, Petersen.

A motion by Senator Pettey to amend **SB 422** failed.

HB 2523 be amended by the adoption of the committee amendments, be further amended by motion of Senator Hilderbrand; on page 2, in line 9, after "has" by inserting ": (A)"; in line 11, after "jurisdiction" by inserting "; (B) obtained a high school education from a nonaccredited private secondary school as defined in K.S.A. 2017 Supp. 72-4345, and amendments thereto;"; also in line 11, after "or" by inserting "(C)" and **HB 2523** be passed as further amended.

The committee report on **SB 269** recommending **Sub SB 269** be adopted, be amended by motion of Senator McGinn; on page 23, by striking all in lines 14 through 18; by striking all in lines 30 through 33;

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 59, in line 25, by striking all after "thereto"; in line 26, by striking all before the period and inserting ". In state fiscal year 2019, the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 that in the aggregate equal \$500,000 from the state economic development initiatives fund to the state water plan fund"

Sub SB 269 be further amended by motion of Senator Baumgardner; on page 34, following line 37, by inserting:

"(f) During the fiscal year ending June 30, 2019, in addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the temporary assistance to needy families federal fund (629-00-3323-0530) of the Kansas department for children and families for fiscal year 2019 by chapter 104 of the 2017 Session Laws of Kansas, this or any other appropriation act of the 2018 regular session of the legislature, expenditures shall be made by the above agency from such moneys in an amount not to exceed \$5,750,000 to make payments to the jobs for America's graduates organization for programs that: Help students who are at risk of failing in school; provide an avenue for academic achievement; and assist students in earning credentials: *Provided, however,* That such expenditures shall only be made to the extent allowed under federal law."

Sub SB 269 be further amended by motion of Senator Fitzgerald; on page 51, following line 20, by inserting:

"Sec. 101. During the fiscal years ending June 30, 2018, and June 30, 2019, no state agency named in chapter 104 of the 2017 Session Laws of Kansas, this or any other appropriation act of the 2018 regular session of the legislature shall expend any moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal years 2018 and 2019 by chapter 104 of the 2017 Session Laws of Kansas, this or any other appropriation act of the 2018 regular session of the legislature to conduct research using tissue from any aborted fetus or to conduct any destructive embryonic research.";

And by renumbering sections accordingly,

A ruling of the chair was requested as to the germaneness of the amendment. The Chair of the Rules Committee ruled the amendment was germane to the bill.

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

On roll call, the vote was: Yeas 20; Nays 15; Present and Passing 0; Absent or Not Voting 5.

Yeas: Alley, Baumgardner, Berger, Billinger, Denning, Fitzgerald, Givens, Goddard, Hardy, Hilderbrand, Kerschen, Longbine, Masterson, McGinn, Pilcher-Cook, Pyle, Suellentrop, Tyson, Wagle, Wilborn.

Nays: Bollier, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Hensley, Holland, Kelly, Pettey, Rogers, V. Schmidt, Skubal, Sykes, Taylor.

Absent or Not Voting: Bowers, Estes, Lynn, Olson, Petersen.

And **Sub SB 269** be passed as amended.

A motion by Senator Masterson to amend **Sub SB 269** failed and the following amendment was rejected; on page 9, following line 28, by inserting:

"(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Office of education inspector general\$228,300

Provided, That all expenditures from the office of education inspector general account of the above agency shall be for the establishment of an office of education inspector general under the direction and supervision of the state treasurer and to establish a full-time program of audit, investigation and performance review to provide increased accountability, integrity and oversight of elementary and secondary public education and the implementation and execution of the Kansas school equity and enhancement act, K.S.A. 72-5131 et seq., and amendments thereto, to assist in improving department

