

Dear Friends,

The Session ended May 2 and I have been reflecting on the things that we accomplished this year. Before I recap them for you, I want to ask you to **please check your mailing label** and if there are any name/address errors on it please let me know. My contact information is in the last paragraph of the newsletter. Please remember to share this newsletter with your family.

DEFERRED MAINTENANCE

A session-long effort to bring about an understanding of the Board of Regents issue of Deferred Maintenance on our 6 Regents University campuses was finally settled. Several bills were offered to address the problem both in the House and in the Senate. There were several plans offered in the Appropriations Committee and the House Ways and Means Committee that didn't succeed. There were bills offered on the House floor that did not succeed. Some of the deal breakers---that caused us difficulty:

1) The first hurdle we had to get over was to **remove the local sales tax and/or property tax proposal** on counties where the universities are located. I was able to successfully argue against that and help get it removed in the House Appropriations Committee.

2) **Accountability:** An oversight board was created that will give the legislature a bi-annual review of the spending, progress on the work, and building priorities for future projects.

3) **How to address the needs of** Higher Education campuses that were NOT state-owned. **When we created a source of revenue for the Technical and Vocational Colleges, Community Colleges and Washburn University, the necessary number of votes to pass the bill was realized.** The work will provide jobs in construction and related industries all around the state as our higher education campuses are brought back to standards for public use.

Because the House and the Senate each had passed Bills that were not identical in content, a Conference committee was appointed made up of 3 members each from the Senate Ways and Means Committee and the House Appropriations Committee, to hammer out the final plan that was a **compromise between the House and the Senate bills. It took the entire weekend. The Board of Regents says the \$410 Million plan provides an important down payment on critical problems with university buildings.**

- \$90 Million in **state revenues** over five years to address a backlog of repairs on Regents State University Campuses
- Authorizes \$62.5 Million in **tax credits** over four years, starting July 1, 2008, to lure \$120 Million in **private donations** to Universities, Community Colleges, Washburn University, Technical Colleges and Vocational Schools
- Permits \$20 Million in **state-issued bonds** each year for five years, for a total of \$100 Million, to pay for projects at Washburn, community colleges and vocational schools. The state would make \$38 Million in bond payments in those years.

Annual cost to the state in Millions of Dollars:

FY 08: \$50.9 M; FY 09: \$66.2 M; FY10: \$86.5 M; FY11: \$104.3 M

FY 2012: \$102.5 M

Total State Cost: \$410.4 Million

Total 5-year spending allocations:

University repairs: \$183.8 M; Other campus Repairs: \$126.0 M

Additional state costs: \$100.6 Million

K-12 EDUCATION

The first thing that we did in January was to pass a bill in my appropriations committee to put aside years two and three of the K-12 Education plan we implemented last year. So, there were really only a few issues to resolve for education this year. I co-sponsored a bill with all of the other legislators who have military in their districts that will allow school districts that experience new students as a result of the military expansions in Kansas to continue with the **second "count date"** in February, in order to get state aid for all of the students within the districts. Manhattan has had several hundred new students and this will help us keep up with the funding needed.

KANSAS TECHNICAL EDUCATION

In addition to funding sources for deferred maintenance on Technical College campuses, a bill was passed that will change Kansas technical education leadership and will have a lasting impact on our state economy. Business leaders will now help set technical education policy and \$4 million has been allocated for grants to improve technical education. More than 60% of the jobs in our economy now require advanced technical education. This change will not only improve our economy, it will provide numerous opportunities for Kansans to improve themselves, their families, and their communities. Dr. Robert Edelston of Manhattan Area Technical College was on hand in Topeka to appear in the education committee in support of this important legislation.

HEALTHCARE PLAN

One of our biggest achievements this year was the approval of a new health reform policy, which was a collaborative effort between Governor Kathleen Sebelius, House and Senate members, and the bipartisan Kansas Health Policy Authority. The final bill was approved by the House and Senate on Wednesday, April 25th, putting into motion several initiatives to help provide affordable health coverage to all Kansans. Key Points of the Health Reform Policy:

Small Business Health Insurance

The Small Business Association Assistance Plan will provide seed money to small businesses to form associations that provide quality health care plans.

