



## MEMORANDUM

**To:** Interested Parties

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

**Date:** January 20, 2023

**Re:** Weekly Report – Week of January 16, 2023

Please see our Weekly Report 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 Liz Sosa ([Liz@FedericoDuerst.com](mailto:Liz@FedericoDuerst.com)).

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

### **LAWMAKERS LEAVE AFTER SHORT WEEK TO PREP FOR BUSY WEEK AHEAD**

After taking Monday off in observation of Martin Luther King Jr. Day, the Legislature began their second week of work on Tuesday. Despite a slow first week of bill introductions, over 200 [bills](#) were read in between the House and Senate Chambers during week two. Informational hearings filled the bulk of committee agendas this week but will transition to bill hearings beginning on Monday. As always, please see our weekly calendar, below, as well as daily Session calendars by clicking [here](#).

### **STATE OF THE STATE TO BE HELD AFTER DELAY**

After the announcement that Governor Kelly tested false positive for COVID immediately following the inauguration festivities, the annual State of the State address was postponed until January 24, 2023, at 6:30 pm in the House Chambers. The [Governor’s Budget](#) was released last week.

### **FLAT TAX PROPOSAL INTRODUCED**

The Kansas Chamber of Commerce introduced a bill this week that proposes a 5% flat income tax rate for individuals and corporations, essentially collapsing the three current brackets down to one. Individuals with incomes of \$15,000 or less and married couples with incomes of \$30,000 would be exempted. Additionally, the bill reduces the rate for banks and savings and loans institutions and using revenues in excess of estimates to eventually reduce the income tax rate to zero though a fiscal note has not yet been

established to provide insight into the cost of the tax proposal. The topic of a flat tax has been a significantly discussed issue around the Capitol this Session and will likely continue to be a frequent topic as lawmakers decide how best to deal with a record surplus in state general funds. There is no word yet on when the bill will be heard.

### **WORKFORCE RECOMMENDATIONS REVISITED AND DISCUSSED**

On Tuesday, the [House Commerce Committee](#) received a Report of the [Special Committee on Workforce Development](#). This report, which can be found [here](#), provided 19 recommendations for legislative consideration including creating pathways for adult learners, providing additional financial assistance to more students, increasing support for innovative workforce development programs, expanding affordable child care options, investigating disability pay gaps, and proceeding cautiously regarding the legalization of marijuana. Lawmakers will now begin the arduous task of trying to draft legislation to address at least some of these needs.

### **POSSIBLE MEGA INVESTMENT PROJECTS ANNOUNCED; FEW DETAILS GIVEN**

Following the historic announcement of the multibillion Panasonic battery plant investment, the [Department of Commerce](#) delivered an update to the [Senate Commerce Committee](#) this week on the legislation used to help get the deal across the finish line.

The APEX or [Attracting Powerful Economic Expansion Act](#) was passed last Session after weeks of negotiation and close votes. Among other provisions, the bill provides for investment tax credits, payroll rebates, money for training and education, relocation investment incentives and sales tax exemptions. The Department of Commerce noted that the Panasonic project is well underway and asked the committee to extend the sunset on the costly legislation to 2024. There has been chatter that lawmakers want to modify the law in other ways, as well, although no specifics have been provided at this time.

Commerce also noted other mega-projects in the pipeline. While few details were given, several possible projects were discussed, including:

- An advanced manufacturing plant consisting of \$3 billion capital investment and an estimated 3,500 jobs.
- An advanced manufacturing plant consisting of \$4 billion capital investment and an estimated 723 jobs.
- A semiconductor megaproject consisting of \$1.4 billion capital investment and an estimated 1,994 jobs.
- A semiconductor megaproject consisting of \$1.9 billion capital investment and an estimated 2,000 jobs.
- A renewable energy megaproject consisting of \$1 billion capital investment and an estimated 25 jobs.
- A heavy industry manufacturing consisting of \$1 billion capital investment and an estimated 175 jobs.
- One gas-to-chemicals facility that is a megaproject. Due to the industry type is not currently eligible for APEX, as it is a refining industry. This project would include a capital investment of \$1.05 billion with an estimated 54 jobs.

