



KANSAS STATE FIREFIGHTERS ASSOCIATION

MEMORANDUM

To: Interested Parties

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

Date: February 25, 2022

Re: Weekly Update – Week of February 21, 2022

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 Stephen Duerst (Stephen@FedericoDuerst.com).

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

LEGISLATURE FINISHES TURNAROUND WEEK; ADVANCES SEVERAL BILLS

The Legislature officially reached the halfway point in Session this week as it finished “Turnaround”. While there are several exceptions, bills that passed the House now start the process over in the Senate, and vice-versa. The House and Senate were very busy with Floor Work, moving through nearly 100 bills between the two bodies. Some highlights of bills that were debated include the following:

- [SB 34](#) – This bill, introduced by Sen. [Richard Hilderbrand](#) (R-Baxter Springs) would require all state agencies that have adopted rules and regulations to submit a report to the [Joint Committee on Administrative Rules and Regulations](#) outlining why each rule is necessary for the implementation and administration of state law. Rules and regulations may only be adopted and maintained if they serve an identifiable purpose to state law and may be no broader than necessary to accomplish that purpose. The bill also outlines new revocation procedures. SB 34 now heads to the House after having passed the Senate [32-7](#).
- [SB 161](#) – After sitting on the calendar for over a year, an amended bill of SB 161 finally passed the Senate by a vote of [24-15](#). The bill would authorize “personal delivery devices” to operate on any sidewalk, crosswalk, or public highway of any municipality. Several limitations on the devices, such as obeying traffic laws, speed restrictions, proper identification, and front and rear lighting

would apply. Entities operating the devices would be required to have a minimum of \$1 million of liability insurance. The bill was supported by Amazon and Federal Express. While still expressing concerns, the League of Kansas Municipalities became neutral on the bill, after noting provisions that would exclude local regulation of the devices was removed.

- [SB 493](#) – The Senate passed a measure that would prohibit municipalities from adopting or enforcing ordinances that regulates “auxiliary containers” such as bags, cups, or bottles that are made out of a variety of materials, including plastics. Generally, proponents argued this would help them do business in the state without having to worry about a patchwork of regulations. Opponents opposed the bill because of an attack on local control and the negative effects of pollution caused by plastic bags. The bill passed [27-13](#).
- [HB 2299](#) – The House passed a measure that would extend the time required for law enforcement agencies to conduct a search warrant from 4 days to 10 days. Proponents noted that this would bring Kansas in line with the majority of states across the country, as well as boarding states (Oklahoma, Missouri, Nebraska, Iowa, and Colorado). They also stated the increase of searches into electronic records often required additional time.

More significantly, there was an attempt to place an [amendment](#) on the bill by Rep. [Brett Fairchild](#) (R-St. John) that would ban “no-knock” warrants. Heated debate ensued with proponents of the amendment arguing that mistakes in identifying a home do take place. Opponents noted no-knock warrants are extremely rare and could be necessary in cases where the suspect is unstable and has numerous weapons.

While the amendment failed by a vote of [35-84](#), the bill eventually [passed](#).

- [HCR 5014](#) – Perhaps the most controversial measure of the week that took two [attempts](#) to receive the required [two-thirds majority](#) to pass was a proposed constitutional amendment pertaining to rule and regulation authority. Specifically, the proposal would allow for the Legislature to have the ability to revoke or suspend any rule or regulation promulgated by the executive branch by a majority vote of both the House and Senate. Proponents, including Speaker Pro Temp [Blaine Finch](#) (R-Ottawa) argued that the growth of rules and regulations has skyrocketed over the last decade, which necessitated the change. Opponents noted the resolution would upend the separation of powers between the Legislative and Executive branches.

If passed by the Senate, the measure would be placed on the 2022 General Election ballot.

It would also be the second proposed constitutional amendment to be placed on the ballot in 2022. Last Session, the [House](#) and [Senate](#) voted to place an [amendment](#) on the 2022 *Primary* Election ballot that would effectively overturn a 2019 Kansas Supreme Court [decision](#) stating that the state constitution does guarantee a right to an abortion.

BLESSED BILLS CONTINUE THROUGH THE PROCESS

A number of bills were also “blessed”. This means that, despite of not meeting one of the other exceptions required to continue through the legislative process, these bills will continue to remain in the system. Some of note include the following:

- [SB 484](#) – The Fairness in Woman’s Sports Act may sound [familiar](#) as it passed the Legislature in 2021 but was vetoed by the Governor. The bill would require sports sponsored by a K-12 or post-

secondary public school be expressly designated based on biological sex. Athletic teams or sports designated for females would be prohibited from being open to students of the male sex. Similar measures have been floated across the country. The Kansas Board of Regents [noted](#) that enactment of the bill could have an effect on the state's ability to host NCAA events if their policies conflicted with the bill.