Premium Assistance Program

The Premium Assistance Program will reward working Kansans struggling to afford needed health coverage. Eligible Kansans will receive private insurance for both parents and children, and access health care services through a "medical home." In the first 2 years of the program, a family of four with an annual income of \$10,325 or less will be eligible. In year 3, families can earn up to 75% of the federal poverty level, (\$15,488 or less for a family of 4) and in year four, eligibility increases to families with incomes up to 100% of poverty (\$20,650 for a family of four).

Inspector General Position

The bill codifies one of the pieces of my False Claims Against the State Act from last year. This new bill adds funding for an Inspector General to prosecute Fraud and Abuse in the Medicaid system.

Medicaid Reform Act of 2007

The program will give Medicaid consumers under age 65 more control over their medical care by introducing new health care plan options and health savings accounts. It also develops ways to reduce Medicaid cost by ensuring that primary care services instead of emergency rooms when appropriate. A telephone information health line will be available 24 hours per day to answer questions from Medicaid recipients and a discount program will be created to help qualified self-pay patients with the costs of hospital stays and services.

K-STATE, KU CHILDCARE EXPANSIONS INCLUDED IN BUDGET

A bonding authority has been included in the FY 2008 House and Senate budgets, which will help the University of Kansas and Kansas State University to expand their child care

facilities on campus. “Ensuring access to safe and affordable childcare is just one way we can help remove barriers for parents who are heading back to school,” Governor Kathleen Sebelius said. “Thanks to Representatives Sydney Carlin, Tom Hawk, Barbara Ballard, Paul Davis, and Tom Holland, we were able to provide this additional help to K-State and KU students and families in the budget. With their leadership more Kansans will be able to take advantage of the excellent higher education opportunities available to them in our state.”

The budget will provide up to \$6 million in bonding authority for Kansas State to build a new center on campus and expand services to another 100 plus children. K-State’s current Child Development Center currently enrolls nearly 200 children.

STATE EMPLOYEE PAY PLAN APPROVED

State employees are expected to receive a pay raise beginning next year, as part of the recently approved Fiscal Year 2008 state budget. Most state workers will get a 2% pay raise and \$860 bonus under a compromise hammered out by House and Senate budget-writers. The \$44.3Million deal would apply to the fiscal year starting July 1. The bonus payments will be paid Dec. 14. Under the agreement, the pay plan will give an extra 5% raise to 1,533 state workers whose pay has been deemed significantly below what the private sector pays for the same positions, and longevity pay increases from \$40 to \$50. The current pay plan for state employees is decades old, and some think it is outdated. The pay proposal also establishes a commission to work to develop a new state pay system.

KPERS BONUS

Members of a House-Senate conference committee agreed to give one-time \$300 payments to KPERS retirees who were employed at least 10 years and have been retired at least 10 years. The bonuses, to be paid next October, total more than \$7 million. The bonuses are part of a new pension plan for state employees who participate in the KPERS program, starting with new hires July 2009. State retirees haven’t received a cost-of-living adjustment for nearly 10 years. I realize it is not much money, but I am none the less encouraged that my colleagues have recognized this need and supported this initiative.

AGREEMENT REACHED ON OMNIBUS BUDGET BILL

The final plan addressed a number of very real needs, including help for our military men and women, disability services, early childhood education, and services for senior citizens, without raising taxes for Kansans. The budget allocates \$1 million dollars to provide up to 10 semesters of free college tuition to soldiers who have served at least 90 days on active duty in Iraq or Afghanistan since the September 11, 2001 attacks. More than 700 troops would be eligible for the program.

