

From The Desk Of...

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Kansas Senate 35th District



~Week of March 26 - March 30, 2007~

This is probably the last report, because next Friday, the legislature will be in first adjournment. That is, if we get the budget completed, and, as I have told you in the past, I am on the budget negotiating committee.

There was a procedural motion that was made to send gaming bill to a conference committee. That procedural motion passed, but then immediately after the bill was sent to conference committee, another motion was made, and that motion was to concur. In other words to adopt the changes that were made to the bill, and to send the bill to the Governor. That motion was made by Senator Barnett. Don't misunderstand, Senator Barnett does not support the bill, but what he was attempting to do from a procedural standpoint, was kill the bill.

Unfortunately, what happened was a twelve-plus hour filibuster, primarily by members of the Democrat Party, but I believe there was one Republican from Johnson County that also participated in the filibuster. During the filibuster time, the budget negotiators had a lot of time to work on negotiating the budget. So, in a sense, it was not wasted time for me as it was for many of the other Senators who were simply sitting there and listening to people read books and what have you. What ultimately happened, I believe, is that the proponents were able to come up with a 21st vote, and so Senator Barnett's attempt to kill the gaming, did exactly the opposite, and the 21st vote was secured, and the bill is now on its way to the Governor. Now, the motion could have been withdrawn anytime prior to the question being put to a vote, but unfortunately, when Senator Barnett requested to withdraw his motion, the vote had already begun. Under the rules of the Legislature, once the vote has started, the question is "put" and the maker of the motion can no longer withdraw it. It was a very interesting procedural day and night. I pulled out of the Capital garage about 2:45 a.m. Thursday morning, and I was back negotiating the budget at about 7:30 a.m. Thursday morning.

We have come a long, long way on the budget, but here are sticking points. The House has set

up a fund that has \$80 million in it, but does not say what it is they want to do with it. In other words, they do not want to pay any bills. They just want to set it aside and decide what to do with it later. The Senate is not in favor of just sticking money in an account and not saying what you are going to do with it. The practical effect of doing that, is that it makes you look like you do not have as much money in the bank as you really do. It makes it look as if you are in trouble, so to speak, or it takes away your ability to either fund your tax reductions, or to fund your programs that you have to fund. So, the Senate has not been willing to agree to that, and the House is sticking firmly on that.

The other issue is the pay plan. The House spent a lot of time, and did some good work on a pay plan, but we are right in the middle of a review by a consultant of our pay plan, and the Hay Group has made some recommendations, but their report will not be finished until sometime this summer. State employees deserve to know where they are at and, hopefully, know where they are headed. But, just to change the pay plan because it is wrong, and hope that what you institute now may be right, the Senate has a little bit of difficulty with that position. Not that the House did not do some good work on their plan, but it certainly is not finished, and that is what the concern for the Senate is.

The other two issues are really tied together. There is a fund called Pregnancy Maintenance, and statutorily, it is set at \$300,000. The House wants to increase it to \$500,000. The Senate has a program that it supports, which is called Discretionarily Grants, for after school programs for middle-school students. It provides a number of opportunities for school districts and communities to establish after-school programs for middle-school children to help them do many things, not the least of which is to not be out on the streets and learning things they should not learn. That is about a \$500,000 investment, so that is why Pregnancy Maintenance and the After School Program are tied together. The Senate is willing to accept the pregnancy maintenance, because that is a good program as well, but the House is not willing to accept the after school program.

These are the four issues that brought us to impasse last night. I believe we went to impasse around 7:00 last night and we will not meet again until Monday. Hopefully, when we have all had some sleep and our fuses are a little bit longer, we will be able to talk a little more concretely about those points, and get past the impasse, and get this budget put to the full legislature, probably Tuesday, because it takes staff almost ten hours to draw up all of the paperwork.

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