### **ECONOMIC INCENTIVE PROGRAMS AUDIT REVEALED**

The [Legislative Post Audit Committee](#) met this week and heard the presentation of an audit, conducted by the non-partisan [Division of Post Audit](#), which examined the effectiveness of 5 of the Department of

Commerce’s major economic development [programs](#). Specifically, the audit concentrated on the High Performance Incentive Program (HPIP), Job Creation Fund (JCF), Kansas Industrial Training (KIT), Kansas Industrial Retraining (KIR) and Promoting Employment Across Kansas (PEAK). Combined, these programs have awarded over \$400 million to businesses between 2017 and 2021. Auditors noted the programs were generally successful despite not being able to return sufficient amounts of income, sales, or property tax dollars to cover initial investment. The full report can be found [here](#).

**OTHER PRESS RELEASES & UPDATES**

[Governor Kelly Announces Nearly \\$45 Million to Connect Kansans to High-Speed Internet](#)

**WEEKLY SCHEDULE: WEEK OF JANUARY 23 - 27**

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

<b>JANUARY 23, 2023</b>			
<b>Time</b>	<b>Committee</b>	<b>Room</b>	<b>Notes</b>
8:30 PM	S Agriculture	144-S	N/A
8:30 AM	S Public Health & Welfare	142-S	N/A
8:30 AM	S Transportation	546-S	N/A
9:00 AM	H. Approps	112-N	N/A
9:00 AM	H Fed & State	346-S	N/A
9:00 AM	H Financial Inst. & Pensions	582-N	Bill Intros, Briefing: Insurance Department, Joint Committee on Pensions, TEFPI Report
9:00 AM	H Local Government	281-N	Bill Intros
9:00 AM	H Leg. Modernization	218-N	Bill Intros, Briefing: Legislative Admin Services, LPA Operations
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	N/A
10:30 AM	S Fed & State	144-S	N/A
10:30 AM	S Judiciary	346-S	Bill Intros, Confirmation Hearing: Maurice Brewer BIDS
10:30 AM	S Ways & Means	548-S	N/A
11:00 AM	<b>HOUSE FLOOR</b>		
1:30 PM	S Education	144-S	Bill Intros, Hearing: SB13- Permitting local broadcasters to broadcast high school sports activities
1:30 PM	S Utilities	548-S	Bill Intros, Briefing: Regulation of Robo-calls
1:30 PM	H Ag. Budget	118-N	N/A
1:30 PM	H Child Welfare	152-S	Bill Intros, Hearing: HB2024- Infant Refugee Surrender; Briefing: Foster Care, Child Welfare Systems
1:30 PM	H Commerce	346-S	N/A
1:30 PM	H Corrections & JJ	546-S	Bill Intros, Briefing: Juvenile Justice Oversight; Hearing: HB2033- Changing Criteria for juvenile intervention center

