

AD ASTRA REVIEW

FEBRUARY 20-24, 2017

WEEK 7

FAST FACTS

Since FY'14, Kansas' growth in tax receipts has been 0.3%. Over the last 25 years, normal growth was 3.6%. Normal growth would have provided over \$940 million in additional revenue.

Consensus Revenue Estimate (CRE) FY'17 is set for 1.5% below FY'16.

The number of state employees since 2011 has decreased by 2,816.

The Kansas House has passed 91 bills this session. 53 bills were passed by the House this week.

LOOKING AHEAD

VETO SUSTAINED ON TAX INCREASES

On Wednesday, the House overrode the Governor's veto on the Tax bill ([HB 2178](#)) with a vote of 85 to 40. Following the Senate sustaining the Governor's veto of HB 2178, on a vote of 24-16, the House Taxation Committee returned to considering other revenue options. On Thursday the 23rd, the Committee passed out two bills: [HB 2315](#), the Governor's tax proposal (without recommendation) and [HB 2370](#), which is identical to the **HB 2178**. Additionally, the Committee introduced two bills. One contains contents of **HB 2178** without a top income tax bracket and the other is the LLC non-wage business tax exemption.

EXEMPT COMMITTEES

The Appropriations Committee will return to complete its hearing of the Budget Committee reports. The Committee will hear the final report on March 13 and then begin the process of putting together recommendations into the Mega budget bill ([HB 2364](#)) and the Judicial Budget bill ([HB 2365](#)). Another key piece of budget legislation is [HB 2052](#), the rescission bill (the FY '17 budget bill) and the Pooled Money Investment Portfolio bill ([HB 2161](#)), which currently reside in Senate Ways and Means.

NON-EXEMPT COMMITTEES

Non-exempt Committees will begin work on Senate bills and any referred blessed House bills. The K-12 Education Budget Committee has heard school finance formulas, which have all been "blessed" or exempted from legislative deadlines, and will begin deciding which components will become the final Committee bill. The Committee on Children and Seniors will continue looking at [HB 2019](#), which establishes a foster care oversight committee, and [HB 2232](#), which addresses electronic monitoring in adult care homes. The Government Technology, and Security Committee requested three bills to be blessed ([HB 2331](#), [HB 2332](#), [HB 2359](#)) and will continue working these bills to address internet security concerns in Kansas.

MEDICAID EXPANSION

Earlier this month, [HB 2064](#) received three days of live-streamed testimony in the Committee on Health and Human Services Committee, with one day each devoted to all proponents, one to all opponents, and those neutral. Over 150 individual stakeholders, hospitals, advocacy groups, and private citizens expressed their concerns for and against the measure to expand Medicaid. On Monday, the committee made a motion to table the bill until next year, which failed to receive a majority of vote with a vote count of 8-8. A second motion was made to table the bill until April 3rd, which prevailed with a vote count of 9-8, successfully tabling the bill.

Later on Wednesday, the Committee of the Whole adopted an amendment to insert the contents of **HB 2064** into [HB 2044](#), bypassing the committee process and effectively modifying the bill for the purpose of expanding Kansas' Medicaid Program. Five other amendments were proposed to revise the bill in its new form, but all were rejected by the body. The final vote of the amended bill was 81-44. The bill has been sent over to the Senate and has been referred to the Public Health and Welfare Committee **(I voted Yes)**

FLOOR ACTION

MONDAY, FEBRUARY 20

HB 2079 – Water district vehicle registration

This bill would add water district vehicles to the list of vehicles that can be permanently registered in Kansas. Current law dictates that vehicles used for utility purposes may only be registered for five-year periods.

Final Action, Tuesday, Feb 21; ---Yes: 125, No: 0 **(I voted Yes)**

Bill carried by: Representative Shannon Francis

HB 2158 – Providing for canvassing of advance ballots submitted by mail on Election Day.

This bill would revise deadlines for acceptance of advance voting ballots.

Adopted amendment:

Allows the county election officer to deliver advance voting ballots, specifically those received at a designated polling place, to the appropriate special election board.

Final Action, Tuesday, Feb 21; ---Yes: 123, No: 2 **(I voted Yes)**

Bill carried by: Representative Vic Miller

HB 2125 – Amending the Kansas General Corporation Code to include public benefit corporations.

