

Highlights from Johnson E-Report #15 by Dolores Furtado, President, LWV-K

Veto Session: Duration May 8 to May 13 (longer if necessary); Budget (expenditures) and Taxes (Revenue) must balance as income taxes decline because of lower rates etc; and other possible laws (election, pension, Medicaid).

Court of Appeals: Governor selects, Senate confirms within defined time intervals.

Senate Bill 122: use of Provisional ballots law prohibits disclosure of voter names between Election Day and final canvass.

League Members should learn when election judges use a provisional ballot

League Members should inform voters about the follow-up needed to convert a Provisional ballot into a VOTE

Senate Bill 63: Powers of Secretary of State expanded to include prosecutorial powers to pursue election/voting crimes.

Children & Families: Use of Tobacco settlement funds designated for Children programs may be transferred to State General Fund; New eligibility requirements for Temporary Assistance for Families means cuts in this program.

2013 LEAGUE OF WOMEN VOTERS OF KANSAS E-REPORT #15

May 3, 2013 – Paul Johnson

VETO SESSION DISPUTES

The Kansas Legislature reconvenes on May 8 for the veto session. The hope is to keep the overall legislative session to 80 days so the veto session should be over by May 13. The Kansas Legislature is constitutionally obligated to pass a State Budget for 2014 that begins July 1, 2013. There is real debate over finding a tax policy compromise. Passage of a new tax law is not a necessity. While key House and Senate conferees will negotiate a budget deal and possibly a tax package, there will be other legislative priorities - such as election laws, KPERS reforms, 'disability services' carved out from KAN CARE and the future of Medicaid expansion in Kansas – that will be debated.

The 2014 Kansas budget can be passed without any new tax law. The House and Senate will have to agree on reductions to the Regents, state employee compensation, transfers from the State Highway Fund and an acceptable ending balance for June 30, 2014. If a tax package compromise can be found and some increase in the sales tax is adopted, the reductions to the Regents will be revisited and a larger ending balance retained in preparation for developing a 2015 State budget. (KHI's Duane Goossen has developed the specific budget numbers for 2013, 2014 & 2015 with no new tax plan.

<http://www.khi.org/weblogs/budget-blog/2013/apr/30/tax-plan-required/>)

For now, the revenue picture has stabilized in Kansas. April revenues came in very close to the April 19 new revenue estimates by the Consensus Revenue Group. The Kansas Department of Revenue is receiving a blend of last minute income withholding filings from 2012 - with the old tax rates - and 2013 income tax withholding filings with the new rates. By May, most of this confusion will be over and the impact of the lower income tax brackets will be more certain. Equally important will be the elimination of individual income taxes from non-wage income by 191,000 sole proprietorships, sub-chapter S corporations and limited liability corporations (LLC's). Over the last year, the Kansas Secretary of State has announced a record number of filings by these corporations but these filings do not distinguish between individual corporations from out of state versus in-state individual corporate filings. Many factors will come into play for future revenues. The Kansas wheat crop was planted in a drought last fall and has suffered a few hard freezes in April with a projected drop from 382 million bushels in 2012 to 313 million in 2013. Federal sequestration will continue to impact Kansas as federal employees are partially furloughed - especially at our military bases - and certain federal preschool programs are downsized. While Kansas can skate by in 2014 with lower ending balances and other gimmicks, 2015 is another story as the revenue picture declines with the loss of income tax revenues and critical infrastructure programs of education and social services remain underfunded.

APPOINTMENT OF KANSAS COURT OF APPEALS JUDGES; HB 2019

This bill amends the current procedure for the appointment of Court of Appeals Judges to allow the Governor, with the consent of the Senate, to appoint a qualified person to fill any vacancy on the Kansas Court of Appeals. The bill requires the Clerk of the Supreme Court to give prompt notice of a vacancy to the Governor, who must then make an appointment within 60 days. Otherwise, the Chief Justice of the Supreme Court, with the consent of the Senate, will appoint a qualified person. The bill requires the Senate to vote to consent to the appointment within 60 days of being received or, if the Senate is not in session and will not be in session within the 60-day time limit, within 20 days of the next session. If the Senate fails to vote within the time limit, its consent will be deemed given. If the appointee does not receive a majority vote in the Senate, the Governor will appoint another qualified person within 60 days, and the same consent procedure will be followed.

UNAUTHORIZED VOTING DISCLOSURE; SENATE BILL 122

This bill makes it illegal to intentionally disclose or expose the name of any voter who has cast a ballot, whether provisional or regular, except as ordered by a court in an

election contest. The bill prohibits disclosing the name of any voter who has cast a ballot from the time the ballot is cast until the final canvass of the election. The bill states that disclosure of the names of advance voters is permitted. Nothing in this bill prohibits authorized poll agents from observing elections as allowed under current law. Former Rep. Ann Mah testified against this bill twice.

ELECTION LEGISLATION UPDATE

Senate Bill 63 increases the penalties for election/voting crimes and gives the Secretary of State the authority to prosecute these crimes. The Secretary of State can maintain his political action committee to support other candidates. A conference committee report has been written and will be voted on in the veto session... Bills to move local spring elections to the fall (in even or odd number years) and possibly make them partisan have stalled for this year... A consolidated election/campaign finance bill - containing HB 2162 on ballot question language, HB 2296 on permitted uses of campaign funds, HB 2381 on election campaign finance, SB 45 to prohibit lobbying with state funds, SB 100 on lobbyist reports and HB 2130 on petition circulators for elections - is being conferenced by three House and Senate members and may be voted on in the veto session. (All bills can be read at: <http://www.kslegislature.org/li/> . Floor action during the veto session, can be accessed over the internet from this listed website.)

BUDGET BATTLES OVER CHILDREN'S PROGRAMS

This article by Dave Ranney at the Kansas Health Institute covers the battle between Kansas Action for Children and the Governor over the appropriate use of tobacco settlement funds and following the law that established the use of these funds. Included in this article is a 'pdf file' of the Governor's Budget Amendment that makes several amendments to the Governor's proposed Budget. The Governor is defunding the Temporary Assistance to Families program - the basic public assistance program for mothers and children - by excessive per week job search requirements and cutting the maximum time on TAF from 5 to 4 years. Drug testing has now been passed for these recipients and TAF mothers must be back to work within 2 months of giving birth instead of 6 months. In FY 2011, there were 38,963 monthly participants but today there are only 22,606 participants of which 16,008 are children and 6,785 adults. <http://www.khi.org/news/2013/apr/30/advocacy-group-blasts-brownback-schmidt/>