A controversial provision will withhold funding to the Department of Health and Environment until a new sexual health provision is implemented statewide. The provision would require all women's health care professionals to provide more detailed evidence that an adverse health condition exists prior to performing any abortion when the pregnancy is past 22 weeks of gestation. If the agency didn’t comply, it wouldn’t be able to spend any money — shutting down its programs for the fiscal year starting July 1. That's all its programs - the Bureau of Vital Statistics; the pollution control stuff; the cancer prevention, immunization and other public health programs. State law says that after the 21st week of pregnancy, a viable fetus can be aborted if two doctors agree it’s necessary to save the life of the woman or to prevent “substantial and irreversible” harm to “a major bodily function,” a phrase officials take to include mental health because the U.S. Supreme Court has found that it does. KDHE does not compile a list of the exact medical diagnoses, and that’s information some members of the legislature want.

The bill completes a \$12.5 billion budget for the next fiscal year. Nearly \$10 million was added to **reduce waiting lists** for home health services for older Kansans and those with disabilities. These services help the neediest Kansans stay in their own homes instead of assisted living homes. Independent Living Centers were also allocated an additional \$450,000 to help Kansas senior citizens.

The plan also allows \$9 million in funding to construct the Smoky Hill training facility for local fire and medical first responders for both natural disasters and homeland security.

Unfortunately, not all programs that I supported were included in the final budget. The House approved \$750,000 for Community Based Services to help children with autism, a plan that had been recommended by Governor Sebelius. The funding was stripped by the conference committee.

A provision allocating \$1.6 million so that Kansas can hold a Saturday presidential primary elections, beginning in 2008 was also taken out. The Legislature also failed to fund the Governor's proposal to expand health coverage for all Kansas children from birth to age five and expecting mothers.

We must remember that the budget is more than an allocation of money. It is an expression of the values we hold as Kansans. I plan to continue working to build healthier communities and stronger families.

UNEMPLOYMENT TAX HALTED & "WAITING WEEK" CHANGES

House and Senate Lawmakers reached a compromise representing the largest employer tax cut this year and the first improvement in unemployment benefits in 30 years. The agreement helps employers by lowering overhead on unemployment taxes by an estimated \$80 million in the next year. It eliminates the week unemployed workers must wait if they have been laid off due to business closures in Kansas, declared bankruptcy, or are under the federal workforce reduction rules of the WARN Act. For other laid-off workers, the waiting week may still apply, but on the fourth week of unemployment, claimants will receive double benefits to compensate for non-payment in the first week.

Unemployed workers are eligible for 26 weeks of benefits. Under previous law, workers must wait 16-19 days before receiving any benefits. The 26-week period would not increase or decrease under the proposal and that receiving benefits more quickly would help countless Kansas families who are out of work.

TAX RELIEF

In the final days of the session, House and Senate negotiators agreed on a tax reduction package that would reduce taxes for businesses and individuals by nearly \$32 million this year and \$48 million next year. These tax cuts have been carefully considered and will balance the needs of business, working families, and senior citizens. Here are the major items in the compromise tax package:

Franchise tax phase-out

The state's corporate franchise tax will be phased-out over five years, at a cost of \$44 million. Businesses with net assets of less than \$1 million wouldn't have to pay the tax starting in 2008. For the remaining businesses, the tax amount would decrease by 25 percent each year for the next four years until it is eliminated. Next year more than 16,000 small businesses will immediately be exempted.

The franchise tax is the oldest business tax in the state. Currently, businesses with net assets of \$100,000 or more pay a franchise tax in order to do business in Kansas. These businesses are taxed 0.125 percent of their net worth, equivalent to \$1.25 for every \$1,000, with the top tax set at \$20,000 annually.

Homestead Refund Program

More low-income senior citizens will qualify for a tax break, due to changes to the homestead property tax program. New guidelines will allow applicants to deduct 50 percent of Social Security income from the income level necessary to qualify for the refund. To qualify, Kansans must have a household income of \$28,000 a year or less and be 55 or older, have a disability, or have a child still living in the home. These changes were made to help provide much-needed relief to the neediest Kansas seniors and allow them to stay in their homes. Renters will be eligible for the program if their monthly payments are 15 % or more of total household income, meaning that they can spend less on rent than the current 20% that is required to qualify for the Homestead credit today.

