



KANSAS STATE FIREFIGHTERS ASSOCIATION

MEMORANDUM

To: Interested Parties

From: John J. Federico, JD
Stephen P. Duerst, JD

Date: January 29, 2021

Re: Weekly Update - Week of January 25, 2021

Please see our Weekly Update on Kansas Legislative activities:

A Special Note on Finding Bill Language & Bill Trackers

If you need to find specific language of a bill, type the number in the box under “Bill number:” on the right-hand side of [this](#) webpage. Once you find the bill listed, click that specific bill. You will find the PDF logo under the “Documents” label - click the logo...this will lead you to the text of the bill.

if there are bills that you would like *removed* from or *added* to your bill tracker, please contact Katie Whisman (katie@federicoduerst.com).

As always, our office is more than happy to send you specific language as well.

Abortion Resolution Passes Senate, Heads to Voters

The Kansas Senate voted Thursday evening to approve a [constitutional amendment](#) that would state abortion is not a fundamental right. The chamber [voted along party lines](#) for the measure, which could overturn a 2019 Kansas Supreme Court decision. The House [passed](#) the measure last week.

Proponents of the amendment have tried for over a year to push the measure. During the 2020 Session, the Senate came up with the required 2/3 majority needed to advance the resolution. However, it struggled in the House, where moderate Republicans and Democrats were resistant to the effort. After the 2020 primary election, conservative Republicans made significant gains in both the House and the Senate, which paved the way for the amendment to pass this Session.

The amendment will now be placed on what could be a crowded August 2022 ballot. In addition to the amendment question, a heated Republican primary for Governor may emerge, as well as primary election races for Kansas House seats.

Department of Labor Woes Continue

Both Republican and Democratic lawmakers blasted the Kansas Department of Labor this week for the agency's failure to stem unemployment fraud claims and inability to respond to questions posed by citizens. The renewed criticism comes as fraudulent claims have spiked and have contributed to the drawdown of the unemployment trust fund, which only has \$273 million left after starting 2020 with a balance of nearly \$1 billion. Further, lawmakers are frustrated after hearing from countless constituents who seemingly cannot talk to anyone within the Department to help them file a claim.

For the week ending January 9, Kansas had the second highest increase in the nation of initial unemployment claims. The recent spike in claims is the highest the state has seen since the COVID-19 pandemic began last March.

Officials from both Governor Laura Kelly's office and the Department of Labor took the unprecedented step of shutting down the unemployment system from Saturday to Tuesday to install verification technology in an attempt to decrease fraudulent claims. Officials also continue to look at ways to improve its call center, which now has 450 employees compared to 20 when the pandemic began last spring. Additionally, the Governor has requested \$37 million in her budget to upgrade the state's decades old computer system.

Marketplace Facilitator Bills Introduced; SB 50 to have Hearing Wednesday

The Senate Tax Committee will begin hearings next week on a bill designed to capture sales tax from goods bought and sold online. Lawmakers will begin considering [SB 50](#) on Wednesday. The bill is the latest attempt by the Kansas Legislature to pass a marketplace facilitator law after years of last-minute negotiations on similar bills that never materialized. The state remains one of the few in the country not to have a marketplace facilitator law in place.

[HB 2173](#), also pertaining to online sales tax and marketplace facilitators, was introduced in the House Taxation Committee. That bill has yet to have a hearing date scheduled.

Rare House Floor Work Includes Criminal Justice Reform Bills

The Kansas House advanced two measures on Thursday pertaining to criminal justice reform.

- [HB 2026](#) would establish a certified drug abuse treatment program. Offenders would be allowed the option, in some circumstances, to take the program in lieu of conviction. The bill, in part, was the product of the Kansas Criminal Justice Reform Commission, which has met for the past several months.
- [HB 2008](#) would require certain types of training for law enforcement agencies to help find missing and murdered Indigenous persons. The bill is in response to an increase of endangered Indigenous persons that has been seen across the country. As of January 7, there are nearly 700 missing American Indian or Alaskan Native people, including 3 from Kansas.

With the fear of COVID-19 and large group gatherings, floor work in both the House and the Senate has been rare this Session. The House has 125 members, and the Senate is comprised of 40. When voting and debating bills, members must be in the Chamber, in accordance with a Kansas Attorney General's [opinion](#) written in December of 2020.

