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Subject: Turnaround Week Legislative Update

March 2, 2011 Legislative Summary

The Legislature officially reached the Turn Around point for the 2011 Session on Saturday, February 26th. However, for all practical purposes they finished the first half of the Session on Friday, February 25th. The Senate finished debate and final action on all bills to be considered before Turn Around Thursday evening and the House Friday afternoon.

Turn Around marks the point at which all bills must have been passed out of their house of origin or been placed in an exempt committee and re-referred back to that committee for further work and deliberations (otherwise, the bill is not able to be advanced this Session). The Legislature will return on March 2nd for the first full day of the second half of the 2011.

The first half of the 2011 Session was, compared to many years, relatively slow. The reasons could be the orientation of so many new legislators or the fact that there was a new bill drafting system that had its share of kinks. However, there have been some significant pieces of legislation that did advance. See below for a review and update of some 2011 headline issues.

SIGNIFICANT ISSUES/BILLS SO FAR IN 2011

Rescission Budget Bill. Negotiations on the FY2011 Budget rescission bill have stalled. House and Senate negotiators cannot agree on how to fund K-12 Special Education in order to continue to receive federal maintenance of effort dollars. The impasse may offer some insight into future House and Senate negotiations on the FY2012 budget. If so, we could have a very contentious budget battle.

Governors Economic Development Strategic Plan. In his State of the State, Governor Brownback revealed key components of a plan to grow the Kansas economy. Much of what he proposed is swiftly moving through the legislature. Both House and Senate committees have passed their versions of the Governor's economic development proposal, including bills that create rural opportunity zones and allow for income tax expensing of qualified machinery and equipment. These measures are expected to easily move in the second half.

Paycheck Protection Bill. This bill would prohibit labor organizations, professional employees' organizations, and public employee organizations from using paycheck deductions for political activities. It passed the House 75-46 on final action last week, but not before a group of union members disrupted floor debate with shouting, etc from the House gallery. The union members were evicted from statehouse by the capitol police.

Workers Compensation. A comprehensive bill that would revise portions of the Workers Compensation Act passed the full House on a 90-29 vote. In addition to reversing the effects of some recent Kansas Supreme Court decisions, the bill would require an injured employee to show that the work incident was the prevailing factor that caused the injury. The bill, for the most part, represents a compromise between labor and business interests.

Unemployment Insurance. The Senate passed a bill designed to replenish the Kansas employment security trust fund and pay back federal loans and interest. The bill will increase taxes on employers and remove some benefits from employees.

Voter I.D Tuition Repeal and Immigration. The House passed a bill that would require presentation of a birth certificate, a passport or some other official federal government document proving citizenship to register to vote in Kansas. The measure passed basically along party lines, with Democrats calling the bill a 21st Century poll tax. Further, the House, on a 72-50 vote, passed a bill that would eliminate in-state tuition rates for post-secondary school students not legally in the United States. Finally, we expect an Arizona-inspired immigration bill to emerge in the second half of the 2011 Session.

Wine & Liquor Bill. The Senate Federal and State Affairs Committee sent to the full Senate a bill that will allow sale of wine and liquor at places that aren't liquor stores. The bill sought by grocers and convenience store operators has a 5-year cap on the number liquor retail licenses, giving current license holders time to consider if they want to sell their license.

SECOND HALF POLITICAL LANDSCAPE

The House, with huge republican majorities, proved to be true to form in passing a fairly conservative agenda with relative ease. The Senate, also with a comfortable republican majority, appears to be resistant to some of the more conservative pieces of legislation and supportive of more moderate measures. If true, that will really play out in the second half of the 2011 Session, not only with the budget debate but also with some of the bigger issues of the Session. What does that mean? It could have political consequences, depending on how important certain issues are to the sitting Governor. Almost certainly, it will make for a very long, contentious Veto Session in late April.

IMPORTANT DEADLINES

Again, the Legislature returns to work March 2nd. Other important dates for the second half of the 2011 Session are:

March 22 – Last day for committees to meet

March 23 – Last day non-exempt bill in either house (Drop Dead Day)

March 24 to 25 – No Session

March 28 to 30 – Both Houses on Floor All Day

April 2 – Last day of Regular Session

April 27 – Veto Session Begins

Sub for SB 50

Senate Utilities Committee

Concerning emergency communications service; relating to fees, charges, collection and distribution

In House Energy and Utilities

03/02/2011 - House

Referred to Energy and Utilities

SB 182

Senate Ways and Means Committee

EMS board operating fund, fire service training program fund of university of Kansas and fire marshal fee fund share administrative expense reimbursement to general fund

In Senate Financial Institutions and Insurance

02/23/2011 - Senate

Scheduled Hearing: Wednesday, 3/2/2011, 9:30 AM, Rm 152-S

SB 216

Senate Ways and Means Committee

Emergency medical services; licensure of attendants

In Senate Public Health and Welfare

02/22/2011 - Senate

Referred to Public Health and Welfare

S Sub for HB 2014

House Appropriations Committee

Supplemental appropriations for FY 2011 for various state agencies

In Conference Committee

02/16/2011 - Senate

Acceded; appointed McGinn, Vratil and Kelly

HB 2036

Bill Otto, R-9th

Interpretation of federal statutes; regulations and national codes

In House Judiciary

01/26/2011 - House

Scheduled Hearing: Thursday, 2/3/2011, 3:30 PM, Rm 346-S

HB 2066

House Local Government Committee

City annexation; fire district territory; double taxation; refund of taxes

In Senate Local Government

02/25/2011 - Senate
Referred to Local Government

HB 2088

House Commerce and Economic Development Committee

Municipalities; sprinkler systems, residential housing; changes

In Senate Local Government

02/16/2011 - Senate
Scheduled Hearing: Tuesday, 2/22/2011, 9:30 AM, Rm 159-S

HB 2114

House Vision 2020 Committee

Decreasing service time for vesting to 10 years under tier II of the Kansas police and firemen's retirement system

In House Pension and Benefits

02/09/2011 - House
Scheduled Hearing: Monday, 2/14/2011, 9:00 AM, Rm 142-S

HB 2119

House Local Government Committee

Prohibiting accident response service fees

In Senate Financial Institutions and Insurance

02/25/2011 - Senate
Referred to Financial Institutions and Insurance

The House Committee on Local Government amended the bill to expand its applicability beyond only townships and fire districts. The House Committee of the Whole amended the bill to add exemptions for county or district attorney investigators' vehicles from the statute requiring political subdivision-owned or -leased vehicles to bear the subdivision's name. The Bill passed the House Committee of the Whole on a vote of 119-2.

HB 2237

House Appropriations Committee

Fire marshal; investigating authority

In House Judiciary

02/09/2011 - House
Referred to Judiciary

HB 2283

House Judiciary Committee

Lobbying; use of public funds

In House Elections

02/11/2011 - House
Referred to Elections