



# Legislative UPDATE

February 22, 2019

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## ALMOST HALFWAY THERE

To date, the Senate has debated and passed 13 pieces of legislation. All having received the constitutional majority vote, meaning they passed with 21 votes or more, they now go to the House for consideration. Historically, the Senate has debated and voted on more than 30 pieces of legislation by this point in the session.

Next week is turnaround – the midway marker for session. None of the bills passed by the Senate have addressed any of the issues most important to Kansans. Instead, Republican leadership is more focused on creating barriers than working to solve real problems and moving our state forward.

The prayer Thursday led by Guest Chaplain Rev. Verdell Taylor asked that legislators do what is right, to fairly represent the people who elected them, and to understand the issues Kansans face, such as school finance, access to healthcare, and having the means to adequately care for their families. I agree. It is beyond time to work together – as Governor Kelly asked us to do in her State of the State message – and to clean up the mess Brownback left behind.

If you have any questions, feel free to contact me at 785-296-7387 or by email at [oletha29th@aol.com](mailto:oletha29th@aol.com). Or, stop by my legislative office located in room 135-E of the Statehouse.

## **SENATE REJECTS PRE-EXISTING CONDITIONS**

On a vote of 28-11, the Senate passed Wednesday a bill authorizing Kansas Farm Bureau to offer health benefits – technically not insurance – to their members without having to cover pre-existing conditions or needing oversight from the Kansas Insurance Commissioner.

Republicans argued Senate Bill 32 offers farmers with a more affordable option to have healthcare for their families. But, they can only offer less expensive coverage by cherry-picking those without pre-existing conditions, creating a pool of young, healthy Kansans. This undermines coverage for everyone else and results in increased premiums for everyone else in the market.

Additionally, this policy underwrites individuals. If a family of four applies, there is no guarantee all will be covered. There's also no maternity coverage. Finally, if those healthy Kansans become sick or have a catastrophic emergency, the insurer can later deny coverage.

Senate Democrats offered an amendment that prohibits discrimination of applicants based on pre-existing conditions. The amendment, however, failed 15-24.

I voted against SB 32. We should be working to find solutions that provides Kansas families with comprehensive, affordable coverage that won't leave them subject to substandard care and may, in fact, increase the cost of insurance for other Kansans.

## **STILL NO HEARING ON MEDICAID EXPANSION**

During the debate on Senate Bill 32, Senate Democrat Pat Pettey of Kansas City offered an amendment to gut the bill and replace it with the contents of Senate Bill 54, Governor Kelly's plan for Medicaid expansion. Republicans challenged the germaneness and ruled it could not be debated. The ruling was challenged but was sustained in a roll call vote of 28-12.

This week Governor Kelly sent a letter to House and Senate Committee Chairs asking for hearings on Medicaid expansion. Senator Anthony Hensley (D-Topeka) distributed a copy of the letter on the Senate floor and urged Republican leaders to take up the issue.

77% of Kansans support Medicaid expansion. Holding hearings and allowing debate is the right thing to do.

## **HEARINGS HELD ON ELECTION LAW CHANGES**

Members of the Senate Committee on Ethics, Elections, and Local Government held hearings this week on the following bills seeking to change current election law to make it easier for eligible voters to have their votes counted.

- **SAME DAY VOTER REGISTRATION** Senate Bill 43 allows eligible Kansans to register and vote on the same day. 27 individuals and organizations provided supporting testimony while 2 provided opposing testimony. Despite much public support of this change, it will be an uphill battle to move the bill forward in the legislative process before the deadline next week. The Secretary of State's office has urged legislators not to make any major changes in election law. The equivalent bill in the House (HB 2092) was rejected in committee on a 7-5 vote.
- **SIGNATURE CORRECTIONS** Senate Bill 130 amends existing law to require election officials to contact individuals to correct advance ballots that have been submitted without a signature or with a signature that doesn't match the signature on file. Testimony from three proponents and one neutral was provided during the hearing. It is unknown whether any additional action will be taken.

## **BILLS OF INTEREST**

Work continues to be steady in committees with many hearings on bills. Last Friday marked the deadline for bill introductions. Monday is the last day for committees to meet. February 28 is the deadline for most bills to clear their house of origin. With a few exceptions, bills that do not make it out of their first chamber will remain in committee and – for the most part – are considered “dead” for the session. Here are some that may be of interest:

- **UNEMPLOYMENT FOR BUS DRIVERS** A bill introduced in the Senate Committee on Federal and State Affairs would allow school bus drivers to apply for unemployment during the summer months. Senate Bill 38 requires privately contracted school bus drivers to pay fully into the unemployment system and allows them to apply for assistance to help make ends meet during a time that many of them struggle to get temporary employment. Bus drivers rallied Monday in support of the bill; a hearing in the Committee on Commerce is to be determined.
- **KANSAS BUY AMERICAN ACT** Senator Anthony Hensley (D-Topeka) introduced Senate Bill 180, the Kansas Buy American Act. It requires that each contract for the purchase, construction, reconstruction, alternation, repair, improvement, or maintenance of a public building or a public work made by a state agency would contain a provision that the iron, steel, and manufactured goods used or supplied in the performance of the contract or any related subcontract would have to be manufactured in the United States
- **WORKER'S COMP GUIDES** Senator Tom Holland (D-Baldwin City) introduced a bill to change the worker's compensation guides from the 6<sup>th</sup> edition back to the 4<sup>th</sup> edition. Current law mandates the use of the American Medical Association guides 6<sup>th</sup> Edition when assessing the extent of an employee's injury. Use of the 6<sup>th</sup> Edition is widely understood to not appropriately reflect the true extent of an

employee's injuries; the 4<sup>th</sup> Edition has been shown to more appropriately reflect the true nature of an employee's injuries. [A ruling in July by the Kansas Court of Appeals struck down the law. In September the lawsuit was filed with the Kansas Supreme Court.](#)

