

Sebelius: Coal plants bill is 'DOA to me'

House will debate bill allowing plants today; governor promises veto

By **JOHN HANNA**
The Associated Press

TOPEKA — Gov. Kathleen Sebelius declared Wednesday that an energy bill before the House is dead on arrival if it reaches her desk because it would allow two coal-fired power plants in southwest Kansas.

Sebelius also objects to provisions limiting the Kansas secretary of Health and Environment's power to

regulate greenhouse gases linked by many scientists to global warming. Secretary Rod Bremby denied an air-quality permit for the two plants in October 2007 over their potential carbon dioxide emissions.

The governor also mocked other, green proposals in the bill designed to attract support for it from legislators who are reluctant to support new coal-fired plants. She said the bill is "a step backward" as President Barack Obama moves the U.S. away from its reliance on fossil fuels.

The House is scheduled to debate the bill today. Supporters expect it to pass, but they're hop-

On the Net

Energy legislation is Sub for HB 2014.

■ **Kansas Legislature:** www.kslegislature.org
■ **Governor's office:** www.governor.ks.gov

ing for a two-thirds majority, or 84 of 125 votes, the margin needed to override Sebelius' expected veto.

"It's DOA with me — absolutely," Sebelius said during a Statehouse news conference. House Speaker Mike O'Neal, a

Hutchinson Republican who supports the bill, said it represents balanced energy policy. He wasn't surprised by Sebelius' opposition, because she vetoed three similar measures last year.

"She obviously hasn't read the bill," O'Neal said. "This is the same story, second verse, from last year."

Sunflower Electric Power, based in Hays, wants to build the two coal-fired plants outside Holcomb, in Finney County. Its project has bipartisan support because many legislators view it as economic development.

"We've put together an awfully good package that is going to have

a lot of support," O'Neal said.

Sebelius said Kansas has a potentially bright future in energy if it aggressively pursues wind farms and other forms of renewable energy. But she predicted enacting the House bill would put Kansas at a disadvantage in competing for federal funds by suggesting the state wasn't eager to pursue renewable energy. And, she said, Obama's push for a cap-and-trade system of emissions limits and pollution allowances will make coal-fired plants less attractive.

"If there was ever a worse time to do this, I don't know when it is," Sebelius said.

Briefly

Salina woman hurt in rollover crash

Julie Jolene Robles, 38, of Salina, was injured Tuesday when the car she was driving crashed and rolled near a Saline County intersection.

She was taken to Salina Regional Health Center, where she was treated in the emergency department.

The Kansas Highway Patrol reported that Robles was westbound on Lockard Road when she veered to the right and hit the ditch at the Gerard Road intersection at 6:30 p.m. The car she was driving overturned and landed on its top.

The intersection is nearly four miles north of Interstate Highway 70 and about a half-mile west of U.S. Highway 81. The highway patrol reported that Robles was not wearing a seat belt.

Cell phones needed for Secure the Call

Anyone with a cell phone in any condition that is no longer needed or an old charger is asked to donate it to the Saline County Sheriff's Office Secure the Call program.

As part of the Secure the Call program, student volunteers will delete information from the phones and refurbish them to get them in working order; Sheriff Glen Kochanowski said. The phones will then be distributed from the sheriff's office to people who want them in case they need to make a 911 call.

Collection barrels have been placed at Walmart, 2900 S. Ninth; Dillon's Southgate, 2012 S. Ohio, and at city buildings in New Cambria, Assaria and Brookville.

So far, 337 phones and 211 chargers have been collected in Saline County, and 14 people have received phones through the program, Kochanowski said.

From Staff Reports

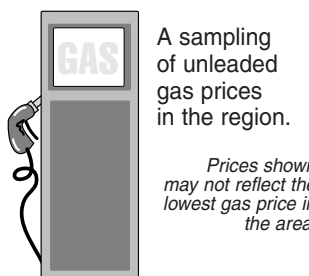
Corrections

Because of a Journal error, the manner in which the money from the Alcohol Liquor Fund is distributed was incorrect in an editorial in Wednesday's edition. Thirty percent of the money goes to the state's general fund. In the case of Salina, the remaining 70 percent is equally divided between the city's general fund, the Parks and Recreation Department, and an alcohol and drug programs fund.

