



# Capitol Briefing



**My Committees**  
Taxation  
Transportation  
Economic Dev &  
Tourism

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**Thank You and First Impressions** On Monday, January 8th, the Kansas Legislature convened for the 2007 legislative session. Joined by my family, friends and supporters, I had the privilege of being sworn into office alongside the 124 members of the House of Representatives. For me, the day was filled with hope as members of leadership spoke about the opportunities we will have in the coming session to improve the lives of Kansans and to make our great state even better.

Although I am sure we will face many difficulties, I am confident that we will be able to achieve many great things. I am humbled by the support I receive from my community. I want to thank the people of the 16th District for allowing me the opportunity to serve our state.

**House Approves School Funding Lockbox Bill** The Kansas House has 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 House 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.

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.

**State of the State Address** Governor Sebelius rolled out several new proposals during her 2007 State of the State Address this year. Speaking to a joint session of Representatives and Senators, statewide elected officials, Supreme Court Justices, the State Board of Education and Board of Regents, press, and community members, Governor Sebelius outlined her efforts to continue moving Kansas in a positive direction.

In her State of the State, Governor Kathleen Sebelius introduced new proposals aimed at insuring all Kansans. Among these proposals, the Governor urged legislators to pass a plan this session that would insure all Kansas children under age five. I support this proposal, which would help children from working-class families that are struggling to afford health coverage. I also support new, innovative policies introduced to help small businesses to combat rising health insurance costs discussed later in this briefing. The Governor also called for the state to transfer 10 percent of its current electricity to wind power by 2010 and 20 percent by 2020. She has appointed Lt. Governor Mark Parkinson to lead the Kansas Energy Council to improve energy security and independence. In addition, she hopes to make Kansas a national leader in biofuels research and production; and for our state to spearhead nationwide energy conservation.

I look forward to working with the Governor and members of the Legislature to make many of these proposals a reality.

**Curbing Illegal Hiring Practices** Members of the Kansas House are poised to work across party lines this session to find solutions to one of our state’s biggest problems – businesses who knowingly hire illegal workers. HB 2163 addresses this problem. I am a cosponsor of this legislation.

**Increasing Kansas’ Minimum Wage** This session, Democrats will be proposing a state-mandate to increase the minimum wage to \$5.15 per hour. Currently, Kansas has the lowest minimum wage in the United States at \$2.65 an hour, forcing many Kansas workers to take on multiple jobs to survive. I plan to support this legislation and to fight for a livable minimum wage for our state.

**House Democrats Propose Tax Relief for Seniors** Senior citizens would receive tax breaks under a proposal by House Democrats. The plan would enhance the homestead refund program for low-income Kansans who are blind or 55 and older by increasing the top refund from \$600 to \$750. It would also exclude Social Security income when determining eligibility for program participants. The goal is to provide much-needed relief to the neediest Kansas seniors and allow them to stay in their homes.

The Tax Committee heard a bill presented by Representative Tom Holland of Baldwin. This bill, will allow seniors to defer property taxes and make it easier for them to keep their homes while living on a fixed income.

**Sebelius Announces Plan to Improve Kansas' Universities** Following up on a pledge made during her State of the State address, Governor Kathleen Sebelius unveiled her proposal for improving the state's universities by addressing the mounting deferred maintenance crisis.

Her multi-year plan, called Foundations for the Future, would provide \$575 million for repairs and upkeep, with the focus being on facilities that enhance the academic mission of our state's universities. It also calls for new accountability measures to prevent future maintenance backlogs, and can be accomplished without a tax increase. We must repair our state universities in order to keep local students near home and to attract new students from out of state. I've spoken to many parents and students who are really concerned about maintenance problems at local universities, especially K.U and K-State. These parents want to make sure that if their children remain in Kansas schools they will be safe and will receive the best education possible.

**Homework Help** Free Online tutoring services are now available for Kansas students, thanks to Homework Kansas. The program provides live, one-on-one help with real tutors via their Web site [www.HomeworkKansas.org](http://www.HomeworkKansas.org). Certified tutors are available every day from 4 pm to 11 pm to help students in fourth grade through college with questions about math, science, English, and social studies courses.

