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Carlin's Newsletter
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This Week at the Statehouse

We are inching closer to the end of the 2009 regular session, with just two weeks to go before First Adjournment. This was the last week for committees to pass out bills, although it is important to keep in mind bills that never received a hearing (or were never worked) may still find a way onto legislation as amendments or provisos. Nothing ever really "dies" in the Capitol- there are always opportunities for bills to resuscitate

Week 12 will be busy as well but will also include a lot of down time while we wait for conference committee reports. I will keep you posted as we work through important legislation. Things tend to move quickly in the last two weeks before Drop Dead Day, as any bill that has not passed both House and Senate chambers can no longer be debated after this deadline (although certain bills, such as the budget, are exempt).

FY 2010 Budget Update: Sorting through stimulus dollars

The House Appropriations Committee kept busy this week debating House Bill 2373, which is the FY 2010 mega budget bill. This bill makes many changes to the budget proposal put forth by the Governor in January and resulted in heated debate.

The primary source of controversy in the development of the FY 2010 budget has been the utilization of federal stimulus dollars. Kansas has the opportunity to receive hundreds of millions in aid for a variety of expenses, including K12 education, transportation, children's health insurance, and higher education. In order to qualify for these funds, however, Kansas must meet certain requirements. This week, many on the House Appropriations Committee voted not to accept federal dollars on some items (such as children's health insurance, or SCHIP) and then made cuts in other areas that will prevent Kansas from even qualifying for stimulus dollars (such as K12 funding).

K-12 Education:

The federal guidelines for receiving K-12 stimulus money are clear: we must not cut below the 2008 funding level. To make any cuts exceeding this level will seriously jeopardize our opportunity to receive the financial help. Nonetheless, some on the House Appropriations Committee voted to cut the base state aid per pupil (BSAPP) by an additional \$33 (for a total \$66 cut). This is well below what was allocated for 2008

and the same reduction attempted earlier in the year that was line item vetoed by the Governor.

We have already endured this battle once this session: a \$66 BSAPP cut would be detrimental to school districts across the state. It will force school districts- especially rural schools- to cut programs, lay off teachers and will dramatically decrease the quality of public education. We cannot balance the budget on the backs of Kansas schoolchildren. I will stand adamantly opposed to legislation that puts our children's education in jeopardy.

Unemployment Insurance

The American Recovery and Reinvestment Act will provide an important opportunity to expand unemployment benefits to Kansans struggling to make ends meet. This is not part of the budget bill specifically, but it does require legislative action in order to qualify for the \$69 million in federal money.

House Bill 2374, which received a hearing in the House Commerce and Labor Committee this week, would lengthen the period of employment that can be considered in deciding whether a laid-off worker is eligible for benefits. It would also allow workers to receive unemployment benefits if they voluntarily leave their jobs to care for a sick or disabled member of their immediate family. These are minor legislative changes that will increase the number of workers eligible for unemployment benefits. The bill has not been worked as of yet, but must be acted upon soon in order to get unemployed Kansans (the most in 25 years) assistance to pay for basic necessities.

Higher Education

Last week, the House Appropriations Committee voted to reject money for our universities, community colleges and technical colleges. This money would have gone toward holding off projected tuition increases and the creation of jobs through repairing crumbling buildings on our campuses. Currently, there are over \$700 million in deferred maintenance projects at our higher education institutions awaiting repair.

SCHIP (Children's Health Insurance)

Although it is not directly a part of the stimulus package, Kansas has the opportunity to receive federal dollars for children's health insurance. Unfortunately, the House Appropriations Committee voted not to accept the Governor's recommendation to take advantage of the recent federal reauthorization of SCHIP, a program that would have provided health insurance for 8,000 additional children. This decision was particularly troubling, as most of the Legislature last year voted to fund this program if new federal dollars were doled out to the states. Now that it has been federally authorized, many legislators choose to go back on their vote, leaving thousands of children without insurance coverage. If we do not utilize these federal dollars for children's health insurance, they cannot be allocated elsewhere in the Kansas budget and will be forfeited to other states.

Smoking Ban Bill tabled in House, but still alive

Proponents of the statewide smoking ban bill may have to hold their breath until next year's Legislative session, as their hopes of Senate Bill 25 passing the House were squashed on Wednesday. Although the Bill passed the Senate 26-13 earlier this year, the House committee for Health and Human Services tabled the Bill until more information becomes available about the proposal. Because Friday is the final day for

committees to meet this year however, it is unlikely that the committee will have time to reconsider the bill this session in the House.

