

Journal of the House

TWENTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, February 16, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

COMMUNICATIONS FROM STATE OFFICERS

I, KRIS KOBACH, Secretary of State of the State of Kansas, do hereby certify that John Resman was appointed by the Governor effective February 16, 2017, for the unexpired term of State Representative for the 121st Legislative District, to fill the vacancy created by the resignation of Mike Kiegerl, and was administered the following oath of office on February 16, 2017.

State of Kansas
County of Shawnee}SS.

I, John Resman, do solemnly swear, or affirm, that I will support the Constitution of the United States, and the Constitution of the State of Kansas, and will faithfully discharge the duties of the office of Kansas House of Representatives, District 121, so help me God.

Subscribed and Sworn to, or Affirmed, before me this 16th day of February, 2017.

CRAIG McCULLAH
Deputy Assistant Secretary of State for Administration

Speaker pro tem Schwab welcomed Rep. Resman to the House of Representatives.

The roll was called with 124 members present.
Rep. Blex was excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Dr. Glenn Tombaugh, pastor, Mt. Vernon United Methodist Church, Wichita, and guest of Rep. Bishop:

O Lord, open my eyes that I may see the needs of others;
open my ears that I may hear their cries; open my heart so
that they need not be without succor; let me not be afraid to
defend the weak because of the anger of the strong, nor
afraid to defend the poor because of the anger of the rich.
Show me where love and hope and faith are needed, and use
me to bring them to those places. And so open my eyes and

my ears that I may this coming day be able to do some work
of peace for thee. Amen.

(Alan Paton, South African educator and author)

The Pledge of Allegiance was led by Rep. Davis.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Proehl are spread upon the Journal:

The Governor signed a Proclamation that today, February 16, 2017, is Kansas Phi Theta Kappa All-State Academic Team Day. And today I am proud to introduce to you the Phi Theta Kappa All-State Academic Team. Ten of those scholars are here on the Floor with me and the remainder are in the gallery with us today.

Phi Theta Kappa is an International Honor Society for two year colleges that symbolizes excellence in higher education and a commitment to students. Students with a GPA of 3.5 or higher are invited to join Phi Theta Kappa whose mission is two-fold: To recognize and encourage the academic achievement of two-year college students, and to provide opportunities for individual growth and development through participation in honors, leadership, service and fellowship programming.

Fifty-five students have been named to the All-Kansas Academic Team and they represent all nineteen Kansas community colleges from across Kansas and were named to this team based upon the academic achievement, leadership and community service. Because of their academic achievement, service and leadership they have been awarded scholarship and stipends to complete their education and I wanted to be sure you were aware of this impressive group of young scholars from the Kansas Community Colleges.

Rep. Proehl introduced the following Phi Theta Kappa scholars to the members of the House: Alyssa Dehncke, Butler Community College; Cristin Shepard, Coffeyville Community College; Heaven Hanson, Kansas City Kansas Community College; Janel Baker, Labette Community College; Nathan Hills, Neosho County Community College-Ottawa; Obinna Muoh, Highland Community College; Courtney Anderson, Cowley College-Mulvane; Jennifer Barnett, Neosho County Community College-Chanute; Cata Wedman, Johnson County Community College and Darrell Clifton, Independence Community College.

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **HB 2019** from Committee on Children and Seniors and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2264** from Committee on Appropriations and rereferral to Committee on Corrections and Juvenile Justice.

Also, the withdrawal of **HB 2289** from Committee on Appropriations and rereferral to Committee on Financial Institutions and Pensions.

Also, the withdrawal of **HB 2065** from Committee on Appropriations and rereferral to Committee on Health and Human Services.

Also, the withdrawal of **HB 2034**, **HB 2239**, **HB 2306** from Committee on Appropriations and rereferral to Committee on Judiciary.

Also, the withdrawal of **HB 2345**, **HB 2288** from Committee on Appropriations and rereferral to Committee on K-12 Education Budget.

Also, the withdrawal of **HB 2277** from Committee on Appropriations and rereferral to Committee on Local Government.

Also, the withdrawal of **HB 2147** from Committee on Appropriations and rereferral to Committee on Veterans and Military.