**Senator Roberts Addresses Joint Session** On Monday, February 5, Senator Pat Roberts spoke to a gathering of House and Senate members regarding Kansas' desire to bring a national bio and agro-defense facility to the state.

On February 7, just three days after Senator Roberts' speech, the House voted unanimously in favor of two measures to help bring the research facility to Kansas. HB 2303 creates the Kansas national bio and agro-defense facility interagency working group, which will support and assist the U.S. Department of Homeland Security and promote Kansas as the best location for the new facility.

**Call for Fiscal Responsibility and Franchise Tax Phase-out** After several years spent digging the state out of a financial hole created by poor management practices of the past, Kansas is finally able to meet its critical responsibilities while also providing incentives for job creation.

Yet some legislators seem bent on proposing fiscally questionable tax cuts that would jeopardize Kansas' future ability to support schools, health care, law enforcement and other critical obligations

I agree with the Governor's statement when she said: "I believe we can and should provide incentives for businesses to create jobs in Kansas, which is why I've proposed reductions in the unemployment insurance tax and removing the requirement for 16,000 small businesses to pay the franchise tax. These can all be done while still meeting our state's commitment to strengthen our schools, protect public safety and care for vulnerable Kansans.

The governor also questioned the fiscal wisdom of completely eliminating the franchise tax.



**Gene Rardin**  
Representative 16<sup>th</sup> District

## ***Capitol Briefing (Continued)***

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### **Call for Fiscal Responsibility and Franchise Tax Phase-out (continued)**

On February 14, the Kansas House voted 91 to 30 to approve a controversial measure that will repeal the state's corporate franchise tax over the next three years. Under HB 2031, businesses with net assets of less than \$3 million wouldn't have to pay the tax starting in 2008. In 2009, the tax rate for the remaining businesses would be cut in half and eliminated in 2010.

Two amendments to the bill were proposed. Rep. Tom Holland introduced an amendment that would eliminate the franchise tax for businesses that have net assets below \$1.2 million. This more conservative approach would help out 16,000 small businesses without excluding the largest, most profitable businesses from taxation.

A second amendment was introduced by Rep. Mark Treaster. His measure called for elimination of the tax to businesses with net assets up to \$3 million as long as those larger businesses provided health benefits to their employees.

**On the Home Front** Like millions of others, my wife Juanita and I have been challenged by her unexpected diagnosis of lung cancer (Juanita has never smoked) this last November 29th. Needless to say, this challenge has been the highest priority for our family and we have had to learn more than we ever wanted to about fighting cancer. We are fortunate to have the support, thoughts and prayers of wonderful friends and family and the wonderfully caring and expert doctors and staff at K.U. Medical Center, including Deputy Director Dr. Karen Kelly and Dr. Fen Wang.



what are you saying about all this

This is a real test

Although treatment and doctors' appointments have taken a massive amount of Juanita's time, and a good deal of mine before the beginning of the Legislative Session, she and I are never too tired to turn down a visit by our little 21 month old granddaughter, Dakotah Leigh Decker. Her antics are a sure cure for the doldrums.

**The 16<sup>th</sup> District Election Contest** As most of you know, I was elected in November to serve the 16<sup>th</sup> House District. But shortly after election results were finalized, my opponent demanded that a recount of votes be taken by a Board of Canvassers. Although recount canvassers confirmed the results of the original tally, showing me the close but clear winner, a lawsuit was filed in December disputing the election results. On January 23, District Court Judge Stephen R. Tatum again confirmed my election victory.

My opponent then continued his challenge with a six-member bipartisan House Select Committee on the Contested Election which also confirmed my election win. At that point, my opponent dropped his challenge before it could progress to the floor of the House.

Regardless of whether you voted for me or not, I hope you will consider me your voice in Topeka. It is a special honor and privilege to represent you in the Kansas House.

**Small Business Health Insurance** The House Committee on Insurance and Financial Institutions held hearings on two bills that would help small businesses provide health insurance to employees.

HB 2172 would establish a four-year pilot program to help small business owners provide affordable insurance to their employees, by buying into the state's health insurance plan. Because businesses and employees would be responsible for the premiums, there would be no cost to the state.

"The plan is a straight-forward, innovative solution that would help provide dependable, affordable health coverage to as many as 1,000 Kansans," Rep. Nile Dillmore, who testified in favor of the bill, said.

