

LEGISLATORS ANNOUNCE INFORMED VOTER ACT

In a bipartisan effort to ensure that all Kansas elections remain fair and open, Senators and Representatives from both parties have joined together to formally announce provisions of the 2007 Informed Voter Act.

“These initiatives will help ensure that our election process is fair and will help Kansans make informed decisions at the polls,” said Rep. Ann Mah, of Topeka. “I look forward to working across party lines to establish campaign finance laws that are in the best interest of our state.”

Priorities of the Informed Voter Act include:

- ! Protect Kansans on the “No Call” list and require identification of organizations sponsoring automated calls (“Robocalls”).
- ! Provide Kansans with more information about those responsible for issue advocacy advertisements.
- ! Require more disclosure from Political Action Committees (PACs) and Party Committees on receipts and expenditure reports.
- ! Require reporting of all large, last-minute contributions
- ! Prohibit candidates who donate campaign contributions to charitable organizations from personally benefiting from said donations.

Details of the Informed Voter Act:

“Robocalls” and the No-Call List

All Kansas residents currently have the option of registering for the statewide No-Call list, supervised by the Attorney General’s office. By registering for the list, participants are shielded from certain telemarketing calls for at least 5 years. The No-Call list does not, however, end all unwanted calls. Political and charitable calls are not covered by this law.

A bill is being proposed that would prohibit automated phone calls of a political nature (“robocalls”) from being made to Kansans registered on the No-Call list. This would shield Kansans who have already shown a desire to be excluded from such calls without infringing on a candidates right to personally contact voters. A similar law exists in Minnesota and has been proposed in Missouri.

Rep. Paul Davis, of Lawrence, said, “I’ve heard concerns from a lot of constituents that they don’t know who’s responsible for these automated calls. Kansans deserve to know who is sponsoring political robocalls so that they can make informed decisions about the information they’re hearing.”

Another proposal would make it mandatory to tell the receiver of the message who is sponsoring or paying for the message. Before the message is delivered a live operator would ask whether the receiver wants to continue listening. Currently, there is no requirement for these messages to include information about the source or sponsorship of such messages.

Informed Voter Act – Disclosure of Issue Advertising

Rep. Ann Mah will introduce a plan requiring full disclosure of all organizations participating in issue advocacy advertising. Under the proposal, all issue advertisements must clearly identify the organization responsible for the advertisement. In addition, any organization that spends more than \$500 per year for issue advertising will be required to file a report with the Secretary of State including the name of the candidate they support or oppose, the name and address of any individual, organization, or Political Action Committee (PAC) that contributes \$50 or more toward the communications, and the name and address of any responsible vendor.

Under current law, PACs are not required to identify themselves in any issue advocacy advertising, nor do they have to disclose how much the sponsors are spending.

Full Disclosure of Expenditures

To ensure fair and open elections, it is necessary to have full disclosure of all expenditures made by PACs and Party Committees. Under a new proposal, any PAC or Party Committee that

spends \$500 or more per year for elections communications must file a report specifying the candidate they support or oppose and identifying individuals who have given more than \$50 to that effort. The organization would also be responsible for reporting vendors who receive more than \$50 in payments for those communications. This breakdown would give the public more information when reviewing a political committee's report.

Current law requires that PACs and Party Committees file a report listing any vendors that have been contracted for political advertising purposes, but do not have to report the names of candidates the political advertisements were created to support or hinder.

Last Minute Large Contributions

All state and local candidates are required to file receipts and expenditure reports prior to primary and general elections, with the cut-off date for reports being 11 days prior to each election. Any last minute contributions received by a candidate after the cut-off go unreported until three months after a primary or general election.

Because candidates often receive a flurry of campaign contributions days before an election, it's necessary to track large monies received after this deadline. Two Senators are proposing two bills that would change the reporting times candidates have to file receipts and expenditures prior to primary and general elections.

