

LEGISLATIVE UPDATE



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USSC DECISION AND GOV. BROWNBACK'S EXECUTIVE ORDER



This ruling has an immediate impact on employers, including on the benefits offered to employees (and dependents). For instance, same-gender spouses are already entitled to all spousal benefits under the Family Medical Leave Act. Furthermore, many employers have already been providing same-gender benefits to unmarried couples because marriage was not a legal option—now that it is, employers may want to change their policies to simply treat all married couples the same. It should be noted that this decision affects legal marriages, but not non-married domestic partners.

Two weeks after the U.S. Supreme Court decision that strikes down bans on same-gender marriage across the nation, Gov. Sam Brownback issued an Executive Order 15-05, "Preservation and Protection of Religious Freedom," prohibiting the state or its agencies from discriminating against or removing tax advantages from the clergy and charitable organizations that oppose same-gender marriages.

The governor said his executive order "protects Kansas clergy and religious organizations from being forced to participate in activities that violate their sincerely and deeply held beliefs."

Brownback issued the executive order in response to last month's U.S. Supreme Court ruling in the case of *Obergefell v. Hodges*, mandating recognition of same-gender marriage in all 50 states.

"While we disagree with the decision of the Supreme Court, it is important that all Kansans be treated with the respect and dignity they deserve," the governor said. As a result of the Supreme Court decision, the state is making provisions for same-gendered couples' coverage under the state employee health insurance plan, and the Department of Revenue is changing the names on drivers' licenses to reflect same-gender marriage name changes. In addition, the issue of determining how to most efficiently comply with joint tax returns filed by same-gender couples is being addressed by the Department of Revenue.

This Executive Order required no action on the part of the Kansas Legislature.

GOVERNOR ANNOUNCES DEPARTURE OF COMMERCE SECRETARY PAT GEORGE



Governor Sam Brownback announced that Commerce Secretary Pat George will step down from his post in July. George has served as Commerce Secretary since 2011.

“I am grateful to Pat for his service to Kansas,” said Governor Brownback. “Through his leadership, the Department of Commerce has evolved into a world-class organization serving the needs of our existing businesses and helping bring new business to Kansas. I wish him much success in his new venture. I treasure his friendship.”

George will become the President and CEO of the Valley Hope Association, one of the nation’s largest nonprofit providers of alcoholism and substance abuse treatment.

“I feel honored and humbled to have been appointed Secretary of Commerce and will be forever grateful to Governor Brownback for the opportunity to serve the people of this great state,” George said. “I have been blessed to work alongside colleagues who have devoted their talents and time to making Kansas a better place and I know that the agency and its mission are in good hands. I also look forward to joining a dedicated Valley Hope team that has been successful in giving so many people help and hope for a life free from addiction.”

The mission of the Commerce Department is to lead the state’s economic development by creating jobs, attracting investment and providing workforce training. No successor has been named yet, but we expect an interim secretary to be announced until a replacement is found.

GOVERNOR NAMES NEW SECRETARY OF ADMINISTRATION & EXPANDS TITLE, DUTIES OF BUDGET DIRECTOR

Governor Sam Brownback named Sarah Shipman as the new Secretary of Administration—the Kansas Department of Administration’s top job. Previously, Shipman served as the deputy secretary and chief counsel of the agency she is now secretary of. She succeeds retiring secretary Jim Clark. Shipman’s appointment must be confirmed by the Kansas Senate, although she has worked for the Department of Administration since 2011 and has been deputy secretary and chief counsel there since 2014. Shipman graduated from Washburn Law School.

In addition, Brownback also expanded the title and duties of budget Director Shawn Sullivan to Director of Budget and Business Processes. This expanded role comes as a legislative interim committee considers a contract for up to \$3 million to reduce state government expenses (see *Efficiency Study*, page 3). Sullivan’s new title and role will “expand the scope of duties . . . To formalize his role in identifying and implementing efficiencies across state government,” Brownback said.

Secretary Sarah Shipman



INTERIM COMMITTEES

The Legislative Coordinating Council (LCC) has met and assigned interim committees and topics. Below is a list of the committees approved by the LLC:

- Administrative Rules and Regulations—3 days
- Corrections and Juvenile Justice Oversight—2 days
- Home and Community Based Services & KanCare Oversight—2 days
- Information Technology—2 days
- Kansas Security—1 day
- Legislative Budget—7 days
- Pensions, Investments and Benefits—1 day
- State Building Construction—2 days
- Ethics & Elections—2 days
- Foster Care Adequacy—1 day
- Insurance—1 day
- Confirmation Oversight—2 days
- Health Care Stabilization Fund Oversight—1 day

For the specific topics to be discussed by each interim committee, go to: www.kslegresearch.org.

