

## Important Legislation Passed 2021

To Friends & Supporters of the 77<sup>th</sup> District,

When the session began, we focused on priorities that Kansans valued most in anticipation of covid challenges. Though we had several interruptions for other reasons, none were due to covid-19. Our 165-member body of senators and representatives were able to continue work throughout the session with no health concerns.

Some of our most important work included passing Value Them Both, the pro-life constitutional amendment question that will be posed to voters in August of 22, Truth in Taxation legislation that provides greater transparency to taxpayers (SB 13), unemployment reform (HB 2196), balanced budget, and updated Kansas Emergency Management statutes that protects individuals and businesses from overreaching executive orders due to covid or other future emergencies through greater local control and proper checks and balances.

First adjournment occurred on April 9 and marks the break between final action between chambers until the Veto Session that begins on May 3. All unresolved items, or vetoed legislation, will be taken up in May. This year, we will need to resolve our education funding and policy bill that failed the Senate by one vote (SB 175), attend to a few unfinished bills, and consider omnibus budget items.

Here is a recap of some of the Legislation we passed this session:

### **SB 13: Truth in Taxation**

[http://www.kslegislature.org/li/b2021\\_22/measures/documents/summary\\_sb\\_13\\_2021](http://www.kslegislature.org/li/b2021_22/measures/documents/summary_sb_13_2021)

The summary states: SB 13 repeals the property tax lid law applicable to cities and counties and certain budget requirements applicable to other municipalities, establishes notice and public hearing requirements for certain taxing subdivisions seeking to collect property taxes in excess of the subdivision's revenue-neutral rate, prohibits valuation increases resulting solely from normal maintenance of existing structures, and expands the allowed acceptance of partial payments or payment plans for property taxes.

The bill requires the notifications to contain: ● The revenue-neutral rate for each relevant taxing subdivision; ● The proposed tax rate and amount of tax revenue to be levied by each taxing subdivision seeking to exceed its revenue-neutral rate; ● The tax rate and amount of tax from each taxing subdivision for the property from the previous year's tax statement; ● The appraised value and assessed value for the taxpayer's property for the current year; ● The estimated amount of tax for the current year for each subdivision based on the revenue-neutral rate and any tax rate in excess of the revenue-neutral rate and the difference between such amounts for any taxing subdivision seeking to exceed its revenue-neutral rate; ● The date, time, and location of the public hearing for each taxing subdivision seeking to exceed its revenue-neutral rate; and ● Information concerning statutory mill levies imposed by the State of Kansas. The bill requires the hearing on the resolution or ordinance providing for a taxing subdivision to exceed its revenue-neutral rate to be held by September 10 and to include an opportunity for interested

taxpayers to present testimony within reasonable limits and without unreasonable restrictions on the number of individuals allowed to comment. The governing body of each taxing subdivision is required to approve exceeding the revenue-neutral rate by a majority vote at the public hearing. Taxing subdivisions failing to comply with the notice and hearing procedures are required to refund any property taxes collected in excess of the revenue-neutral rate.

### **Unemployment Reform: HB 2196**

This session has been unlike any other in that our representative offices were overwhelmed with constituents having trouble with the Kansas Department of Labor. Though the Governor Kelly Administration recklessly gave away over \$400 million in fraudulent claims before updating their systems and practices, many Kansans who were relying on unemployment could not even get a phone call through to the Department. Kansans who work hard and lose their jobs should have some help until they can get back on their feet. Unfortunately, the process for help was periled with problems with so many Kansans. Hopefully, things are now looking better in terms of job opportunities for Kansans, as well as updates and improvement with management issues within the Department of Labor.

I supported HB 2196, which is awaiting the Governor's action, to make much needed reforms to our state's unemployment system and provide some oversight and guidance to the struggling Department of Labor. The bill does several things:

- Creates the Unemployment Compensation Modernization and Improvement Council made up of employers and employees who know the system and what changes are needed.
- Requires DOL to modernize their IT infrastructure to help prevent fraud, speed benefits to Kansans in need, and become more consumer friendly.
- Expands the data and reports that are publicly available to improve accountability and transparency.
- Increases access to job training and reemployment skills development to those receiving benefits so they can get back to work faster and in the best possible job.
- Strengthens penalties for those who try to defraud the system.
- Creates a fund to help hold businesses and not-for-profit employers harmless from the massive fraud allowed by the Department.

### **Expanding Access to Health Care: HB 2208**

- HB 2208 is a health care bundle that includes several needed changes to improve access to health care for millions of Kansans.
- One part of HB 2208 implements the new Rural Emergency Hospital (REH) designation in Kansas. This is part of a new federal initiative to allow smaller, targeted health care facilities in rural areas to take advantage of federal funding to ensure smaller rural hospitals can provide the right care at the right time to Kansans who need it. Kansas is now on the leading edge of this trend and will be at the head of the line as the REH program develops.