of education and school district efficiency, and to assist in deterring and identifying waste, misuse of funds and illegal acts: *Provided further*, That the education inspector general shall be appointed by the state treasurer, shall serve at the pleasure of the state treasurer and shall be assigned specific duties by the state treasurer: *And provided further*, That such duties may include, but not be limited to, overseeing, auditing, investigating or making performance reviews of various aspects of public elementary and secondary education in Kansas, including, but not limited to, the implementation and execution of the Kansas school equity and enhancement act, K.S.A. 72-5131 et seq., and amendments thereto, or any distribution or formula for distribution of state moneys to the department of education, state board of education or any school district: *And provided further*, That the education inspector general shall be independent and free from political influence and selected without regard to political affiliation and on the basis of integrity and capacity for effectively carrying out the duties of the office of education inspector general: *And provided further*, That the education inspector general shall possess demonstrated knowledge, skills, abilities and experience in conducting audits or investigations and shall be familiar with the programs subject to oversight by the office of education inspector general: *And provided further*, That the education inspector general shall exercise independent judgment in performing the duties of the office of education inspector general: *And provided further*, That no former or current manager of any agency subject to oversight by the office of education inspector general may be appointed education inspector general within two years of that individual's period of service with such agency: *And provided further*, That the education inspector general shall hold at the time of appointment certification as a certified inspector general from a national organization that provides training to inspectors general: *And provided further*, That the education inspector general shall be in the unclassified service and shall receive an annual salary in an amount equal to the annual salary paid by the state to the state treasurer: *And provided further*, That the education inspector general shall have general managerial control over the office of education inspector general and shall organize the office as the education inspector general deems appropriate to carry out the responsibilities and functions of the office: *And provided further*, That the state treasurer may hire such employees in the unclassified service as are necessary to administer the office of education inspector general: *And provided further*, That the education inspector general may obtain the services of certified public accountants, qualified management consultants, professional auditors or other professionals necessary to independently perform the functions of the office: *And provided further*, That the education inspector general or any employee of the office of education inspector general shall have access to all pertinent information, confidential or otherwise, except for personally identifiable student data, and to all personnel and facilities of a school district, state agency and any local governmental agency that are necessary to perform the duties of the office: *And provided further*, That school districts, state agencies and local governmental agencies shall provide the education inspector general requested information, assistance or cooperation: *And provided further*, That the education inspector general shall have the power to compel by subpoena the attendance and testimony of witnesses and the production of documents, electronic records and papers directly related to any audit, investigation or performance review: *And provided further*, That the education inspector general shall make a report regarding the office's investigations, audits or performance reviews to the department of education, state

board of education, the legislative post auditor, the senate committees on ways and means and education, the house of representatives committees on appropriations and K-12 budget, the attorney general and the governor: *And provided further*, That such report shall include, but not be limited to, a detailed summary of the investigations undertaken and the results of such investigations, if any: *And provided further*, That such summaries shall comply with confidentiality laws and requirements: *And provided further*, That the education inspector general may make recommendations for changes in law, rules and regulations, policy or procedures to carry out the provisions of law or to improve efficiency: *And provided further*, That the scope, timing and completion of any audit, investigation or performance review conducted by the education inspector general shall be within the discretion of the education inspector general: *And provided further*, That any audit conducted by the office of education inspector general shall adhere to and comply with all provisions of generally accepted governmental auditing standards promulgated by the United States government accountability office: *And provided further*, That the education inspector general and all employees and former employees of the office of education inspector general shall be subject to the same duty of confidentiality imposed by law on any such person or agency with regard to any such information, and shall be subject to any civil or criminal penalties imposed by law for violation of such duty of confidentiality: *Provided, however*, That the education inspector general may furnish all such information to the state treasurer or attorney general when the education inspector general determines that a possible criminal act, false claim or any instances of misfeasance, malfeasance or nonfeasance by a public officer or employee has been committed and that any such information may be disclosed in criminal or other proceedings instituted and prosecuted by the attorney general and may be entered into evidence in any such proceedings: *And provided further*, That all investigations conducted by the education inspector general shall be conducted in a manner that ensures the preservation of evidence for use in criminal prosecutions, civil actions or agency administrative actions.";

On page 35, in line 16, by subtracting \$228,300 from the dollar amount and by adjusting the dollar amount in line 16 accordingly

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

On roll call, the vote was: Yeas 12; Nays 27; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Estes, Fitzgerald, Hilderbrand, Masterson, Olson, Petersen, Pilcher-Cook, Pyle, Suellentrop, Wilborn.

Nays: Berger, Billinger, Bollier, Bowers, Denning, Doll, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kelly, Kerschen, Longbine, McGinn, Pettey, Rogers, V. Schmidt, Skubal, Sykes, Taylor, Tyson, Wagle.

Absent or Not Voting: Lynn.