1:30 PM	H Education	218-N	Bill Intros, Briefing: Foster Care Reports
1:30 PM	H Health & Human Ser.	112-N	Bill Intros, Briefing: Silver Haired Legislature, Statewide Addiction Prevention, Community Care Network
1:30 PM	H Higher Ed. Budget	281-N	N/A
1:30 PM	H Transportation	582-N	Bill Intros, Briefing: Broadband Middle Mile Initiatives
2:30 PM	<b>SENATE FLOOR</b>		
3:30 PM	H Agriculture	112-N	N/A
3:30 PM	H General Gov. Budget	281-N	Bill Intros, Briefing: KS Dental Board
3:30 PM	H Judiciary	582-N	Bill Intros, Hearing: HB2010- Defendants lacking mental capacity, SB2023- Crime of Interference with conduct of a hospital
3:30 PM	H K-12 Budget	546-S	Bill Intros, Briefing: Special Education
3:30 PM	H Social Services Budget	152-S	Bill Intros, Briefing: KDADS
3:30 PM	H Tax	346-S	On-Site Tour of Local Tax Office
3:30 PM	H Transportation Budget	118-N	N/A
3:30 PM	H Insurance	218-N	N/A
<b>JANUARY 24, 2023</b>			
<b>Time</b>	<b>Committee</b>	<b>Room</b>	<b>Notes</b>
8:30 PM	S Agriculture	144-S	Bill Intros, Briefing: Kansas Water Office
8:30 AM	S Public Health & Welfare	142-S	Bill Intros, Briefing: Local Health Departments in Kansas
8:30 AM	S Transportation	546-S	Bill Intros, Hearing: SB2- Authorizing driving privileges for individuals with revoked licenses
9:00 AM	H Appropriations	112-N	Bill Intros, Briefing: BuildUP Kansas, Overview of IKE Plan HUB Proposal, LPA Audits
9:00 AM	H Fed & State	346-S	Bill Intros, TBD
9:00 AM	H Water	218-N	Bill Intros, Briefing: Kansas Water Authority
9:00 AM	H Utilities & Telecom	582-N	Bill Intros, Briefing: Overview of 911 Operators, AT&T State Commitment, Robo Calls- Verizon & T-Mobile
9:00 AM	H Veterans	281-N	Bill Intros, Hearing: HB2039- Exempting Disabled Veterans from certain requirements relating to Hunting/Fishing Licenses
9:30 AM	S Tax	548-S	Bill Intros, Briefing: Income Tax Overview; Briefing: LPA Property Tax Audit; Possible Action
9:30 AM	S Financial Inst. & Insurance	546-S	Bill Intros, Hearing: SB14- Updating version of Risk Based Capital, SB18- Redefining 'Person' in Insurance Law
9:30 AM	S Local Government	142-S	N/A
10:30 AM	S Commerce	546-S	Bill Intros, Briefing: Special Committee on Workforce Development, Kansas Chamber Workforce Presentation

10:30 AM	S Fed & State	144-S	Bill Intros, Briefing: Unemployment and the Labor Market
10:30 AM	S Judiciary	346-S	Bill Intros, Briefing: Association of Public Safety Communication
10:30 AM	S Ways & Means	548-S	Bill Intros, Briefing: FMAP Enhanced Rates, I/DD Waiver Modernization, Mental Health Intervention, Virtual Math Program
11:00 AM	HOUSE FLOOR		
1:30 PM	S Education	144-S	Bill Intros, Briefing: Vocational Technical Colleges
1:30 PM	S Utilities	548-S	Bill Intros, Briefing: Update on Telecommunications Industry
1:30 PM	H Ag. Budget	118-N	Bill Intros, Briefing: Department of Commerce Enhancements
1:30 PM	H Welfare Reform	152-S	Bill Intros, Briefing: Childcare Assistance
1:30 PM	H Commerce	346-S	Bill Intros, Briefings: BuildUp Kansas, Kansas Restaurant Association
1:30 PM	H Corrections & JJ	546-S	Bill Intros, Hearing: HB2031- Reduce Armed Violence Act increasing penalties
1:30 PM	H Education	218-N	Bill Intros, Hearing: HB2040- Revising School Equity and Enhancement Act
1:30 PM	H Health & Human Ser.	112-N	Bill Intros, Briefings: Family Physicians, KS Association of Osteopathic Medicine
1:30 PM	H Higher Ed. Budget	281-N	Bill Intros, Briefing: Midwest Higher Education Compact
1:30 PM	H Transportation	582-N	N/A
2:30 PM	SENATE FLOOR		
3:30 PM	H Agriculture	112-N	Bill Intros, Briefing: Kansas Water Authority
3:30 PM	H Judiciary	582-N	Bill Intros, Hearing: HB2029- Increasing time of initial Restraining Orders
3:30 PM	H K-12 Budget	546-S	Bill Intros, Hearing: HB2030- Authorizing nonpublic school students to participate in KSHSAA Activities
3:30 PM	H Social Services Budget	152-S	Bill Intros, Briefing: KDHE Overview
3:30 PM	H Tax	346-S	Bill Intros, Hearings: HB2002- Reimbursement of postage for Truth in Taxation, HB2026- Revenue filing release of Tax Warrants
3:30 PM	H Transportation Budget	118-N	Bill Intros, Briefing: Budget Analysis
3:30 PM	H Elections	218-N	Bill Intros, Hearing: HB2013-Runoff Provisions in Certain Elections
3:30 PM	H Gen Gov. Budget	281-N	Bill Intros, Briefing: KDHE Lab Update, OITS Presentation
8:30 PM	S Agriculture	144-S	Bill Intros, TBD
<b>JANUARY 25, 2023</b>			
<b>Time</b>	<b>Committee</b>	<b>Room</b>	<b>Notes</b>

