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February 13, 2015

The fifth week of the session started out on a somber note. Monday was the funeral for Annette Hedke, wife of Representative Dennis Hedke, R-Wichita. A large number of legislators attended the funeral.

The session moves into a “normal” speed at this point. The deadline to introduce bills by individual legislators was Wednesday, February 11. Non-exempt committee bill introduction deadline is today, Friday, February 13. There will be a large number of new bills show up over the next few days based upon the deadlines, but many will never have any action on them. The next major deadline comes in just two weeks, Turn-Around deadline requires all non-exempt bills to be out of the House of Origin by Friday, February 27th. The House of Origin Deadline is the first major deadline that impacts a bills opportunity to make it all the way through the process.

The Governor signed the rescission bill, House Substitute for Senate Bill 4 on Tuesday. The bill helped the state with its cash flow challenges fore the next few months. The bill mostly shifted money around, including taking \$158 million from the state highway fund and moving it to the state general fund. The bill closed most of the budget shortfall that has been predicted. The Governor’s allotment last week is the other portion that is expected to close the shortfall in the current budget year, Fiscal Year 2015.

The news story regarding the emails sent by the budget director from his personal account to others, both in the administration and out, about the budget proposal doesn’t seem to want to go away. On Tuesday afternoon, a story in the Topeka Capitol Journal was published on their website that was a follow-up story. In the latest news about the budget emails, the paper contacted Kansas State University to get any emails to a KSU address. KSU replied to the paper, supplying only the KSU individuals response, while heavily redacting the correspondence from the other individuals’ private email account. I would expect continued coverage of this story over the coming weeks.

The Governor rescinded several executive orders from previous administrations on Tuesday as well. The one that received the most attention was Executive Order 07-24 put into place by former governor, Kathleen Sebelius. The executive order by Sebelius gave state employees protections not to be fired based upon their sexual orientation or gender identity.

Budget & Taxes

The House and Senate budget writing committees continue their work of taking testimony and working through the various agency budgets before them for Fiscal Year (FY) 2016 and FY 2017. So far, there does not appear to be many major changes to the Governor’s proposed budget at this point. The one exception to budget committees actions came on Thursday, when the Transportation and Public Safety Budget Committee rejected the Governor’s proposal to transfer \$280 million to the State General Fund



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from the State Highway Fund during FY '16 and FY '17. We will have to wait and see if that action by the Budget Committee sticks in the full House Appropriations Committee. Most of the real action will happen later in the session, as monthly revenue receipts come in and the fiscal picture becomes clearer. The issue of taxes is a different story. At this point, there have been little official discussion of tax plans under the dome. In private conversations, there are numerous proposals being worked on, but the details are being kept private for the most part. The discussions that do occur are more theoretical than concrete at this point. It appears from hall talk that the Governor's tax proposal, which increases taxes on tobacco and alcohol, faces an uphill fight. Like the budget, real tax plan will be a product that is developed over time and made public later during the session. What it will contain is anyone's guess at this point.

Local Elections

The Senate Ethics and Elections Committee held two days of hearings on moving local elections, for cities and school boards, from the spring of odd numbered years, to November of even numbered years. The proposal would also make current non-partisan elections partisan. The proposal would align most elections to the same time frame, August Primaries and November General elections.

The first day of testimony was from mostly from proponents. Testimony was given by the Kansas Republican Party, several local officials, both county and city, and a school board member gave limited support to moving the election, but to odd numbered year's November, and non-partisan. What was most unusual was the fact the chairman, Sen. Mitch Holmes, R-St. John, allowed conferees to Skype or call in. There were three proponents that were allowed that alternative method. The reason the supporters want to change the election dates is to increase voter turn-out. Spring turn-out is well below the voter participation in November elections. Another reason the proponents presented was that voting in November is what people are used to doing.

The second day of testimony was all opponents. Representatives of cities and school boards testified against the proposal. All of the opponents strongly objected to making the elections partisan. The major reason against partisan elections for the local units is that would shrink the pool of qualified candidates, specifically, Federal employees and active members of the military are not allowed, under Federal law, to be a candidate for a partisan office. In Kansas, there are many examples where Federal employees serve on their city commission and school board. The local officials also pointed out that increasing voter participation could be accomplished in other ways. An example was given that this year, Local Option Budget elections have already happened using mail ballots and that the voter participation was three times higher then it had been previous under the "go and vote" system. It was noted that in other states that have gone to an aggressive mail ballot system for all voting, the turn out is higher than here in Kansas for a November General election. Turn out in Oregon this past November was 72% compared to 51% here in Kansas.



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The bill, SB 171, has not been debated or amended by the committee at the time of this writing, but action is expected on the bill next week.

Session Information

As halftime to the session approaches (February 27th, Turn Around), more and more bills are being worked by committees and passed on to the floor of both bodies. Next week will see significant work by committees getting bills out and ready for debate on the floors of both the House and Senate. This is the time of year when a large number of bills are jettisoned for the session, leaving those proposals with a significant opportunity for passage.

LEGISLATIVE DEADLINES

Monday, January 12

First day of 2015 session; convene at 2:00 p.m.

Monday, February 2

Last day for member or members to submit REQUESTS to Revisor's office for bill drafts.

Monday, February 9

Last day for Committees, except House and Senate Federal and State Affairs, Senate Ways and Means, Senate Assessment and Taxation, House committees on Calendar and Printing, Appropriations, Taxation or select committees of either house when so authorized, to submit REQUESTS to Revisor's office for bill drafts.

Wednesday, February 11

Last day for Individuals to INTRODUCE bills in originating chamber.

Friday, February 13

Last day for Committees, except committees listed above, to INTRODUCE bills in originating chamber.

Friday, February 27 (Turnaround Day)

Last day to CONSIDER BILLS IN HOUSE OF ORIGIN, except by House and Senate Federal and State Affairs, Senate Ways and Means, Senate Assessment and Taxation, House committees on Calendar and Printing, Appropriations, Taxation or select committees of either house when so authorized.

Wednesday, March 25

Last day to CONSIDER BILLS NOT IN HOUSE OF ORIGIN, except by committees listed above.

Friday, April 3 (Drop Dead Day)

No bills considered after this date except BILLS VETOED BY GOVERNOR, OMNIBUS APPROPRIATIONS ACT AND OMNIBUS RECONCILIATIONS SPENDING LIMIT BILL.

Veto session is anticipated to begin on Monday, April 27.