A motion by Senator Baumgardner to amend **Sub SB 269** failed and the following amendment was rejected.; on page 19, following line 27, by inserting:

"(f) Notwithstanding the provisions of K.S.A. 2017 Supp. 12-17,160 through 12-17,179, and amendments thereto, or any other any statute, during the fiscal year ending June 30, 2018, the above agency shall not expend any moneys appropriated for the fiscal year ending June 30, 2018, from the state general fund, state economic development initiatives fund or in any special revenue fund or funds for such state agency by chapter 104 of the 2017 Session Laws of Kansas, this or other appropriation

act of the 2018 regular session of the legislature to issue the final approval of any STAR bond project and the financing thereof, including any bond documents, unless the secretary of commerce's appointment has been confirmed by the senate as provided by K.S.A. 74-5002a, and amendments thereto.";

On page 20, following line 6, by inserting:

"(e) Notwithstanding the provisions of K.S.A. 2017 Supp. 12-17,160 through 12-17,179, and amendments thereto, or any other any statute, during the fiscal year ending June 30, 2019, the above agency shall not expend any moneys appropriated for the fiscal year ending June 30, 2019, from the state general fund, state economic development initiatives fund or in any special revenue fund or funds for such state agency by chapter 104 of the 2017 Session Laws of Kansas, this or other appropriation act of the 2018 regular session of the legislature to issue the final approval of any STAR bond project and the financing thereof, including any bond documents, unless the secretary of commerce's appointment has been confirmed by the senate as provided by K.S.A. 74-5002a, and amendments thereto."

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

On roll call, the vote was: Yeas 16; Nays 21; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Bollier, Estes, Fitzgerald, Francisco, Givens, Haley, Holland, Kerschen, Masterson, Pilcher-Cook, Suellentrop, Taylor, Tyson, Wilborn.

Nays: Billinger, Bowers, Denning, Doll, Faust-Goudeau, Goddard, Hardy, Hawk, Hensley, Hilderbrand, Kelly, Longbine, McGinn, Olson, Petersen, Pettey, Rogers, V. Schmidt, Skubal, Sykes, Wagle.

Absent or Not Voting: Berger, Lynn, Pyle.

A motion by Senator Pilcher-Cook to amend **Sub SB 269** failed and the following amendment was rejected; on page 20, following line 6, by inserting:

"(e) (1) During the fiscal year ending June 30, 2019, notwithstanding the provisions of K.S.A. 2017 Supp. 12-17,160 through 12-17,179, and amendments thereto, or any other statute, no Kansas state or local governing official shall enter into any transaction or arrangement to benefit financially, either directly or indirectly, from any STAR bond project.

(2) During the fiscal year ending June 30, 2019, notwithstanding the provisions of K.S.A. 2017 Supp. 12-17,160 through 12-17,179, and amendments thereto, or any other statute, in addition to the other purposes for which expenditures may be made from the state general fund, state economic development initiatives fund or in any special revenue fund or funds for fiscal year 2019 by the above agency by chapter 104 of the 2017 Session Laws of Kansas, this or other appropriation act of the 2018 regular session of the legislature, expenditures shall be made by the above agency from the state general fund, state economic development initiatives fund or in any special revenue fund or funds to ensure compliance with the provisions of subsection (e)(1) concerning any STAR bond project and the financing thereof.

(3) As used in this subsection:

(A) "Benefit financially" means any purchase, sale, lease, contract, option, loan or other transaction or arrangement involving property or services wherein a Kansas state or local governing official may gain a personal economic benefit, but shall not include any services which were provided at fair market value or through a competitive bidding process.

(B) "Kansas state or local governing official" means members of the legislature, appointed or elected officials or officers of any state agency, office, board, commission, authority or institution and appointed or elected officials, officers or members of the government authority of any governmental subdivision, including any city, county, township, school district, special district, board or commission.

(C) "STAR bond project" means the same as defined in K.S.A. 2017 Supp. 12-17,162, and amendments thereto.

Sec. 50.

DEPARTMENT OF COMMERCE

(a) (1) During the fiscal year ending June 30, 2020, notwithstanding the provisions of K.S.A. 2017 Supp. 12-17,160 through 12-17,179, and amendments thereto, or any other statute, no Kansas state or local governing official shall enter into any transaction or arrangement to benefit financially, either directly or indirectly, from any STAR bond project.

(2) During the fiscal year ending June 30, 2020, notwithstanding the provisions of K.S.A. 2017 Supp. 12-17,160 through 12-17,179, and amendments thereto, or any other statute, in addition to the other purposes for which expenditures may be made from the state general fund, state economic development initiatives fund or in any special revenue fund or funds for fiscal year 2020 by the above agency by chapter 104 of the 2017 Session Laws of Kansas, this or other appropriation act of the 2018 or 2019 regular session of the legislature, expenditures shall be made by the above agency from the state general fund, state economic development initiatives fund or in any special revenue fund or funds to ensure compliance with the provisions of subsection (a)(1) concerning any STAR bond project and the financing thereof.