As I have said before, however, nothing ever really “dies” in the Legislature. In response to the House action on the smoking bill, the Senate Commerce Committee passed a “gut-and-go” bill that makes House concurrence possible. “Gut-and-go” bills all the language of a bill with language from another bill, essentially turning it into an entirely new piece of legislation. The gutted bill would prohibit indoor smoking in public places except for casinos, some bars, tobacco shops and designated hotel rooms. This Senate’s action means that once the bill re-passes the Senate, the House could just make a motion to concur, sending the bill to the governor for her signature or veto. The bill must go back to the House and the Senate for approval.

Minimum wage bill passes out of committee, heads to the House floor

The passage of Senate Bill 160 out of the House Commerce and Labor Committee, which proposes to increase the state minimum wage for the first time since 1988, will now head to the House floor for full consideration.

The committee did make two amendments to the original bill. One amendment allows newly hired employees who are less than 20 years of age to be paid \$4.25 an hour during the first 90 days of employment. However, employers may not take action to displace an employee for the purpose of hiring another individual at the wage authorized.

The second amendment gives the Secretary of Labor the authority to adopt rules and regulations consistent with and not less than the minimum wage established by the Federal Fair Labor Standards Act, effective January 1, 2010.

On February 19th, the Senate passed Senate Bill 59, which would enact an all-ages primary seat belt law. But the bill, now in the House, is now at risk of not being considered.

Attorney General warns consumers about stimulus scams

The Consumer Protection Division of the Kansas Attorney General’s office issued a warning this week about recent economic stimulus scams. In an effort to obtain financial information or to steal the identities of victims, these scams aim to falsely convince consumers that they have qualified for a portion of President Obama’s economic stimulus package.

Some reported scams have appeared as pop-up ads on popular web sites such as Google and Facebook, advertizing that individuals may qualify for grants of up to \$25,000. When people click on the ad they are directed to scam Web sites such as <http://www.presidentobamagrants.com/> or <http://www.jessicasmoneyblog.com/>.

Viewers are told that they may obtain information for accessing stimulus funds for a small fee by credit card. The consumers are then enrolled in a trial membership and later billed for hundreds, sometimes thousands of dollars if they fail to cancel within a certain amount of time. Often the consumer is completely unaware that they are enrolled in the membership program until the charges appear on credit card statements.

Another form of the scam may appear in e-mail messages. Consumers are sent an e-mail stating that they have qualified for a grant. The consumer must then provide their

bank account information so that the grant may be deposited directly into their account. The scammers will proceed to drain money out of the victim's account or they may use the victim's personal information to commit identity theft.

To avoid becoming a victim, never open unidentified e-mails or click on links promising free money. If you believe you have fallen victim to a stimulus scam, contact the Consumer Protection Division at 1(800) 432-2310 or report the scam to the Federal Trade Commission (FTC) at 1(877) 382-4357. Consumers may also visit the FTC's Web site at <http://www.ftc.gov/>.

Board of Regents supports one year tuition freeze

The Kansas Board of Regents has unanimously approved a plan that would freeze state university tuition costs for Kansas residents for the 2009-2010 academic year. The plan, which would also address important campus deferred building maintenance projects across the state, will be possible if the Legislature limits Fiscal Year 2010 higher education budget reductions to no more than 7%, and the State receives higher education-related funds from the American Recovery and Reinvestment Act (ARRA).

The Board's plan would allocate \$9.6 million in federal stimulus funds to the state's public higher education institutions for deferred building maintenance projects. In Fiscal Year 2010, the Board's plan would allocate \$40 million in federal stimulus funds to the state's public higher education institutions for deferred building maintenance projects and tuition cost mitigation, which would make the one-year state university tuition freeze for Kansas residents possible.

I fully support this plan. Facing a harsh financial forecast, a tuition freeze will help thousands of Kansas families afford to send their kids to college without breaking the bank. Addressing important deferred maintenance projects at our state universities and community colleges will also stimulate the economy by creating new, high-paying jobs for local workers.

Keep in Touch

It is a special honor to serve as your state representative. 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 L79, Docking State Office Building, Topeka, KS 66612. You can reach me at (785) 296-7677 or call the legislative hotline at 1-800-432-3924 to leave a message for me. Additionally, you can e-mail me at Sydney.Carlin@house.ks.gov. You can also follow the legislative session online at www.kslegislature.org.