- Another part of HB 2208 expands mental health care in our state. Too many of our fellow Kansans suffer from mental health challenges in silence. Too often our mental health system lacks the needed resources to help those in crisis. Good people end up in emergency rooms, dealing with law enforcement, or sadly taking their own lives because our system is not able to meet their needs. With SB 238, I voted to help those in need and help the system that is there to serve them.
- This bill is a combination of several House ideas to greatly expand mental health services in Kansas. The core idea is the creation of a new type of mental health entity, the Certified Community Behavioral Health Clinic (CCBHC). Kansas is currently served by Community Mental Health Centers (CMHC). This bill allows those centers to begin transitioning into CCBHCs, which will expand the services they are authorized to provide, seek reimbursement for, and the number of people they can help.
- Kansas CMHCs have been hamstrung by red tape that has limited their ability to provide a broader range of services to a wider section of our communities. In addition, surrounding states have allowed this transition and many of our best and brightest therapists have jumped across state lines to take more lucrative jobs in CCBHCs. Now we will equalize this disparity and free our mental health professionals to provide more and better types of care to our families, neighbors, and friends who suffer with mental health challenges.

#### **Keeping Our Elections Fair and Safe: HB 2183**

- This bill would make it clear that no one - not the Governor, Secretary of State or the courts - can change our election laws. That power is reserved to the legislature alone. In times of disaster the Secretary of State can take action to ensure all Kansans who are registered can vote, but the laws cannot be changed unilaterally as we saw happen in other states in 2020.
- The bill also seeks to eliminate the process of “ballot harvesting” where candidates can influence a voter as they complete their ballot, pick up those ballots and decide whether they get to the ballot box or not. That should never be allowed.
- The bill strengthens some of the penalties for falsely representing oneself as an election official, makes clear that signatures must be matched on advanced ballots before they are counted, and increases transparency by requiring the public posting of the number of voters in each precinct across the state in advance of election day.
- As a Kansan, I want every Kansan to be able to legally vote. These measures increase transparency, security and fairness in our elections and in no way keep Kansans from casting a legal ballot. Our elections are among the best and most secure in the world and this bill will help us keep it that way.

#### **Standing Up for the Second Amendment: HB 2058**

- I believe strongly in all our constitutional rights, but perhaps none is challenged quite so much as our Second Amendment freedom. The Biden administration is determined to

limit gun ownership, but here in Kansas we are standing strong for the Second Amendment. HB 2058 grants reciprocity for Kansas concealed carry permit holders to legally carry in other states using their Kansas permit. It expands the ages for concealed carry permit eligibility to adult teenagers who obtain training and go through the permitting process. And the bill creates a process for restoration of gun ownership rights to those who may have a prior conviction but who have served all of their sentence and had a judge determine they are safe for restoration.

#### **Protecting Women's Sports: SB 55**

- Every child deserves to be loved, to develop friendships and enjoy activities and sports. This bill is not about that. Children who participate in competitive sports also deserve to have a fair and level playing field and that is what this bill is about.
- Men have certain physical characteristics that mean they are on average stronger and faster than women. Women should not have to compete against men or transgender women who used to be men. The physical differences create an unfair competitive advantage that undoes much of the work of the last five decades since Title IX was passed and jeopardizes athletic scholarship opportunities for our daughters and granddaughters going on to college.

#### **Weathering the Storm: SB 86**

- We all felt the chill of the February arctic weather event. Plunging temperatures as far south as Texas caused natural gas wellhead freeze offs, pipeline breaks and constricted supplies of natural gas right as demand was peaking. The result was an unprecedented rise in natural gas and electricity prices.
- I supported prior legislation that protected Kansas municipal customers (SB 88) and helped customers of investor-owned utilities (HB 2072). There is one other set of customers who also needed help and I was proud to support SB 86 which made help available to customers of wholesale natural gas suppliers. These customers include school districts, hospitals, large manufacturers and churches.
- The bill allows for these customers to borrow from their banks or credit unions for up to three years at very competitive interest rates to help spread the costs of these sky-high utility bills. It is a loan, not a grant and must be paid back.

#### **Funding What Matters: HB 2007**

The House passed its budget this week. It is important to understand how it differs from the Governor's proposed budget.

#### **Governor's Budget**

- For the third straight year the Governor proposed a budget that only works with smoke and mirrors with a foundation built on clubs, spades, diamonds and hearts. The cornerstone of her budget is a reckless KPERS refinance that will add \$4.4 billion in future spending.
- Her budget requires that Kansans let the state government keep their share of the federal tax cuts to pay for the Governor's increased spending. Make no mistake, this is a tax increase and I believe this money should be returned to you.
- I ran on a platform of keeping promises and being fiscally responsible. That includes the promises we have made to members of KPERS. Increasing debt and failing to fund our pension system to fund the Governor's spending, breaks promises and is anything but fiscally responsible.
- The Governor stripped funding for nearly every other agency in government in order to fund a \$240 million increase to K-12 schools. Funding education is important but it is not the only priority in our state.

