

**LEGISLATIVE E-REPORT
LEAGUE OF WOMEN VOTERS OF KANSAS**

Ernestine Krehbiel
President & Editor

Issues No. 7
Feb 19, 2011

Some expenditures that the “tight budget” legislators are nonetheless considering.

From \$16,500 to \$24,750 to change the signs of the speed limit on the divided highways to 75 mph from 70 mph (550 signs.)

Photo ID and Birth Certificate requirements to vote and register respectively. Cost in Missouri was \$6 million the first year. Minimum cost for one year in Kansas is **\$1 million**. This does not count cost of **free birth certificates** as the figure is based on other states that have only photo ID for voting required.

Two amendments to Ks. constitution that by law will cost **\$200,000 each** to put on the ballot.

AND OF COURSE WE ARE STILL FIGHTING OVER FUNDING SPECIAL EDUCATION THAT WOULD GET FEDERAL MATCHING MONEY FOR THE STATE.

ETHICS AND ELECTIONS

House Bill 2067 would require each voter to provide photo identification when voting and **proof of United States citizenship** when registering to vote. This would eliminate online voter registration as well as voter registration projects by groups such as the League of Women Voters. The bill is said to also enhance the security of advance ballots transmitted by mail by requiring registered voters to provide identification.

"The League supports full voting participation by all eligible American citizens and opposes efforts to create new barriers that block citizen voter participation. All evidence shows that Kansas voting laws are working to stop voter fraud. While Kansans have cast over ten million votes in the last five years, out of six allegations of voter fraud, only one was worthy of being prosecuted in that same five years. One of ten million! LWVK opposed HB 2067."

SB 2153 requires candidates to give timely electioneering communication expenditure reports prior to election day. It specifically leaves out requirement for such reports by independent groups or individuals that run negative campaign ads and no identification of these funders of such ads required.

Senate Bill 128 would delay the presidential preference primary from 2012 to 2016. Existing law now mandates that a presidential preference primary must be held so Kansas' lawmakers have to take affirmative action to delay the presidential preference primary. The last such presidential preference primary was held in 1992. The estimated cost is \$1.3 million. Without such a primary, the parties themselves hold their own presidential preference caucuses but there are no official rules or election officials to supervise this event. At least in Johnson County, there were many complaints over the 2008 caucuses but the political will is not there to find the funding for a political preference primary.

During the discussion of SB 128, an amendment was discussed over **the cost of constitutional amendments**. The state law is that constitutional amendments must be

published 3 times in every county's official paper the month before the election. Depending on the length of the constitutional amendment, the publication costs **can run from \$25,000 to \$200,000**. One proposal has been to eliminate the publication mandate altogether and just put the constitutional amendment on certain websites. The Kansas Press Association will certainly oppose such a change. A compromise position may be to limit the publication to just one time and use websites to post the amendment(s).

Amendments to Kansas Constitution proposed: The one that would say Kansans do not have to buy health insurance no matter what the Federal Affordable Care Act says.

OPEN MEETINGS ACT

House Bill 2185 was requested by Rep. Bill Otto. Presently, it takes action by a county attorney or the Attorney General **to bring an action against a public agency that intentionally fails to furnish public information** as required by law. HB 2185 would allow *'any person'* to bring an action. This *'any person'* - in investigating the alleged violation - could subpoena witnesses or documents, take testimony under oath and examine any documentary material of whatever nature relevant to such alleged violations. In any such action, the court *'shall'* - instead of just *'may'* - award court costs and a reasonable sum as attorney fees for services rendered in such action. The fine itself cannot exceed \$500 for each violation. HB 2185 was given a hearing before the House Judiciary committee.

WATER LEGISLATION

Senate Bill 124: This bill would create an "Access District" to allow the Kansas Water Office to provide access to water storage owned by the state in Kanopolis Reservoir to downstream users. Membership in the Access District is voluntary and may include municipal, industrial, recreation and irrigation users in the reach of the Smoky Hill River below to the confluence of the Smoky Hill and Solomon Rivers. This legislation also creates a special irrigation district in the area for purposes of membership in the Access District. There are over 90 irrigation water rights and 8,000 acres that are surface irrigated.

Kanopolis Reservoir is one of 13 reservoirs in Kansas developed by the Corps of Engineers in which the state owns water storage supply. Access to water from water supply storage is currently obtained through Water Marketing Program contracts or storage ownership through the Water Assurance Program and is limited to municipal and industrial users only. There are water rights totaling 37,267 acre-feet from surface and alluvial groundwater sources in the 101 miles of river from Kanopolis Dam to the confluence of the Smoky Hill and Saline rivers. **The majority of these water appropriations are for irrigation and municipal use, including the City of Salina.** Currently, no water is released from state owned water supply storage in Kanopolis Reservoir to meet these downstream needs. The Corps makes releases from federally owned storage for in-stream water quality purposes.

