

2014 LEAGUE OF WOMEN VOTERS OF KANSAS E-REPORT #7

Paul Johnson – February 28, 2014

POLITICAL PRIORITIES & CONTROVERSY

The 2014 Kansas Legislative session is turning the corner towards the final stretch. The Legislature will reconvene on March 5 and have one month to finish the regular session. With limited time, political priorities will have to be established. Conference committees will have to be appointed to iron out the differences between Senate and House versions of the same bill. Choices will have to be made on the controversial issues to be debated on the floor such as the 'open gun carry' in Sub. HB 2473 or the health care compact (HB 2553) that would have Kansas administering the Medicare program. Last year the Speaker of the Kansas House proposed an 80 day session instead of the normal 90 days but the session ended up lasting 99 days. It has been proposed that 70 days would be adequate - given the unfavorable national attention Kansas has gained with the 'religious freedom act' (HB 2453).

The Speaker of the Kansas House has stated that the Legislature will concentrate on economic and business issues. In normal years, debating and passing the State budget is the primary task of the Legislature but having passed a two-year budget last year the 2015 budget is pretty much done. The Legislature has established budget rules so that if an amendment is proposed to add funds to a given program there has to be an offset from another program so no new spending is allowed. This budget rule - known as 'pay-go' - does not apply to tax bills that can reduce the revenue to the State. The House has just passed HB 2456 that reclassifies cement making equipment as machinery property that is not subject to property taxes. This change will cost Kansas \$4.2 million in property taxes for schools. It is constitutionally questionable if such equipment can be singled out and this change will be requested by many other businesses in the future. HB 2417 expands the number of 'rural opportunity zone' counties to a total of 77 by adding Cherokee, Montgomery, Labette and Sumner. (These counties eliminate income taxes for new county residents and provide student loan write downs.) By 2016, the cost to Kansas for adding these four counties will be \$2.5 million. The revenue picture for Kansas continues to deteriorate and that will threaten basic, vital education, social and public safety programs. Right now there is no political leadership to right the ship of state by finding the right balance of spending and taxing.

THE AMENDED 'LOCAL FOOD AND FARM TASK FORCE' – SB 380

SB 380 has been amended by the Senate Agriculture committee and passed to the full Senate. The original bill had a task force of 18 members that included stakeholders

representing nutrition programs, small business development centers, farm organizations, beginning farmer loan program and farmers markets. The amended bill has a task force of seven members with three appointed by the Governor, one from Kansas State University, one from the Kansas Department of Agriculture (KDA) and two members of the Kansas Legislature. The committee struck language that would have provided paid mileage for task force members and designated KDA to provide administrative assistance in the start-up and structure of the Task Force. The task force members will be selected by August 1, 2014 and have 17 months to develop and submit a 'local food and farm plan' to the 2016 Kansas Legislative session. This plan will identify financial opportunities, technical support and training necessary for local and specialty crop production. This plan will identify strategies and funding needs to make fresh, affordable locally grown foods more accessible. This plan will include identification of existing local food infrastructures for processing, storing and distributing food while developing strategies for encouragement of farmers markets, roadside markets and local grocery stores in unserved and underserved areas. The task force shall cease to exist on December 31, 2015.

CAMPAIGN CONTRIBUTIONS DURING THE LEGISLATIVE SESSION

Senate Bill 247 eliminates House and Senate leadership political action committees and replaces them with state 'party – authorized committees' that can accept campaign funds from anyone during the legislative session. This is a reversal of existing policy that prohibits such contributions during the legislative session. Consider what leverage will be gained by special interests when campaign contributions are given to these authorized committees and the special interest's bills are given a greater priority! There was a spirited three hour debate on the Senate floor and several amendments offered. http://www.kslegislature.org/li/b2013_14/measures/sb274/ before it passing 32 to 8.