Final Action, Tuesday, Feb 21; ---Yes: 124, No: 1 **(I voted Yes)**

Bill carried by: Representative Elizabeth Bishop

HB 2102– Board of County Commissioners; meetings

Final Action, Tuesday, Feb 21; ---Yes: 124, No: 1

Bill carried by: Representative Eric Smith

HB 2170 – Allowing bicycles to be equipped with either a rear lamp or reflector.

Final Action, Tuesday, Feb 21; ---Yes: 116, No: 9 **(I voted Yes)**

Bill carried by: Representative KC Ohaebosim

TUESDAY, FEBRUARY 21

HB 2268 – Extending the sunset date on certain working after retirement exemptions.

Final Action, Wednesday, Feb 22; ---Yes: 116, No: 9 **(I voted Yes)**

Bill carried by: Representative Jim Kelly

HB 2186 – Enacting the Uniform Arbitration Act of 2000.

Adopted amendment:

The bill would amend the law concerning teachers' due process procedures when such teachers receive notice their contracts will be terminated or nonrenewed (contents of [HB 2179](#))

Final Action, Wednesday, Feb 22; ---Yes: 72, No: 53 **(I voted Yes)**

Bill carried by: Representative Tim Hodge

HB 2070 - Creating an exemption to the Kansas Open Records Act for the central registry of Kansas police and law enforcement officers.

Final Action, Wednesday, Feb 22; ---Yes: 107, No: 18 **(I voted Yes)**

Bill carried by: Representative John Whitmer

HB 2128 – Allowing the governor's domestic violence fatality review board to recess for a closed or executive session.

Final Action, Wednesday, Feb 22; ---Yes: 104, No: 21 **(I voted Yes)**

Bill carried by: Representative Susan Humphries

SB 30 – Changing definition reference in the Kansas Retailers' Sales Tax Act; the Higher Learning Commission.

This bill would replace statutory reference to the North Central Association of Colleges and Schools with a reference to the Higher Education Learning Commission. The bill would also change the due date for filing certain withholding tax forms from the last day of February to January 31.

Final Action, Wednesday, Feb 22; ---Yes: 123, No: 2 **(I voted Yes)**

The Senate nonconcurred with amendments, conference committee appointed.

Bill carried by: Representative Erin Davis

HB 2333 – Audits of election results; voting machine requirements; timing of the canvass.

Final Action, Wednesday, Feb 22; ---Yes: 124, No: 0 **(I voted Yes)**

Bill carried by: Representative Keith Esau

HB 2153 – Fee agencies, moneys transferred to the State General Fund; notification to persons paying fees that moneys have been transferred.

This bill would ensure that moneys received under statutory provisions for a specific purpose are to be kept as separate funds and not used for any other governmental purpose.

Final Action, Wednesday, Feb 22; ---Yes: 124, No: 1 **(I voted Yes)**

Bill carried by: Representative Randy Garber

HB 2176 – Providing exceptions to the parental notification requirement when a sexual assault evidence collection examination of a minor has taken place.

Final Action, Wednesday, Feb 22; ---Yes: 108, No: 17 **(I voted Yes)**

Bill carried by: Representative Greg Lakin

HB 2136 – Updating provisions relating to weights and measures.

Final Action, Wednesday, Feb 22; ---Yes: 119, No: 6 **(I voted Yes)**

Bill carried by: Representative Larry Hibbard

HB 2140 – Authorizing the governor to enter into the Great Plains Interstate Fire Compact.

This bill would authorize Kansas to enter into an interstate compact for the purpose of promoting effective prevention and control of forest fires, specifically within the Great Plains region.

Final Action, Wednesday, Feb 22; ---Yes: 124, No: 1 **(I voted Yes)**

Bill carried by: Representative Melissa Rooker

WEDNESDAY, FEBRUARY 22

HB 2301 – Legislative review of exceptions to disclosure of public records.

Consent Calendar 3rd Day

Final Action, Wednesday, Feb 23; ---Yes: 125, No: 0 **(I voted Yes)**

HB 2044 – Establishing the KanCare Bridge to a Healthy Kansas Program and providing Medicaid reimbursement for clubhouse rehabilitation services.

This bill originally called for the Secretary of Health and Environment to include reimbursement for clubhouse rehabilitation services within the Medicaid Program.

