

HAWVER'S CAPITOL REPORT

Reporting the politics & government of Kansas



HAWVER'S

NEWSLETTER

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Tuesday, March 05, 2013

Surviving Turnaround

At what is loosely the half-way mark of the 2013 Kansas Legislature—maybe hampered by the flood of newcomers, maybe because experienced legislators are chairing key committees—the conservative rock and rolling that most expected hasn't started yet.

The big issue—budget—is still pretty well under wraps in House Appropriations and Senate Ways and Means committees, where weeks of grinding through budgets show only a couple of controversial cuts.



And on tax issues, the Senate has generated a bill that it's not ready to run yet, waiting on a budget to match it up. The House continues to study major tax issues, and nothing serious has emerged from that chamber's Tax panel except a trailer bill to square up last year's massive tax cuts.

The latest possibly tactical move in the tax debate: Senate Majority Leader **Terry Bruce**, R-Hutchinson, tossing out the possibility of increasing the state sales tax—above the due-to-expire June 30 6.4%—to maybe near 7%. Serious? Or maybe trying to generate some House support for keeping the penny sales tax in place while standing up to the Senate...



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On social issues, like guns and abortion, lawmakers so far have taken palm card positions that show just a dab of political gamesmanship—such as last week's Senate debate on abortion based on the gender of the fetus...which may be a problem in China, but not here.

It has been a slow session—with Part II starting tomorrow—and the bills that made it across the rotunda either do less than most observers expected or face problems in the opposite house.



The measure calling for a constitutional referendum on allowing the governor to appoint Supreme Court and Appeals Court judges subject to Senate confirmation is so far shaky in the House. And the House's version, which merely affects Appeals Court judges, may wait until the House seriously considers the Senate's more muscular issue. That measure passed 68-54, a relatively low level of enthusiasm for messing with the judicial selection process.

And the Kansas Supreme Court's decision last week to schedule mediation of the Gannon v. Kansas school finance lawsuit appears unlikely to tell lawmakers whether they have to pony up more than \$440 million in additional K-12 funding during the current session.

That may put pressure on lawmakers' action on a measure that would—again, with a constitutional referendum—make financing of K-12 education exclusively a legislative decision so the court can't order more money spent.



There has been some nibbling away at the political power of labor unions—the House passage to the Senate of a bill that would nix labor union political action committee deductions from worker paychecks. Senate passage of that measure is considered likely—but it is a general election issue as there are few Democratic primary elections.

But, there is a good chance that the legislative freshman class has gotten its footage in the first section of the session, and even in committee work, the newcomers appear to be figuring out what the bills do.

And there is a dab of security in working on a bill that has already passed one chamber, and which probably has been examined closely enough across the rotunda that its unexpected consequences have already been shaken out of the measure.

But, within two weeks, look for the big measures—tax and budget—to have taken on their basic shapes, and then the real work of the Legislature starts.



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Speaker Merrick wins Golden Fork for January

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Merrick



Lynn



Burroughs

House Speaker **Ray Merrick**, R-Stilwell, wins the Golden Fork Award for best-fed legislator (including best-fed boy and best-fed Republican) for January with \$630 in intentionally bought-by-lobbyists food, drink and incidentals in hospitality.

Best-fed girl was Senate Assistant Majority Leader **Julia Lynn**, R-Olathe, with \$413. She came in #4 on the list—following Senate Majority Leader **Terry Bruce**, R-Hutchinson, with \$582, and Rep. **Scott Schwab**, R-Olathe, at \$556.

Best-fed Democrat? House Assistant Minority Leader **Tom Burroughs**, D-Kansas City, at #12 with \$289.

The January Top 15 legislative list is comprised of 14 Republicans plus Burroughs, nine House members and six senators, and 13 men and two women. Five brand-new legislators, all House members, are in the Top 15.

The January lobbyists' spending, released by the Kansas Governmental Ethics Commission, is required to be reported by a law passed by the 2000 Legislature. The law requires lobbyists to report, among other items, on whom—by name—they spend money. Lobbyists must file monthly reports for January, February, March and April; the rest of the year, reports are filed every four months—May to August and September to December.