The first bill targets PACs, while the second bill targets individual contributors. Both bills would require reporting contributions in excess of \$50 if monies are received by a candidate within four days of an election. Contributions must be reported during these final days by both the candidate and the contributor and can be made via e-mail, fax, hand delivery, or express delivery service.

These provisions will ensure that contributions given and taken in the final days of an election are known to the public before they reach the voting polls, instead of months after the election.

Charitable Campaign Contributions

It is common practice for candidates to donate campaign funds to charitable organizations. Under current law, however, there are no set guidelines regarding any personal benefits which may be garnered by a candidate as a result of these donations.

"Although current statute prohibits use of campaign funds for personal use, we need legislation that will aid in any potential misunderstanding when using campaign dollars for charity," said Rep. Kay Wolf, R-Prairie Village.

A bill is being recommended that will clearly define the procedural use of campaign funds for charitable contribution purposes. The provision requires that any item or service purchased with a candidate's campaign funds will remain with the selling charitable organization for their disbursement. Thus, if a candidate uses campaign funds to participate in a silent auction for a television set and wins, the television would remain in the custody of the charitable entity and could not be taken by the candidate.

HOUSE APPROVES LOCKBOX BILL

On Wednesday, the Kansas House approved legislation known as the "lockbox bill", placing more than \$271 million in a trust fund over the next two years. The trust fund would cover the final years of the three-year, \$466 million school funding increase, which was approved during the last week of the 2006 session to comply with the constitutional funding requirements by the Kansas Supreme Court.

In addition, the bill would pay down \$80 million of high interest rate debt on Pension Obligation Bonds. "We did these bonds when we were in a financial crisis. Now, our economy is improving, so by April it would be a good choice to set up this state debt reduction fund," said the amendment's author, state Rep. Jerry Henry, of Cummings.

The bill also provides \$15 million over the next five years for public universities to help with upkeep and repairs. Although this commitment will help repair crumbling classrooms and help

keep students safe, some legislators were disappointed that more money wasn't set aside as university officials had requested. Regents universities have listed a need for \$727 million in repairs, and the state's community colleges, \$150 million.

During committee testimony, budget experts said setting up the trust fund wouldn't completely protect the monies if future Legislatures wanted to dip into it. This year's legislature cannot bind future legislatures. It appears that there is much more support in the Legislature to protect those funds than in the last two sessions, however.

BILL TO CURB ILLEGAL HIRING INTRODUCED IN HOUSE

Representative Nile Dillmore, of Wichita, and Representative Tom Holland, of Baldwin, introduced legislation on Tuesday that will help protect Kansas workers and employers by curbing illegal hiring practices of immigrants. HB 2163 toughens fines against businesses that knowingly break state laws, bars them from any state contracts for five years, and establishes a toll-free hotline in the Attorney General's office for reporting violations.

"The Kansas workforce is second-to-none for its skills, ambition and work ethic," Rep. Dillmore said. "Just as Kansas workers deserve protection from employers who scoff at safety requirements; workers and employers deserve a level playing field when it comes to hiring practices. This legislation would finally put teeth into the law and make employers think twice about the consequences of willful violations."

The bill would crack down on employers who are misclassifying workers as independent contractors. Employers have used this practice to avoid accountability in the employment of illegal workers and to avoid paying their fair share of state and federal taxes, unemployment and workers compensation insurance.

"Initial work into the investigation of misclassification has already netted more than \$1 million for the state general fund. Passage of this bill will have a positive impact on our business climate and the state budget," Rep. Holland said.

On the first day of session, House GOP members agreed that an emphasis on increased fines would be necessary to curb illegal hiring practices, adding it to their list of legislative priorities for the 2007 session.

"I am encouraged that the majority party has included increased punishment for employers who knowingly hire illegal workers in their agenda this year. I look forward to bipartisan support on this bill," Rep. Dillmore said.