Also, the withdrawal of **HB 2032**, **HB 2241** from Committee on Taxation and rereferral to Committee on Water and Environment.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Hineman, **HR 6013**, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6013**—

By Representative Ryckman

HR 6013—A RESOLUTION relating to assignment of seats of the House of Representatives.

Be it resolved by the House of Representatives of the State of Kansas: That the members of the 2017 regular session of the legislature shall occupy the same seats assigned pursuant to 2017 House Resolution No. 6002 with the following exception: Resman, seat No. 97.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman to withdraw **HB 2173** from the Calendar under the heading General Orders and to refer to Committee on Appropriations, the motion prevailed.

CONSENT CALENDAR

No objection was made to **HB 2130** appearing on the Consent Calendar for the first day.

No objection was made to **SB 22** appearing on the Consent Calendar for the second day.

No objection was made to **HB 2126**, **HB 2164**, **HB 2212**, **HB 2213** appearing on the Consent Calendar for the third day. The bills were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2126, AN ACT concerning trust instruments; relating to mediation or arbitration of disputes, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis,

Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Blex.

The bill passed.

HB 2164, AN ACT concerning community college boards of trustees; providing an additional member to the Cowley county community college board of trustees; amending K.S.A. 71-1403 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

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

Nays: None.

Present but not voting: None.

Absent or not voting: Blex.

The bill passed.

HB 2212, AN ACT concerning career technical education; relating to the postsecondary technical education authority; amending K.S.A. 2016 Supp. 72-4484 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf,

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

Nays: None.

Present but not voting: None.

Absent or not voting: Blex.

The bill passed.

HB 2213, AN ACT concerning postsecondary education; relating to private and out-of-state postsecondary educational institution fees; amending K.S.A. 2016 Supp. 74-32,181 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

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

Nays: None.

Present but not voting: None.

Absent or not voting: Blex.

The bill passed.

Sub HB 2178, AN ACT concerning income taxation; relating to determination of Kansas adjusted gross income, rates, itemized deductions; amending K.S.A. 2016 Supp. 79-32,110, 79-32,117 and 79-32,120 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,269, was considered on final action.

On roll call, the vote was: Yeas 76; Nays 48; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Baker, Ballard, Becker, Bishop, Brim, Campbell, Carlin, Carmichael, Clayton, Concannon, Cox, Crum, S., Curtis, Deere, Dierks, Dietrich, Elliott, Eplee,

Finney, Francis, Frownfelter, Gallagher, Gartner, Helgerson, Henderson, Hibbard, Highberger, Hineman, Holscher, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lewis, Lusk, Lusker, Markley, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Ralph, Rooker, Ruiz, Sawyer, Schreiber, Schroeder, Sloan, Smith, A., Stogsdill, S. Swanson, Tarwater, Terrell, Thompson, Trimmer, Victors, Ward, Weigel, Wheeler, Wilson, Winn, Wolfe Moore.

Nays: Alcalá, Aramberger, Aurand, Awerkamp, Barker, Burroughs, B. Carpenter, Claeys, Clark, Corbet, E. Davis, DeGraaf, Delperdang, Dove, Ellis, Esau, Finch, Garber, Good, Hawkins, Highland, Hodge, Hoffman, Houser, Huebert, Humphries, Jacobs, K. Jones, Lakin, Landwehr, Mason, Mastroni, Osterman, R. Powell, Rahjes, Resman, Ryckman, Schwab, Seiwert, Smith, E., Sutton, Thimesch, Vickrey, Waymaster, Weber, C., Whipple, Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Blex.

The substitute bill passed.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote no on **Sub HB 2178** because my constituents cannot afford this kind of a tax increase. I have a diverse district with underprivileged residents and affluent residents. Some can pay more, but a lot of them do not have the ability. In our Republican platform, we do not stand for retroactive taxes, and we do not stand for going after successful or working class people by raising their income taxes. Today, I am disappointed in our Republican caucus for voting on things we do not stand for as Republicans. – BLAKE CARPENTER

MR. SPEAKER: I vote no on **Sub HB 2178**. Families all across the state know that we cannot spend more money than we have. That is good common sense and should be followed by the state as we spend those hard earned tax dollars of said Kansas families. – MIKE HOUSER