Budget Work Begins

Several weeks have passed since the Governor first presented her [FY 2022 budget](#) to the Legislature and next week, lawmakers will begin taking a closer look at the proposal. Subcommittees in both the House

and Senate will start hearing, approving and/or modifying the state’s budget. Items of note in this year’s proposal include:

- Reamortization of KPERS over 25 years. This would free up \$158.7 million of SGF in FY22 to provide more certainty given the ongoing pandemic.
- Funding to expand Medicaid, in the event the Legislature chooses to do so.
- Retail Sales & Compensating Use Taxes on Digital Property and making changes to tax code so that Marketplace Facilitators collect sales tax as well. The Governor’s Office estimates this would bring in \$85.8 million in FY22.
- Investment in the state’s IT infrastructure, including:
 - \$37.5 million between FY21 and FY22 from Federal and revenue funds for Unemployment Insurance modernization efforts at the Department of Labor
 - \$3.1 million for Juvenile and Offender Management Information Systems
 - \$2.0 million for Electronic Health Record support and maintenance
 - \$1.0 million for Comprehensive Child Welfare Information System
 - \$4.3 million for general state IT rehab and repair
 - \$6.6 million for KPERS IT modernization
- Reduce reliance on transfers from the Kansas Department of Transportation, with a plan to phase out transfers by FY23 and continued funding of the Eisenhower Legacy Plan (comprehensive transportation program passed in 2020).
- A 2.5% pay increase for all state employees.

We will continue to keep you apprised of budget meetings and developments, as necessary.

Weekly Schedule: February 1 – 5

Schedule subject to change. Daily Session calendars may be found [here](#).

<u>TIME</u>	<u>DAY/COMMITTEE</u>	<u>ROOM</u>	<u>AGENDA</u>
	<u>MONDAY</u>		
8:30 PM	S Agriculture	144-S	Bill Intros
8:30 AM	S Public Health & Welfare	142-S	N/A
8:30 AM	S Transportation	546-S	N/A
9:00 AM	H Appropriations	112-N	N/A
9:00 AM	H Fed & State	346-S	Bill Intros, Possible Action
9:00 AM	H Water	152-S	N/A
9:00 AM	H Financial Inst. & Rural	218-N	Bill Intros
9:00 AM	H Local Government	281-N	N/A
9:30 AM	S Tax	548-S	N/A
9:30 AM	S Financial Inst. & Insurance	546-S	N/A
9:30 AM	S Transparency & Ethics	142-S	N/A
10:30 AM	S Commerce	546-S	Bill Intros, Hearing SB66- Amending Angel Investor Tax Credit
10:30 AM	S Fed & State	144-S	N/A
10:30 AM	S Judiciary	346-S	N/A
10:30 AM	S Ways & Means	548-S	N/A
11:00 AM	<u>HOUSE FLOOR</u>		

1:30 PM	S Education	144-S	Bill Intros, Possible Action
1:30 PM	S Utilities	548-S	Bill Intros, Presentation: Kansas Cable Telecommunications Association
1:30 PM	H Ag. Budget	118-N	N/A
1:30 PM	H Children & Seniors	152-S	Bill Intros, Presentation on COVID-19 Vaccine Rollout by KDHE Secretary Dr. Lee Norman
1:30 PM	H Commerce	346-S	Bill Intros, Action: HB2066- Expanding the military spouse & Servicemember expedited licensure law
1:30 PM	H Corrections & JJ	546-S	Bill Intros, Hearing: HB2128- Clarifying jurisdiction and supervision of offenders in certified drug abuse treatment program to nondrug offenders
1:30 PM	H Education	218-N	N/A
1:30 PM	H Health & Human Ser.	112-N	N/A
1:30 PM	H Higher Ed. Budget	281-N	N/A
1:30 PM	H Transportation	582-N	N/A
2:30 PM	SENATE FLOOR		
3:30 PM	H Agriculture	112-N	Bill Intros
3:30 PM	H General Gov. Budget	281-N	Bill Intros
3:30 PM	H Judiciary	582-N	Bill Intros
3:30 PM	H K-12 Budget	546-S	N/A
3:30 PM	H Social Services Budget	152-S	Bill Intros, Budget Hearing: HealthCare Stabilization
3:30 PM	H Tax	346-S	Bill Intros
3:30 PM	H Transportation Budget	118-N	Bill Intros, Budget Hearing: Emergency Medical Services Board, State Fire Marshall, Adjutant General's Office
3:30 PM	H Insurance	218-N	Bill Intros, Hearing HB2135- Establishing the Securities Act Victim Restitution Program
	<u>TUESDAY</u>		
8:30 PM	S Agriculture	144-S	Bill Intros
8:30 AM	S Public Health & Welfare	142-S	Bill Intros
8:30 AM	S Transportation	546-S	Bill Intros, SB67- Expanding definitions of all-terrain vehicles; Possible Action
9:00 AM	H Appropriations	112-N	Bill Intros, Possible Action
9:00 AM	H Fed & State	346-S	Bill Intros, Possible Action
9:00 AM	H Water	152-S	Bill Intros, Hearing HB2005- Excluding hot water boilers with nominal water capacity exceeding 120 gal. from provisions of Boiler Safety Act
9:00 AM	H Utilities & Telecom	582-N	N/A
9:00 AM	H Veterans	281-N	Bill Intros
9:30 AM	S Tax	548-S	Bill Intros, Hearing: SB23- Prop. Tax Abatement on certain repairs; SB70- Exemption of sales tax on motor vehicles; SB46-Income tax modifications on employer sponsored retirement plans