Earned Income Tax Credit

Expansions were also made to the earned income tax credit, which will save low-income working families an estimated \$7.5 million over five years. The EITC rewards work because only people in the work force with earned income can qualify. The program will increase the earned income tax credit for taxpayers who receive a refund on their federal tax return based on their income. Last year, nearly 90,000 working Kansans filed for this tax credit.

Social Security Benefit

Under this act, senior citizens with lower household incomes can exempt Social Security benefits from state income taxes. Older adults with adjusted gross incomes of less than \$50,000 a year qualify for 2007 taxes and those with incomes of less than \$75,000 a year will qualify beginning in 2008.

Johnson County Triangle

A new tax provision will authorize Johnson County to put on the ballot a 0.25 percent sales tax increase to fund a research triangle initiative, sought by civic leaders, and for construction of several public safety projects in the area. The funding will also be used to build a new KSU facility in Johnson County.

COMMUNITY CORRECTIONS PROGRAM WILL REDUCE RE-INCARCERATION RATES

A new program approved by the House and Senate on May 1 will seek to slow down the cycle of re-incarceration by reducing caseloads for community correction officers and providing eligible Kansas inmates with the skills needed to be successful once released from prison.

Offenders pre-selected as being at medium and high risk for re-incarceration will have the option of attending substance abuse treatment, mental health treatment, and behavioral programs. More importantly, inmates will be afforded improved technical or vocational training, and general education classes. As a reward, eligible inmates would be able to earn 60 days of good-time credit on a one-time basis upon program completion.

The program would authorize the Secretary of Corrections to use money earned by an inmate participating in paid employment or job training while incarcerated, for costs, fines, fees, and restitution assessed in the inmate's criminal case. Especially important to Riley County Commissioners who requested this change, community corrections officers will benefit from the program as well. Grant money will be used to hire additional officers and to reduce and specialize the number of caseloads each officer is assigned. Additional training and skill development courses will be available to teach staff members how to utilize gang intervention strategies, address safety concerns, and utilize new methods of inmate supervision. The goal of this program is to reduce the Kansas re-incarceration rate by 20 percent.

KANSAS WHEAT SUFFERS FROM LATE FREEZE

About 75% of the Kansas winter wheat suffered some freeze damage, with the early-planted fields where crops were more mature showing the worst effects, Kansas Agricultural Statistics Service said yesterday. The agency rated about 37% of the crop in poor to very poor condition. About 24% was in fair condition, with 25% in good and 14% in excellent shape. The tough update on winter wheat was tempered with an improving outlook for spring-planted crops as the state recovers from years of drought. The wet winter and spring have dramatically turned around soil moisture levels.

AUTISM TASK FORCE ESTABLISHED

On Wednesday, March 28, the House voted unanimously to establish an Autism Task Force to study the needs and availability of state services for persons with autism. The investigative task force will be responsible for determining the best practices for treating children with autism, and investigation of health insurance problems facing families of

autistic children. Autism is a developmental disability that results from a neurological disorder affecting normal brain function. Those affected by autism typically have a more difficult time with social interaction, verbal and non-verbal communication, and leisure activities, although the severity differs among individuals. According to the Autism Society of America, autism is the fastest-growing developmental disability, affecting one in 150 births. For more information on autism, please visit the Autism Society of America's Web site at www.autism-society.org

FUNERAL PRIVACY LAW PROTECTS MILITARY FAMILIES

The Kansas House sent a clear message to funeral picketers this session, voting unanimously to protect the privacy of families mourning the loss of fallen American soldiers. This issue has received a lot of attention lately, due to a series of protests that have been held during military funerals.

The new law requires protesters to stay at least 150 feet from any entrance to a cemetery, church, mortuary or other location where a funeral is held or conducted. The bill also prevents demonstrations from occurring within one hour prior to, during and two hours following the commencement of a funeral service. The law also makes it unlawful for any person to knowingly obstruct funeral services or a funeral procession.