(3) As used in this subsection:

(A) "Benefit financially" means the same as defined in section 49(e).

(B) "Kansas state or local governing official" means the same as defined in section 49(e).

(C) "STAR bond project" means the same as defined in K.S.A. 2017 Supp. 12-17,162, and amendments thereto.";

On page 56, in line 33, by striking "100" and inserting "101";

On page 57, in line 7, by striking "100" and inserting "101";

On page 58, in line 5, by striking "100" and inserting "101";

And by renumbering sections accordingly

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

On roll call, the vote was: Yeas 13; Nays 22; Present and Passing 1; Absent or Not Voting 4.

Yeas: Baumgardner, Fitzgerald, Givens, Haley, Hawk, Hensley, Hilderbrand, Holland, Masterson, Pilcher-Cook, Pyle, Suellentrop, Tyson.

Nays: Alley, Berger, Billinger, Bollier, Denning, Doll, Faust-Goudeau, Francisco, Goddard, Hardy, Kerschen, Longbine, McGinn, Olson, Pettey, Rogers, V. Schmidt, Skubal, Sykes, Taylor, Wagle, Wilborn.

Present and Passing: Kelly.

Absent or Not Voting: Bowers, Estes, Lynn, Petersen.

Motions by Senators Fitzgerald and Holland to amend **Sub SB 269** failed.

The committee report on **S Sub HB 2386** recommending **S Sub S Sub HB 2386** be adopted, be amended by motion of Senator Olson; on page 1, in line 27, after "registration" by inserting ", other than a conviction for a crime that is a felony or a class A misdemeanor or any conviction for which issuance of such license, certification or registration could conflict with federal law,"; in line 28, by striking "last"; also in line 28, after "years" by inserting "immediately preceding the application for licensure, certification or registration"; in line 30, by striking all after "years"; by striking all in lines 31 through 33; in line 34, by striking all before the period and inserting "after the person satisfied the sentence imposed",

S Sub S Sub HB 2386 be further amended by motion of Senator V. Schmidt; on page 2, following line 22, by inserting:

- "(5) state board of healing arts;
- (6) state board of pharmacy;
- (7) emergency medical services board;"

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly

S Sub S Sub HB 2386 be further amended by motion of Senator V. Schmidt; on page 2, following line 22, by inserting:

- "(5) board of nursing;"

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly, and **S Sub S Sub HB 2386** be passed as amended.

A motion was offered by Senator Haley to further amend **S Sub S Sub 2386**.

A ruling of the chair was requested as to the germaneness to the amendment. The Chair of the Rules Committee ruled the amendment not germane. The amendment was rejected.

The Vice President assumed the chair.

ORIGINAL MOTION

On motion of Senator Baumgardner, the Senate acceded to the request of the House for a conference on **HB 2542**.

The Vice President appointed Senators Baumgardner, Alley and Hensley as conferees on the part of the Senate.

On motion of Senator Wilborn, the Senate acceded to the request of the House for a conference on **HB 2571**.

The Vice President appointed Senators Wilborn, Baumgardner and Haley as conferees on the part of the Senate.

On motion of Senator Wilborn, the Senate acceded to the request of the House for a conference on **HB 2579**.

The Vice President appointed Senators Wilborn, Baumgardner and Haley as conferees on the part of the Senate.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **HB 2228**, as amended by House Committee, be amended by substituting a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2228," as follows:

"Senate Substitute for HOUSE BILL NO. 2228

By Committee on Assessment and Taxation

"AN ACT concerning income taxation; relating to deductions, Kansas itemized deduction and standard deduction, expensing deduction; treatment of deferred foreign corporate income and global intangible low-taxed income; amending K.S.A. 2017 Supp. 79-32,117, 79-32,119, 79-32,120, 79-32,138 and 79-32,143a and repealing the existing sections."

And the substitute bill be passed.

Also, **SB 444** be amended on page 18, in line 35, by striking "January" and inserting "July"; also in line 35, by striking "17.49%" and inserting "17.056%"; in line 40, by striking "January" and inserting "July"; in line 41, by striking "18.295%" and inserting "17.949%"; and the bill be passed as amended.

On motion of Senator Denning, the Senate adjourned until 10:00 a.m., Wednesday, March 28, 2018.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

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