



FROM THE STATEHOUSE – WEEK 3-4
February 3, 2011
Representative Sydney Carlin

HAPPY 150TH KANSAS!

January 29 Kansas celebrated its Sesquicentennial! On Wednesday, the Postal Service unveiled a commemorative stamp, which carries the “forever” designation, to mark its 150th Birthday. The Kansas Supreme Court moved from the Judicial Center across the street to the Old Supreme Court Room in the Capitol to work on Thursday (the first time the Court has worked in the Capitol since 1970’s). I went in to watch some of the proceedings and saw our own County Attorney, Barry Wilkerson, presenting arguments before the court. There was a reception for the event and many people came dressed in beautiful 1861 attire. It was quite beautiful. Friday, legislative leaders and Governor Brownback addressed thousands of school children in a ceremony broadcast on the Public Broadcasting System.

Reflecting on our Sesquicentennial, I am reminded of all the hardships Kansas has endured throughout its history. There is no doubt that the current financial crisis will be among the ranks of those significant challenges when our chapter in history is written. As we work through a third consecutive year of painful budget cuts, I hope we will live up to our heritage and continue to protect the investments that have made Kansas so special for the last 150 years. And, I invite you to all correspond with me regarding areas that you feel could be cut or eliminated in the state budget. I will work to set priorities based on the information you give me as well as what I am presented with in the committee meetings.

JANUARY REVENUES UP \$5.4 Million

Tax revenues are up and this is a welcome sign of our economic recovery's progress. January tax revenues were up \$28 Million over the Nov 2 estimate and year to date receipts are adjusted to an overall \$5.4 Million over estimates. Individual income tax revenues were up \$18 Million (6.2%) which is a signal that more **people are WORKING!** Sales tax receipts were down \$5 Million and Cigarette taxes took a nose dive to 22% below the estimates; probably a lot of New Years Resolutions to give up the habit. Internet taxes and catalog sales were up 29% or \$7.5 Million and Corporate Taxes were up about \$6.7 Million.

BUDGET UPDATE

The Governor has proposed his FY2011 Rescission Bill (which ensures that Kansas meets its constitutional obligation to end the year in the black) and has asked us to get it back to him within 30 days. Before we can begin work on the FY 2012 budget, we must first pass an FY 2011 rescission bill (which will ensure that Kansas meets its constitutional obligation to end the fiscal year with a positive ending balance).

Last week, the House Appropriations Committee, of which I am a member, approved a rescission bill that would have a devastating impact on thousands of Kansans if it would become law. I did NOT vote for this bill. In addition to dramatic cuts to public schools, the proposal included a 7.5% salary for all state employees, many of whom work for such low wages that they already live paycheck to paycheck. This cut would apply to everyone from prison guards to university professors.

The Senate Ways and Means Committee passed their version of the rescission bill on Wednesday, which was less damaging. It did not include the dramatic state employee pay cut and also lessened cuts to schools. The Senate and the House bills must be reconciled in conference committee before we have a final vote.

When we came back in on Monday of this week House Appropriations revisited these cuts and changed the state employee pay cuts to only affect Legislators, Judges, State

Elected Officials, Agency Heads (a total of 765 people) and employees who earn over \$100,000 per year (a total of 1,471 people, most of them in the Regents System). The savings from the Regents employee pay cuts will be spent on Deferred Maintenance at Universities. This allows the Regents to stay within the 2006 spending levels necessary to receive ARRA (federal stimulus) funds. Many of these individuals were cut 5% last year at the end of the year budget reductions; total savings achieved in the state employee pay cuts \$939,694. The Senate is also working on its version again. Stay tuned. I will keep you informed.

HB 2044 TO INCREASE HIT & RUN PENALTIES

Manhattan residents, Dr. Michael Kanost and his daughter Dr. Laura Kanost, came to the Judiciary committee as my guest to testify on behalf of HB2044 which would increase penalties for leaving the scene of an accident involving death or serious injury to persons. "Current hit and run law treats the driver the same whether they hit a person or a telephone pole", said Kanost. House Bill 2044 would toughen the penalties for the crime of leaving the scene of an accident, or what is commonly referred to as a "hit and run."

This legislation came about after several incidents of suspected drunken drivers who fled the scene of fatal and serious injury accidents in Lawrence. In three recent cases, the victims, including Manhattan native Ryan Kanost, were killed. Under current law, the drivers left the scene and came forward only after the level of alcohol in the blood stream could not be determined and, therefore, they could only be charged and convicted of leaving the scene of an accident, which under most situations results in short jail terms and probation.

Under House Bill 2044, the same crime would become a level five person felony and the defendant would then face a minimum of 31 months in prison. The bill would also strengthen the punishment for hit and runs involving great bodily harm, and include the addition of punishment for property damage in excess of \$1,000.

The current law is inadequate and actually encourages a driver to leave the scene, especially if the driver is under the influence of drink or drugs. In one case the victim was known to be alive but died before help was summoned. A driver of a serious accident or death injury has the responsibility of reporting the accident and summoning help for the victim as soon as possible. Several family members of other victims also testified on behalf of the legislation.

EXPANDED BEER & LIQUOR SALES PROPOSED

Legislation emerged this week that would expand liquor sales to retail stores that also sell food and drink (grocery stores, convenience stores, gas stations etc). Currently, only stand alone liquor stores are allowed to sell liquor and full strength beer.

