



Letter from Topeka
By Sen. Ralph Ostmeyer
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Kansas could get up to \$1.75 billion in federal money

Stimulus Update: Wednesday, 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 (the federal stimulus bill) on Kansas. Whatley reviewed the background of the bill, money opportunities and legislative priorities resulting from passage of the bill.

Kansas is eligible for more than \$1.27 billion in federal money through fiscal year 2011, he said, and more could result through competitive grants. Altogether, up to \$1.75 billion is available to the state.

Kansas will receive over \$483 million, through 2010, in flexible funding to supplement current state spending for Medicaid and education. Of that, 90 percent will go to Medicaid and the rest for schools.

Guidelines are still being formed, but money is included to hold the state's education budget steady. The law requires states to appropriate no less than what was allocated for fiscal year 2006 for education. Once stimulus money is accepted by a state, that money must be used to bring education back to fiscal year 2008 or 2009 levels, whichever is higher.

To supplement current state money, Kansas may get over \$1.27 billion for transportation, education and other formula-based programs. Additional money is available for unemployment and energy efficiency, but both come with strings attached.

Included in the stimulus bill are the provisions of the Unemployment Modernization Act, which requires states to make permanent changes to unemployment standards. Details have yet to be released by the Department of Labor, but this provision has resulted in several governors refusing to accept the money. For states who abide by the modernization requirements, \$68 million is available.

Kansas can get an additional \$40 million in energy efficiency grants if the state adopts a utility rate system that encourages energy conservation and implements energy efficiency standards in building codes while holding utility companies harmless for loss of revenue.

Over \$100 billion in competitive grant opportunities are available for states, but there are more than 30 grant categories, with the largest amount dedicated to education incentive grants. The details are few, the programs are scattered, and the requirements are confusing, and the impact of some programs will not be felt until after the expiration of the Recovery Act. Full guidelines are supposed to be posted at www.grants.gov by March 19.

One of the most problematic issues surrounding the stimulus package is the role of the legislature in the distribution of money. Transportation dollars must be allocated by Tuesday and the stimulus package is mute on the role of legislatures. Governors are given the power to handle certifications and requirements in distributing money. This has caused tension, since several states require the legislature to allocate money to comply with the state constitution.

Idaho, Maine, North Dakota and Wisconsin have established procedures for legislative review or to appropriate stimulus money. Governors have responded by issuing executive orders or by appointing "czars" to oversee the distribution of stimulus funds.

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

Update on the SB 208, Abolishing the Death Penalty: On Wednesday, the Senate Judiciary Committee voted to send SB 208 for interim study. On Thursday, the committee, on a motion to reconsider, voted 6-5 to pass the bill out of committee. This bill is now up for a vote 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 to the incentives. Wind and solar energy businesses that pay an average annual salary of at least \$32,500 in the manufacturing sector can take advantage of the bond opportunities provided in the act.

SB 108 passed 40-0 on Thursday.

SB 147, HIV Screening for Pregnant Women and Newborns: SB 147 requires doctors to screen pregnant women for HIV during the first trimester. The bill allows for women to refuse the screening. If a woman is determined to be at high risk for HIV, a second screening would take place during the third trimester or at delivery.

Children born to mothers who did not consent to HIV screening must undergo screening after birth. Parental consent is not required but where the screening conflicts with religious beliefs, the child is exempt.

The Department of Health and Environment estimates that 4,400 women would qualify for assistance for the screening at an annual cost of \$17,000. SB 147 passed 37-3 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 buildings 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 unavailable. Senate Sub for HB 2014 passed 31-9 on Thursday.

HB 2147, Removal of Vehicles from the Highway:

HB 2147 requires the drivers vehicles involved in noninjury accidents to make a reasonable effort to move the vehicles from the roadway. Violators would receive a warning until July 1, 2010. After then, violators would be fined \$60.

The fiscal note from the Department of Transportation estimates \$47,360 will be needed from the state Highway Fund for signs and educational pamphlets. No estimate of the revenue from the fine is available. HB 2147 passed 40-0 on Thursday.

Feel free to contact me at any time. Write to Sen. Ralph Ostmeyer, State Capitol, 300 SW 10th Street, Room 262-E, Topeka, Kan., 66612 or call (785) 296-7399. My e-mail address is ralph.ostmeyer@senate.ks.gov. Please let me know if you would like to be on my mailing list.

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