- [HB 2662](#) – [House K-12 Budget Committee](#) Chairwoman [Kristey Williams](#) has been busy hearing and working a number of K-12 education reform bills. Specifically, HB 2662, titled the Parent's Bill of Rights & Academic Transparency Act, may continue to be worked on this Session. Generally, the bill would establish academic transparency portals and provide parents the ability to see curriculum and other materials being utilized in the schools. More information on the full contents of the bill can be found [here](#).
- [HB 2463](#) – HB 2463 would prohibit renewal of the current [Medicaid managed care program](#). The bill was originally tabled in the [House Health Committee](#) pending a Kansas Attorney General's opinion, but that motion was reconsidered and passed out of committee. Specifically, the measure would require the state to negotiate and extend the current contracts with the [three managed care organizations](#) through 2025. Currently, the agreements expire at the end of 2023 and a new request for proposal is expected to be released later this year. Opponents believe the bill may run afoul of procurement laws and limit the ability for the Kansas Department of Health and Environment (KDHE) to make standard changes. No word yet when the bill may be brought for a full vote.
- [HB 2620](#) – With violence in health care facilities and against health care workers on the rise over the past decade, representatives from some of Kansas' largest hospitals and healthcare worker associations worked to craft HB 2620. The bill would create new crimes and corresponding penalties if individuals knowingly interfere or assault hospital employees from performing their duties. The bill passed the [House Judiciary Committee](#) and currently is awaiting a vote in the House.
- [HB 2623](#) – With the dawn of the "work from home" era, lawmakers are looking to enact the Rural Remote Worker Incentive Pilot Program. The bill would provide cash incentives for rural remote jobs created by an existing or new business. New workers would need to complete 12 consecutive months of full-time permanent remote in a rural area (defined as a county with a population of 40,000 or less). More specifics on the bill can be found [here](#) and [here](#). The bill passed the House [Financial Institutions and Rural Development Committee](#) and will be referred to the full House.

To see the full list of Blessed Bills that we sent earlier this week, please click [here](#).

APRN BILL VOTED OUT OF COMMITTEE

The [Senate Public Health & Welfare Committee](#) advanced a bill that would, among other things, allow Advance Practice Registered Nurses (APRNs) to prescribe drugs, maintain malpractice insurance and require national certification for initial licensure as an APRN. The bill has been the subject of decades of debate and pitted the Kansas Medical Society against the Kansas State Nurses Association, Americans for Prosperity, and the Kansas Chamber. It will now head to the full Senate for consideration. If passed and sent back to the House, it will be in the form of a Conference Committee Report, allowing it to bypass several steps in the process.

CHAIRMAN SMITH’S FOOD SALES TAX REDUCTION BILL TO BE HEARD

Rep. [Adam Smith](#), Chairman of the powerful [House Tax Committee](#), introduced his own [bill](#) designed to cut down on the state’s sales tax on food. The bill would reduce the food tax from 6.5% to 6.3% beginning on July 1, 2022. Thereafter, the Budget Director would certify that the Budget Stabilization Fund is equal to or greater than \$100 million and would drop the rate by 1.2% every year that the budget threshold is met. The rate would then be set permanently at 0%.

This unique version of the bill will be heard on Wednesday, March 2 along with [HB2720](#), which pertains to reducing the rate of sales and compensating use tax on the sales of food.

BROADBAND DIRECTOR LEAVES POST

[Stanley Adams](#), the state’s leading authority on broadband deployment, announced this week that he will be leaving his post for a job in the private sector. Adams was first appointed by Governor Jeff Colyer in 2018 to head broadband initiatives. The [Office of Broadband Deployment](#) was officially established in 2020 and Adams became its director.

[Melinda Stanley](#), who has worked alongside Adams the past several years, will serve as its new director. She was formally the chief development officer for [KanRen](#) and the education technology coordinator for the [State Department of Education](#).

OTHER PRESS RELEASES & UPDATES

[Governor Laura Kelly Joins Bipartisan Coalition of Governors Urging Congress to Take Quick Action to Reconcile Legislation Strengthening the Semiconductor Supply Chain](#)

WEEKLY SCHEDULE: FEBRUARY 28 – MARCH 4

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

Please note that the House and Senate have adjourned until 3/1. NO Legislative activity Monday 2/28.

MONDAY, FEBRUARY 28

NO LEGISLATIVE ACTIVITY. HOUSE AND SENATE ADJOURNED UNTIL 3/1.