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The Journal wants to set the record straight. Advise us of errors by calling the Journal at (785) 823-6363, or toll free at 1-800-827-6363. Corrections will run in this space as soon as possible.

fuel finder



- **Salina, \$1.65⁹**
Dillons, Ninth and Magnolia
- **Salina, \$1.65⁹**
Green Lantern, Ninth and Crawford
- **Minneapolis, \$1.71⁹**
Mity Quik



Emergency personnel work on the victim of a crash Wednesday afternoon in the 1700 block of West Crawford. A truck pulling out of parking lot collided with an Abilene motorcyclist.

TOM DORSEY / Salina Journal

Man hurt in crash with semi

By the Salina Journal

An Abilene man was flown to a Wichita hospital after his motorcycle collided with a semitrailer as it pulled out of a restaurant parking lot on West Crawford Street on Wednesday afternoon.

Rocky W. Tyler, 56, was taken to Wichita for surgery on a broken leg and pelvis, Salina Deputy Police Chief Carson Mansfield said. No information was available Wednesday from the hospital on his condition.

Tyler was westbound on Crawford about 1:20 p.m. when his

motorcycle and the semi, driven by Richard L. Enslow, 51, 415 E. Republic No. 10, collided as the truck pulled out of the Taco Bell parking lot at 1700 W. Crawford, according to the police report.

Enslow was cited for failure to yield and no seat belt, Mansfield said.

Stimulus payouts aid schools

Stimulus payouts could total \$578 million for education

By **CHRIS GREEN**
Harris News Service

TOPEKA — Kansas officials expect to receive up to \$578 million in aid for public education over the next two years under the state's share of a federal economic stimulus package.

But exactly how much of a budget savior the influx of funds represent for the state's 295 school districts is unclear, school officials said Wednesday.

Kansas is poised to receive \$1.7 billion in federal aid for schools, highway projects, health care for the poor and other areas under a package signed by President Barack Obama

last week.

The windfall comes at the same time lawmakers are contemplating significant budget cuts of more than 10 percent across state government, including public schools.

State officials have already moved to cut costs by \$300 million in the current year and could be forced to make more than twice as much in adjustments for fiscal 2010, which begins July 1.

Deputy Education Commissioner Dale Dennis said Wednesday that it's tough to know the exact effect of the quickly passed stimulus just yet.

That's because state officials are only just beginning to understand what strings may be attached to the money, which will be available for fiscal years 2010 and 2011.

"If somebody tells you they know all about this, listen real carefully, because they also walk on water," Dennis said.

While numerous groups have tried to interpret the rules for stimulus money, Dennis said that the final word on federal education aid would rest with the U.S. Department of Education, which has yet to issue guidelines for spending the funds.

He said it's possible that to receive extra funding for such areas as special education under the program, the state and local districts would have to maintain certain earlier spending levels on such programs.

Schools with higher numbers of low-income students could be the biggest beneficiaries of about \$200 million in federal stimulus aid for

poorer schools and special education, state Education Commissioner Alex Posny said in a recent interview.

She said that even one-time allotments of federal aid could pay dividends for the state for years to come by providing extra funding for such efforts as teacher mentoring and professional development.

Public schools and higher education institutions will also share \$367.4 million in aid designed to prevent school officials from having to slash their budgets.

New budget

Kansas Gov. Kathleen Sebelius said Wednesday that she plans to submit revisions of her proposed 2010 budget to legislators later this week because of the additional aid from the stimulus package.

Redistricting may be bipartisan

Legislator's plan takes lawmakers out of redrawing maps

By **CARL MANNING**
The Associated Press

TOPEKA — The Senate's top three leaders want to take the task of redrawing Kansas' legislative and congressional districts out of the hands of legislators.