HB 2328 would authorize the Secretary of Commerce to make no interest loans to small business associations. These loans would help small business employers overcome the start-up costs of associations to provide quality health care plans.

**English Official Language of Kansas** Members of the House Military, Veterans and Homeland Security Committee reached a bipartisan compromise, approving a bill that would make English the state's official language. HB 2140 allows cities and counties to continue providing services in non-English languages, such as in court proceedings, in promotion of international commerce, in classes for non-English speakers, and in situations where a foreign language may be needed to maintain public health and safety.

Opponents believe the measure is unnecessary. Rep. Eber Phelps, D-Hays, said most communities with large immigrant populations already are assisting members in learning English. In addition, he said, the committee had more important issues to deal with concerning returning homeland security, military and veterans.

**On February 15<sup>th</sup> the House approved "Alexa's Law" for Final Action** after more than an hour of debate. Opponents of this bill question several things about the law: (1) its constitutionality under the 14th Amendment, because it exempts the mother from criminal prosecution; (2) its added value in prosecuting and deterring crimes against pregnant women, because existing laws are in place addressing that issue and this law does not increase penalties for such crimes and (3) its problematic broadening of the definition of "unborn child" beyond current statutory usage.

Representatives Cindy Neighbor, Shawnee and Paul Davis, Lawrence proposed amendments which would greatly strengthen penalties for crimes against pregnant women, up to and including the death penalty. These amendments were defeated.

Although I strongly support increased penalties for crimes against pregnant women, this bill had such major flaws and unintended consequences that I could only in good conscience choose to join other moderates from the Johnson County Delegation in opposing this bill.

**New Seatbelt Law** The House Transportation Committee heard emotionally charged testimony this week from advocates of a bill that would toughen laws against those who don't wear a seat belt. HB 2136 would allow police officers to stop a driver simply for not wearing a seat belt and would increase the fine for seat belt infractions by \$50. That new revenue would be used for traffic records management, emergency medical services and trauma care.

Current law mandates that officers must stop a driver for another infraction, such as speeding, before addressing a "secondary" violation related to seat belt usage. Some members of the committee said they were unlikely to endorse the bill as is, but would be willing to consider an altered bill applying a "primary" offense to teens 18 years old or younger. Traffic accidents are the No. 1 cause of death in Kansas for people younger than 34 and 72 percent of people killed in Kansas traffic accidents from 2001 to 2005 weren't wearing a seat belt. Kansas ranks 43rd among states in seat belt compliance. Forty-one Kansans have died in traffic accidents since January.

**Mercury Monitoring** In order to protect Kansans from potentially harmful Mercury emissions, Representative Vaughn Flora, of Topeka, has introduced legislation that would require the Kansas Department of Health and Environment (KDHE) to add new monitoring sites throughout the state. Rep. Flora drafted the legislation after hearing from numerous constituents who were concerned about emissions that might come from three coal fired energy plants that are planned for construction. Two of these plants are planned near the town of Holcomb, Kan. The energy produced by these plants would be transported to nearby Colorado. Many Kansans concerned that Kansas water will be used by these plants to produce electricity sent to Colorado and that prevailing winds could blow emissions northeast to larger cities, such as Topeka and Kansas City. Leaders in the Sunflower service area contend the electricity is needed in the Kansas electric grid and the exported power would benefit the Western Kansas economy.

**Keep in Touch** Please feel free to contact me with your comments and questions. I value and need your input on the various issues facing state government and I plan to make sure that your concerns are always listened to and fairly considered, regardless of whether or not we end up in total agreement. My office address is Room 49, Docking State Office Building, Topeka, KS 66612. You can reach me at (785) 296-7698 or call the legislative hotline at 1-800-432-3924 to leave a message for me. Additionally, you can e-mail me at [rardin@house.state.ks.us](mailto:rardin@house.state.ks.us). You can also follow the legislative session online at [www.kslegislature.org](http://www.kslegislature.org). I invite you to come to the State Capitol and observe your Kansas Legislature in action. You are welcome to attend committee meetings and testify if you wish. If I can be of assistance in helping to arrange your visit, please do not hesitate to call me.

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