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Newsletter #2 – March 2015 Legislative Session

I receive many comments on state issues and my activities on behalf of Douglas County and Kansas residents. Many are “form” communications urging me to support or oppose specific bills, while all are read and acknowledged, the communications that are most appreciated are those original messages expressing in their own words the heartfelt opinions of the writers. As you undoubtedly expect, I also receive messages decrying my votes or activities. I generally respond to those communications also, unless they are so profane or vitriolic that a reasoned discourse will be impossible.

I do not pretend to have all the answers, or even to know all of the questions, but I do strive to represent the immediate and long-term best interests of our community and state. Please continue to contact me when you have information that will better enable me to serve or when you need assistance.

Follow-up to February Newsletter: Last month I reported that the Vision 2020 Committee developed a Medicaid/KanCare expansion plan (HB 2270) after four weeks of hearings. The Speaker of the House assigned the bill to the Health & Human Services Committee, but the Chairman declined to hold hearings and work the bill. In an effort to encourage consideration of the bill, three other legislators and I met with the Governor to encourage his intervention. After I explained how HB 2270 meets his requirements for a funding stream that does not include State General Fund money, includes a performance accountability component, and addresses state options if the federal government does not keep its promises, the Governor indicated that he wants the Legislature to take the lead and he would not intervene in the process.

Our small group subsequently met with the Speaker of the House asking him to encourage the Committee Chairman to hold hearings and advance the Medicaid/KanCare expansion concept. After again explaining how HB 2270 meets the Governor’s and Speaker’s stated requirements, the Speaker stated that he wants the Governor to introduce an appropriate bill. While extremely frustrated, I continued trying to build support for Medicaid/KanCare expansion to benefit Kansans and health care providers. Because of political pressure, the Speaker relented and a hearing on Medicaid expansion will be held on March 18th and 19th in the Health & Human Services Committee.

Similarly, I have been pressing my legislative colleagues and the Governor for several years to address funding needs to protect our water supplies and quality. This year I introduced HB 2014 to offset the elimination of the State's \$6 million annual contribution to the State Water Plan for the past 6 years and are not included in the Governor's budget proposal for the next two years. During the Committee hearing, all of the opponents to the measure commended me for keeping the issue before the Legislature, but essentially said, "Good idea, wrong time." This year their reason for delaying is to await a report by the Governor's Blue Ribbon Task Force on Water Plan Funding – a Task Force that has not been appointed and that may make a recommendation for the 2016 legislature to consider. Remember, 2016 is an election year during which all 165 Senators and Representatives will stand for re-election. A comprehensive water fee increase proposal is unlikely to pass during an election year, so we will continue to delay addressing our water needs because of politics.

In an effort to stimulate more thoughtful discussion on water funding and priorities, the Vision 2020 Committee held many weeks of hearings at which we asked conferees to tell us their highest priorities for water protection projects/programs and their funding preferences. The Committee developed a "White Paper" summarizing those presentations and making recommendations regarding priorities and funding options. The White Paper was provided to the Governor, appropriate state agency heads, key legislators, and other stakeholders. It is our expectation that the Governor's Blue Ribbon Committee on water funding, the Kansas Water Authority, and the Kansas Water Office will seriously consider our recommendations.

Finally, I introduced HB 2019 to increase the existing Education Building Fund statewide property tax mill levy to fund infrastructure developments (e.g. new and remodeling of existing buildings, Internet connectivity in support of research and teaching) at all Kansas higher education programs. While no one wants to pay higher property taxes, funding higher education from the State General Fund is not proving to be very successful. My goal is to provide a more secure funding mechanism that is less dependent on Legislative support and provides the Board of Regents and institutional heads greater flexibility and reliability. The on-going "robbing" of the Department of Transportation's money that comes from the State General Fund and reductions in support for higher education are excellent examples of why higher education should identify alternative funding streams.

After the Tax Committee heard my proposal, but took no action, several legislators privately approached me with comments that they cannot vote for a property tax increase, but believe my proposal has great merit. After expressing my appreciation for their endorsement of my innovative approach, I asked what alternative they proposed. They had nothing to offer. They also will support the proposed reductions in higher education funding.

You may or may not approve of my proposals, but the intent in all cases is to ensure that all Kansans have access to health care, clean water, and educational opportunities. As with my colleagues, I encourage you to provide me better ideas to achieve what I believe are our shared objectives.