TUESDAY, MARCH 1

Time	Committee	Room	Notes
8:30 AM	S Agriculture	144-S	N/A
8:30 AM	S Public Health & Welfare	142-S	Hearing: SB460- forensic medical evaluation of an alleged victim of child abuse
8:30 AM	S Transportation	546-S	Hearings: SB423- Allowance for reasonable allowance on nonconforming warranties, SB506- Distinctive Plate; Possible Action
9:00 AM	H Appropriations	112-N	N/A
9:00 AM	H Fed & State	346-S	Bill Intros; Hearing: HB2710- Adjusting threshold for wine ABV; Possible Action
9:00 AM	H Water	152-S	Action: HB2686- Creating Kansas Department of Water and Environment
9:00 AM	H Utilities & Telecom	582-N	Briefings: KCC, CURB, Kansans for Lower Electric Rates

9:00 AM	H Veterans	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 Local Government	142-S	N/A
10:30 AM	S Fed & State	144-S	Bill Intros; Hearing: SB479- Suffragist Statue on State land, SB389- Req. Paper Ballots with Watermark; Possible Action
10:30 AM	S Judiciary	346-S	Possible Action
10:30 AM	S Ways & Means	548-S	Bill Intros; Budget Report: Department of Ed.
11:00 AM	HOUSE FLOOR		
11:30 AM	Joint Commerce	112-N	Briefing: Kansas State Use Law Oversight Committee
12:00 PM	SWAM Human Services	548-S	Budget Action: DCF, KDADS
1:30 PM	S Education	144-S	Briefings: MathNation, KS Independent Colleges
1:30 PM	S Utilities	548-S	Briefing: Southwest Power Pool
1:30 PM	H Ag. Budget	118-N	N/A
1:30 PM	H Children & Seniors	152-S	N/A
1:30 PM	H Corrections & JJ	546-S	N/A
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	N/A
3:30 PM	H Gen. Gov. Budget	281-N	Budget Action: KDOL
3:30 PM	H Judiciary	582-N	Hearing: SB300- Amending the Kansas racketeer influenced and corrupt organization act
3:30 PM	H K-12 Budget	546-S	Briefing: Math Nation; Possible Action
3:30 PM	H Social Services Budget	152-S	N/A
3:30 PM	H Tax	346-S	Hearings: HB2684- Sales tax exempt. AAA, HB2709- Tax Exempt. Theater, HB2719- Expanding Telecom equip exempt, SB327- Delivery Charge Tax
3:30 PM	H Transportation Budget	118-N	N/A
3:30 PM	H Elections	218-N	N/A

WEDNESDAY, MARCH 2

8:30 PM	S Agriculture	144-S	Hearing: HB2560- Revising Department of Ag Fees
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8:30 AM	S Public Health & Welfare	142-S	Confirmation Hearing: Secretary of KDHE- Janet Stanek
8:30 AM	S Transportation	546-S	Hearing: HB2594- Exempting certain antique vehicles from VIN requirements; Possible Action
9:00 AM	H. Approps	112-N	Bill Intros; Budget Presentations: BOTA, KDHE-Environment
9:00 AM	H Fed & State	346-S	Bill Intros; Hearing: HB2715- Establishing Certification Program for County Election Officials; Possible Action
9:00 AM	H Water	152-S	Possible Action
9:00 AM	H Financial Inst. & Rural	218-N	Briefing: Rural Broadband- Ideatek
9:00 AM	H Local Government	281-N	Hearing: HB2676- Authorizing counties to create a code inspection and enforcement fund to include IT; Possible Action: HB2518
9:30 AM	S Tax	548-S	Bill Intros; Hearings: SB509- Sales Tax refund for improvements from disasters, SB513- Thrift Store Prop. Tax exemption; Possible Action
9:30 AM	S Financial Inst. & Insurance	546-S	Hearings: HB2490- Amending ABLE Savings Act, HB2564- Updating Risk-based Capital
9:30 AM	S Transparency & Ethics	142-S	Action: SB386- Limiting fees on KORA requests
10:30 AM	S Commerce	546-S	Briefing: Rural Economic Development and Housing
10:30 AM	S Fed & State	144-S	Bill Intros; Hearing: SB192- Relinquish firearms in certain domestic violence cases; Possible Action
10:30 AM	S Judiciary	346-S	Hearing: HCR5014- Leg Oversight of Executive Rules & Regs; Possible Action
10:30 AM	S Ways & Means	548-S	Budget Reports: State Fire Marshal, EMS Board; Hearing: HB2591- SGF funds to Abandoned Oil & Gas Well Fund; Possible Action
11:00 AM	HOUSE FLOOR		
1:30 PM	S Education	144-S	Briefing: Music Educators
1:30 PM	S Utilities	548-S	Hearing: Updating entities subject to KCC pipeline safety program
1:30 PM	H Ag. Budget	118-N	N/A
1:30 PM	H Children & Seniors	152-S	N/A
1:30 PM	H Commerce	346-S	Action: HB2433- Require online marketplaces to verify and authenticate the identity of third parties
1:30 PM	H Corrections & JJ	546-S	N/A
1:30 PM	H Education	218-N	Briefing: Higher Ed. Issues, Music Educators
1:30 PM	H Health & Human Ser.	112-N	Foster Care Overview
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	N/A
3:30 PM	H General Gov. Budget	281-N	Action: Judicial Branch Budget
3:30 PM	H Judiciary	582-N	TBA
3:30 PM	H K-12 Budget	546-S	Briefing: Special Ed.
3:30 PM	H Social Services Budget	152-S	N/A
3:30 PM	H Tax	346-S	Bill Intros; Hearings: HB2711- Refundable Food Sales Tax, HB2720- Reducing rate of sales tax on food; Possible Action
3:30 PM	H Transportation Budget	118-N	N/A
3:30 PM	H Insurance	218-N	N/A