RARDIN ELECTION REAFFIRMED IN DISTRICT COURT

In a ruling that reaffirms the will of Overland Park and Lenexa voters, District Court Judge Stephen R. Tatum on Wednesday confirmed the election of Representative Gene Rardin, of Overland Park.

"The voters elected Rep. Rardin, the board of canvassers confirmed the victory, after a recount, and now the district court has once again affirmed his election. This matter should be settled once and for all," said House Minority Leader Dennis McKinney, of Greensburg.

Rep. Rardin was elected in November to serve the 16th House District. Shortly after election results were finalized, Rardin's opponent demanded that a recount of votes be taken by a Board of Canvassers. Although canvassers determined that Rep. Rardin was the clear winner, a lawsuit was filed in December disputing the election results.

"The majority of voters believe that Rep. Rardin is the best person for the job. Their choice should be respected. Any attempt to overturn this decision would be an assault on our election process," Rep. McKinney added.

Rep. Rardin will continue to serve the 16th district, which includes parts of Overland Park and Lenexa.

PAYDAY LOAN RESTRICTIONS

In an effort to further protect Kansas consumers, Representative Melody McCray-Miller, of Wichita, introduced two pieces of legislation today to restrict payday and title loan lenders. The first bill would amend current statutes on payday lenders by limiting the number of loans that an individual can take out at one time, creates a database to track loans in real-time, and require options for installment payments. These restrictions will help prevent consumers from getting hopelessly trapped in a cycle of debt.

The second bill would regulate title loan lenders by capping the interest rate to 36 percent, which matches the federal cap for military personnel and families. There will also be an addition of several consumer protection clauses.

Recognizing the necessity of such regulations, Attorney General Paul Morrison has announced that he will be convening a roundtable discussion on predatory lending by payday loan institutions. Morrison has named Rep. McCray-Miller as a member of the discussion, which will work to find solutions to predatory payday lending practices in the state of Kansas. Similar bills have been adopted by Senator Donald Betts and will also be introduced this session.

Consumer advocates argue that the industry targets vulnerable consumers and encourages chronic borrowing. Often, working class individuals become tied into sky-high interest rates that can reach 400 percent. Regulating loans will help protect Kansans with limited incomes without prohibiting the use of such lenders or hindering business owners.

INTERNATIONAL OFFICERS TO VISIT STATE CAPITOL

Twenty-six International Officers from 25 countries visited Topeka today to learn about state government and the state judicial system. The officers are enrolled in a year-long course of study at the Command and General Staff College at Fort Leavenworth.

Adjutant General Maj. Gen. Tod Bunting said, "This is a great opportunity for these International Officers to get an overview of how things work in our country. This visit gives them the chance to hear about our way of doing things - militarily, legislatively and judicially, as well as get a brief overview of some of our great Kansas history."

Secretary of State Ron Thornburgh welcomed the officers in the north rotunda of the Kansas Statehouse in the morning. The group also had an opportunity during the day to meet with Col. Eric Peck, Kansas National Guard Chief of the Joint Staff, Speaker of the House Melvin Neufeld, State Supreme Court Justice Lawton Nuss, and Governor Sebelius, before touring the capitol and the Kansas History Museum.

This is the first time in several years that International Officers have visited the Capitol during the legislative session.

NEW NUCLEAR PLANT A POSSIBILITY

As the state tries to chart an energy course, Kansas lawmakers will consider a measure aimed at providing incentives to build a nuclear power plant. The legislation, HB 2038, is one of numerous proposals becoming a major topic for the 2007 Legislature.

State Rep. Tom Sloan, of Lawrence, said there are no plans currently to build a nuclear plant in Kansas. The bill, he said, “is a recognition that as we look at energy independence for the state, nuclear, renewable energy and coal all have a place.” He added that for the first time in years, “there are noises nationally of restarting this nation’s nuclear program.”

Driving that in part is the rising cost of fossil fuels and the health implications of building new plants powered by climate changing sources, such as coal. State officials currently are reviewing a request to build three 700-megawatt coal-fired plants in western Kansas.