8:30 AM	S Public Health & Welfare	142-S	Bill Intros, Briefing: Critical issues in Kansas Health and Child Welfare Systems
8:30 AM	S Transportation	546-S	Bill Intros, TBD
9:00 AM	H. Approps	112-N	Bill Intros, Briefing: Medicaid Leadership Academy in DC, FMAP Enhancement and Eligibility
9:00 AM	H Fed & State	346-S	Bill Intros, TBD
9:00 AM	H Financial Inst. & Pensions	582-N	Bill Intros, Briefing: KPERS Funding Investments & Policy
9:00 AM	H Local Government	281-N	Bill Intros, Kansas Municipal Utilities
9:00 AM	H Leg. Modernization	218-N	Bill Intros, Briefing: KLRD, Revisor of Statutes
9:30 AM	S Tax	548-S	Bill Intros, Hearings; SB7- Income Tax in rural decline county, SB30- COLA standard deduction, SB22-JoCo Christmas Bureau
9:30 AM	S Financial Inst. & Insurance	546-S	Bill Intros, Hearings: SB24- Definition of employer for autism coverage, SB26- Fiscal soundness for Medicare providers
9:30 AM	S Transparency & Ethics	142-S	Bill Intros, Briefing: Governmental Ethics Commission
10:30 AM	S Commerce	546-S	Bill Intros, Briefing: Children's Cabinet Trust Fund, WSU Workforce Development
10:30 AM	S Fed & State	144-S	Bill Intros, Hearing: Statue on Capitol Grounds, SB39- Authorization of mural
10:30 AM	S Judiciary	346-S	Bill Intros, Briefing: BIDS
10:30 AM	S Ways & Means	548-S	Bill Intros, Briefing: Inmate Incentive Pay & Work Programs, KU Med Cancer Center
11:00 AM	HOUSE FLOOR		
1:30 PM	Joint Education	346-S	Honoring Kansas Teacher of the Year
1:30 PM	S Utilities	548-S	Bill Intros, Briefing: Light Mitigation Technologies
1:30 PM	H Ag. Budget	118-N	Bill Intros, Briefing: Kansas Water Office
1:30 PM	H Child Welfare	152-S	Bill Intros; Hearing: HB2034- KDHE Training for Child Abuse Victims; Possible Action
1:30 PM	H Commerce	346-S	Bill Intros; Hearing: HB2042- Authorizing towing by Self-Storage Units
1:30 PM	H Corrections & JJ	546-S	Bill Intros, TBD
1:30 PM	H Health & Human Ser.	112-N	N/A
1:30 PM	H Higher Ed. Budget	281-N	Bill Intros; Briefing: Economic Impact of Research
1:30 PM	H Transportation	582-N	Bill Intros; Briefing: Road Usage Charge
2:30 PM	SENATE FLOOR		
3:30 PM	H Agriculture	112-N	Bill Intros; Briefing: Lesser Prairie Chicken Endangered Status
3:30 PM	H General Gov. Budget	281-N	Bill Intros; Briefing: Performance Based Budget, Kansas Lottery, Kansas Gaming and Racing Commission