Other Activities: Transactive Energy - I have previously mentioned that I serve on the Dept. of Energy created GridWise Architecture Council. This small working group focuses on the technological and policy requirements within the evolving electric industry's operations, both internally and externally with customers. I recently moderated a webinar for state legislators across the country on Transactive Energy.

While you may not have previously seen or heard the term, it is the name associated with customers being able to generate their own electricity (e.g., rooftop solar units) and buy or sell energy to the utility or other customers based on transparent price signals. The implications for policy-makers and utilities are huge as customers increasingly have access to cost-effective technologies to generate electricity, smart apps on their phones to change their energy use patterns in response to utility price signals, and the increasing number of “smart” appliances that can communicate with each other and the customer/utility.

Legislators will increasingly have to decide how such transactions are to be tracked so that the electric system as a whole remains reliable and affordable, especially for those without the means or desire to install their own electric generation systems. Maintaining electric grid/system reliability is crucial to the economic and health status of our state and individually, but maintaining affordability, responsible generation mix, and sufficient supplies to meet our energy needs must be equally considered by decision-makers.

Award: The Kansas Council of Health System Pharmacists presented their Board of Directors Service Award for 2014 to me for my work promoting innovation and collaboration within the pharmacy profession. I am particularly involved in expanding the use of the Internet to monitor patients and permit pharmacists to supervise pharmacy technicians and other health care delivery persons from a distance.

While I am proud to receive the award, it also demonstrates how broad my responsibilities and opportunities are as a legislator to help our citizens. Whether it is Medicaid/KanCare expansion, water quality, access to pharmacists, energy management opportunities for customers, or any number of other subjects, there are opportunities for me to help Kansans. Whenever you have information that will better enable me to help our State move forward, please do not hesitate to educate me.

Education Funding Debate: The Governor proposed that instead of the K-12 school funding formula that has, with modifications, determined how state aid to local school districts will be allocated since 1992, the State provide funds in the form of block grants to each school district. The goal of providing greater flexibility to school administrators and Boards is admirable, unfortunately the amount of money provided by the State continues to decline (including the State’s contribution to Kansas Public Employee Retirement System as part of the school funding numbers does not constitute increasing aid to education).

The House debated Substitute for SB 7 extensively with proponents stating that local flexibility and increased total dollars appropriated were good; opponents argued that requiring local school districts to stop saving for future capital expenditure projects and instead spend the money to educate students today was bad. When the final vote was tallied, 64 House members supported the Governor’s concept and 57 opposed it. I opposed it because, among other reasons, the Kansas Supreme Court has repeatedly ruled that we are not adequately funding K-12 education. Rearranging the manner in which fewer dollars are appropriated will not improve education outcomes nor the Court’s perception of the funding level.

Information Technology (IT) Security: The Pentagon, White House, Target, the States of South Carolina and Oregon, KU, and many other companies and government agencies have been targeted by computer hackers. The Legislative Post Audit (our investigation agency) reviewed the IT security operations and preparedness of 27 State agencies. Their conclusion was that Kansas is ill-prepared to protect citizen data.

Based on that analysis, the Vision 2020 Committee held two days of hearings on how great the risk to citizen identification and data is. We learned that the risk of data breaches is much greater than the Committee members and I realized. We will issue a White Paper recommending further actions by the Governor, State agency heads, and the Legislature to address agencies failing to adequately secure their data, including citizen identifying information, from computer hackers.

This is an important issue to me because one of my Dept. of Energy advisory committees toured the Dept. of Homeland Security office that helps protect U.S. agencies from international hackers. The number of attacks against U.S. government and business interests every day is staggering. As was revealed when Sony was hacked, foreign governments invest significant parts of their national budgets to electronically opening suspect e-mails, other attacks require much more sophisticated firewalls. U. S. citizens and businesses need to do a better job of protecting our electronic databases and personal identities. It is my hope that the Vision 2020 Committee's work will stimulate discussions and actions to better protect individual and state databases and identities.

Closing Comments: If you found the above information interesting and useful, please share it with your family, friends and neighbors. You are invited to spend a day with me at the Capitol and may always contact me with questions or information that will enable me to better represent our community's and state's long-term best interests. Thank you for your confidence.

*Best Wishes,
Tom*