Adopted amendment:

Establish the KanCare Bridge to a Health Kansas Program. KDHE would be required to administer and promote the program and provide information to potential eligible individuals who live in medically underserved areas of the state. This amendment would also modify the eligibility requirements for the Kansas Medical Assistance Program.

Final Action, Thursday, Feb 23; ---Yes: 81, No: 44 **(I voted Yes)**

HB 2080 – Reinstatement of forfeited benefit units of rural water districts.

Final Action, Thursday, Feb 23; ---Yes: 112, No: 13 **(I voted Yes)**

Bill carried by: Representative Tom Sloan

HB 2197 – Creating an exception to the Kansas Open Records Act for juror lists.

Final Action, Thursday, Feb 23; ---Yes: 125, No: 0 **(I voted Yes)**

Bill carried by: Representative Blaine Finch

HB 2210 – Elections; political or temporary signs; city and county restrictions.

This bill would permit municipalities to regulate the placement of or the number of political signs on private property. Current law prohibits municipalities from doing so during the 45-day period prior to an election and two-days after, on private property.

Final Action, Thursday, Feb 23; ---Yes: 100, No: 25 **(I voted Yes)**

Bill carried by: Representative Kristey Williams

HB 2106 – License renewal of treatment centers.

This bill would allow KDADS to grant licenses to treatment facilities that have also been accredited by nationally accrediting entities.

Final Action, Thursday, Feb 23; ---Yes: 125, No: 0 **(I voted Yes)**

Bill carried by: Representative Dan Hawkins

HB 2036 – Providing income tax credits for aerospace and aviation program graduates and their employers.

This bill would create a tax credit to incentivize the attendance of a Kansas university for the purpose of receiving an aviation engineering degree. Both employees and employers would benefit for five years.

Adopted amendment:

Require the Secretary of Revenue to submit a report regarding these tax credits to the House and Senate budget committees.

Final Action, Thursday, Feb 23; ---Yes: 77, No: 47 **(I voted NO, not only because the fiscal note was \$15 million dollars in a year we can't afford it. But, also because it wasn't a comprehensive bill that supported other disciplines and industries in our state.)**

Bill carried by: Representative Leo Delperdang

HB 2095 – Providing a special vehicle permit for certain vehicle combinations.

This bill would allow the Department of Transportation to issue annual special vehicle operating permits for large-scale vehicles weighing between 85,000 to 90,000 pounds, with six or more axels.

Final Action, Thursday, Feb 23; ---Yes: 77, No: 48 **(I voted NO, because our mayors and city commissioners were concerned about how it would affect our local bridges.)**

Bill carried by: Representative Ken Rahjes

HB 2260 – Allowing probation revocation without graduated sanctions for persons on probation due to downward departure.

Final Action, Thursday, Feb 23; ---Yes: 125, No: 0 **(I voted Yes)**

Bill carried by: Representative John Wheeler

HB 2066 – Public wholesale water supply districts and highway right-of-way.

This bill would require the Secretary of Transportation to reimburse a wholesale water supply districts for the cost of relocating water pipelines in a state highway right-of-way.

Final Action, Thursday, Feb 23; ---Yes: 123, No: 2 **(I voted Yes)**

HB 2312 – Amending the administrative hearing process for the Department of Agriculture.

Final Action, Thursday, Feb 23; ---Yes: 121, No: 4 **(I voted Yes)**

Bill carried by: Representative Kent Thompson

HB 2160 – Amending the Individual Development Account Program Act to allow certain expenditures by individuals who were likely to age out of foster care. **(I voted Yes)**

This bill would

Final Action, Thursday, Feb 23; ---Yes: 125, No: 0 **(I voted Yes)**

Bill carried by: Representative Anita Judd-Jenkins

HB 2302 – Relating to the custody and disposition of cruelly treated animals.

This bill would allow law enforcement agencies, district attorney's offices, county prosecutors, veterinarians, and animal shelters to petition a district court's order to place a confiscated abused animal for adoption or euthanasia. Currently, only animal shelters may make this petition, and law enforcement agencies are required to retain custody of confiscated abused animals.

Final Action, Thursday, Feb 23; ---Yes: 124, No: 1 **(I voted Yes)**

Bill carried by: Representative Brad Ralph

Sub HB 2272 – Establishing the Kansas Water Authority Science and Research Subcommittee.

