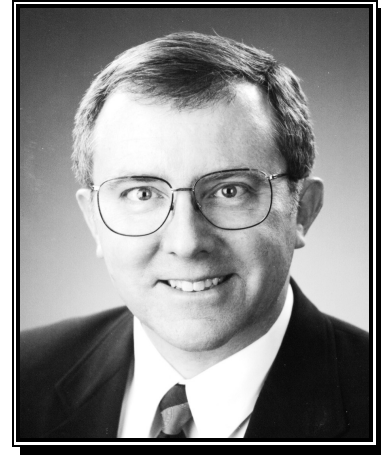


# From The Desk Of...



**~Week of February 21 - 25, 2005**

## **A Busy First Half**

During the first half of the 2005 Legislative Session, the Kansas Senate passed 117 Senate Bills and one House Bill. Adopted were 22 Senate Resolutions, five Senate Concurrent Resolutions and two House Concurrent Resolutions. Two Senate Bills have already passed the House and one Senate Bill has been signed into law by Governor Sebelius.

## **Bills Passed by the Senate**

**Three open records and open meetings measures.** One measure consolidates and reduces the number of exemptions to the Open Records Act. The measure also requires that all existing exemptions be reviewed within the next five years. Another measure removes from exemption public agency employment contracts. The measure requires that the name, position and salary of the employee be open to the public. The third measure would exempt from Open Records Act and Open Meetings Act certain records or meetings related to security.

**Two campaign finance reform measures.** One removes the "black out period" that occurs before the election, requiring the reporting of contributions in excess of \$300, received within 11 days before the election, to be reported within 48 hours. The second measure requires a recorded telephone campaign message to identify who is paying for the call.

**Election measures.** Advance voting is made more secure by requiring the actual voter to turn in the ballot and by requiring the signature on the ballot to be compared to the signature on the voter registration application.

**Seven measures got tougher on crime.** The Senate cracked down on methamphetamine producers and a bill to extend the statute of limitations for certain felonies and misdemeanors from two to five years. Measures were passed to outlaw human slavery and trafficking, terrorism and weapons of mass destruction. Two measures to help reduce the number of minors consuming alcohol were passed, one bill would permit civil law suits against adults who host

parties for minors where alcohol is consumed. The other bill allows the use of preliminary screening tests of a minor's breath by law enforcement officials.

The Senate passed a bill to help reduce racial profiling. The final measure was agreed on by both civil rights groups and law enforcement agencies. The measure would require law enforcement agencies to create a policy to prohibit racial profiling. The bill also includes annual training for law enforcement, and public education regarding racial profiling.

Two measures will help make streets and highways safer. One requires strobe lights on the top of school buses, while another requires the use of headlights when windshield wipers are in use.

**Ethanol.** Two bills will help support the ethanol industry in the State of Kansas. One removes the requirement that retail gas pumps show whether the gasoline contains ethanol. The other measure involves the use of ethanol gasoline in vehicles owned or leased by the state. I voted against both of these bills, not because I do not support expanding opportunities for our agricultural industries, but because the second bill requires state employees to purchase ethanol when using state vehicles. I cannot understand requiring someone to purchase something that we have just said does not have to be posted any longer. Does that mean state employees must go into each filling station and ask if ethanol is sold there? What a waste of time!

**"Clucker Law"** The Senate amended the way the sale of cars between private individuals are taxed. The bill, which would refund money to those who overpaid on sales tax, was amended slightly by the House and has now been signed by the governor. The final version of the bill requires the buyer to sign a statement verifying the true selling price of the vehicle. In addition, the seller must certify the true selling price of the vehicle when signing the title.

**Military.** The Senate has passed one initiative to support our troops giving them an income tax exemption on recruitment, sign-up, or retention bonuses, as well as exempting student loan repayments made by the armed forces on behalf of Kansas service men and women. Another bill to provide \$250,000 in life insurance coverage for Kansas National Guard Members on active duty in combat areas is being worked on in the Federal and State Affairs Committee.

**Health.** Three measures were passed to promote healthier Kansans. One outlines procedures to quarantine infectious diseases, while two measures will help promote healthy Kansas children by helping to limit foods with low nutritional value in schools.

**Death penalty.** The Senate devoted a day to debate on the death penalty. Included in the debate was a bill to abolish the death penalty and another to fix it. The Kansas Supreme Court ruled that the death penalty law forces juries to improperly weigh evidence for or against death. Under the law, a jury must hand down a sentence of death unless the mitigating factors outweigh the aggravating factors. In a sense, a tie requires death. The Senate sent back to committee both measures, but passed a resolution urging the United States Supreme Court to grant certiorari.

## **Education**

Six bills related to education have passed out of committee and are awaiting debate on the Senate floor. Three of the bills are part of the Senate school finance solution.

Senate Bill 244 would establish the 2010 Commission. The Commission will be responsible for monitoring the implementation of the school finance legislation.

Senate Bill 245 would establish the School District Audit Team within the Legislative Division of Post Audit. The team would conduct annual audits of selected school districts, including the accuracy of school expenditures and how school districts are using funds received from the state.

Senate Bill 246 would enact a three year plan of amending the way schools are financed. During the first year of the plan, base state aid per pupil (BSAPP) would increase \$150 to \$4013. By the third year, the BSAPP would be increased to \$4263. Special Education would be funded at the 85 percent level the first year and by the third would be funded at the 92 percent level. Bilingual education weighting would increase from 0.2 to 0.3 for the first year and to 0.4 the second year. At-risk weighting would increase from .10 to .15 the first year and to 0.25 by the third year. Correlation weighting threshold would be lowered to 1,700 students. SB 246 renews the 20-mill school district property tax levy for two more years. Local option budget would increase from 25 percent of a school districts general fund budget to 27 percent the first year and to 30 percent by the third year. The total increase for the first year of the plan is \$165.7 million. After the third year, it is a total increase of \$455.3 million. This bill is scheduled for debate Wednesday of next week.

### **Toll Free Legislative Hotline**

The State Library will continue its practice of operating the toll free hotline for Kansans to call their legislators and leave brief messages. The hotline number is 1-800-432-3924.

If you are receiving this newsletter and really would like to be taken off my list, just let me know. My legislative district includes: Barton, Dickinson, Ellsworth, Lincoln, Marion, McPherson and Rice counties. If you know of others who would like to receive this newsletter, have them contact me and I will add them to my list. I prefer to send by e-mail since the cost is essentially free, but I do have a limited legislative postage allowance, which is largely reserved for distributing this letter.

**State Senator, 35<sup>th</sup> District**  
**State Capitol Building, Room 449-N**  
**Topeka, Kansas 66612**  
**(785) 296-7354**  
**[emler@senate.state.ks.us](mailto:emler@senate.state.ks.us)**