

FROM THE CAPITOL

February 9, 2007

FROM THE STATEHOUSE

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It has been a busy month since we came back to the Capitol. There is still a lot of construction going on and I have had a lot of visitors. John Grice, son of Ron and Cheryl Grice, shadowed me on Gifted Students Day at the Capitol. John, a senior at Manhattan High School, plans to major in Political Science and Public Administration at Kansas State. John was elected Governor of Boys State this summer and has been traveling the state and making appearances in that capacity. John is also a football player and a debater at MHS. I look forward to hearing his keynote address at the NAACP Banquet in Manhattan this year.

To help me service you better, I need your assistance. I have both an email newsletter list and a regular mail newsletter list. I am trying to cover my district and reach all of my voters several times during the session. I am allowed only \$900 for my mail each year. One single district-wide mailing would use my entire budget! So – I have been trying to reach as many as possible with email and send out three or four mailings. If you will please offer me your email address I can communicate with you on a weekly basis with a short newsletter. My email address is Carlin@house.state.ks.us Also, if you are getting my email news you can let me know and I can drop you off of the regular mailing list. Also please share your email news with your family and friends or ask them to send me their email info.

FUNDING FOR FT. RILEY

There has been a lot of discussion this week in the press about Federal funding for projects at Ft. Riley and Ft. Leavenworth. Ft Riley and Ft Leavenworth are key to the war on terror and it is vitally important they receive full funding through BRAC for the ongoing construction. I am profoundly disappointed that the **109th Congress** ended without passing a 2007 defense budget, which left BRAC entirely unfunded after February 15 of this year. It is my understanding that in order to have the new Barracks at Ft. Riley ready for our returning troops, the ground breaking would have needed to occur in December 2006, and, that even if the money would arrive today, we could still not meet this timeline.

But, the New 110th Congress has acted decisively to restore funding for BRAC. Their recent continuing resolution funded BRAC at \$1Billion over the 2006 levels, in addition to providing \$3.6Billion in new funding for the Veterans Administration and \$1.2 Billion extra for Department of Defense health programs.

As the U.S. Senate considers the continuing resolution this week, I encourage them to go one step further and fund BRAC at fully authorized levels for 2007. I also applaud Congresswoman Nancy Boyda for her work in urging the U.S. House Appropriations committee to pass supplemental appropriations to further support Ft. Riley and Ft. Leavenworth. I am certain that the entire Kansas Delegation is working with the Department of Defense to insure that our Big Red One will receive the funding we so desperately need.

Yesterday the Governor's Military Council unanimously passed a resolution in support of H.J. Res.20, an amendment offered by Senator Pat Roberts to fully restore funding for implementation of the 2005 BRAC as requested by the Administration. And today the Kansas House passed Resolution HR6008 urging the U.S. Senate to support this amendment to restore funds for military construction to the levels in the Defense Authorization Bill.

HOUSE BILLS HELP KANSANS BECOME MORE ENERGY EFFICIENT

In an effort to help Kansas become a more energy efficient state, House representatives introduced several bills this week that would provide incentives to Kansans who take steps to conserve energy. HB 2037 introduced by Tom Hawk (D) Manhattan, provides tax credits to landlords who make energy efficiency improvements to the housing units they own. Under the bill, a landlord would be eligible to receive a \$100 tax credit for each six inches of ceiling insulation installed in non-owner occupied housing units, and a \$300 tax credit for newly-installed heating, ventilation or air conditioning systems

that meet energy efficiency specifications. The bill passed unanimously in the House and is awaiting approval by the Senate.

HB 2036 also has passed the House. Under this bill, a builder or developer of newly constructed residential homes will be required to disclose energy efficiency information to potential buyers of all single family or multifamily units with three or fewer floors. It is intended to give buyers more information about the energy efficiency of a home before they sign a contract for purchase.

HB 2038 provides a 10-year tax exemption for a newly constructed nuclear energy plant projects begun after December 31, 2006. Any new nuclear plant would have to increase generation of electricity by at least 10 percent. The bill was passed by the House and is awaiting approval by the Senate.

TASK FORCE ON CRUMBING CLASSROOMS OFFERS IDEAS

From higher taxes to higher student fees, a task force studying how to pay for a huge repair bill at state universities produced a lot of ideas but little consensus. The task force finished its business yesterday but Sen. David Wysong, (R) Mission Hills said they didn't even come close to a clear solution to funding. Chairwoman Jean Curtis Schodorf, (R) Wichita, said the panel's report would offer lawmakers numerous options to consider. "There is a general consensus on some of these, but it's hard to come up with a plan," Schodorf said. The final plan may use a number of funding methods.

Kansas' six Regents' Universities have said inadequate funding has led to a backlog of approximately \$660 million in maintenance and repairs. Community colleges say they need an additional \$150 million for their facilities. The Governor recommended a package of \$575 million over six years, which relies on increasing turnpike tolls, providing low-interest loans and setting aside \$75 million in existing state revenue. The House already has approved a \$75 million proposal. The Senate task force has been meeting for three weeks discussing alternatives.