3:30 PM	H Judiciary	582-N	Bill Intros; Hearing: HB2028- Automatic expungement of criminal records
3:30 PM	H K-12 Budget	546-S	Bill Intros; Hearing: Hb2048- Expanding Eligibility under the Tax Credit for Low Income Student Scholarship Program
3:30 PM	H Social Services Budget	152-S	Bill Intros; Briefing: DCF Operations
3:30 PM	H Tax	346-S	N/A
3:30 PM	H Transportation Budget	118-N	Bill Intros; Briefing: Community Corrections, BIDS
3:30 PM	H Insurance	218-N	N/A
<b>JANUARY 26, 2023</b>			
<b>Time</b>	<b>Committee</b>	<b>Room</b>	<b>Notes</b>
8:30 PM	S Agriculture	144-S	Bill Intros, TBD
8:30 AM	S Public Health & Welfare	142-S	Bill Intros, Briefing: Suicide among Adolescent Youth, Marketplace Enrollment Trends
8:30 AM	S Transportation	546-S	Bill Intros, TBD
9:00 AM	H Appropriations	112-N	Bill Intros; Briefing: Agricultural Issues, Wildfire Taskforce
9:00 AM	H Fed & State	346-S	Bill Intros; TBD
9:00 AM	H Water	218-N	Bill Intros; Briefing: Groundwater Management Districts
9:00 AM	H Utilities & Telecom	582-N	Bill Intros; Briefing: Kansas Pipeline Infrastructure, Broadband Development Programs
9:00 AM	H Veterans	281-N	Bill Intros; Action: HB2039- Disabled Veterans Fee Exemptions on Hunting/Fishing Licenses
9:30 AM	S Tax	548-S	Bill Intros, Hearings: SB8- Revising Escaped Personal Property, SB40- Permitting carryforward of NOL, SB41- Remittance Credit Sales Tax
9:30 AM	S Financial Inst. & Insurance	546-S	Bill Intros, Hearings: SB15- Prima Facie related to brokers, SB19- Revising collection of Premium Taxes
9:30 AM	S Local Government	142-S	N/A
10:30 AM	S Commerce	546-S	Bill Intros, Briefing: Kansas Restaurant & Hospitality Association
10:30 AM	S Fed & State	144-S	Bill Intros, Confirmation Hearings: State Civil Service Board
10:30 AM	S Judiciary	346-S	Bill Intros, Briefing: Kansas Sentencing Commission
10:30 AM	S Ways & Means	548-S	N/A
11:00 AM	HOUSE FLOOR		
1:30 PM	S Education	144-S	Bill Intros, Briefing: Higher Ed. by the Numbers
1:30 PM	S Utilities	548-S	Bill Intros, Briefing: Light Mitigation Technology; Possible Action

1:30 PM	H Ag. Budget	118-N	Bill Intros; Briefing: NBAF
1:30 PM	H Welfare Reform	152-S	Bill Intros; Briefing: DCF Work/Training Program
1:30 PM	H Commerce	346-S	Bill Intros; Possible Action
1:30 PM	H Corrections & JJ	546-S	Bill Intros; TBD
1:30 PM	H Education	218-N	Bill Intros; Briefing: Mental Health Professionals in Schools, Issues around Restraint
1:30 PM	H Health & Human Ser.	112-N	Bill Intros; Briefing: Kansas Health Centers Association
1:30 PM	H Higher Ed. Budget	281-N	Bill Intros; Briefing: Economic Impact of Research
1:30 PM	H Transportation	582-N	Bill Intros; Hearings: HB2019- Independent Contractor for Transportation Networks, HB2020- Employment Status related to Vehicle Safety
2:30 PM	SENATE FLOOR		
3:30 PM	H Agriculture	112-N	N/A
3:30 PM	H Judiciary	582-N	Bill Intros; Possible Action
3:30 PM	H K-12 Budget	546-S	N/A
3:30 PM	H Social Services Budget	152-S	Bill Intros; Briefing: Overview of HCBS Waivers
3:30 PM	H Tax	346-S	Bill Intros; Hearing: HB2041- Sales Tax Exemption for Non-profit Community Theaters
3:30 PM	H Transportation Budget	118-N	N/A
3:30 PM	H Elections	218-N	Bill Intros; Hearing: HB2056- All Advance Voting Ballots to be Returned by 7PM Election Day; Possible Action
3:30 PM	H Gen Gov. Budget	281-N	N/A