Total spending for January 2013 was \$374,769; that's up from the January 2012 figure of \$217,808. Upticks in mass media and food/beverage spending contributed to the increase in 2013. Here is specific spending during **January 2013** (January 2012 in parentheses):

- Food and beverage: **\$156,545** (\$118,913)
- Recreation: **\$1,604** (\$2,345)
- Entertainment, gifts, etc.: **\$4,237** (\$4,327)
- Mass media: **\$208,039** (\$63,414)
- Communications: **\$461** (\$27,247)
- Other: **\$3,882** (\$1,562)

Only a fraction of the money for a reporting period can be tracked to spending on specific legislators. For example, a legislator may have received more in food and drink than is indicated by the lobbyists' reports; that's because if a legislator attends a lobbyist's event where "everyone's" invited, specific names/amounts aren't required to be written down. That's why the list of specific spending on legislators is "intentional" spending.

Some see generous intentional spending on legislators as a sign a legislator is powerful and sought-after—or at least has good social skills. Others declare it a badge of honor for a legislator to accept little or no lobbyist specific spending. The Ethics' report lists two legislators as receiving zero dollars in lobbyist spending in January—Reps. **Bob Grant**, D-Frontenac, and **Tom Sloan**, R-Lawrence. Sixteen other legislators received \$25 or less in intentional spending.

Oh, in the first monthly accounting of intentionally spent lobbying money on a father/son team, nobody's sure which one got, or how to split up, the \$255.94 that was spent on presumably freshman Rep. **Ron Ryckman Jr.**, R-Olathe, and/or one-term Rep. **Ronald Ryckman, Sr.**, R-Meade. Seems lobbyists generally said they took out "Ron." For the real split-up, we think we'll have to weigh them...

To view the full list of legislators (amounts are rounded), [please click here](#).

Forty-four organizations spent more than \$1,000 each during the reporting period.

Topping that spending list for this January was the Kansas Association of Realtors at \$195,337, of

which all but \$196 was spent on mass media opposing Gov. **Sam Brownback's** proposal to eliminate Kansas deductions for home mortgage interest and home property taxes. Next two biggest lobbyist spenders were Dillon Food Stores at \$14,988 and UnCork Kansas, nearby at \$14,949, both promoting the sale of gin et al in grocery stores.

To see the top spenders, [please click here.](#)



Happy Birthday

For March 11 to 17



**Rep. Joshua
Powell
R-Topeka
3-14-86**



**Rep. Sharon
Schwartz
R-Washington
3-14-40**



**Sen. Forrest
Knox
R-Altoona
3-17-56**



Halltalk

Nothing certain, probably not worth scouting around for a treasurer yet, but after Insurance Commissioner candidate **Aaron Jack** abruptly left his job as Securities Commissioner, State Rep. **Clark Shultz**, R-McPherson, is chatting about the possibility of a run for Kansas Insurance Commissioner.

Just chatting so far...

It didn't take long for Sen. **Garrett Love**, R-Montezuma, to get the corporate farming bill out of his Ag Committee and into the Natural Resources Committee chaired by Sen. **Larry Powell**, R-Garden City. Though it seems more Ag, or maybe more Commerce than Natural Resources.

Interesting to see whether that bill gets worked in a manner that will somehow require a recorded vote...

The rename-the-money bill in House Education Budget might be the first real look at school finance this session. It essentially renames 10% of the Local Option Budget as the Local Operating Budget...which means it can be used to increase the apparent amount of Base State Aid Per Pupil to the golden \$4,492—while saving the state about \$55 million a year.

Worth watching...

Capitol Rail

...commentary from under the dome

where the air is thin



The Railster

By Martin Hawver

Well, we figure that the Legislature is about to really start now that Turnaround Day is over and everyone's got a chance to figure out just what the bills do and what bills might have sounded good on a palm card and really don't do anything significant...and what's coming up...

Picnic, someone?—Well, in case this prohibition of Kansas Secretary of State **Kris Kobach** from operating a PAC winds up getting through the Legislature, we're figuring that Kobach' staff, or maybe some other discreet group, will help him spend the \$1,470 left in the PAC that he would be required to close down. We're thinking that with the PAC name of Prairie Fire, maybe a barbecue might be in order...

Innovative District?—From the quick run-down, this proposed creation of Innovative Districts which can try about anything their management thinks up to improve education sounds interesting. Just keep within the local fire codes and keep taking those tests to measure progress, but anything else is apparently on the table. We're wondering, though, if as an industry, most educators are culturally comfortable on a long leash.

About this newsletter: [Please click here.](#)

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- **Hawver's Capitol Report NEWSLETTER**, e-mailed usually weekly during the regular legislative

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- *Hawver's Capitol Report FLASH*, the breaking news/daily news/etc. bulletin e-mailed as warranted.
- *Hawver Legislative Guide*, the comprehensive hard-copy guide snail-mailed annually (links also included & updated in ongoing *Hawver's Capitol Report NEWSLETTER* editions).

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