

NEWS from REPRESENTATIVE TOM SLOAN, 45TH DISTRICT

Newsletter: January 2008 - Legislative Report

This marks my 14th year serving the people of Douglas County and Kansas in the House of Representatives. As in previous years in an effort to help you remain well informed, I will provide periodic updates on legislative issues, activities, and my role at the state, regional, and national levels. These newsletters will frequently provide more “behind the scenes” perspectives on issues that the media may have covered, as well as issues that are of particular interest to our community.

Budget/Revenue Projections: As you undoubtedly noted from media reports, the state’s economy is experiencing the same type of slow-down as Lawrence and the nation. The Speaker of the House has stated that he wants to hold spending to an increase of 5 percent or lower. This would be approximately \$306.5 million of “new” money from the State General Fund (the SGF is comprised of state sales, income, and property tax receipts).

However, school finances will require at least \$179 million, SRS caseload increases - \$43 million, KPERS retirement contribution and bond payment - \$25 million, Regents deferred maintenance - \$8 million, additional disaster assistance for SE KS and Greensburg - \$40 million, and an adjustment for one-time state employee bonus - \$19 million. This leaves approximately \$31 million, but the state employee pay plan initiative will cost \$36 million, and health care reform, Regents operating grant increases, Dept. of Corrections increases, loss of federal funding for SRS, maintenance of other state facilities, etc. will all have supporters.

The Legislature will ultimately reduce funding to some existing programs, appropriate less money than desired to new programs, and defer taking action on other needs. The budget process will be very contentious and will not be resolved until April.

Legislative Process - educating colleagues: Several years ago I introduced two bills to address concerns: a) require safety inspections of amusement rides, and b) require home inspectors to be professionally trained and certified. Kansas does not require amusement ride operators to verify that their equipment has been safety inspected by a trained professional and anyone can open a business as a home inspector. Realistically, you do not want someone untrained inspecting and failing to identify possible problems in a house that you may purchase.

After several years of educating my legislative colleagues about the need for government regulation in these two areas to protect our citizens (and in the area of amusement rides, especially our children and grandchildren), it appears that 2008 may see success. An agreement between the Realtors and the largest group of home inspectors appears near and the amusement ride manufacturing and insurance industry representatives appear poised to support legislation.

These are just two areas for government involvement in protecting public interests that constituents have brought to my attention. While it has taken longer than I had anticipated, the Legislature may be ready to address these constituent concerns.

Legislative Process - coalition building: For several years I have worked to promote telehealth and telemedicine programs. The KU Medical Center and Hospital are linked to several hospitals across the state to provide specialist care over the Internet through fully interactive connections. Similar programs are used by the Douglas County Health Department to monitor residents' chronic conditions (e.g., diabetes) in their homes. Securing payment for such services is crucial to installing the necessary equipment in physicians' offices, patients' homes, and health care centers.

Last year I introduced a bill to require insurance companies to cover telemedicine consultations between hospitals. This bill was opposed by the insurance companies as a mandate that would increase health care costs to all. It is my belief, based on the research I have compiled, that telemedicine actually reduces health care costs, while improving patient care. At my request, *Insurance Commissioner Sandy Praeger* hosted a meeting involving representatives of the largest health insurance companies, the Kansas Hospital Association, KU Medical Center's telemedicine director, and rural health care providers at which a preliminary agreement was reached on a two-step process to address telemedicine coverage and reimbursement issues. First, the participating insurance companies will begin to reimburse physicians or health care practitioner for telemedicine consulting on behalf of patients within a hospital; second, Commissioner Praeger will appoint a task force to examine and define the scope of telemedicine services that should be covered, definition of terms and practices covered, and reimbursement guideline development.

This is a significant milestone in developing a more cost-effective health care delivery and monitoring system. In turn, I will not press this session for legislation addressing the above issues, but instead will allow the health care providers, institutions, and insurance company representatives to collaboratively develop the necessary policies that will be addressed by the Insurance Commissioner and Legislature in 2009.

Water Policies: As a result of my previous successful legislative initiatives to address the viability of municipal drinking water lakes and my role in organizing the Kansas Reservoir Summit that was held in Lawrence last fall, efforts are being made to address the long-term health of the state's large reservoirs (e.g., Clinton, Perry, Tuttle Lake). Each of these reservoirs were constructed with a productive life expectancy of 100 years, they are now approximately 50 years old and sediment is causing loss of flood control capacity and increasing taste and odor problems.

HB 2658 and HCR 5028 provide the vision and policy directions to change the way our large reservoirs are managed - from "construct and operate" to "operate to sustain." I have been working with the Assistant Secretary of the Army (Civil Works), Corps of Engineers, Kansas Water Office, and other Kansas stakeholders to develop a new funding mechanism and policy framework to ensure our reservoirs continue to provide flood control, drinking water supplies, and recreational opportunities forever. The crisis Atlanta faced in 2007, where their primary water supply lake was almost completely dry, can be avoided in Kansas if planning and operational changes are made before a severe drought occurs. It will be much less expensive and painful to address our reservoirs' operations and functions *before* a crisis exists, than to wait

another 30 years and have the public and legislators realize that time has run out.