## OVER AT THE HOUSE

The House of Representatives has been busy with committee work this week as well. Here are a few developments that may be of interest:

- **DEATH PENALTY** House Bill 2282 abolishes the death penalty and establishes a new crime of aggravated murder punishable by life in prison without possibility of parole, beginning July 1. The bill had a hearing in the House Committee on Corrections and Juvenile Justice.
- **PENALTIES FOR UNLICENSED CHILDCARE** House Bill 2228 authorizes KDHE to fine any person operating a child care facility without the required license up to \$1,000 for each violation. This is up from \$500. In the case of continued violation, each day that the previously notified violation continues would be a separate violation. The bill had a hearing in the House Committee on Children and Seniors.
- **PUBLIC DOLLARS FOR PRIVATE SCHOOLS** House Bill 2150 establishes the Kansas Hope Scholarship Act for students who report incidents of bullying. It designates 88-96% of the student's base state aid to be used as a scholarship at a private school or to another public school. The so-called scholarship would be administered by the State Treasurer and 2.5-5% of the student's funds would be kept for administrative overhead. The bill had a hearing in the House Committee on K-12 Budget.
- **POLITICAL SIGNS** House Bill 2135 repeals current law that prohibits any city or county from regulating or forbidding placement or number of political signs on private property or un-paved right-of-way for city streets or county roads during the 45 days prior to and the two days following any election. The House Committee on Local Government approved the bill this week. It now goes to the House for full consideration.

## BLACK LEGISLATIVE DAY

February is Black History Month, a time devoted to recognizing the central role of African Americans in U.S. history. In honor of Black Legislative Day, celebrated this week, here are three Kansans who made history when they were elected to serve in positions in the Kansas Senate, the Kansas House of Representatives, and the Kansas State Board of Education.

- **Curtis McClinton, Sr.** was the first African-American elected to the Kansas Senate. He grew up in segregated Poteau, Oklahoma. At an early age, his father took him to political rallies and courtroom proceedings, sparking his passion for

civic participation. He moved to Wichita in the early 40s, and in 1943 he became the President of Wichita's NAACP chapter. In 1956, he was elected to the Kansas House of Representatives where he worked to pass a law ensuring equal treatment for all races in public places. In 1960, he was elected to the Kansas Senate where he served two terms. He passed away at the age of 99 on June 27, 2012.

- Senator **Oletha Faust-Goudeau** made history when she was elected to the Kansas House of Representatives in 2004. She became the first African American Woman to represent the 84<sup>th</sup> district. Then, in 2008, she was elected as the first African American woman to ever serve in the Kansas Senate in Kansas history. Faust-Goudeau works hard protecting rights and services for seniors, the disabled, and children.
- Topeka native **Ms. Carolyn Wims-Campbell** became the first African American elected to the State Board of Education in 2008. She retired from her seat in 2016 after serving two, four-year terms. Prior to serving on the State Board, she served on the USD 501 school board for three terms. She is a former vice president of the Kansas Association of School Boards and past president of the National Federation Urban Suburban School Districts. She continues working during the Legislative session in the Office of Senate Democratic Leader Anthony Hensley. She is also very active as a volunteer in her community.

Senator Faust-Goudeau with the ladies from Delta Sigma Theta on Delta Day at the Capitol.





Senator Faust-Goudeau with members from the ACLU on Smart Justice Reform Day at the Capitol. Kansans for Smart Justice is a diverse coalition of civil rights, community improvement, social service, and faith-based organizations



Senator Faust-Goudeau with Miss Augusta 2019, Sierra Marie Bonn. She won the opportunity to share "Let's Go Full STEAM Ahead!" during the interview portion of the competition and was able to show the judges why she is so passionate about empowering young women to see their potential to make the world a better place through their involvement in STEAM.

## **IMPORTANT STATE PHONE NUMBERS**

Here is a list of numbers I often receive requests for during the Legislative Session. I hope you will find this information helpful.

Attorney General (888) 428-8436	KPERS (888) 275-5737	School Safety Hotline (877) 626-8203
Child Abuse Hotline (800) 922-5330	Governor's Office (877) 579-6757	Social Security (800) 772-1213
Consumer Protection (800) 432-2310	Highway Conditions (800) 585-7623	DCF (785) 296-1491
Crime Tip Hotline (800) 572-7463	Housing Hotline (800) 752-4422	Suicide Prevention Hotline (800) 273-8255
Crime Victim Referral (800) 828-9745	KanCare Consumer Assistance (866) 305-5147	Tax Refund Status Info (800) 894-0318
Department on Aging (800) 432-3535	Kansas Jobs (785) 235-5627	Taxpayer Assistance (785) 368-8222
Driver's License Bureau (785) 296-3963	Kansas Lottery (785) 296-5700	Unclaimed Property (800) 432-0386
Fraud Hotline (800) 432-3919	Kansas State Library (800) 432-3924	Vital Statistics (Birth Certificates) (785) 296-1400
	Legislative Hotline (800) 432-3924	Victims of Human Trafficking (888) 373-7888