Senate Bill 122: This legislation allows the Kansas Water Office the authority to provide easements on state property for conservation projects. State property is defined as real property currently owned in full or in part by the state in the Arkansas, Kansas or Missouri rivers in Kansas. The state owns the property in these navigable rivers in and along the bed of the river to the ordinary high water mark on the banks of such rivers. This bill will clear up the confusion over the ownership of this river land and facilitate landowner's access to federal dollars for conservation projects for streambank restoration. All easements in this law will be filed with the Secretary of State and the county register of deeds. SB 122 has passed out of the Senate Natural Resources committee.

Senate Bill 191: This bill **reestablishes the Water Rights Conservation program** within the Kansas Department of Agriculture Division of Water Resources by funding this program with a non-refundable application fee not to exceed \$300. *An eligible water right enrolled in and continually in compliance with the water rights conservation program shall be deemed to have due and sufficient cause for nonuse and shall not be deemed abandoned.* This is a voluntary program for the water right owner and revises state law that states 'use it or lose it'.

SB 191 has not had a hearing so far this year. The timeline for a hearing and committee action is next Tuesday. This bill would need to be blessed by an exempt committee such as Senate Ways and Means for it to be worked this year. If not this bill will be held over till next year. This water rights conservation program only applies to closed water rights areas in Kansas not statewide.

RURAL OPPORTUNITY ZONES

Senate Bill 198: This bill's purpose is to **provide targeted rural economic development** to 40 counties in Kansas that have lost at least 10% of their population in the last 10 years. The economic tools include forgiving income tax for residents who move to these counties after having been out of Kansas for the last five years. < rural opportunity zone" means Barber, Chautauqua, Cheyenne, Clark, Decatur, Edwards, Gove, Graham, Greeley, Greenwood, Harper, Jewell, Kingman, Kiowa, Lane, Lincoln, Logan, Marion, Morton, Ness, Norton, Osborne, Pawnee, Phillips, Rawlins, Republic, Rooks, Rush, Russell, Scott, Sheridan, Sherman, Smith, Stanton, Trego, Thomas, Wallace, Washington, Wichita or Woodson counties >

KANSAS TECHNOLOGY ENTERPRISE CORPORATION (KTEC): KTEC was founded in 1986 to spur innovation-based entrepreneurship. KTEC is an independent agency that is funded by economic development funds that come from the lottery. High-growth firms (less than 1% of all companies) generate 40% of new jobs nationwide. From 2007 to 2010, 10 KTEC companies generated \$1.15 billion in sales revenue. USC, LLC in Sabetha is a seed cleaning enterprise that improved its handling of seeds with KTEC's engineering assistance. Seed Research Corporation in South Hutchinson received KTEC assistance to improve their sales of specialty planters. HG Engineering in McPherson has developed a tooling system for the plastic extrusion industry. KTEC has a total of 271 clients in 44 counties accounting for 1,035 jobs. www.ktec.com

KTEC provides technical resources to move raw technology toward marketable products, access to risk capital, matches entrepreneurs and their technologies to market needs, a national network of mentors & professionals, and provides exposure to national, global markets. In 2010, 109 out-of state investors brought \$4.1 million in venture capital to KTEC companies. KTEC generated \$3.36 in state tax revenues in 2010 to the State General Fund for each dollar appropriated (\$25 million total). KTEC now has 9 employees. The Governor has proposed melding KTEC into the Kansas Department of Commerce but only 1 employee will be added at Commerce. The Kansas House has voted for this change but the Kansas Senate may well block this change.

Executive Reorganization Orders

Below is a review of the EROs still being considered. EROs automatically take effect **JULY 1**

unless either the House or the Senate votes to disapprove it.

ERO NO. 34 Consolidation of parole review functions in the executive branch by abolishing the Parole Board as established by K.S.A. 22-3701 *et seq.* and establishing the Prisoner Review Board within the Department of Corrections

The Governor issued an Executive Reorganization Order last week that would eliminate the Parole Board and transfer all duties and functions to the Department of Corrections. There is a court case that has determined this to be unconstitutional.

ERO NO. 35 Transfers the functions of the Commission on Disability Concerns under K.S.A. 74-6701 *et seq.* from the Department of Commerce to the Office of the Governor.

ERO NO. 36 Renaming the Department of Wildlife and Parks as the Department of Wildlife, Parks and Tourism; Abolishing the Assistant Secretary of Operations position and creating an Assistant Secretary of Wildlife, Fisheries, and Boating and an Assistant Secretary of Parks and Tourism; and transferring the Division of Travel and Tourism Development at the Department of Commerce to the Department of Wildlife, Parks and Tourism

ERO NO. 37. Abolishes Kansas, Inc. and transfers its duties to the Secretary of Administration. It was referred to the Commerce Committee.

ERO NO. 38. Merges the Kansas Health Policy Authority (KHPA) into the Division of Health Care Finance within the Department of Health and Environment (KDHE). It was referred to the Commerce Committee.

ERO NO. 39. Transitions the Kansas Arts Commission into a non-profit organization. This order was referred to Federal and State Affairs and it is the ERO that I have heard from constituents the most. Keep sending me your thoughts – I appreciate them!

ERO NO. 40. This ERO moves and consolidates several divisions from across state government into the Department of Agriculture including: Agriculture Products Development Division, Kansas Animal Health Department, the Livestock Commissioner and the State Conservation Commission. It was referred to the Agriculture Committee.