Energy Policies: As one of the three legislators who conceived of the Kansas Energy Council as a body to develop a state energy plan, and a current member of that Council, I have been very disappointed in the growth of its membership and inability to move policy debates beyond parochial matters. You may have noted newspaper articles relating how the Council could not even approve posting on its web site information about carbon dioxide - I voted to release that information.

I have introduced *HB 2639* to create the Kansas Energy Commission - a science driven, small group to review global data on energy and environment research and make policy recommendations to the Governor and Legislature. I also introduced *HB 2765* to require all of the state's utilities to provide data to the Kansas Corporation Commission about their energy needs for the next 30 years with the objective of having a coordinated construction and energy conservation program to meet the entire state's energy needs. That bill is not yet ready for introduction, and probably will not pass because of utility company opposition, but it is, in my opinion, crucial that we discuss what our state's true energy needs will be and how we affordably meet them.

As an aside, last December I hosted the Kansas Electric Transmission Summit V in Lawrence with federal, state, and regional stakeholders engaged in discussions about how transmission lines to "move" wind power from western Kansas to the customer "load centers." The Federal Energy Regulatory Commission (FERC) Commissioner who headlined the Summit called today for my input on regional and national issues. This is a major benefit to Kansas, as most federal policy-makers focus on California, New York, Florida, and other large states. Just as with the water policy issues discussed above, when I can help put our key stakeholders together with federal and regional policy-makers, our state's people and interests are better served.

Energy Policies II: Because the federal government has not taken the lead on developing national energy policies, state actions to change the discussions from continuing our dependence on imported fuels and inefficient technologies are increasingly important. In previous newsletters I have mentioned my roles with the Federal Energy Regulatory Commission, Dept. of Energy, Southwest Power Pool, National Wind Coordinating Collaborative, Council of State Governments, National Conference of State Legislatures, and other organizations. This past fall, I participated in two "Clean Coal Technology" workshops to examine what is technologically possible and at what cost to consumers.

As I told my legislative colleagues during a presentation on energy policy options, the debate should be less over whether coal, solar, wind, natural gas, nuclear, or conservation is the correct path for our state and nation to follow, and more on what mix of energy sources (including conservation) provides the most cost-effective means of achieving our goals of comfortable, affordable, sustainable life-styles with opportunities for business growth.

To stimulate those discussions, I have introduced a bill that would require the Kansas Corporation Commission to survey all electric utilities as to their baseload, intermediate, and peaking needs through 2030; we can then aggregate those needs and by consensus determine

what is the appropriate mix of energy conservation, renewable generation, and fossil-fuel generation to meet our collective needs. It will be extremely difficult to actually pass the bill as I anticipate significant opposition from the utilities, but it is important that the Kansas Legislature debate where our state's energy policies and programs should be headed to best serve the long-term needs of our people.

Graduated Driver's License: The Secretary of Transportation, Highway Patrol Commander, AAA, and child welfare/health organizations support increasing the age at which young people may acquire learner's permits and full driver licenses. They offered testimony that 48.7 % of all Kansans age 16-20 who died between 2001-05 did so because of motor vehicle crashes. The risk of death in a motor vehicle accident for 16 year olds is 39 % higher than for older persons if the driver is the sole occupant, but 182 % higher with three or more persons in the vehicle. Comparable data for 17 year olds is 48% and 207 %. Driving at night and using electronic devices further increases the risk of accidents.

Accidents involving novice drivers generally do not involve alcohol or drugs. However, teenagers represent 6 percent of all licensed drivers in Kansas, but are involved in 15.5% of fatal crashes and 20 % of all crashes.

As a member of the Transportation Sub-Committee to review the proposed bill (SB 294), I tried to balance several factors - accidents happen because young drivers are inexperienced and more easily distracted versus youths and their parents believing that there are legitimate reasons for young people to drive. Our recommendations included increasing the number of nighttime hours of supervised driving that a youth must have prior to gaining a non-restricted drivers license, restricting the number of non-related persons who may be in a vehicle, and restricting the use of electronic devices.

Leadership: The Topeka Capitol Journal newspaper has twice written editorials in the past month mentioning my name as being a leader on energy planning and water management issues. While it is very nice having my efforts recognized, the reality is that without the support of dozens of legislators, state energy and water agencies, and the Governor, nothing will happen. I believe that one of my roles as a legislator is to raise the key, long-term issues for discussion and offer solutions/policy options. A second role is to educate my colleagues as to why actions should/must be taken to keep program costs as low as possible. Finally, a third role is to serve as the catalyst/coordinator of groups and individuals seeking to address energy, water, education opportunities, government efficiency, and public safety issues so that a policy consensus can be achieved and legislation passed.

Concluding Comments: If you found the above information of interest, please share it with a friend or neighbor. If you have questions about any of the issues discussed, or another matter, please contact me. You also have an open invitation to spend time with me at the Capitol. You may also receive future Newsletters electronically, if you prefer. Just let me know your email address - sloan@house.state.ks.us or 785-296-7654.

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