



Capitol Briefing



My Committees
Taxation
Transportation
Education Budget

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- [**This Week at the Statehouse**](#) We had a short week of long days in Topeka this week. With Drop Dead Day approaching on April 4th, we were on the floor from morning to evening Monday, Tuesday and Wednesday in an effort to push through as many nonexempt bills as possible. We took final action votes on 67 pieces of legislation
- [**FY 2010 Budget Update**](#) The most significant piece of legislation passed this week was House Bill 2373, also known as the FY 2010 mega appropriations bill. We devoted all of Monday to the budget, debating over 30 possible amendments. After 10 hours of debate, the bill passed by a 70-54 vote. The Senate took up its version of the budget bill on Tuesday, which passed 26-14. Although we made some positive amendments, I have a number of concerns with the House bill. I broke own some highlights below, but please be aware the budget debate is far from over.
- [**Bill to require safety training for social service workers dies**](#) The husband of a murdered social worker urged lawmakers on Tuesday to approve a bill that would require six hours of safety training for social workers before licensing or license renewal. House Bill 2118 expands on current law, which only requires training for diagnosis and treatment of mental disorders
- [**House measure requires drug testing to receive state assistance**](#) On Tuesday the House spent significant time debating House Bill 2275, a bill that would require random drug testing of all public assistance recipients in Kansas. The bill was approved at a vote of 99-26, after heated debate.
- [**House approves bill to speed up budget process**](#) In an effort to speed up the process for developing the state budget, the House passed a bill on Wednesday that would require the governor to submit the proposed budget recommendations by the first Monday of December. Typically, the governor unveils the budget on the first day of the legislative session, five weeks later. Proponents of the bill argue that the legislature does not have adequate time to review the governor's proposed budget recommendations under the current deadline.
- [**Kelsey's law passes Senate**](#) In 2007, the parents of murdered teenager Kelsey Smith pushed for legislation that would require telecommunications companies to release GPS information on missing persons. In the summer of 2007, 18-year-old Kelsey Smith was abducted while returning to her car in a Target parking lot in Overland Park. She was brutally raped, murdered, and abandoned at a nearby lake. Unfortunately, it took days to find Kelsey's body because telecommunications companies would not immediately release GPS information associated with Kelsey's cell phone. Senate Sub for House Bill 2126 would clarify Kansas law to allow for the disclosure of location information to law enforcement agencies.
- [**Kansas Small Business Development Awards**](#) On March 10th, George and Elizabeth Demas were honored as the 2008 Existing Business of the Year for the Kansas Small Business Development Center at Johnson County Community College. The ceremony honored 16 Kansas businesses in either the Emerging or Existing category.
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This Week at the Statehouse

We had a short week of long days in Topeka this week. With Drop Dead Day approaching on April 4th, we were on the floor from morning to evening Monday, Tuesday and Wednesday in an effort to push through as



many nonexempt bills as possible. We took final action votes on 67 pieces of legislation. The House adjourned for the week on Wednesday evening, giving conference committees a chance to begin their work on Thursday and Friday.

We will convene again on Monday, but the schedule will fluctuate as conference committees will be busy meeting all week to iron out differences between House and Senate versions of bills.

FY 2010 Budget Update:

The most significant piece of legislation passed this week was House Bill 2373, also known as the FY 2010 mega appropriations bill. We devoted all of Monday to the budget, debating over 30 possible amendments. After 10 hours of debate, the bill passed by a 70-54 vote. The Senate took up its version of the budget bill on Tuesday, which passed 26-14.

Although we made some positive amendments, I have a number of concerns with the House bill. I broke down some highlights below, but please be aware the budget debate is far from over. A conference committee has already begun to meet on this bill, and there are a number of differences between the House and Senate versions. This means there still could be a number of changes once the two bills are reconciled.

Some highlights:

K12 Education

Protecting public education is always a top priority for me. The House bill, unfortunately, cuts K-12 education significantly. The bill as proposed would reduce the budget beyond previous cuts by an additional \$33 per pupil and cuts special education aid \$4.5 million in FY 2010. The cuts could jeopardize our opportunity to maximize millions in federal stimulus dollars available to Kansas if “maintenance of effort” requirements are satisfied. Additionally, there are currently millions of dollars available in gaming revenues, yet these funds were not even considered for K12 education. Had we utilized gaming funds, this cut would be completely unnecessary.

Waivers for developmentally and physically disabled Kansans

Another successful amendment to the House budget was a proposal to add about \$13 million in spending to services for developmentally and physically disabled. This will allow the state to avoid issuing waiting lists for disability programs, children's health care and other programs. The amendment passed 66-54.

State Children's Health Insurance Program (SCHIP)

One major success of House Bill 2373 was the funding of a program that will provide low-cost health coverage for Kansas children. Although these families earn too much to qualify for Medicaid, they make too little to afford private insurance. The measure approved by the House would provide the funding necessary to raise the income eligibility to a maximum of 250 percent of the federal poverty level, which would make the maximum about \$53,000 per year for a family of four. Of course most of those covered will not be earning the maximum. The House voted 75-48 to provide \$1.2 million to the program. As a result of this vote and the \$1.2M investment, Kansas is now eligible to return \$6 million (5 or 6 times the investment) in additional funding for the program from the federal government. Had the amendment failed, those \$6 million would be lost and 8,000 more children in Kansas would be without coverage. This was not only the right thing to do; it was simply a good business decision.

Other House-approved budget cuts

An across-the-board cut of Kansas state agencies by 10 percent

A 9 percent cut to public safety spending

A 3.6 percent cut to public universities, colleges, and technical schools

A 10 percent cut to state legislators' pay

Bill to require safety training for social service workers dies

The husband of a murdered social worker urged lawmakers on Tuesday to approve a bill that would require six hours of safety training for social workers before licensing or license renewal. House Bill 2118 expands on current law, which only requires training for diagnosis and treatment of mental disorders.

