



FROM THE STATEHOUSE - Vince Wetta Report

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Sumner & Harper Counties*

FUTURE NEWSLETTERS

Due to the cost of sending newsletters by mail, this e-mail will continue to be used to communicate with constituents. Please share this with friends and we will send this to anyone interested. My address and phone numbers may change. The e-mail address in Topeka is the same, vince.wetta@house.ks.gov.

From the Statehouse: Week 6

We are nearly halfway through the 2012 session! It is amazing how fast time flies under the Dome once we get going. The "official" halfway point of the session is next weekend, which is referred to as "Turnaround." After Turnaround, the House will begin to consider Senate bills, and vice versa. I think that we have our regular coffee at the Donut Shop the following Saturday, March 3rd. We should have some things to discuss.

We had a bit of excitement around the Capitol this week as two unrelated security incidents kept Capitol Police very busy on Wednesday. In the first case, two IED's were discovered in an unattended pickup across the street from the Capitol. The Topeka Police Department's bomb squad was summoned and the pickup's owner was apprehended in the tunnel between the Statehouse and the Docking State Office Building. In the second incident, a man was arrested after issuing several threats in a telephone call to Governor Brownback's office. The man was located via caller ID, questioned and then arrested. Capitol Police did an excellent job of managing these dangerous incidents. I am grateful for their protection and their service. You might know that Shelley Hansel, her son, and Sherry Wiley were in the Capitol during this incident. Never a dull moment when Shelley is around. She was able to get her car out of the lockdown after the "all clear". We all had a picture taken with the Governor and visited with him about the bill which changes the Wellington Wheat Festival to the official Kansas Wheat Festival. Shelley and I testified in the Ag Committee in favor of the bill. Yesterday, we passed the bill out of committee and will vote on it next week on the House floor. After passage, it will go to the Senate and Senator Abrams said he would carry it over there.

Tax Update

In response to growing criticism over Gov. Brownback's plan to cut Kansas income taxes, House Republicans have unveiled an alternate proposal to accomplish the Governor's goal using a different approach.

In order to pay for their tax plan, the House GOP plan will adjust the percentage of general sales taxes that are sent to the Department of Transportation, essentially cutting \$300 million from the Highway Fund over the next two years (and perhaps more money over a longer period of time). The Highway Fund is the revenue source for the comprehensive transportation plan that was signed into law in 2010, which was projected to create 175,000 new jobs and generate \$6.4 billion to our state's economy over the next ten years.

We have used the Transportation Budget as the World Bank of the Kansas Budget for the past several years. We need to step up and fund the things that need done and stop moving money around to cover up what we are really doing. Everyone agrees that the Governor's budget has no chance and now we are arguing about what we will really do. There are several ideas and proposals and we will see what comes out of the debate next week.

Proposal would require use of E-Verify

This was definitely an "immigration heavy" week at the Capitol. The Committee on Federal and State Affairs heard testimony on various immigration proposals all week. E-Verify is an internet-based system that ensures an individual's legal ability to work in the United States. House Bill 2492 would require the use of E-Verify as a condition for any governmental contract to a business entity in excess of \$5,000. Upon a first violation, the governmental entity may withhold from amounts due or recover up to 5% of the total amount of the contract in liquidated damages. A

subsequent violation may incur 10% of the total amount of the contract as well as a withholding on amounts due.

Proponents suggest this would ensure businesses are complying with employment laws (in other words, it would prevent businesses from hiring illegal aliens). They say that the program is extremely accurate and that Kansas has a clear legal authority in requiring the use of E-Verify.

Opponents argue that this bill would create an undue burden on their companies, especially those with numerous governmental contracts. They say it would force them to spend money to administer the program. Also, they argue that the program would add administration costs to the cities.

The Legislature debates illegal immigration every year, but we never address the core of this problem. Illegal immigrants come to Kansas for jobs that they are not legally entitled to. Businesses that knowingly hire illegal workers do so in an effort to obtain cheap labor. Both sides are breaking the law. The Wichita Eagle had a story this morning that quoted Speaker of the House, Mike O'Neal, as saying that we would not be handling immigration bills in the House this session.

Religious Freedom Restoration Act

This week there was a vigorous debate about House Bill 2260, the Kansas Religious Freedom Restoration Act. It was introduced last year but was tabled in the House Judiciary Committee. After the recent controversy over contraceptive coverage in the federal health care plan, the bill received a hearing.

House Bill 2260 will prohibit state institutions from curtailing or denying a person's exercise of religion, unless government has a compelling reason to do so. It also would allow people to sue state institutions and local governments for infringing on their religious freedom.