9:30 AM	S Financial Inst. & Insurance	546-S	Bill Intros, Hearing SB37- Updating producer licensing pertaining to certain fees and exemptions
9:30 AM	S Local Government	142-S	Bill Intros, Possible Action
10:30 AM	S Commerce	546-S	Bill Intros, Possible Action
10:30 AM	S Fed & State	144-S	Bill Intros, TBD
10:30 AM	S Judiciary	346-S	Bill Intros
10:30 AM	S Ways & Means	548-S	N/A
11:00 AM	HOUSE FLOOR		
1:30 PM	S Education	144-S	Bill Intros
1:30 PM	S Utilities	548-S	Bill Intros
1:30 PM	H Ag. Budget	118-N	Bill Intros
1:30 PM	H Children & Seniors	152-S	Bill Intros, Possible Action
1:30 PM	H Commerce	346-S	Bill Intros, HB2097- Decoupling KIT & KIR programs from HPIP
1:30 PM	H Corrections & JJ	546-S	Bill Intros
1:30 PM	H Education	218-N	Bill Intros
1:30 PM	H Health & Human Ser.	112-N	N/A
1:30 PM	H Higher Ed. Budget	281-N	Bill Intros, Budget Hearing: Board of Healing Arts
1:30 PM	H Transportation	582-N	Bill Intros, Hearing: HB2107- Regulating funeral processions creating violation for not yielding
2:30 PM	SENATE FLOOR		
3:30 PM	H Agriculture	112-N	N/A
3:30 PM	General Gov. Budget	281-N	Bill Intros
3:30 PM	H Judiciary	582-N	Bill Intros, Hearing: HB2095- Allowing courts to prohibit firearm possession pursuant to care of mentally ill persons
3:30 PM	H K-12 Budget	546-S	Bill Intros, Possible Action
3:30 PM	H Social Services Budget	152-S	Bill Intros, Budget Hearing: Healthcare Stabilization
3:30 PM	H Tax	346-S	Bill Intros, Action: SB13- Establishing Truth in Taxation Act
3:30 PM	H Transportation Budget	118-N	Bill Intros
3:30 PM	H Elections	218-N	Bill Intros, Action HB2054- Limiting who may deliver advance ballots
	<u>WEDNESDAY</u>		
8:30 PM	S Agriculture	144-S	Bill Intros
8:30 AM	S Public Health & Welfare	142-S	Bill Intros
8:30 AM	S Transportation	546-S	Bill Intros, Hearing: SB68- Establishing a fee on Firefighter distinctive license plates; Possible Action
9:00 AM	H. Approps	112-N	Bill Intros, Possible Action
9:00 AM	H Fed & State	346-S	Bill Intros, Hearing: HB2138- Club and drinking establishment liquor license eligibility; Possible Action
9:00 AM	H Water	152-S	Bill Intros
9:00 AM	H Financial Inst. & Rural	218-N	Bill Intros, Possible Action
9:00 AM	H Local Government	281-N	Bill Intros