This bill came to existence after social worker Terri Zenner was murdered with a chainsaw in 2004 while visiting a client to see if he was taking his medication. The client had been diagnosed with schizotypal personality disorder and had been committed four times to a mental institution. In 2007, he was convicted of first-degree murder and sentenced to life in prison with a possibility of parole after 50 years.

Supporters of the bill held a press conference on Tuesday to draw attention to the issue. They contend that too little has been done to safeguard social workers from violence caused by clients. This bill takes an important, preventative step forward to protect thousands of social workers across the state. Many states have enacted similar legislation, including the implementation of self-defense training requirements.

House measure requires drug testing to receive state assistance

On Tuesday the House spent significant time debating House Bill 2275, a bill that would require random drug testing of all public assistance recipients in Kansas. The bill was approved at a vote of 99-26, after heated debate.

House Bill 2275 would require the testing of nearly 14,000 Kansans receiving public assistance from the Kansas Department of Social and Rehabilitation Services. If an individual were to fail the screening, the person would be required to complete a treatment program. Failure to attend such a program would result in the immediate termination of assistance. Additionally, if an individual completes the program, but still fails the drug testing three times, their assistance would be revoked.

Proponents of the bill argued that its necessity stems from the risk that recipients may abuse their receipt of state dollars by using those funds to buy illegal drugs, rather than for the assistance they applied for. The bill is arguably an effort to guarantee that the money is used for legal and appropriate purposes. Additionally, proponents argued that this will help protect children under the care of drug abusers because the state would be better able to identify those individuals.

There was significant opposition to the bill. Opponents pointed out that poor people are not automatically more likely to use drugs simply because they are poor; plenty of wealthy individuals abuse drugs as well. Requiring a drug test simply because an individual needs public assistance (especially when there is no evidence of prior use) is highly discriminatory. Additionally, this bill hardly enforces “random” drug testing, as the individuals receive advance notice of the test with an option to delay it.

House approves bill to speed up budget process

In an effort to speed up the process for developing the state budget, the House passed a bill on Wednesday that would require the governor to submit the proposed budget recommendations by the first Monday of December. Typically, the governor unveils the budget on the first day of the legislative session, five weeks later.

Proponents of the bill argue that the legislature does not have adequate time to review the governor’s proposed budget recommendations under the current deadline. This bill would provide over a month’s worth of analysis for legislative research staff before the session begins, which would in turn allow the appropriations committees in both chambers to begin their work on the first day of the session.

Opponents of the bill argue that the state employs an entire budget office to put together a thoughtful and complete budget proposal, but the process takes time to properly complete. The governor (as well as budget analysts) needs adequate time to process agency requests and make fair recommendations.

The bill passed 94-30 and is now headed to the Senate.

Kelsey’s Law passes Senate

In 2007, the parents of murdered teenager Kelsey Smith pushed for legislation that would require telecommunications companies to release GPS information on missing persons. In the summer of 2007, 18-year-old Kelsey Smith was abducted while returning to her car in a Target parking lot in Overland Park. She was brutally raped, murdered, and abandoned at a nearby lake. Unfortunately, it took days to find Kelsey’s body because telecommunications companies would not immediately release GPS information associated with Kelsey’s cell phone. Once authorities did receive the information four days later, they located her body within 45 minutes.

Senate Sub for House Bill 2126 would clarify Kansas law to allow for the disclosure of location information to law enforcement agencies. It would allow cell phone carriers to establish their own protocols for disclosing call location information, and would require the Kansas Bureau of Investigation to collect and distribute contact information for cell phone carriers.

Although the change in law would not have saved Kelsey Smith’s life, proponents of the bill contend that it will help find missing persons much quicker in the future. The bill passed the Senate at a vote of 40-0 on Tuesday. The House passed its version of House Bill 2126 at a vote of 118-1 on February 20. As passed, it would require a request for location information prior to its release to a law enforcement official or agency, specify that location information be released in cases where there is danger of death or serious injury, and prevent a cause of action against a cell-phone provider who gives information in compliance with this act.

If signed by Gov. Kathleen Sebelius, the Kelsey Smith Act would make Kansas the first state in the nation to pass such a law.

ksbdc Winners

On March 10th, George and Elizabeth Demas were honored as the 2008 Existing Business of the Year for the Kansas Small Business Development Center at Johnson County Community College. The ceremony honored 16 Kansas businesses in either the Emerging or Existing category.



Elizabeth and George Demas, are the owners of a top producing AVON retail store located in Overland Park, KS. The business survived a slow start in 2004, when they had to change locations after 7 months. Now, they gets calls from coast to coast about how to do it right. Their [website](#) (press ctrl and click on link)

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 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 Gene.Rardin@house.ks.gov. You can also follow the legislative session online at www.kslegislature.org

Useful State Numbers and Resources:

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.

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| Kansas Jobs (785) 235-5627 | Tax Refund Status Info (800) 894-0318 | Taxpayer Assistance (800) 259-2829 |
| Highway Road Conditions (800) 585-7623 | Unclaimed Property (800) 432-0386 | Governor's Constituent Svs. (800) 748-4408 |
| 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 (800) 262-8683 | Crime Victim Referral Service (800) 828-9745 |
| Child/Adult Abuse Hotline (800) 922-5330 | School Safety Hotline (877) 626-8203 | Kansas Lottery (785) 296-5700 |
| Welfare Fraud Hotline (800) 432-3913 | Consumer Protection (785) 296-3751 | Insurance Consumer Assistance (800) 432-2484 |