MR. SPEAKER: I vote NO on **Sub HB 2178**. While we are in need of a level-headed fiscal solution, we are also in need of sensible tax reform. Tax increases on the middle class are not the answer. This is unfair for teachers, nurses, farmers, police officers and others who are trying to make ends meet. I agree that we must be cautious with our approach but we can't jump the gun on this. My constituents did not send me here to raise middle class taxes, and for this reason and more that I cannot support this bill. – RONALD B. ELLIS

MR. SPEAKER: I vote no on **Sub HB 2178**. Though I recognize that Kansas faces an uncertain financial future I believe it is irresponsible to balance our budget and pay for excessive spending by raising taxes on job creators, the middle class and the working poor. Our state government has a spending problem NOT a revenue problem and until we recognize that undeniable fact and stop the cycle of denial we are in, we will continue to exemplify Einstein's definition of Insanity. – JOHN WHITMER, WILLIE DOVE, GREG LAKIN, RANDY POWELL

MR. SPEAKER: I vote no on **Sub HB 2178**. I will not support **Sub HB 2178**. It takes money and security from hard working families and small businesses across this state including the 4th District. This bill is especially unjust to financially struggling families and small businesses. The state promised incentives for growth. Now that the citizens have invested in our communities they are being subjected to retroactive penalties and higher taxes by the state. Can the state ask for prosperity when it cuts the vital roots of growth? “The problem is not that people are taxed too little, the problem is that government spends too much.” Ronald Reagan. – TREVOR JACOBS

MR. SPEAKER: I vote No on **Sub HB 2178**. To teachers, firefighters, nurses and others who guide our children, protect our homes and care for our grandparents—we failed you. To the working poor - college and technical students and anyone else hustling each day to make ends meet and build a better life for yourself and others—we failed you. To entrepreneurs who innovate and risk everything to create opportunities for yourselves and others—we failed you. To any Kansan impacted by this vote-taking your hard-earned money money and giving it to government makes your life harder. It's not fair. We can do better. And we will. – LESLIE OSTERMAN, CHUCK WEBER, BRENDA LANDWEHR, SUSAN HUMPHRIES, RONALD L. HIGHLAND

MR. SPEAKER: Since the day the tax cut was first proposed and adopted in 2012 I have been convinced that plan went too far, too fast. It created an inequitable tax system and destabilized state revenues. As elected officials we have an obligation to spend the people's tax money wisely and reduce taxes when possible. But we are also obligated to responsibly fund government and to provide those services that the people of Kansas need and expect. **Sub HB 2178** corrects the excesses of the 2012 tax cut and puts our fiscal house in order. I vote yes on **Sub HB 2178**. – DON HINEMAN, RICH PROEHL, DON SCHROEDER, JAN KESSINGER, LINDA GALLAGHER

MR. SPEAKER: I vote NO on **Sub HB 2178** because this tax increase attempts to balance the budget on the backs of the middle class and small business owners. According to a recent SurveyUSA Market Research Study, Kansans' #1 preference for balancing the budget is not an income tax increase. To quote a constituent, “Raising taxes is bad enough, but making it retroactive is about as unethical as it gets!” Especially in light of the Alvarez & Marsal Statewide Efficiency Review that identified over 2 billion dollars in possible efficiencies. Kansans expect us to do better. – PETE DEGRAAF

MR. SPEAKER: **Sub HB 2178** is a step backward on protecting our poorest citizens. It adds people who make less than \$15,000 to the tax rolls and greatly increases the tax on the working middle class. It is a step backward for business creation. Small businesses lose their tax break while large corporations keep theirs. It is a step backward for fairness. It is unjust to pass a tax retroactively. For these and many other reasons, I vote No on **Sub HB 2178**. – KEITH ESAU, FRANCIS AWERKAMP

MR. SPEAKER: **Sub HB 2178** represents the largest tax increase in the history of Kansas, targeting Kansas' businesses, the middle-class, and the working poor. In addition, it puts back in place a three tiered system and places an excessive burden on taxpayers statewide by retroactively taxing Kansans for 2017. This bill doesn't just fix a loophole, it creates ongoing, destructive tax policy for the future. I came to Topeka to

create sensible, fair solutions for all citizens and **Sub HB 2178** fails to do that. I vote no on **Sub HB 2178**. – KYLE HOFFMAN, JOHN BARKER, JACK THIMESCH, JOE SEIWERT, DANIEL R. HAWKINS, STEVE HUEBERT