The legislation would exempt from property taxes any new nuclear generation or new facility at the Wolf Creek nuclear plant near Burlington. The owners of Wolf Creek, which started operating in 1985, have recently applied for a 20-year extension of its operating license, but say there are no plans to build additional capacity there.

An extension of the plant’s license would extend the facility’s use from 2025 to 2045. Sloan said if nuclear energy becomes economically and politically feasible, then the legislation would help lay the groundwork for an effort to expand nuclear power.

LIMITING KU MED PARTNERSHIPS

The Speaker of the House is pushing a measure that would force Kansas University Medical Center to get legislative approval before it could form partnerships with other health care organizations. In recent months, KU Medical Center, located in Kansas City, Kan., has been exploring new alliances with hospitals in Kansas City, Mo.

Supporters of the partnership say KU Medical Center needs to collaborate with other area hospitals to grow and meet its goal of being designated a comprehensive cancer center by the National Cancer Institute. But KU Hospital, which has had the closest ties to the medical center, has worried that some of those alliances could be bad for its business.

Some lawmakers have voiced concern that Kansas state tax dollars could benefit Missouri. Under HB 2134, state universities would have to get legislative approval before entering a partnership. Other elected officials have expressed confidence in KU Medical Center for pursuing new affiliations. KU Chancellor Robert Hemenway said KU would do nothing to harm the KU Hospital or transfer tax dollars to Missouri.

SENATE INTRODUCES SEX OFFENDER BILLS

The Senate Judiciary Committee introduced two bills to help protect Kansas children from sex offenders this week. The first bill fixes a loophole in Jessica's Law that allows some second-time sex offenders to be treated as first-time offenders. This bill will ensure all second-time sexual offenders face a mandatory 40-year sentence as the Legislature intended.

"This is a potentially dangerous oversight and I urge legislators to act quickly," said Attorney General Paul Morrison.

The second bill proposes a number of enhancements to the current sex offender registration requirements, some of which are components of the Adam Walsh Act, which Congress recently passed. Specifically, this bill would increase the number of times sex offenders must register with law enforcement and increase the identifying information collected from sex offenders. This bill would also require sex offenders to register their e-mail addresses and online identities, so that law enforcement can better track their online activity.

"In order to better protect our kids, we must supervise sex offenders more closely," said Morrison. "This bill will make it possible to monitor the location and online activity of registered offenders."

SEBELIUS SAYS SKILLED WORKFORCE IS PRIORITY

Kansas businesses will need additional skilled workers if they're going to compete against other states and countries, Governor Kathleen Sebelius says. She spoke at the 2007 Kansas Workforce Summit on Wednesday and said a skilled workforce is something business leaders look for when deciding where to start or expand.

"If we don't have skilled workers available here in Kansas, we'll see jobs and businesses leaving our state," Sebelius said.

Maintaining our commitment to post-secondary education is key to giving Kansans the skills businesses look for, which is why the Governor has proposed \$41.8 million in additional support for Regents schools, community colleges and technical schools. She also proposed the On-TRACK initiative, which will help businesses find skilled workers through new recruitment and training strategies. All Kansas businesses will benefit, but On-TRACK will focus on jobs in aviation and advanced manufacturing, communications, health care, energy, bioscience, particularly animal health, and the military.

SENATOR CALLS FOR HEALTH CARE ACTION

Health care reform is a big issue in Kansas, as well as in many states across the country. On Monday, Senator Laura Kelly represented Senate Democrats at the Kansas Health Policy Authority retreat in Lawrence.

At the retreat, Kelly said addressing the health care crisis will require new ways of thinking and increased cooperation, starting with the "Healthy Kansas First Five" proposal which would provide health care for all children from birth to age five. "In addition to insuring more children, I am interested in finding cost-efficient ways to provide more affordable health care to teachers and young adults, two underserved groups," Kelly said.