They said Wednesday that redrawing the district boundaries every 10 years becomes very partisan and time-consuming and often creates animosities that spill over into other legislation.

They've drafted a bill to have the nonpartisan legislative research staff draw the lines for the 2012 redistricting. The legislators' only role would be to

vote for or against the plans presented to them.

"Here we have the professionals who don't have an ax to grind in the political outcome," Senate Majority Leader Derek Schmidt, R-Independence, told reporters.

Redistricting also affects the State Board of Education's 10 districts, because each consists of four Senate districts.

"We have our hands full this year and most years doing normal business," said Senate President Steve Morris, R-Hugoton. "When this is done in a bipartisan manner, it will make more sense to the public."

Senate Minority Leader Anthony Hensley said he's been through four redistricting fights.

"This process is entirely too partisan and too con-

tentious, and it needs to be taken out of our hands and placed in the hands of non-partisan research folks," the Topeka Democrat said.

Schmidt said the bill is expected to be assigned to the Federal and State Affairs Committee. Chairman Pete Brungardt, R-Salina, said he plans hearings on the bill in a couple of weeks.

The only House leader at the news conference announcing the plan was Minority Leader Paul Davis, D-Lawrence. Davis said he's trying to build support among both parties in the House, but it appears he's got some convincing to do with the

chamber's top two leaders.

"I'm not real excited about it at this moment, but as time permits, we'll look at it a little more carefully," said House Speaker Mike O'Neal, R-Hutchinson.

Asked whether the bill could pass his chamber now, O'Neal said, "In its current form, I'm not sure it would, but we're certainly willing to talk to them about it."

House Majority Leader Ray Merrick, R-Stilwell, said he's concerned the bill would result in more incumbents being paired up in the same districts after redistricting.

"Our districts are a lot smaller and we could end up losing a lot," he said. "We're a lot more knowledgeable about our districts. I don't think what we did last time was unfair."



Brungardt

Judge refuses to throw out case

Kansas abortion doctor's trial will go ahead on March 16

By **ROXANA HEGEMAN**
The Associated Press

WICHITA — A judge refused Wednesday to toss out the criminal case against a Wichita doctor accused of violating the state's late-term abortion law, saying a former prosecutor's conduct in the case didn't warrant that action.

Sedgwick County District Judge Clark Owens also denied a defense request to throw out evidence in the case against Dr. George Tiller because of the conduct of former prosecutor Phill Kline.

Tiller, one of a few U.S. physicians performing late-term abortions, is scheduled to go to trial March 16 on 19 misdemeanor charges alleging he failed to obtain a second opinion for some late-term abortions from an independent physician, as required by Kansas law.

Tiller's lawyers contended that Kline and his subordinates conducted an unconstitutionally selective investigation of Tiller, engaged in "outrageous governmental conduct" and illegally gathered evidence. Kline, an anti-abortion Republican, began investigating abortion clinics when he served as Kansas attorney general in 2003-07.

Owens had held hearings in November and January regarding the defense's allegations.

Kline's actions not issue

"While Phill Kline testified that he would like for all abortions to be outlawed, his investigations made no attempts to prevent lawful abortions from being performed in the State of Kansas," Owens wrote.

Tiller's attorneys, who contend their client is innocent, said they were disappointed with the ruling, which they can't appeal until after trial, in the event he is convicted.

Ashley Anstaett, spokeswoman for Kansas Attorney General Steve Six, said in an e-mail that prosecutors are continuing forward with the case and preparing for trial.

Kline, who now works at Liberty University in Lynchburg, Va., did not return a message left on his cell phone.

His attorney, Caleb Stegall, said the ruling was a vindication of the investigation conducted by the attorney general's office.

"No investigation and set of prosecutions in Kansas has ever been subject to the level and intensity of scrutiny that this investigation has borne," Stegall said.

In his ruling, Owens noted that after Kline left the attorney general's office in 2007, Democrat Paul Morrison, who supports abortion rights, took over the case, and it was Morrison who filed the current misdemeanor charges against Tiller.