Opponents – primarily “mom and pop” liquor stores - say that this legislation would put them out of business. They argue that about half of Kansas’ 750 liquor stores would close if the market were opened to competition from the nation's retail giants, most of whom have corporate headquarters outside of Kansas.

Proponents- primarily HyVee, Wal Mart, Dillon’s, say that this change would create an estimated 15,000 jobs, \$343 million in wages, and \$72 million in state and local tax revenue. This proposal has come before the Legislature several times. It is one of those rare issues that has no distinct partisan divide. Republicans and Democrats share mixed opinions, depending on the district they represent. If you have an opinion on the proposed liquor legislation, **I welcome your thoughts.**

INCREASE KANSAS SPEED LIMIT TO 75 MPH?

On Wednesday, the House Transportation Committee held a hearing on House Bill 2034, which would upgrade the limit to 75 mph on separated highways. Three of the four states surrounding Kansas have maximum speed limits of 75 miles per hour on freeways.

Proponents of raising the speed limit say Kansas' quality highways, safer engineering of newer vehicles and posting of 75 mph limits in a majority of states bordering Kansas are reasons to raise the limit. Opponents say raising the limit 5 mph on heavily traveled highways could result in more accidents because drivers would have less time to respond to emergencies. We know that drivers will inevitably go several miles an hour above the new limit, transforming a 75 mph limit into a 78 mph or 79 mph speed for some drivers. Again, **What do you think?**

A brief history on the changing limit in Kansas:

The speed limit in 1957 was 70 mph during daylight hours and 60 mph at night. In the 1960s, according to McCool, the Kansas Turnpike had a maximum speed limit of 80 mph. The limit dropped nationally to 55 mph in 1974, but was modified in Kansas to 65 mph in 1987 and to 70 mph in 1996.



The graphic shows state speed limits nationwide.

KPERS

The heavy work begins in the Senate with its Select Committee on the Kansas Public Employees Retirement System. They need to come up with a way to speed up reaching an actuarial balance, now decades away for the state's biggest individual fund that includes Kansas school teachers' pensions. One of the things they must deal with is a system in which the local school boards negotiate with the teachers for pay increases, and the state must pay the KPERS liability that comes along at retirement. The fund is currently about \$8 Billion underfunded, in part due to the losses in the market in 2001-02.

Kansas Bioscience Day at the Capitol

The Kansas Bioscience Authority visited the State Capitol this week to present its 2010 Progress Report and announce new investments for 2011.

Here are some highlights:

- Through June 2010, KBA's investments cumulatively resulted in 1,195 new jobs, \$212.6 million in capital investment, \$86.6 million in new research funding, and \$48.3 million in equity investment. Including estimated wages, the return to the state's economy for each \$1 invested by the KBA is \$9.41.
- Kansas was named #5 in a national site selection magazine's Top 10 list of states for biotechnology, ahead of other powerhouses such as North Carolina, New Jersey, and Illinois.
- Kansas was ranked #1 in the nation for its increase in funding from the National Institutes of Health, jumping 37 percent at a time when overall NIH funding declined by 4.7 percent.

These investments have brought a lot of jobs, research funding and attention to Kansas.

DEMOCRATS INTRODUCE LEGISLATION TO CURB ILLEGAL IMMIGRATION

House Democrats have attempted to address this issue for several years, and this week, again, outlined initiatives to tackle the problem in the 2011 legislative session.

The main components of the proposal:

- **Require E-Verify:** Require the use of E-Verify for all businesses bidding on public works contracts to confirm the residency status of new employees;
- **Enact Misclassification Penalties:** Crack down on employers who knowingly hire undocumented immigrants by denying them public works contracts for two years following the violation;
- **Stop Order:** Give the Kansas Department of Labor the authority to issue a cease and desist order that would shut down a work site when there have multiple violations by an employer.

Contrary to the rhetoric that was propagated throughout the election cycle, job opportunities draw illegal immigrants to Kansas, not in-state tuition. Employers hire undocumented immigrants as a means of paying lower wages and evading taxes. Illegal hiring is especially bad for employers and workers who play by the rules and the state should require employers to only hiring documented, legal employees.

As long as illegal hiring continues in Kansas, illegal immigration will continue to be a problem. These are common sense proposals that confront the issue at its core. This should have bipartisan appeal for everyone who is serious about tackling the problem.

TIDBITS

Every day I receive letters and brochures from groups around the state, nation and world. This week I received a message from the Kansas Diabetes Action Council that I think is interesting. I quote:"Nearly 150,000 adults in Kansas (one in seven) have been diagnosed with diabetes, while an estimated 150,000 more people remain undiagnosed. Insurance costs to businesses alone stand at \$130,706,000. If the population continues to increase at the current rate, future costs due to mortality and morbidity of this devastating disease will continue to affect the bottom line of both public and private organizations. It is projected that unless there are dramatic changes in our lifestyles and communities, as many as 1 in 3 Americans will have diabetes by the year 2050....As a result KDAC developed the Kansas Diabetes Plan – a plan of action for primary prevention, quality of care, patient self-management, and policy/advocacy efforts that will improve the lives of people with, and at risk for, diabetes across our state. ...You can visit the KDAC website at www.kansasdiabetesactioncouncil.org “

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 451 S, Kansas State Capitol, Topeka, KS 66612. You can reach me at (785) 296-7657 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 or go to my website for back issues of my newsletter and other information. You can also follow the legislative session online at www.kslegislature.org.

*Rep Sydney Carlin,
66th District, Manhattan*

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