

# Despite review of the federal stimulus package, it's still fuzzy

**S**timulus Update: On Wednesday, March 4, Chris Whatley with the Council of State Governments appeared before the Senate Ways and Means Committee to review the impact of the American Recovery and Reinvestment Act of 2009 (federal stimulus) on Kansas. Whatley reviewed the background of the legislation, funding opportunities, and legislative priorities resulting from the passage of the stimulus.

the expiration of the Recovery Act. Full guidelines for the grants are supposed to be posted at [www.grants.gov](http://www.grants.gov) by March 19.

## Senate Doings Sen. Ralph Ostmeyer



One of the most problematic issues surrounding the stimulus package is the role of the legislature in the distribution of funds. Transportation dollars are required to be allocated by March 10 and the stimulus package is mute on the role of the legislatures. However, governors are given the power to handle certifications and requirements in distributing funds. This has caused a large amount of executive, legislative tension since several states require the legislature to allocate funding through appropriations to comply with the state constitution. Idaho, Maine, North Dakota, and Wisconsin have established procedures for legislative review or to appropriate stimulus funding. Governors have responded by issuing executive orders or by appointing "czars" to oversee the distribution of stimulus funds.

**February Revenues:** For the month of February, tax only revenues came \$12 million below projections. Revised consensus revenue estimates had predicted tax collections of approximately \$251 million for February but the actual amount was \$239 million.

**Update on the SB 208, Abolishing the Death Penalty:** On Wednesday, March 4, the Senate Judiciary voted to send SB 208 for further study during the interim. On Thursday, March 5, the committee, on a motion to reconsider, voted 6 to 5 to favorably pass the bill out of committee. This bill is now up for consideration by the Senate.

**SB 108 Economic Revitalization and Reinvestment Act:** SB 108 revises the Economic Revitalization and Reinvestment Act to expand the definition of an eligible aviation business and to allow wind and solar energy manufacturing businesses to qualify for benefits. Under the bill, aviation businesses that have an average annual gross Kansas compensation of more than \$150 million are eligible for the incentives provided in the Economic Revitalization Act. Wind and solar energy businesses that pay an average annual salary of at least \$32,500 and who are classified by the North American Industrial Classification System as being in the manufacturing sector can take advantage of the bond opportunities provided in the Act. SB 108 passed 40 to 0 on Thursday, March 5.

**SB 147 HIV Screening for Pregnant Women and Newborns:** SB 147 requires physicians or other authorized professionals to screen

pregnant women for HIV during the first trimester of a pregnancy. The bill allows for women to opt-out and refuse the screening at any time. If determined to be at high risk for HIV, a second screening would take place during the third trimester or at the time of labor and delivery.

For children born to mothers who did not consent to HIV screening, the child must undergo screening as soon as medically possible after birth. Parental consent is not required to screen the newborn but in instances where the screening conflicts with religious beliefs the child is exempt from the procedure.

The Kansas Department of Health and Environment estimates that 4,400 women would qualify for assistance for the screening at an annual cost of approximately \$17,000 to the Department.

SB 147 passed 37 to 3 on Thursday, March 5.

**Senate Sub for HB 2014 Comprehensive Senate Energy Plan:** HB 2014 enacts new law regarding energy efficiency standards of state-owned and leased spaces and equipment, amends law authorizing large electric cooperatives to be deregulated under certain situations, creates renewable energy standards, enacts the Net Metering and Easy Connection Act, and amends portions of the Kansas Air Quality Act concerning the decisions and powers of the Secretary of Health and Environment.

Because HB 2014 is a combination of several energy bills, a comprehensive fiscal note is currently unavailable for this bill. Senate Sub for HB 2014 passed 31 to 9 on Thursday, March 5.

**HB 2147 Removal of Vehicles from the Highway:** HB 2147 requires the driver or owner of a vehicle involved in a non-injury, non-fatal accident to make a reasonable effort to move the vehicle out of the roadway if the vehicle can be safely removed without causing damage to the vehicle, roadway, other vehicles, or persons. Violators of the bill would receive a warning until July 1, 2010. After July 1, 2010, those who do not comply with the bill would be fined \$60.

The fiscal note from the Department of Transportation estimates approximately \$47,360 will be needed from the State Highway Fund for signage and educational pamphlets. In addition, the Department believes an increase in expenditure authority is needed for agency operations from the State Highway Fund. No estimate of the revenue generated from the fine is available.

HB 2147 passed 40 to 0 on Thursday, March 5.

# Historic district

(Continued from Page 1) cause the tax credits make historic preservation financially feasible, and owners have a choice whether or not to comply.

buildings are either contributors, which are not eligible for tax credits, or non-contributors, which are not eligible for tax credits, but also do not have to comply with the regulations of the historic soci-

ety," said Miss Becker. "The property owners do not have to apply for individual designation and the building can switch between contributor status and non-contributor status as necessary."

# Ostmeyer, Faber meeting

(Continued from Page 1) doesn't want to do away with legal publications, but would like to publish the legals just once, instead of three times.

Senator Ostmeyer said he's sure the law will change in the future, when absolutely everyone is walking around with a computer, but for now, he wouldn't want to take any opportunity away from people to see the legals.

Norton County Commissioner John Miller questioned the senator and representative on the tax abatements relating to out-of-state companies to store natural gas in Kansas.

natural gas companies had sued the State of Kansas, claiming that taxing them for storage was unconstitutional under Kansas' Constitution, and won. He said the state's constitution would have to be changed to be able to charge a tax to the companies storing natural gas in Kansas.

Mr. Berry asked the senator and representative what people can do about being more proactive in keeping the Norton Correctional Facility open, and then told them that he thought people were playing games when the memo was sent out saying the Norton facility would be shut down.

agreed with Mr. Berry when it was pointed out that the memo was released on the Department of Correction's website before anyone else knew about it, including the senator and representative.

Dr. Robert Peterson asked if the laws concerning driving under the influence could be made stricter.

"It's really disheartening to see someone who's had several DUI's driving around," said Dr. Peterson. "When someone who's had their fifth DUI gets into an accident while drunk and kills a family, it's very frustrating."

Representative Faber said if the laws are toughened even more, Kansas' prisons will run out of bed space.

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~ Dana Paxton ~

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**For All Veterans and Their Families**

An Evening Program on  
Ft Dodge Soldiers Home (Steve Dunkin)  
WaKeeney VA Cemetery (Heidi Goff)

**Sunday, March 15**  
6:00 p.m.

A Freewill Donation Soup Supper  
will be held at 5:00 p.m.  
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