Proponents argued that it would protect Kansans' right to practice their religion. They argued that this bill is needed to ensure that Kansans may be allowed to exercise their faith to the fullest extent in the public sphere. Proponents included Lt. Governor Jeff Colyer, Kansas Family Policy Council, Kansas Catholic Conference, and Alliance Defense Fund.

Opponents were fearful of the potential for increased discrimination against minority groups disguised as "religious freedom", as well as concerns over preemption of local ordinances already prohibiting discrimination on the basis of religion. Two concerned citizens addressed the committee by suggesting the real purpose of this bill is to condone discrimination against gay and lesbians.

NBAF funding stripped from federal budget

This week, the Department of Homeland Security announced that \$40 million in federal funding has been eliminated from the national bio- and agriculture- (NBAF) facility planned for Manhattan, Kan. \$10 million dollars will remain for continued research at Kansas State and a New York-based facility.

While I certainly understand the financial crunch our federal government is in, this decision is a devastating blow to the State of Kansas.

Once completed, NBAF's 500,000 square foot laboratory would help answer a national challenge by ensuring public health and the safety and security of our country's food supply. The construction phase would provide an estimated 1,500 jobs, with even more jobs being created as a result of NBAF research and innovations. In total, the facility would bring an estimated \$3.5 billion in revenue to the state.

I'm hopeful that this decision can be reversed in next year's federal budget. This endeavor is far too important for the future safety of our state and our nation.

House Bill 2324 restricts sales of electronic cigarettes to minors

This week the House considered House Bill 2324, which adds electronic cigarettes to existing law that restricts the sale of tobacco products to minors and the possession of tobacco products by minors.

Electronic cigarettes are nicotine delivery devices. They produce a vapor by placing liquid that contains nicotine on a heating element. The intent is to fulfill a nicotine replacement role and to aid in smoking cessation. Electronic cigarette devices appeal to children because the liquids come in a variety of flavors, ranging from traditional tobacco flavors to more exotic flavors, such as chocolate and pina colada. These devices have similar health risks to tobacco products and should not be used by children.

There were many proponents to this bill, including the Kansas Association of Chiefs of Police, the Kansas Sheriff's Association, the Kansas Peace Officers Association, the American Cancer Society, and the Tobacco Free Kansas Coalition.

There were no opponents in committee, but there was some debate about the bill on the House floor. The Chair of the House Health and Human Services Committee said that there were studies that indicated that nicotine did not have negative health effects. Rather, carcinogens from smoke, is the health risk. Since electronic cigarettes contain no carcinogens, they felt that this legislation was unnecessary and "was a solution looking for a problem." Others countered this claim, saying that even though electronic cigarettes do not expose children to carcinogens, nicotine is very addictive. Access to electronic cigarettes will encourage use of real cigarettes when they become of age.

The House advanced the bill out of committee of the whole on a voice vote. We will take a final action vote tomorrow.

Proposal would mandate financial literacy course

House Bill 2645, which would require a one-semester class in financial literacy for every high school senior, had a hearing this week in the House Education Committee.

Proponents of the bill told the committee that this would be easy to implement as many high school seniors are only taking one class and waiting for their diplomas (referencing the fact that English language arts is the only subject required to be taken for a full four years in high school). Currently, schools are required to teach financial literacy standards in all grades, infusing those standards into mathematics and social studies classes. In addition, financial literacy standards are tested on the state mathematics assessments. Proponents argued that this is insufficient.

Opponents argued that most high schoolers take much more than one class in their senior year. In a typical six period high school, a student has 48 semester courses. Currently, eight of those are English language arts, twelve are mathematics and science, six are social sciences, one is PE, and one is fine arts. They said that an additional mandated class is just not feasible.

I do not think it is the Legislature's job to make decisions about school curriculum. That is a task that should be administered by the State Board of Education.

The committee did not work the bill this week.

Children & Families Committee sends seclusion and restraint bill to full House

The House Committee on Children and Families this week approved House Bill 2444, addressing the seclusion and restraint of children in schools.

This controversial bill has been the subject of debate for several years. It provides strict limitations on the use of physical restraint of students, the use of seclusion rooms for those students, the design of seclusion rooms, and reporting to parents on the use of seclusion and/or restraint.

Further, no teacher may use restraint or place a student in seclusion unless that teacher has completed a training session designed by the State Department of Education.

While the bill may seem non-controversial, a number of concerns have been raised about its implementation and the possibility that it would create a more litigious atmosphere.

The bill passed out of committee and now awaits consideration on the House floor.

Keep in Touch

It is a special honor to serve as your state representative. I value and need your input on the various issues facing state government. Please feel free to contact me with your comments and questions. You can reach me at 620 326 5205 while we are home. In Topeka, my phone number is 785 296 7651. Additionally, you can e-mail me at vince.wetta@house.ks.gov *or our home e-mail at* vmwetta@sutv.com.