During debate on the House floor, some House members expressed concerns that the law could lead to a challenge in court. Supporters testified that it would withstand constitutional scrutiny, citing that the law protects the privacy of mourners without impeding on the constitutional rights of demonstrators. In the last year, several district courts have upheld similar provisions in other states.

I believe that it is worth the risk of a court challenge to pass meaningful legislation to restrict funeral protests. We must protect the families of those soldiers who have made the ultimate sacrifice to defend our country and I am pleased the Legislature has finally acted to honor these families.

FT RILEY VETERAN'S CEMETERY

I am quoting elements of an email from George S. Webb, Executive Director, Kansas Commission on Veteran's Affairs, Topeka. I along with other interested local officials have been working closely with Mr. Webb for many years to get a new cemetery at Ft. Riley. The location is just west of the Manhattan Regional Airport.

"Folks – Bottom Line Up Front on the Ft. Riley SVC: We're looking good, and we anticipate construction beginning this fall or late fall.

1. Architectural design is going as we had planned. If all goes smoothly, we will be able to begin construction in October.

2a. The budget to pay for the construction is subject to Federal Fiscal Year (FFY) 2008 appropriations and, of course, our cemetery being placed high enough in the VA priority queue in FFY 2008 be included. The VA staff is proceeding with full expectation that we will be in the FFY 2008 funding – and so are we.

2b. It is always possible that if the VA's 2008 budget isn't passed before October 1st, things will go into a Continuing Resolution – and that could hang up our construction timelines. Mr. Webb visited with each of our Kansas House of Representatives staffs in D.C., and had a personal official agency.

2007 SURVEY RESULTS

I promised to send out my survey response data to you. I sent surveys to everyone who voted in the last election via email news and via regular mail. Out of the 5547 that voted, 193 have moved out of my district and were not surveyed. Thus, 5354 voters had the opportunity to participate in my advisory survey. I am pleased to say that I received 580 responses, making my response rate about 11%. I realize that the questions were a bit vague, but I was looking for attitudes and reactions to ideas. There simply is not enough time to get the actual questions to you that require my vote since changes and amendments can occur up to the day before we vote. I was quite pleased that nearly everyone identified themselves on the survey sheet and many made personal comments.

Here are the results:

I want to know... What matters to you!

1) Many small businesses struggle to provide health care benefits to employees. Should small businesses be able to participate in the state health plan, if doing so meant no cost to the state?

Yes 352 No 28 Unsure 68 (I voted yes on SB 11 – as amended)

2) Would you support expanded gaming in Kansas if it provided additional state revenue and helped meet budget demands?

Yes 241 No 309 Unsure 30 (I voted No)

3) Should a law be created to ban protesters from demonstrating outside of funerals for fallen military personnel?

Yes 380 No 48 Unsure 23 (I voted yes)

4) Kansas currently has the lowest minimum wage in the United States at \$2.65 an hour. Should the Kansas minimum wage be increased to meet those of other states?

Yes 447 No 64 Unsure 52 (I voted yes on a floor amendment)

5) Many people feel that stem cell research may hold the key to curing countless diseases. Do you believe stem cell research should be permitted if it excludes human cloning?

Yes 437 No 62 Unsure 58 (No opportunity to vote on this)

6) Should laws require more disclosure from organizations that are spending money to influence elections?

Yes 487 No 14 Unsure 43 (I voted yes to restrict robot calling)

KEEP IN TOUCH

It is a special honor and privilege to serve as your Representative in the Kansas House. I always appreciate your input on the various issues facing the state. I will attend some meetings and conferences during the summer and fall, and then come back to Topeka for the next session in January 2008. Even though we will not be in session for a few months, please contact me if I can be of any service to you during this time. My home phone is 785-539-6612 and my email is carlin@house.state.ks.us I invite you to check out the website at www.sydneycarlin.com.

Sydney