9:30 AM	S Tax	548-S	Bill Intros, Hearing SB50- Requiring Marketplace Facilitators to collect and remit sales, use, and transient guest taxes
9:30 AM	S Financial Inst. & Insurance	546-S	Bill Intros, Hearing SB48- Requiring certain insurance coverage for diagnostic exams for breast cancer
9:30 AM	S Transparency & Ethics	142-S	Bill Intros
10:30 AM	S Commerce	546-S	Bill Intros, Hearing SB65- Decoupling KIT/KIR workforce from HPIP
10:30 AM	S Fed & State	144-S	Bill Intros, TBD
10:30 AM	S Judiciary	346-S	Bill Intros, Hearing SB58- Prohibiting filing of certain liens
10:30 AM	S Ways & Means	548-S	N/A
11:00 AM	HOUSE FLOOR		
1:30 PM	S Education	144-S	Bill Intros, Possible Action
1:30 PM	S Utilities	548-S	Bill Intros
1:30 PM	H Ag. Budget	118-N	Bill Intros, Action: Department of Credit Unions Budget
1:30 PM	H Children & Seniors	152-S	Bill Intros, Hearing: HB2150- Creating definition of financial exploitation in adult care; HB2151- Creating Kansas elder and dependent adult abuse program
1:30 PM	H Commerce	346-S	Bill Intros
1:30 PM	H Corrections & JJ	546-S	Bill Intros, TBD
1:30 PM	H Education	218-N	Bill Intros
1:30 PM	H Health & Human Ser.	112-N	Hearing: HB2157-Step Therapy Protocols
1:30 PM	H Higher Ed. Budget	281-N	Bill Intros
1:30 PM	H Transportation	582-N	Bill Intros, Hearing: HB2164- Requiring drivers to proceed with caution when passing stationary vehicles
2:30 PM	SENATE FLOOR		
3:30 PM	H Agriculture	112-N	Bill Intros
3:30 PM	H General Gov. Budget	281-N	Bill Intros
3:30 PM	H Judiciary	582-N	Bill Intros, Hearing: HB2126- Providing civil liability immunity for COVID-19 claims for adult care facilities
3:30 PM	H K-12 Budget	546-S	Bill Intros
3:30 PM	H Social Services Budget	152-S	Bill Intros
3:30 PM	H Tax	346-S	Bill Intros, Hearing: HB2105- Tax withholding when employees work in multiple States; HB2023- Eight-year simple average of Ag land for property tax
3:30 PM	H Transportation Budget	118-N	Bill Intros, Budget Recommendations: Emergency Medical Services Board, State Fire Marshal, Adjutant General's Office
3:30 PM	H Insurance	218-N	Bill Intros, Overview of Kansas Health Insurance Mandates and discussion of Proposed Legislation
	<u>THURSDAY</u>		
8:30 PM	S Agriculture	144-S	Bill Intros
8:30 AM	S Public Health & Welfare	142-S	Bill Intros, Informational Hearing: Establishing Joint Committee on Child Welfare System Oversight

8:30 AM	S Transportation	546-S	Bill Intros
9:00 AM	H Appropriations	112-N	Bill Intros, Possible Action
9:00 AM	H Fed & State	346-S	Bill Intros, Possible Action
9:00 AM	H Water	152-S	Bill Intros
9:00 AM	H Utilities & Telecom	582-N	Bill Intros
9:00 AM	H Veterans	281-N	Bill Intros
9:30 AM	S Tax	548-S	Bill Intros, Hearing SB72- Requiring appraisal courses for County Appraisers and requiring approval process from Real Estate Appraisal Board
9:30 AM	S Financial Inst. & Insurance	546-S	N/A
9:30 AM	S Local Government	142-S	Bill Intros, TBD
10:30 AM	S Commerce	546-S	Bill Intros, Possible Action
10:30 AM	S Fed & State	144-S	Bill Intros, TBD
10:30 AM	S Judiciary	346-S	Bill Intros, Hearing SB57- Suspending Statutory Speedy trail until May 1, 2024
10:30 AM	S Ways & Means	548-S	Hearing on Agency Budget: Emergency
11:00 AM	HOUSE FLOOR		
1:30 PM	S Education	144-S	Bill Intros, Possible Action
1:30 PM	S Utilities	548-S	Bill Intros
1:30 PM	H Ag. Budget	118-N	Bill Intros
1:30 PM	H Children & Seniors	152-S	Bill Intros, Possible Action
1:30 PM	H Commerce	346-S	Bill Intros
1:30 PM	H Corrections & JJ	546-S	Bill Intros
1:30 PM	H Education	218-N	N/A
1:30 PM	H Health & Human Ser.	112-N	Hearing: HB 2160 - Establishing certification and funding for certified community behavioral health clinics
1:30 PM	H Higher Ed. Budget	281-N	Bill Intros, Budget Recommendations
1:30 PM	H Transportation	582-N	N/A
2:30 PM	SENATE FLOOR		
3:30 PM	H Agriculture	112-N	Bill Intros
3:30 PM	General Gov. Budget	281-N	Bill Intros
3:30 PM	H Judiciary	582-N	Bill Intros
3:30 PM	H K-12 Budget	546-S	N/A
3:30 PM	H Social Services Budget	152-S	Bill Intros
3:30 PM	H Tax	346-S	Bill Intros, Action: HB2070- Postsecondary institutes recoup credit card fees; HB2106-Extending Corporate tax return deadlines; HB2104- Sales tax exemption on construction materials
3:30 PM	H Transportation Budget	118-N	Bill Intros
3:30 PM	H Elections	218-N	Bill Intros, Possible Action
	FRIDAY		

3:30 PM	H General Gov. Budget	281-N	Bill Intros
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