

**The Kansas Legislature Week 6:**

**Voting Increases as Turnaround Day Nears**

**February 15-House**

HB 2480 would allow financing from the Public Water Supply Loan Fund for public water supply projects that acquire water through a water transfer. It would further amend the definition of “project” by removing the restriction that project does not include any project related to the diversion or transportation of water acquired through a water transfer. The vote was: Yeas 118; Nays 0; Absent or not voting: 7. Representatives Highland, Schreiber and E. Smith voted Yea.

HB 2564 would amend the effective date specified in the Insurance Code for the risk-based capital (RBC) instructions promulgated by the National Association of Insurance Commissioners (NAIC) for property and casualty companies and for life insurance companies. The instructions currently specified became effective on December 31, 2020. The bill would update the effective date of the RBC instructions to December 31, 2021. A companion bill, SB 331, has been introduced in the Senate. The vote was: Yeas 118; Nays 0; Absent or not voting: 7. Rep. Highland, Schreiber, and E. Smith voted Yea.

**February 15-Senate**

SB 200 would amend the Pharmacy Act of the State of Kansas to include point-of-care testing for and treatment of certain health conditions. The bill would authorize a pharmacist to initiate therapy within the framework of new statewide protocols for the following health conditions: Influenza; Streptococcal pharyngitis; or Urinary tract infection. The bill would authorize the state Collaborative Drug Therapy Management Advisory Committee to adopt a statewide protocol for each of the conditions listed above and require the Advisory Committee to consider the appropriateness of therapy based upon: The patient’s age; approval by the U.S. Food and Drug Administration; in-person interactions; and the method of administration. The vote was: Yeas 37; Nays 2; Absent or Not Voting 1. Sen. Longbine voted Yea.

SB 331 would amend the effective date specified in the Insurance Code for the risk-based capital (RBC) instructions promulgated by the National Association of Insurance Commissioners for property and casualty companies and for life insurance companies. The instructions currently specified became effective on December 31, 2020. The bill would update the effective date of the RBC instructions to December 31, 2021. The vote was: Yeas 39; Absent or Not Voting 1. Sen. Longbine voted Yea.

SB 343 would replace statutory references to “hearing impairment” and similar terms with “hard of hearing,” “hearing loss,” or “deaf.” The bill would also make technical amendments. The vote was: Yeas 39; Absent or Not Voting 1. Sen. Longbine voted Yea.

SB 377 would amend and enact law supplemental to the Captive Insurance Act to allow a technology-enabled fiduciary financial institution insurance company to operate as an authorized captive insurance company in Kansas. The vote was: Yeas 36; Nays 3; Absent or Not Voting 1. Sen. Longbine voted Yea.

**February 16-House**

HB 2489 would make several amendments to the Technology-enabled Fiduciary Financial Institutions Act pertaining to an updated definition, fingerprinting requirement, existing application fee, governing documents, evaluation and examination, customer disclosure, and services and authorized activities. The bill also would amend the definition of “financial institution” within a statute requiring the reporting of abuse, neglect, or exploitation of certain individuals to include fiduciary financial institutions. The vote was: Yeas 120; Absent or not voting: 5. Rep. Highland, Schreiber, and E. Smith voted Yea.

HB 2537 would amend a statute governing hearings by the Commissioner of Insurance to add a provision allowing a person subject to any order, as defined in the Kansas Administrative Procedure Act (KAPA), issued by the Commissioner to request a hearing on such order. If such a request is made, the bill would require the Commissioner to conduct a hearing in accordance with KAPA provisions. The vote was: Yeas 120; Present but not voting: 1; Absent or not voting: 4. Rep. Highland, Schreiber, and E. Smith voted Yea.

SB 337, Converting the conditional charter issued for the pilot program under the technology-enabled fiduciary financial institutions act to a full fiduciary financial institution charter. The vote was: Yeas 119; Nays 1; Present but not voting: 1; Absent or not voting: 4. Rep. Highland, Schreiber, and E. Smith voted Yea.

HCR 5014, if adopted by a two-thirds majority of each chamber of the Kansas Legislature and approved by voters, would amend the Kansas Constitution to create a new section in Article 1 concerning legislative oversight of administrative rules and regulations. The new section would provide that, whenever the Legislature by law has authorized any officer or agency within the executive branch to adopt rules and regulations that have the force and effect of law, the Legislature may provide by law for revocation or suspension of any such rules and regulation, or any portion thereof. The vote was: Yeas 77; Nays 42; [not 2/3]Absent or not voting: 6. Rep. Highland and E. Smith voted Yea; Rep. Schreiber voted Nay.