MR. SPEAKER: I vote no on **Sub HB 2178**. Kansas legislators have repeatedly raised taxes when their spending has created budget troubles. While the people of Kansas were balancing their personal budgets, their government continuously created budget holes by spending more money than they collected. The legislature has demanded time after time the people of Kansas pay for their mismanagement. In 2017, the legislature is at it again. – KEN CORBET

MR. SPEAKER: **Sub HB 2178** increases taxes on individuals to the tune of 1.4 billion dollars in the next 5 years. To say nothing of the 967-million-dollar bill on small business owners (if they stay in Kansas). Those pass-through entities accounted for 82% of the 36,000 private sector jobs created in years 2013 and 2014. I hope at some point this body will address the lost revenue due to sales tax exemptions which cost the state over 6 billion dollars a year. When will we truly address the issue of fairness in our tax code? Mr. Speaker I vote NO on **Sub HB 2178**. – RANDY GARBER

MR. SPEAKER: This is not prudent. I Vote No on **Sub HB 2178**. – KEVIN JONES

MR. SPEAKER: I vote Yes on **Sub HB 2178**. It begins the long road to fiscal responsibility in Kansas. It repeals the loophole which allows 330,000 business owners to pay no state income tax. It returns Kansas to a fair tax structure where the wealthy pay their fair share for the common good. Some taxes will increase but the rates are lower than 2012. A family of four making \$46,500 or less would pay NO increase in income tax over 2016. A family of four making \$50,000 would pay \$370.25 LESS in income taxes than they did in 2012. – TOM SAWYER, STEVE CRUM, JERRY STOGSDILL, PATSY TERRELL

MR. SPEAKER: During my recent campaign, I spoke to thousands of constituents who felt the 2012 tax plan created an inequitable tax system and destabilized state revenues. As newly elected officials, we have an obligation to spend the people's tax money wisely and reduce taxes when possible. We are also obligated to listen to our constituents and responsibly fund government to provide those services the people of Kansas need and expect. For my constituents, **Sub HB 2178** corrects the excesses of the 2012 tax cut and puts our fiscal house in order. Mr. Speaker, I vote yes on **Sub HB 2178**. – SEAN TARWATER

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Barker in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Barker, Committee of the Whole report, as follows, was adopted:

Recommended that committee report to **HB 2161** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2052** be adopted.

Also, on motion of Rep. Jennings, **Sub HB 2052** be amended on page 23, in line 11, by adding \$6,000,000 to the dollar amount and by adjusting the dollar amount in line 11 accordingly;

On page 25, following line 16, by inserting:

"(u) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:
Evidence based juvenile program (521-00-1000-0050) \$6,000,000"

Also, on motion of Rep. DeGraaf, **Sub HB 2052** be amended on page 34, following line 9, by inserting:

"Sec. 78. (a) During the fiscal year ending June 30, 2017, no state agency named in chapter 104 of the 2015 Session Laws of Kansas, this act or other appropriation act of the 2017 regular session of the legislature shall expend any moneys appropriated for the fiscal year ending June 30, 2017, from the state general fund or in any special revenue fund or funds for such state agency by chapter 104 of the 2015 Session Laws of Kansas, chapter 12 of the 2016 Session Laws of Kansas, chapter 111 of the 2016 Session laws of Kansas or in this or other appropriation act of the 2017 regular session of the legislature, for acquisition of a new or used passenger car or truck as a replacement for a passenger car or truck owned by the state agency, unless:

(1) The motor vehicle being replaced has an unadjusted odometer reading of 130,000 miles or more for a passenger car or 150,000 miles or more for a truck; or

(2) the passenger car or truck being replaced requires repairs that are estimated to cost more than the amount equal to 33% of the replacement value of a new or used passenger car or truck of the same class, as the case may be, including parts and labor, in order to be safe to drive.