PAC PARTICULARS

Now that Sine Die has passed, candidates for the House, Senate and statewide offices may solicit campaign contributions. Here are some tips to follow:

- We are now in the primary election contribution cycle for the 2016 primary elections for House and Senate members and the 2018 primary elections for statewide officials
- All House and Senate members are up for election in 2016
- All statewide officials are up for election in 2018 (Governor, Insurance Commissioner, Attorney General and Secretary of State)
- Contribution limits are as follows:
 - ⇒ Candidates for the Kansas House of Representatives--\$500 per cycle
 - ⇒ Candidates for the Kansas Senate--\$1,000 per cycle
 - ⇒ Candidates for statewide offices--\$2,000 per cycle
- All contributions must be made before January 1, 2016.



EFFICIENCY STUDY

During the 2015 budget debate, a request was made for the state to find efficiencies and ways to cut the state's budget in the 2016 session. This request led to the inclusion in this year's passed budget bill to allocate up to \$3 million to contract for the study. The Legislative Coordinating Council (LCC) recently named new members of the LCC, who will be responsible for hearing and considering both the direction and the winner of an up-to-\$3 million contract. That contract and its provisions will be created by this interim budget committee.

The committee will be chaired by House Appropriations Chair Ron Ryckman, Jr., R-Olathe, and vice-chaired by Senate Ways and Means Chair Ty Masterson, R-Andover. Other members are Senators Jim Denning, R-Overland Park; Laura Kelly, D-Topeka; and Representatives Sharon Schwartz, R-Washington; Marvin Kleeb, R-Overland Park and Jerry Henry, D-Cummings.

DIVISION OF VEHICLES MOBILE APP LAUNCH

Kansas vehicle customers can now access features such as office locations, driver's license status and practice written tests from the convenience of a mobile app.

The KS Vehicles Connect app is available on iPhone, Android and Window phone systems for free.

"More and more people are using their mobile phones to look up information and contact us," said Kansas Vehicles Director Lisa Kaspar. "This app put the information they need to get a driver's license, renew their vehicle tag, check their license status or find a licensing or tag office at their fingertips."

The app will also be fully compliant with the Americans with Disabilities Act.

From the app, customers will be able to access a variety of features including:

- Get in line remotely for the six largest driver licensing offices.
- Check the status of their driver's license.
- Access their vehicle registration information and renew their tags online.
- Find the driver licensing or tag office closest to them and pull up directions.

SCHOOL FINANCE RULING



A three-judge district court panel ruled shortly after the 2015 session officially adjourned that key parts of a new state law for financing public schools violated the state constitution. The panel ruled that the law passed earlier in the session fails to distribute more than \$4 billion a year assuring all children received a suitable education and ordered that the state fix the problem by reinstating parts of the school-finance formula repealed by the block-grant bill passed. The court ordered the Kansas Department of Education to send almost \$50 million (\$32.9 million in Local Option Budget payments and \$16.7 million in capital outlay payment) to school districts.

The previous per-pupil distribution formula was scrapped by the legislature this session in favor of predictable grants to the state's 286 school districts based on the funds they received before the law changed. The new law was challenged by the Dodge City, Hutchinson, Wichita and Kansas City school districts because they argue it distributed state funds in ways that harmed programs for poor and minority students. The four districts also sued the state in 2010, and legislators increased aid to poor school districts last year to meet a Kansas Supreme Court mandate in the case, but the case has been remanded to the lower-court panel to review additional legal issues, including the validity of the new law. The block grant bill has been promoted as a change and an improvement in K-12 funding, but the court ruled it "is no more than a freeze on USD operational funding for two years."

KEN SELZER, KANSAS INSURANCE COMMISSIONER, LAUNCHES CONSUMER ASSISTANCE HOTLINE

CONSUMER ASSISTANCE HOTLINE:
1-800-432-2484

The Consumer Assistance Division helps monitor compliance with laws and regulations. Representatives can help you understand your policy, answer questions or help resolve issues with an insurance dispute.

To file a complaint:

Visit www.ksinsurance.org and fill out the online complaint form.

You can also send a fax to 785-296-5806, or email webcomplaints@ksinsurance.org. You can also write a letter to:

Kansas Insurance Department
420 SW 9th Street
Topeka, KS 66612



NEW CHIEF OF STAFF FOR HOUSE SPEAKER

The Kansas Chamber announced that their V.P. of Political Affairs, Christie Kriegshauser, will transition back to the Speaker's office where she will replace Wade Hapgood as the Chief of Staff for Speaker Ray Merrick, R-Stilwell. Kriegshauser previously served in this role for both Merrick and former House Speaker Mike O'Neal.

Hapgood will join United Healthcare, a KanCare Medicaid contractor for the state. He was Kriegshauser's replacement for Chief of Staff in 2013 when she left to join the Kansas Chamber.

Kansas House Speaker Ray Merrick, right, a Stilwell Republican, consults with his chief of staff, Christie Kriegshauser, center, during a caucus of GOP House members in 2013, at the Statehouse in Topeka, Kan. (Photo by John Hanna/AP File)



Legislative Deadlines

January 11, 2016—First Day of 2016 Legislative Session

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