



KANSAS LEGISLATIVE INSIGHTS NEWSLETTER | MAY 7, 2021

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The veto session began Monday, May 3. The April adjournment resolution projected the session would last from May 3 to May 11, if needed. The resolutions also scheduled May 26 as *sine die* adjournment to conclude the 2021 session.

Traditionally, the veto session completes the omnibus budget, and considers the override of gubernatorial vetoes, outstanding conference committee reports, and other unresolved issues. This legislative year is no exception. Gov. Kelly vetoed eight bills in addition to 12 line-item vetoes in the budget bill. Procedurally, vetoed bills are returned to the house in which the bill originated, along with a memorandum from the governor stating the reasoning for the veto. For appropriations bills only, the governor may line-item veto some expenditures while signing the bill as a whole. Gov. Kelly has followed this approach with this Session's budget bill.

The Legislature is quite close to completing its work today, Friday, May 7, or early on Saturday, May 8 before Mother's Day. This week, the House and Senate leadership negotiated with the governor on the education funding bill. The path to adjournment was paved Thursday evening with the Education Conference Committee approving the bill. The final essential piece required before adjournment is the omnibus budget. House and Senate budget conference negotiators reached agreement before midnight on Thursday evening. Drafting and proofing both of these major bills may delay adjournment until late Friday evening or Saturday morning.

On Monday, the Legislature started the process of considering veto overrides, which requires a 2/3 vote in each chamber (84 votes in the House and 27 in the Senate). On Monday, the Senate had 30 votes to override the governor on SB 50, which included tax cuts. With the override, SB 50 became law. The Senate fell one vote short on SB 55 on the transgender sports legislation, meaning the governor's veto is sustained. This means that Senate 55 is dead for this session. Additionally, the Legislature overrode the governor's veto on seven of the eight vetoes and four budget line items.

On Wednesday, the Kansas Senate had a lengthy debate on Senate Concurrent Resolution 1611. SCR 1611 would make application to the Congress of the United States to call a convention for the purpose of proposing amendments to the Constitution of the United States that impose limits on the federal government.

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On Thursday, the House Representatives debated more than four hours on Senate Bill 158 authorizing medical marijuana. The measure passed: 79, Yea; 42, Nay. The bill is pending action in the Senate.

BILL INTRODUCTIONS

COURTS, LAWS, AND REGULATIONS

Senate Concurrent Resolution 1611 – As amended, would serve as Kansas' application to Congress to call a convention of the states for the purpose of proposing amendments to the U.S. Constitution imposing various limitations on Federal power and authority. Referred to the Senate Committee on Federal and State Affairs, Sen. Larry Alley, Chair. The Senate Committee of the Whole passed the resolution as amended: Yea, 21; Nay, 19.

Sub. for SB 286 – As amended, would create the COVID-19 Business Relief Act which would provide procedures and requirements for eligible businesses to obtain various support and funding. Originally referred to the Senate Committee on Assessment and Taxation, Sen. Caryn Tyson, Chair. The bill was then withdrawn from said Senate committee and referred to the Committee on Judiciary, Sen. Kellie Warren, Chair. The Senate Committee of the Whole passed the substitute bill as amended on emergency final action: Yea, 26; Nay, 13. Then referred to the House Committee on Judiciary, Rep. Fred Patton, Chair.

Senate Sub. for Sub. to HB 2397 – As amended, would reconcile various conflicting amendments relating to traffic laws. Originally referred to the House Committee on Appropriations, Rep. Troy Waymaster, Chair. The House Committee of the Whole passed the substitute bill as amended: Yea, 71; Nay, 52. Then referred to the Senate Committee on Ways and Means, Sen. Rick Billinger, Chair. The Senate committee recommended the bill be passed.

TAXATION

Sub. for HB 2313 – As amended, would, among other things, provide for partial property tax refunds for certain businesses impacted by COVID-19. Originally referred to the House Committee on Taxation, Rep. Adam Smith, Chair. The bill passed the House on final action: Yea, 123; Nay, 0. Then referred to the Senate Committee on Assessment and Taxation, Sen. Caryn Tyson, Chair. The Senate Committee of the Whole passed the substitute bill, as amended, on emergency final action: Yea, 33; Nay, 6. The House non-concurred with the amendments and a conference committee was appointed.

HB 2187 – As amended, would create and define first-time home-buyer savings accounts and provide tax adjustments for individuals making contributions to such accounts. Originally referred to the House Committee on Financial Institutions and Rural Development, Rep. Jim Kelly, Chair. The House Committee of the Whole passed the bill on final action: Yea, 119; Nay, 3. Then referred to the Senate Committee on Financial Institutions and Insurance, Sen. Jeff Longbine, Chair. The Senate Committee of the Whole passed the bill as amended on emergency final action: Yea, 35; Nay, 1. The House concurred with amendments: Yea, 119; Nay, 2.

HEALTHCARE

Sub. for SB 158 – As amended, would enact the Kansas Medical Marijuana Regulation Act relating to the licensure, transportation, and sale of medical cannabis. Substantial amendments to the bill were made by the House. Originally referred to the Senate Committee on Transportation, Sen. Mike Petersen, Chair. The Senate Committee of the Whole passed the bill as amended on emergency final action: Yea, 40; Nay, 0. Then referred to the House Committee on Federal and State Affairs, Sen. John Barker, Chair. The House Committee of the Whole passed the substitute bill as amended on emergency final action: Yea, 79; Nay, 42. The amended version of this bill has now been referred back to the Senate for further consideration.

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Kansas Legislative Insights is a publication developed by the Governmental Relations & Public Policy Law practice group of Foulston Siefkin LLP. It is designed to inform business executives, human resources and governmental relations professionals, and general counsel about current developments occurring in current Kansas legislation. Published regularly during the Kansas legislative session, it focuses on issues involving healthcare, insurance, public finance, taxation, financial institutions, business & economic development, energy, real estate & construction, environmental, agribusiness, employment, and workers compensation. Bill summaries are by necessity brief, however, for additional information on any issue before the Kansas Legislature, contact Foulston Siefkin's Governmental Relations & Public Policy Law practice group leader, James P. Rankin at 785.233.3600 or jrankin@foulston.com. Learn more about the authors below:

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As a partner at Foulston Siefkin, Eddie represents clients in matters before state regulatory commissions, courts, and local governmental bodies. He has built and maintained relationships with key individuals – including lobbyists, elected and appointed officials, and staff members – that prove valuable in advancing clients' interests and issues. Drawing on his experience as a regional governmental affairs attorney for AT&T in Chicago, he helps clients navigate the maze of federal policies and agencies, advises on how processes work in Washington, and provides introductions to those who can help them accomplish their goals.

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