### **The Legislature's Budget**

- The approved budget funds essential services for the most vulnerable in our state. Restoration of the Governor's cuts to funding for services for the disabled, those in long term care facilities, the elderly and those in mental health crisis are all part of the House's plan to help Kansans in need.
- We rejected the Governor's risky and costly KPERS reamortization scheme.
- The Legislature's budget fully funds the Children's Health Insurance Program (CHIP) to ensure all Kansas children have access to health care. The Governor did not fund this program.
- The budget provides funding to help keep our courts open and administering justice even though Covid-19 reduced fee funds that the courts rely on.
- The budget restored funding for our state universities to perform deferred maintenance to keep existing assets in good working order and save money in the future.
- Directs funding to lift the moratorium at Osawatomie State Hospital.
- Increases funding for the Home and Community Based Services program (HCBS) that helps those with intellectual and developmental disabilities.

- Requires E-Verify for state employees and contractors of the state to ensure all workers are legally in the United States.
- Adds legislative oversight over federal COVID relief funds so the Governor does not decide unilaterally where that money can be best spent.
- Following Senate approval of the measure, the House voted [71-52](#) to send the bill to the Governor for her consideration. It is likely there will be line-item vetoes for the House to consider overriding when the Legislature returns on May 3.
- The House Appropriations Committee will meet April 27 to begin its work on the Omnibus appropriations bill. The bill may contain positions from budget negotiations and earlier committee discussions, which deferred items to omnibus for consideration. The committee will be provided an update on the Consensus Revenue Estimates (CRE) and any possible Governor's Budget Amendments (GBA). The estimates, a projection of SGF revenues, will be released on April 20 and will be a revision of the Fall 2020 estimates. A new SGF profile will be created, reflecting the new revenue estimates, along with approved expenditures from HB 2007. This profile is critical in balancing the state's budget, protecting taxpayers, and planning for future needs.

**Other items Signed into law:**

- Mask mandates issued by the governor revoked, and authority given to local governments.
- Property tax transparency; requires local governments to hold public hearings on tax increases and notify taxpayers of what taxes they will actually pay from various taxing entities.
- Kansas Promise Scholarship Act - helps prepare Kansans for today's workforce needs through targeted scholarships.
- Low-interest loan assistance for communities affected by the surge in natural gas prices during the winter cold snap.
- Economic Recovery Loan Deposit Program – a new resource for small businesses and ag producers that may have been financially impacted by the pandemic.
- Business and healthcare COVID-related liability protections set in place.

Unfinished Business: Education policy and Funding. As many of you know, I am passionate about education having been a public school teacher, the daughter of teachers, and the mother of four children all having grown up in public schools.

Though district leaders know that we often differ on funding amounts, accountability provisions, and some policies (especially those policies that do not offer an in-person instruction option) – most realize that there is far more we can and do agree on when advocating for our kids. One of my biggest concerns is meeting the needs of our at-risk student population. Studies show that when a child does not read at grade level in third grade, their statistical prognosis of catching up with their peers is very unlikely. For this reason, I've been questioning what interventions schools are using to reach these students. I've asked about summer school and supplementary programs to try and understand the learning losses. For

whatever the reason, there is no doubt that some kids fall through the cracks of our public schools. In fact, we have over 49% of our free and reduced lunch students that are performing below grade level in math and English Language Arts. The gap between the haves and have nots continues to grow and is likely much worse since 2020. Knowing this, and knowing that our at-risk population is languishing without much hope – many Republicans support offering these at-risk kids the hope, the hand up, they need.

Within SB 175, we included the FULL Governor’s recommended funding, almost \$6 billion, plus some provisions that require more accountability for our schools. In addition, the bill included two school choice pieces: tax credit scholarship program (originally SB 68) and the Student Empowerment Act (SB 2119). The tax credit program already exists but would be expanded to include low-income students (free and reduced lunch) from any school district in Kansas. The maximum tax credits allowable was not expanded -- \$10 million. This current program impacts only 13 districts, mostly urban, out of 286 districts and includes only 632 kids out of 472,000 statewide. Though It has little to no impact on our House district, it does matter to each and every child that is given an opportunity to attend a qualified accredited private school and turn their life around.

The second school choice provision is called the Student Empowerment Act. This Act establishes an educational savings account for qualifying at-risk students. If a school identifies and provides a child at-risk services, the student would be allowed to join the SEA Program. Educational savings accounts provide families much-needed flexibility to educate their struggling child, whether it be for private school tuition, books and supplies, on-line courses, tutoring, or college classes (concurrent enrollment). ESAs are growing in popularity across the United States and help our families take hold of their inherent rights to determine how best their child is educated.

The bill passed the House 65-58, but failed to pass the Senate by one vote (the bill tied 20-20). The Legislature will take up the issue during veto session.

Needless to say, there’s a lot going on in Topeka. There’s never a moment I am not thinking about the values represented by my friends and neighbors in the 77<sup>th</sup> District. Maintaining our freedoms, rights, and economic opportunities are among the most cherished ideals. I am grateful to represent the 77<sup>th</sup> and look forward to your questions, concerns, and thoughts. Please stay in touch!

Serving You,

Rep. Kristey Williams