THURSDAY, MARCH 3

8:30 PM	S Agriculture	144-S	N/A
8:30 AM	S Public Health & Welfare	142-S	Hearing: SB155- Expanding Newborn Screening Services and establishing a Fund
8:30 AM	S Transportation	546-S	Briefing: Motor Carriers Association; Possible Action
9:00 AM	H Appropriations	112-N	Bill Intros; Budget Briefing: OITS; Hearings: HB2592- Sup. Approps. FY22-FY25, HB2588- Approps FY22-FY25, HB2712-US Semiquincentennial
9:00 AM	H Fed & State	346-S	Bill Intros; Hearings: HB2708- Standards for lab testing marijuana, HB2706- Amending Regulations on Hemp products & Delta-9
9:00 AM	H Water	152-S	N/A
9:00 AM	H Utilities & Telecom	582-N	Briefing: Transmissions- ITC Great Plains & Sunflower Electric
9:00 AM	H Veterans	281-N	N/A
9:30 AM	S Tax	548-S	Bill Intros; Hearing: SB403- Wilson Co. Tax Authority, SB514- KS Historic Site Fund; Possible Action
9:30 AM	S Financial Inst. & Insurance	546-S	Hearing: HB2489- Amending TEFPI disclosures
9:30 AM	S Local Government	142-S	Hearing: SB510- Enacting KS Vacant Property Act
10:30 AM	S Commerce	546-S	Briefing: Office of Broadband Development
10:30 AM	S Fed & State	144-S	Bill Intros; Possible Action
10:30 AM	S Judiciary	346-S	Briefing & Discussion on Legislation: Public Official Action on mandates/ vax requirements (SB466); Possible Action
10:30 AM	S Ways & Means	548-S	Bill Intros; Budget Report: Postsecondary Ed. Systems; Hearing: SB523- SGF transfer to KPERS; Possible Action
11:00 AM	HOUSE FLOOR		
1:30 PM	S Education	144-S	Briefing: Language Assessment Program Year 3
1:30 PM	S Utilities	548-S	Possible Action
1:30 PM	H Ag. Budget	118-N	N/A

1:30 PM	H Children & Seniors	152-S	N/A
1:30 PM	H Commerce	346-S	N/A
1:30 PM	H Corrections & JJ	546-S	N/A
1:30 PM	H Education	218-N	N/A
1:30 PM	H Health & Human Ser.	112-N	Briefing: Stem Cell Therapy Center, KS Statewide Survey on Vaccines
1:30 PM	H Higher Ed. Budget	281-N	N/A
1:30 PM	H Transportation	582-N	Briefing: Training Req. for CDL
2:30 PM	SENATE FLOOR		
3:30 PM	H Agriculture	112-N	N/A
3:30 PM	H Judiciary	582-N	TBA
3:30 PM	H K-12 Budget	546-S	Budget Hearing: KSDE
3:30 PM	H Social Services Budget	152-S	N/A
3:30 PM	H Tax	346-S	Bill Intros; Hearing: HB2485- Sales Tax Exemp. Student Orgs; Action: HB2571- Sales tax deduc. Vehicles 180 days, HB2682- Latham levy
3:30 PM	H Transportation Budget	118-N	N/A
3:30 PM	H Elections	218-N	N/A

FRIDAY MARCH 4

9:00 AM	H Fed & State	346-S	Bill Inros; Possible Action
9:00 AM	H Appropriations	112-N	Budget Report: KDOT; Possible Action
10:30 AM	S Judiciary	346-S	Briefing & Discussion on Possible Legislation: Selection of Supreme Court Justices; Possible Action
10:30 AM	Sen Ways & Means	548-S	Bill Intros; Budget Reports: DCF, KDADS, BOTA, Department of Revenue; Possible Action