(b) Any state agency named in chapter 104 of the 2015 Session Laws of Kansas, this act or other appropriation act of the 2017 regular session of the legislature shall report on all passenger cars or trucks requested to be replaced to the director of legislative research or such director's designee, including:

(1) Vehicle model;

(2) vehicle year;

(3) vehicle mileage;

(4) cost of replacement; and

(5) an estimate of safety-related repairs necessary for a vehicle to be replaced.

(c) As used in this section:

(1) "State agency" means each state agency named in chapter 104 of the 2015 Session Laws of Kansas, this act or other appropriation act of the 2017 regular session of the legislature, except that state agency shall not include the Kansas highway patrol;

(2) "passenger car" has the meaning ascribed thereto in K.S.A. 8-1445, and amendments thereto; and

(3) "truck" has the meaning ascribed thereto in K.S.A. 8-1481, and amendments thereto.

Sec. 79. (a) During the fiscal year ending June 30, 2018, no state agency named in chapter 104 of the 2015 Session Laws of Kansas, this act or other appropriation act of the 2017 regular session of the legislature shall expend any moneys appropriated for the fiscal year ending June 30, 2018, from the state general fund or in any special revenue fund or funds for such state agency in this or other appropriation act of the 2017 regular session of the legislature, for acquisition of a new or used passenger car or truck as a

replacement for a passenger car or truck owned by the state agency, unless:

(1) The motor vehicle being replaced has an unadjusted odometer reading of 130,000 miles or more for a passenger car or 150,000 miles or more for a truck; or

(2) the passenger car or truck being replaced requires repairs that are estimated to cost more than the amount equal to 33% of the replacement value of a new or used passenger car or truck of the same class, as the case may be, including parts and labor, in order to be safe to drive.

(b) Any state agency named in chapter 104 of the 2015 Session Laws of Kansas, this act or other appropriation act of the 2017 regular session of the legislature shall report on all passenger cars or trucks requested to be replaced to the director of legislative research or such director's designee, including:

(1) Vehicle model;

(2) vehicle year;

(3) vehicle mileage;

(4) cost of replacement; and

(5) an estimate of safety-related repairs necessary for a vehicle to be replaced.

(c) As used in this section:

(1) "State agency" means each state agency named in chapter 104 of the 2015 Session Laws of Kansas, this act or other appropriation act of the 2017 regular session of the legislature, except that state agency shall not include the Kansas highway patrol;

(2) "passenger car" has the meaning ascribed thereto in K.S.A. 8-1445, and amendments thereto; and

(3) "truck" has the meaning ascribed thereto in K.S.A. 8-1481, and amendments thereto.";

And by renumbering sections accordingly

Also, on further motion of Rep. DeGraaf to amend **Sub HB 2052**, the motion was withdrawn.

Also, on further motion of Rep. DeGraaf, **Sub HB 2052** be amended, on page 34, following line 9, by inserting:

"Sec. 78. (a) During the fiscal year ending June 30, 2017, no state agency named in chapter 104 of the 2015 Session Laws of Kansas, this act or other appropriation act of the 2017 regular session of the legislature shall expend any moneys appropriated for the fiscal year ending June 30, 2017, from the state general fund or in any special revenue fund or funds for such state agency by chapter 104 of the 2015 Session Laws of Kansas, chapter 12 of the 2016 Session Laws of Kansas, chapter 111 of the 2016 Session Laws of Kansas, or in this or other appropriation act of the 2017 regular session of the legislature, for acquisition of new or replacement office furniture, equipment or supplies in excess of \$100 unless such expenditure is specifically approved by the director of the budget. At the same time the director of the budget approves such expenditure, the director of the budget shall transmit a copy of such approval to the director of legislative research.

(b) During the fiscal year ending June 30, 2017, the director of the budget shall provide a list to the house appropriations committee and the senate ways and means committee of all items approved, the cost of such items and the reason why such approval could not be delayed until the following fiscal year.";

And by renumbering sections accordingly; and **Sub HB 2052** be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **HB 2271** be passed.