This bill would establish a subcommittee within the Kansas Water Authority, for the purposes of evaluating the efficacy of State Water Plan funded programs, recommend research priorities, and recommend reprioritizations of projects.

Final Action, Thursday, Feb 23; ---Yes: 77, No: 48 **(I voted NO, because this established oversight that wasn't necessary)**

Bill carried by: Representative Tom Sloan

HB 2187 – Restrictions on persons interacting with child care facilities.

This bill would restrict individuals with certain convictions from working or volunteering in a child care facility. Those who have been convicted of arson, are found within another state's abuse and neglect registry, or are sexual offenders would be prohibited from working in this capacity.

Adopted amendment:

Clarify the definition of felony, technical amendment.

Final Action, Thursday, Feb 23; ---Yes: 125, No: 0 **(I voted Yes)**

Bill carried by: Representative Brenda Dietrich

HB 2278 – Hillside Cemetery District; deannexation of territory located within the City of Valley Center.

Final Action, Thursday, Feb 23; ---Yes: 125, No: 0 **(I voted Yes)**

Bill carried by: Representative Steve Huebert

HB 2320 – Clarifying who receives notice of request for disclosure of warrants.

Final Action, Thursday, Feb 23; ---Yes: 125, No: 0 **(I voted Yes)**

Bill carried by: Representative Leonard Mastroni

HB 2129 – Relating to an exception to Department of Administration energy audit requirements. *This bill would allow the Secretary of Administration to approve new and extend current leases without an energy audit being performed, should the Secretary determine that an energy audit is not economically feasible.*

Final Action, Thursday, Feb 23; ---Yes: 124, No: 1 **(I voted Yes)**

Bill carried by: Representative Chuck Weber

HB 2076 – Creating the Seat Belt Safety Fund and increasing the fine for adult seat belt violations.

This bill would increase the fine for not wearing a seat belt from \$10 to \$30. The \$20 increase would be funneled into the Seat Belt Safety Fund, which would be used to educate school children the benefits of seat belts.

Final Action, Thursday, Feb 23; ---Yes: 93, No: 32 **(I voted Yes)**

Bill carried by: Representative Trevor Jacobs

HB 2148 – Providing for an autism awareness distinctive license plate.

This bill would authorize an autism awareness license plate and a 4-H Foundation license plate, starting January 1, 2018.

Final Action, Thursday, Feb 23; ---Yes: 120, No: 5 **(I voted Yes)**

Bill carried by: Representative Shelee Brim

HB 2203 – Designating a segment of United States Highway 75 as the SGT Eldon K Miller Memorial Highway.

Final Action, Thursday, Feb 23; ---Yes: 125, No: 0 **(I voted Yes)**

Bill carried by: Representative Linda Gallagher

THURSDAY, FEBRUARY 23

HB 2118 – Providing liability exceptions and inactive provider coverage limits under the Health Care Provider Insurance Availability Act and exempting certain licensed providers from the act.

Final Action, Thursday, Feb 23; ---Yes: 124, No: 0 **(I voted Yes)**

Bill carried by: Representative Boyd Orr

HB 2174 – Providing for license plate decals for certain military veterans with disabilities.

Final Action, Thursday, Feb 23; ---Yes: 124, No: 0 **(I voted Yes)**

Bill carried by: Representative Diana Dierks

HB 2217 – Standards governing the use and administration of emergency opioid antagonists.

This bill would enact standards governing the use and administration of emergency opioid antagonists, which is used to treat individuals experiencing an opioid overdose.

Final Action, Thursday, Feb 23; ---Yes: 124, No: 0 **(I voted Yes)**

Bill carried by: Representative Greg Lakin

HB 2205 – Vaccinations for meningitis required.

This bill would add meningitis to the list of required vaccinations for Kansas school children.

Final Action, Thursday, Feb 23; ---Yes: 104, No: 20 **(I voted Yes)**

Bill carried by: Representative John Eplee

HB 2240 – Enacting the Crisis Intervention Act.

This bill would permit law enforcement officers to transport individuals in custody to a crisis intervention center, whereby such centers may not refuse to accept these individuals.

Adopted amendment:

Technical amendment adding a reference to the Care and Treatment Act for Mentally Ill Persons

Final Action, Thursday, Feb 23; ---Yes: 124, No: 0 **(I voted Yes)**

Bill carried by: Representative Blaine Finch

HB 2219 – Relating to diabetes information reporting.