A second bill – HB 2381 – similarly allows any person or entity to make contributions at any time to any political committee established by a state political party committee and designated as a recognized political committee for the Senate or House of Representatives. Currently, registered lobbyists, political committees and persons, other than individuals, are prohibited from contributing to such designated committees during the Legislative session. This bill also allows any legislator, state officer, candidate or candidate committee to solicit 'via social media' during the Legislative Session, as long as the solicitation did not target specific individuals. There is also the elimination of certain campaign contributions for a primary election with two or more candidates seeking a party nomination. This bill has passed the Senate Ethics & Elections committee. http://www.kslegislature.org/li/b2013_14/measures/hb2381/

JOHN REDMOND RESERVOIR DREDGING UPDATE

The Senate Ways & Means committee had several questions on this dredging project. The Kansas Water Office (KWO) director Tracy Streeter presented a detailed fact sheet on the need to increase water storage at John Redmond. During each of the last two years, the watershed above John Redmond has experienced drought related reduced inflows. In May of 2012, John Redmond's conservation pool was full while by December, reservoir capacity was down to 38%. Contractual obligations to meet the needs of Wolf Creek Nuclear Plant account for 90% of the water supply capacity while the remaining 10% is dedicated to the water assurance district. In September of 2012, KWO requested that Westar limit their pumping for Wolf Creek or the reservoir storage would have fallen from 38% to 15%. Westar has a contract for an annual quantity of 9,672 million gallons from John Redmond. If no water was available and Wolf Creek shut down, the annual replacement cost of power for Westar would be \$270 million.

There are no other affordable alternatives to supply water for Wolf Creek such as groundwater or piping water in from the Kansas or Missouri River. John Redmond needs to sustain 55,000 acre feet of water. With the drought of 2012, this storage fell to 47,000 acre feet. The U.S. Army Corps of Engineers – that owns and operates John Redmond – raised the pool level by 2 feet adding 17,000 acre feet of storage. This was a one-time action that will keep Redmond above the 55,000 level till 2023. The proposed dredging - that will add just 1,700 acre feet - will extend the 55,000 level till 2030. The Wolf Creek operating license is good till 2045 so new plans will have to be developed for the years 2030 to 2045.

'SPRING TO FALL ELECTIONS' LEGISLATION

House Bill 2227 passed out of House Elections committee on a vote of 7 to 6. This bill moves spring elections to the fall in odd-numbered years. It does keep the elections non-partisan. The school boards have opposed this change because board members elected in November would take office in January which is in the middle of the school year. It was not debated on the House floor before the deadline so it has been referred to the House Taxation committee to keep it alive.

Senate Bill 211 is still being debated in the Senate Ethics & Elections committee. Several amendments have been offered so a new draft is being circulated. This bill moves spring elections to the fall in even-numbered years. It makes most elections partisan while leaving local elections non-partisan.

LEGISLATION TO WATCH

House Bill 2548 – would establish the Water Program Management Fund. Moneys deposited into the fund would come from permit fees for confined animal feeding facilities. Moneys in the fund would be used for monitoring and investigating the quality of water of the state, payment of the state's share of U.S. Clean Water Act matching costs and emergencies. This bill also creates the Air Quality Fee Fund with fees from annual emission fees and approval fees to pay for the administration of the Kansas Air Quality Act. The plan here is for Kansas to do the regulating as opposed to the EPA.

House Bill 2636 – would require KDHE to establish separate performance standards for carbon dioxide emissions from coal-fired and natural gas electric generating units that have been constructed or received a prevention of significant deterioration permit by July 1, 2014. This bill is designed to get around the coming EPA rules and regulations of carbon dioxide coming from existing power plants.

Senate Bill 374 – is the energy efficiency investment act requested by KCP&L. The bill was heard in committee but no action taken. The plan is to keep the bill alive and find some common ground with the Kansas Corporation Commission and the natural gas companies.

WEEK OF MARCH 5 – 7

Senate Ethics and Elections on Wednesday March 5 at 9:30 a.m. in Room 159-S: Hearing on HB 2210 – elections, change of party affiliation. On Thursday March 6: Possible action on bills previously heard.

Senate Judiciary on Thursday March 6 at 10:30 a.m. in Room 346-S: Informational hearing on the legal aspects of the 'religious freedom act'.

Senate Ways & Means on Thursday March 6 at 10:30 a.m. in Room 548-S: SB 305 – School districts: transfer of funds from capital improvements to general state aid.

House Education on Wednesday & Thursday March 5,6 at 1:30 p.m. in Room 112-N: Discussion on: At-Risk Education and possible action on previously heard bills.