The rising cost of health insurance is a constant worry for thousands of uninsured and underinsured Kansans, who regard appropriate health coverage as a luxury beyond their means. Supporting the movement of health care for all Kansans will be instrumental in guaranteeing health and well-being for the people of our state.

ATTORNEY GENERAL ANNOUNCES 30-STATE SETTLEMENT

Attorney General Paul Morrison announced a settlement with Bayer Corporation this week over its marketing of Baycol, a drug used to lower cholesterol that was withdrawn from the market on August 7, 2001. The settlement was part of a 30-state consumer protection enforcement action initiated by the states' Attorneys General due to concerns that Bayer failed to adequately disclose safety risks associated with Baycol.

The judgment, filed Thursday in Shawnee County District Court, requires Bayer to register most of its clinical studies and then post the results at the end of each study. The judgment also demands Bayer's future compliance with the law in the marketing, sale and promotion of its pharmaceutical and biological products, and prohibits Bayer from making false and misleading claims relating to any such product sold in the United States.

Significantly, the judgment further requires that Bayer pay a total of \$8 million to the 30 participating states to settle the concerns of those states' Attorneys General. "This settlement not only mandates financial damages, but also place strict requirements on Bayer Corporation that will further protect the health of Kansas patients," Morrison said.

In May of 1998, Bayer introduced into the United States market Baycol, a "statin" cholesterol-lowering drug. All statins carry a known risk of myopathy (a weakening of the muscles) and rhabdomyolysis (a more serious muscular disease). Through post-marketing surveillance of its product, Bayer learned that the risk for Baycol turned out to be significantly higher compared to other statins, particularly at higher doses and when combined with genfibrozil, another cholesterol-lowering drug.

IN COMMITTEES:

House Appropriations— members listened to a presentation on Deferred Maintenance issues by Board of Regents President Robinson.

House Agriculture and Natural Resources— hearings on HB 2052, concerning the water projects environmental coordination act.

House Judiciary Committee— hearings on HB 2073, which relates to the fee increase authority for Sedgwick and Johnson County law libraries.

House Veterans, Military and Homeland Security— hearings on HB 2062, concerning criminal use of explosives. Hearings on HB 2067, which outlines details of criminal history checks of employees.

House Economic Development and Tourism— hearings on HB 2004, which extends the rural business development tax credit program through 2012. Hearings on HB 2046, concerning the renaming of state park no. 24.

Please feel free to let me know if you would like any further information on these bills, or would like to testify before a committee on an issue important to you.

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 ____, Statehouse, Topeka, KS 66612. You can reach me at (785) 296-____ or call the legislative hotline at 1-800-432-3924 to leave a message for me. Additionally, you can e-mail me at _____@house.state.ks.us. You can also follow the legislative session online at www.kslegislature.org.

USEFUL STATE PHONE NUMBERS

The following is a list of the numbers I receive the most requests for during the legislative session. You can find these as well as many others online at <http://da.state.ks.us/phonebook>. I hope you will find this information helpful.

Kansas Jobs

(785) 235-5627

Tax Refund Status Info

(800) 894-0318

Taxpayer Assistance

(800) 259-2829

Governor's Constituent Services

(800) 748-4408

Unclaimed Property

(800) 432-0386

Highway Road Conditions

(800) 585-7623

Child/Adult Abuse Hotline

(800) 922-5330

School Safety Hotline

(877) 626-8203

Kansas Lottery

(785) 296-5700

Welfare Fraud Hotline

(800) 432-3913

Insurance Consumer Assistance

(800) 572-7463

Crime Tip Hotline

(800) 572-7463

Driver's License Bureau

(785) 296-3963

Kansas Department on Aging

(800) 432-3535

KPERS

(888) 275-5737

Housing Hotline

(800) 752-4422

Vital Statistics

(785) 296-1400

Legislative Hotline

(800) 432-3924

Voter Registration Questions

(800) 262-8683