This bill would require KDHE to submit an annual report to the Legislative Coordinating Council concerning the financial impact of diabetes and department-led plans to battle diabetes.

Final Action, Thursday, Feb 23; ---Yes: 117, No: 7 **(I voted Yes)**

Bill carried by: Representative Blaine Finch

HB 2107 – Inclusion of biological products in the pharmacy act of the state of Kansas.

This bill would allow biological products to be substituted for FDA-approved interchangeable biosimilars, as generic drugs are substituted.

Final Action, Thursday, Feb 23; ---Yes: 114, No: 10 **(I voted NO, because the bill wouldn't require pharmacists to contact my doctor directly to ensure the switch would be safe for me)**

Bill carried by: Representative Dan Hawkins

HB 2262 – Adding employees of the Department of Corrections to the definition of law enforcement officer regarding requests for law enforcement assistance from another jurisdiction.

This bill would add the Department of Corrections to the list of law enforcement agencies allowed to request assistance from out-of-state jurisdictions, and would add the Secretary of Corrections to the definition of "law enforcement officer" to make those requests.

Final Action, Thursday, Feb 23; ---Yes: 124, No: 0 **(I voted Yes)**

Bill carried by: Representative Susan Humphries

HB 2329–Amending certain employment security benefit provisions relating to receipt of separation pay.

Final Action, Thursday, Feb 23; ---Yes: 124, No: 0 **(I voted Yes)**

Bill carried by: Representative Les Mason

HB 2304–Child care facilities; infant safety in sleeping equipment and sleeping areas.

This bill would amend current law concerning child care facilities, whereby children under twelve months must be placed to sleep on a surface and in an area approved by the Secretary of Health and Environment. These sleep surfaces would be required to be free from loose bedding, pillows, toys, and other items and equipment.

Final Action, Thursday, Feb 23; ---Yes: 119, No: 5 **(I voted Yes)**

Bill carried by: Representative Tom Burroughs

HB 2256–Election offenses; electioneering crime changes.

Final Action, Thursday, Feb 23; ---Yes: 72, No: 52 **(I voted NO, because I don't believe in putting up barriers to the democratic process of collecting signatures for petitions. The current law was fine)**

Bill carried by: Representative Keith Esau

Sub HB 2257 – Adding an armed services occupation medal decal for distinctive military license plates.

This bill would create license plate decals for those who have been awarded the Army Occupation Service Medal or Navy Occupation Service Medal.

Final Action, Thursday, Feb 23; ---Yes: 124, No: 0 **(I voted Yes)**

Bill carried by: Representative Lonnie Clark

BILLS INTRODUCED

The following bills were introduced during the week of Feb. 20th -24th, 2017:

[HB 2369] – Reducing the sales and compensating use tax rate of food and food ingredients.

[HB 2372] – Providing homestead property tax refunds to renters.

[HB 2373] – Enacting the food sales tax refund and sunseting the tax credit for food purchased in the state.

[HB 2374] – Expanding the tax credit for low income students scholarship program.

To view a complete list and status of all pending legislation for the 2017 session, visit this link:
http://kslegislature.org/li/b2017_18/measure/bills/house/

IMPORTANT DATES ON NEXT PAGE

REMINDER OF DATES

February 27-March 3	No Session
Monday, March 19	Day 60
Friday, March 24	Last day for non-exempt bill introductions, non-exempt committees to meet
March 27-30	On the floor all day
Thursday, March 30	Last day for non-exempt bills in either house
Friday, March 31	Conference Committees may meet, but NO session
April 3-5	Conference Committees will be meeting
April 6-7	Conference Committee reports will be considered
Friday, April 7	Drop dead day, first adjournment
Thursday, April 20	Consensus Revenue Estimate released. This report is a revised estimate of State General Fund revenue. The estimate is the final estimate for FY '17 and also provides new projections of FY '18 and FY '19 revenue. After the CRE is released, the House Appropriations Committee will hold Omnibus Committee meetings to make adjustments to the budget to reflect the new numbers.
Monday, May 1	Veto Session begins
Sunday, May 14	End of Veto Session, Day 90

**“THE OPPORTUNIST THINKS OF ME AND TODAY. THE STATESMAN THINKS OF US AND TOMORROW.”
-DWIGHT D. EISENHOWER**