Committee on **Elections** recommends **HB 2333** be amended on page 1, in line 17, by striking all after "review"; in line 18, by striking all before the period and inserting "all races except: (1) Races involving judges; (2) uncontested races; and (3) races where the margin was more than 30%. Only one local race shall be selected for audit in even-numbered year elections"; also in line 18, by striking "office" and inserting "offices"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2140** be passed.

Committee on **Health and Human Services** recommends **HB 2106** be amended on page 1, in line 18, by striking all after "services"; in line 19, by striking all before "and"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2217** be amended on page 1, in line 19, by striking ", ambulance service";

On page 2, in line 3, by striking "except"; in line 4, by striking all before the period; in line 40, after "antagonist" by inserting "to its employees or volunteers";

On page 3, in line 17, by striking "first responder"; also in line 17, after "nurse" by inserting ", or a first responder, scientist or technician operating under a first responder agency,"; and the bill be passed as amended.

Committee on **Insurance** recommends **HB 2233** be amended on page 2, in line 2, after the semicolon, by inserting "and"; in line 3, by striking all after "(C)"; by striking all in line 4; in line 5, by striking "(D)"; and the bill be passed as amended.

Committee on **Transportation and Public Safety Budget** recommends **HB 2036** be amended on page 1, in line 31, after "national" by inserting "or regional";

On page 2, in line 6, after "(ABET)" by inserting "or the higher learning commission"; in line 11, by striking "directly"; by striking all in line 12; in line 13, by striking all before the period and inserting "with a qualified employer"; in line 16, after the period by inserting ""Tuition" includes both amounts paid during participation in a qualified program or tuition debt upon completion of a qualified program."; by striking all in lines 17 through 22; in line 29, by striking "of commencing" and inserting "prior to or following the commencement of"; in line 38, after "Kansas" by inserting ", as determined by the secretary of revenue";

On page 3, following line 32, by inserting:

"Sec. 5. The secretary of revenue may adopt rules and regulations necessary or convenient for the implementation and administration of sections 1 through 4, and amendments thereto.";

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

Committee on **Transportation** recommends **HB 2095** be amended on page 1, in line 6, after "transportation" by inserting ", with respect to highways under the secretary's jurisdiction, including those highways designated as city connecting links,"; in line 7, by striking "special vehicle operating" and inserting "overweight divisible load"; also in line 7, by striking all after "permit"; in line 8, by striking all before "for"; in line 12, by

striking all after "(b)"; in line 13, by striking all before "shall" and inserting "Such vehicles"; in line 14, by striking "also"; in line 15, by striking "special"; also in line 15, by striking "combination" and inserting ", when loaded in excess of 80,000 pounds,"; in line 17, by striking "special"; also in line 17, by striking "combination"; in line 20, after "(3)" by inserting "the vehicle shall not be operated on any bridge or highway that has a posted gross weight limit or posted axle weight limit less than that which the vehicle is operating;

(4) the permit must be carried in the vehicle when the vehicle is operating at a weight over 85,500 pounds;

(5)";

Also in line 20, by striking "special"; also in line 20, by striking "combination"; in line 22, by striking "and"; in line 23, by striking "(4)" and inserting: "(6) any vehicle operating under an overweight divisible load permit cannot violate the width provisions of K.S.A. 8-1902, and amendments thereto, or the height and length provisions of K.S.A. 8-1904, and amendments thereto; and

(7) the vehicle, when operating in excess of 85,500 pounds, must not operate when highway surfaces have ice or snowpack or drifting snow.

(c)";

Also on page 1, in line 25, by striking "special"; also in line 25, by striking "combination";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

Committee on **Veterans and Military** recommends **HB 2174** be amended on page 1, by striking all in lines 6 through 16; following line 16, by inserting:

"Section 1. K.S.A. 2016 Supp. 8-1,146 is hereby amended to read as follows: 8-1,146. (a) Any owner or lessee of one or more passenger vehicles, trucks of a gross weight of 20,000 pounds or less, motorcycles or travel trailers, who is a resident of the state of Kansas, and who submits satisfactory proof to the director of vehicles, in accordance with rules and regulations adopted by the secretary of revenue, that such person has proof of: (1) Having served and is designated as a veteran, and has had an honorable discharge from the United States army, navy, air force, marine corps, coast guard or merchant marines; or (2) currently serving in the United States army, navy, air force, marine corps, coast guard or merchant marines, upon compliance with the provisions of this section, may be issued one distinctive license plate for each such passenger vehicle, truck, motorcycle or travel trailer designating such person as an United States military veteran. Such license plates shall be issued for the same period of time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto.