Sen. Karin Brownlee, R-Olathe, said cities, such as Lawrence, that have regent's schools should consider increasing the local sales tax to help defray the repair bills. She also suggested schools should use revenue from tickets to athletic events. Sen. Pat Apple, R-Louisburg, suggested allowing the universities to increase student fees up to \$5 per credit hour for resident students and \$15 per credit hour for nonresident students. He also said the state could divert lottery revenues toward the problem. Sen. Janis Lee, D-Kensington, said the state should expand gambling and dedicate those revenues to the deferred maintenance. Sen. Marci Francisco, D-Lawrence, recommended the schools be allowed to use more than \$8 million in property that has been unclaimed for more than 21 years.

None of the proposals, however, generated unanimous support.

TICKETS FOR THE LANDON LECTURE BY FORMER PRESIDENT CLINTON

The lecture in Bramlage Coliseum will begin at 3:30 p.m. on Friday, March 2. Charles Reagan, chair of the Landon Lecture series, said today that student tickets will be available on the northeast side of Bramlage. Faculty and staff tickets will be available on the northwest side of Bramlage. K-State at Salina students and faculty-staff will receive an e-mail when tickets are available to be picked up.

Students, faculty and staff must show their K-State ID to pick up a ticket and again to gain entry to the lecture. Each person will be limited to one ticket. All seats will be reserved so those wishing to sit together should pick up their tickets together. Admission to the lecture itself will require both the ticket and the K-State ID card.

An announcement will be made at Fort Riley about ticket distribution to soldiers and their families. Any remaining tickets will be available for the general public beginning at 10 a.m. on Feb. 23 at the northwest ticket windows at Bramlage. Seating is available for people with disabilities. No handbags, backpacks, brief cases or bags of any kind will be permitted inside Bramlage on the day of the lecture. Small still cameras will be permitted. Reagan said the doors to Bramlage Coliseum will open at 2:30 p.m. and everyone must be seated by 3:15 p.m. "Because everyone must pass through security, we encourage people to be there early and realize there will be a wait," he said.

MANDATORY KINDERGARTEN BILL DISCUSSED

SB 207, sponsored by Sen. Laura Kelly, (D) Topeka, had a hearing in the Senate Education Committee this week. Currently, all school districts must offer full or half-day kindergarten, but children aren't required to attend. Proponents said mandating kindergarten attendance takes advantage of some of the most important development time for a young child.

Lynette Poolman, of Mid-America Head Start, gave a presentation on a child's brain development, saying that the first five years were the most important time for consistent, nurturing education. "The brain is not waiting to be filled - it is kindling waiting to be fired," she said. The committee also heard

from Nancy Armstrong, a kindergarten teacher at Topeka's Quincy Elementary School, who said parents often choose not to send their children to kindergarten out of convenience. "They say the schedule doesn't fit with theirs, or they don't want to get up that early," the teacher said. "It's a matter of inconvenience for them."

Written testimony submitted by representatives of an Amish and Mennonite community in Reno County was read in opposition of the bill. "In our community, we believe readiness for the classroom is happening without mandated kindergarten," the statement said. Representatives from the community also requested an exemption from the mandate. "In other words, if kindergarten for all must be legislated, we desire freedom from its burdens for all for whom classroom kindergarten truly does not seem to be the best possible option," the representatives wrote.

BIO & AGRO DEFENSE LAB BILLS TO THE GOVERNOR

Legislators approved the final pieces of a bundle of bills yesterday designed to put the state in a better position to attract a proposed National Bio- and Agro-Defense Facility to Leavenworth or Manhattan. Kansas and 11 other states are competing for the center.

Both Houses also passed a bill establishing an "interagency working group" to help the U.S. Department of Homeland Security assess potential sites. The group would have representatives of the state departments of Commerce, Agriculture, Revenue, and Health and Environment; the adjutant general's department; the livestock commissioner's office; the attorney general's office; the Kansas Board of Regents; the city of Manhattan; Leavenworth County; and the Kansas Highway Patrol.

If you want to know more about this, go to the Homeland Security website at http://www.dhs.gov/xres/labs/editorial_0762.shtm

The 500,000 square foot lab, to be built on 46,450 square meters, will expand the mission of the old lab located on Plum Island, conducting research to create vaccines and drugs to fight human diseases, foreign animal diseases, and animal diseases humans can catch. It will house researchers from DHS, the Department of Agriculture (USDA), and the Department of Health and Human Services (HHS).

Wherever the new lab is located, it will have an enormous local economic impact. Most of the buildings at Plum Island -- the only US laboratory capable of handling large cattle in BSL-3 security -- were constructed in the early 50s, and are aging badly.

As planning for the National Bio and Agro-Defense Facility (NBAF) progresses, the general public will be kept informed and invited to participate. The public will be able to provide comments during the National Environmental Policy Act (NEPA) process, which will begin when enough facility information exists to begin the NBAF site selection.

A Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) will be published in the Federal Register at the start of the NEPA process. The EIS will analyze the potential environmental impacts of a range of possible alternatives for constructing and operating the NBAF. The Department of Homeland Security will solicit public input on the scope and content of the EIS and hold public meetings in communities that may host the facility.

Environmental consequences are of great importance to the Federal departments involved in this endeavor and will be an integral part of the decision-making process. The design and construction of this facility, as well as the operation of it, will be in compliance with the National Environmental Policy Act and all Federal, State, and local requirements. Site visits will be made March to May; ours is scheduled in April. In June the Homeland Security will reveal which sites will be evaluated with an environmental impact study. Announcement of the selection will be in October 2008. The hope is to have the facility functioning by 2013.

HOSPITAL TRANSPARENCY

In a health care system that puts consumers first, it is essential that Kansas hospitals are committed to sharing meaningful and accurate pricing information to their patients. To help promote pricing transparency, Senator Jim Barone has introduced a bill requiring hospitals to list prices for their most common services. SB 181 mandates that the Kansas Health Policy Authority (KHPA) shall compile a list of 25 common non emergency services performed during inpatient and outpatient hospital stays. A similar House bill would require disclosure of prices charged by health care providers and reimbursed by health insurance carriers for health or medical care services.

The Kansas Hospital Association (KHA) is currently developing Web based software to make hospital prices available to consumers statewide.

PROPOSED TAX CUTS

A subcommittee of the Senate Tax Committee is working with a \$15-million limit in providing tax cuts for the upcoming year, Tax Chairman Sen. Barbara Allen, R-Overland Park, said. So far the subcommittee has a couple targets:

* Exemption of the first \$500,000 of corporate capital for purposes of the state franchise tax. That means that firms with less than \$500,000 in capital would not have to pay franchise taxes. The proposal also eliminates what has been dubbed the "cliff" issue. That is, if a corporation has \$500,001 in capital, it pays franchise tax on the otherwise exempt first \$500,000. It essentially starts counting toward franchise tax payments at \$500,000. The \$500,000 exemption issue would cost the state about \$10.5 million in lost revenue for the current fiscal year.

* The committee also is zeroing in on exempting Social Security payments from Kansas income tax for taxpayers with a federal adjusted gross income of less than \$50,000.

COMMITTEE HEARS BOTH SIDES ON HPV VACCINE

Cancer survivors urged lawmakers Wednesday to approve legislation that would require sixth-grade girls to receive a vaccine against cervical cancer. Their message was that this is an opportunity to protect young women from the virus that causes cervical cancer before exposure. A House Bill 2227 would require that female students enrolling in sixth grade to have the vaccine for the sexually transmitted Human Papilloma Virus, known as HPV. But several groups testified against the bill. The Kansas Catholic Conference said there are many questions about the safety of Gardasil, the recently approved vaccine. Right to Life of Kansas Inc. said parents should make decisions regarding the health of their children. "Such a mandate intrudes on those very parental rights and duties," the group said in prepared testimony. Last week, Texas became the first state to make the vaccination mandatory for girls entering the sixth grade starting in September 2008.

FUNERAL PICKETING ON THE AGENDA AGAIN

Last year the legislature failed to a bill to restrict picketing at funerals of U.S. troops killed in combat even though they all agreed it was an embarrassment to the state. The Senate believed the House version was unconstitutional. Reverend Fred Phelps and members of his Westboro Baptist Church in Topeka have conducted anti-homosexual protests since 1991, but gained national attention for their presence at military funerals. They contend soldiers' deaths are God's vengeance for Americans' tolerance of homosexuals and that the protests are a form of religious expression. They also demonstrated at the funerals for miners who died in West Virginia.

Under this year's bill, protests are banned within 300 feet of a funeral one hour before, during and two hours following the start of the funeral. It also makes it unlawful to obstruct public streets or sidewalks while picketing. This year's hearing was fairly low-key compared to last year when the committee room filled with people to testify. Last year Phelps was on hand, threatening legal action if the bill became law. This year nobody from the church attended the hearing.

Shirley Phelps-Roper, spokeswoman for the church and daughter of Fred Phelps, said nobody from the church showed up because they were busy planning four funeral protests this week. She also said if the court follows the law, it will declare the legislation unconstitutional.

KEEP IN TOUCH - It is a special honor and privilege to serve as your voice in the Kansas House of Representatives. I value and need your input on the various issues facing state government. Please feel free to contact me with your comments and questions. My office address is Room 521-South, Statehouse, Topeka, KS 66612. You can reach me at (785) 296-7651 or by calling the legislative hotline at 1-800-432-3924 to leave a message for me. Additionally, you can email me at Carlin@house.state.ks.us You can also follow the legislative session online at www.kslegislature.org and check my website www.sydneycarlin.com for current newsletter updates. Thanks for the honor of representing you.

Sincerely,

Sydney

P.S. Thank you to all of you who filled out and returned the survey! I will be tabulating the results when I get the surveys back from my snail mail newsletter.