**February 17-House**

HB 2560 would extend the sunset for the Water Right Transition Assistance Program from July 1, 2022, to July 1, 2030, and extend the sunset for various existing fees of the Pesticide and Fertilizer Program within the Kansas Department of Agriculture from July 1, 2023, to July 1, 2028.

The vote was Yeas 101; Nays 11; Absent or not voting: 13. Voting Yea were Rep. Highland and E. Smith; Rep. Schreiber was absent or not voting.

HB 2591 would repeal the statute that authorizes quarterly $100,000 State General Fund and $200,000 Conservation Fee Fund transfers to the Abandoned Oil and Gas Well Fund in the Kansas Corporation Commission. The vote was: Yeas 112; Nays 0; Absent or not voting: 13. Yeas: Rep. Highland and E. Smith; Absent or not voting: Rep. Schreiber.

HCR 5014 is a proposition to amend Article 1 of the Kansas Constitution by adding a new amendment that provides for legislative oversight of rules and regulations adopted by executive branch agencies and officials. The vote was: Yeas 80; Nays 33; Absent or not voting: 12. Yeas: Rep. Highland and E. Smith; Absent or not voting: Rep. Schreiber. Having not received two-thirds constitutional majority, the resolution was not adopted.

Explanation of vote: I vote in favor of HCR 5014. NCSL reports 28 states who have “some type of authority to review and veto certain administrative rules set by bureaucracies,” yet to hear tell from many yesterday, the Kansas House is inventing an excuse to attack a governor when we try to provide the same oversight. We are the lawmaking body. We have that absolute OBLIGATION. When bureaucracies pass rules and regulations that have the same power and standing of law, we MUST be able to address them. It is our duty to the people we represent. – Eric Smith

HB 2540 would require the Capitol Preservation Committee to approve plans to place a permanent memorial honoring Kansas Gold Star families on the Statehouse grounds. [Note: “Gold Star families” are families who have lost a family member in the line of military duty.] The vote was: Yeas 113; Nays 0; Absent or not voting: 12. Yeas: Rep. Highland and E. Smith; Absent or not voting: Rep. Schreiber.

HB 2458 would designate the portion of US-56 from the northeastern city limits of Edgerton to the southwestern city limits of Gardner, in Johnson County, as the PFC Shane Austin Memorial Highway. The vote was: Yeas 113; Nays 0; Absent or not voting: 12. Yeas: Rep. Highland and E. Smith; Absent or not voting: Rep. Schreiber.

HB 2476 would authorize two distinctive license plates related to military honors, for issuance on or after January 1, 2023: one for those who have received a Silver Star medal and one for those who have received a Bronze Star medal. The vote was: Yeas 113; Nays 0; Absent or not voting: 12. Yeas: Rep. Highland, E. Smith; Absent or not voting: Rep. Schreiber.

HB 2478 would designate the portion of US-166 from the junction of US-166 with US-81, in Sumner County, then east to the western city limits of Arkansas City, in Cowley County, as the SGT Evan S Parker Memorial Highway. The bill would include clauses providing biographical information on the honoree. The vote was: Yeas 113; Nays 0; Absent or not voting: 12. Yeas: Rep. Highland and E. Smith; Absent or not voting: Rep. Schreiber.

**February 17-Senate**

SB 12 would require the Kansas Department for Children and Families to collaborate with community partners and stakeholders to develop a plan for implementation for a set of performance-based contracts to provide an array of evidence-based prevention and early intervention services for families at risk for an out-of-home placement, families that have a child in out-of-home care, and children who are awaiting adoption. The vote was: Yeas 34; Nays 0; Absent or Not Voting 6. Sen. Longbine voted Yea.

SB 335 would exempt certain qualified trade, merchant, retail and professional associations and business leagues that provide health insurance in the state but are not subject to the jurisdiction of the commissioner of insurance from payment of the annual premium tax. The vote was: Yeas 34; Nays 0; Absent or Not Voting 6. Sen. Longbine voted Yea.

SB 392 would amend and repeal provisions in the Kansas Uniform Securities Act that require a transfer of unencumbered funds in excess of $50,000 to the State General Fund, from the Securities Act Fee Fund of the Kansas Insurance Department, on the last day of each fiscal year. The vote was: Yeas 34; Nays 0; Absent or Not Voting 6. Sen. Longbine voted Yea.

Senate Sub. for HB 2262, as amended, would amend the Uniform Controlled Substances Act and other statutes. The vote was: Yeas 34; Absent or Not Voting 6. Sen. Longbine voted Yea.

**February 18:** No votes were taken.

**February 24 is Turnaround Day:** Last day to consider non-exempt bills in house of origin.

 *This report was prepared by the League of Women Voters of Emporia Legislators Vote Tracking Committee: Bob Grover, Doug McGaw, Mary McGaw, Gail Milton, and Susan Fowler.*

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