On and after January 1, 2005, any person issued a license plate under this section may request a decal for each license plate indicating the appropriate military branch in which the person served or is currently serving.

(b) Any person who is a veteran or current member of the United States army, navy, air force, marine corps, coast guard or merchant marines may make application for such distinctive license plates, not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for the distinctive license plates shall furnish the director with proof as the

director shall require that the applicant is a veteran or current member of the United States army, navy, air force, marine corps, coast guard or merchant marines. Application for the registration of a passenger vehicle, truck, motorcycle or travel trailer and issuance of the license plates under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(c) No registration or distinctive license plates issued under the authority of this section shall be transferable to any other person.

(d) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in ~~subsection (b) of K.S.A. 8-132(b)~~, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant has filed with the director a form as provided in subsection (b). If such form is not filed, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the distinctive license plates to the county treasurer of such person's residence.

(e)(1) A person eligible to receive a license plate under this section who does not meet the definition of "disabled veteran" under K.S.A. 8-160, and amendments thereto, upon submitting satisfactory proof to the director of vehicles pursuant to K.S.A. 8-1,125(a), and amendments thereto, that such person's disability, condition or impairment is permanent in nature, may request a wheelchair emblem decal for such license plate.

(2) When a motor vehicle displaying a decal issued pursuant to this subsection is being operated by or used for the transportation of a person with a disability, such motor vehicle shall receive all parking privileges under K.S.A. 8-1,126, and amendments thereto.

(f) A fee of \$2 shall be paid for each decal issued under subsection (a) or (e). The director of vehicles shall design such decals. Such decals shall be affixed to the license plate in the location required by the director.

Sec. 2. K.S.A. 8-1,126 is hereby amended to read as follows: 8-1,126. When a motor vehicle which bears a special license plate or placard issued pursuant to K.S.A. 8-1,125, and amendments thereto, or wheelchair emblem decal under K.S.A. 8-1,146(e), and amendments thereto, is being operated by or used for the transportation of a person with a disability, such motor vehicle:

(a) May be parked in any parking space, whether on public or private property, which is clearly marked as being reserved for the use of persons with a disability or persons responsible for the transportation of a person with a disability, except a parking space on private property which is clearly marked as being reserved for the use of a specified person with a disability;

(b) may be parked for a period of time not to exceed 24 hours in any parking zone which is restricted as to the length of parking time permitted, except where stopping, standing or parking is prohibited to all vehicles, where parking is reserved for special types of vehicles or where parking would clearly present a traffic hazard; and

(c) shall be exempt from any parking meter fees of the state or any city, county or other political subdivision.";

Also on page 1, in line 17, before "K.S.A" by inserting "K.S.A. 8-1,126 and"; also in line 17, by striking "8-160 is" and inserting "8-1,146 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "disabled veteran"; in line 2, by striking "eligibility" and inserting "decals for certain military veterans with disabilities"; also in

line 2, after "amending" by inserting "K.S.A. 8-1,126 and"; also in line 2, by striking "8-160" and inserting "8-1,146"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Veterans and Military** recommends **HB 2257** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2257," as follows:

"Substitute for HOUSE BILL NO. 2257
By Committee on Veterans and Military

"AN ACT concerning motor vehicles; relating to decals for certain military medals or badges; armed services occupation medal; amending K.S.A. 2016 Supp. 8-1,156 and repealing the existing section.";

And the substitute bill be passed.

(**Sub HB 2257** was thereupon introduced and read by title.)

Committee on **Water and Environment** recommends **HB 2312** be passed.

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **HB 2282** from Committee on Commerce, Labor and Economic Development and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2299** from Committee on Health and Human Services and referral to Committee on Appropriations.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Friday, February 17, 2017.

BECKIE HENDRICKS, JENNY HAUGH, JULIA WERNER, *Journal Clerks.*
SUSAN W. KANNARR, *Chief Clerk.*

