

# KLPG Capitol Highlights

## 2015 Legislature, Week Nine

### Inside this issue:

Block Grant School Funding.....	1
Election Change Opposed.....	2
Water Overuse Fines.....	2
Energy Standards.....	3
River Deal Reached.....	3

Friday morning call-in at 8AM during the legislative session.

Call (605) 475-3235 & enter 301599#. Legislative update calls last 30 minutes.

### 2015 KLPG Officers and Executive Committee

President - Adam Smith  
Wallace County

Vice-President - Randy Braddock  
Hamilton County

Treasurer - Larry Jones  
Finney County

Trustee - Fred Flax  
Ness County

Trustee - Jim Minnix  
Scott County

Trustee - Paul Steele  
Thomas County



KLPG is a bipartisan, voluntary, independent, non-profit corporation comprised of elected county commissioners in rural counties interested in preserving & strengthening constitutional government.

### Fast Tracked School Funding Bill Moves On

In the latest step for the fast-moving Senate Bill 7, which was introduced only a week ago, the Kansas House of Representatives needed 63 votes to endorse the legislation. After a 3 hour debate they failed to do so on the first call which prompted a procedural maneuver known as a 'call of the House' to delay closure of the voting for 2 hours at which time additional members had arrived and it passed by a 64-57 vote. The bill eliminates the state's current school finance formulas in favor of flexible block grants. The bill also includes an increase in pension funding, a reduction of aid in the current school year, and keeps funds for daily operations flat for the next 2 years. The legislation does not prevent future cuts by the Legislature or Governor. The Senate may now quickly vote to concur, sending the legislation straight to Governor Brownback who backed the bill in a mass email saying the block grant approach will provide a predictable and stable source of funding for schools. The measure which will expire in

June 2017 is a temporary system while a new, permanent formula is crafted. If a new finance formula isn't in place by then, the state won't revert back to the old one, but will instead be left with no modus operandi to disperse school district funds.

### Senators & Governor View Rural Opportunity Zone Program Differently

Speaking in St Louis MO, Governor Brownback stated unequivocally that he stands by the Rural Opportunity Zones program and emphasized the need to fight depopulation in 77 counties mostly in rural western and southeastern Kansas by providing incentives to encourage individuals to these areas: student loan forgiveness and income tax waivers. The Governor's official position is that the opportunity zones concept should be expanded to urban areas as well because as Kansas loses population, the state also loses influence and power, including representation in Congress. However at a Senate Commerce Committee hearing in late February, senators were less than convinced of the initiative's usefulness and the current rural program itself faces concerns from lawmakers about whether ROZ is attracting too many public sector workers and too few private sector workers.

*This is a summary of recent Kansas government and other statewide news, gathered and compiled independently by Pinegar, Smith & Associates from news media reports*



**Pinegar, Smith &  
Associates, Inc.**

513 SW Van Buren Street  
P. O. Box 555  
Topeka, Kansas 66601

PHONE:  
785-235-6245

EMAIL John Pinegar  
jpinegar@sbcglobal.net  
Doug Smith  
dsmitty@sbcglobal.net

*Capitol Highlights is a weekly  
legislative summary prepared by  
Pinegar, Smith & Associates,  
Inc.*

**City Of Topeka Opposes  
Spring Elections Bill**

Representatives of the City Topeka and the City of Salina asked House legislators to reject Senate Bill 171 and leave municipal elections as nonpartisan events that operate outside the fall election's onslaught of advertisements, direct mailers and political action committees. Under the bill all municipal elections currently called in March or April would retain their nonpartisan status on fall ballots in odd-numbered years, however all local, county, state and national ballots in November of even years would be partisan. Other issues addressed in the bill are that bond issue or tax increase elections for cities, counties and school districts must be held in conjunction with a primary or general election; all public school districts to make buildings available as polling places; individuals 16 to 18 years of age could serve as election workers, but no more than one-third of an election board could be composed of minors. Kansas County Clerks and Election Officials Association stating the change would not only increase the number of ballots required but also result in costly multi-page ballots to accommodate additional fall races.

**State Public Unions Opposed  
To Collective Bargaining Bill**

The Senate Commerce Committee held a hearing on Senate Bill 179 sponsored by Senator Jeff Melcher which would eliminate mediation and grievance processes allowing state agencies to impose terms on public employees in the case of an impasse after 14 days. Executive director of the Kansas Organization of State Employees testified the bill would silence discussions on improving work conditions and benefits and a spokesperson for the Kansas State Council of Firefighters said that unable to resolve disputes through arbitration, public employees would likely take their labor grievances to court at great cost to the state. Melcher admitted he had not discussed the plan with representatives of state agencies who negotiate with the unions before introducing it, but rather acted on it out of his personal belief that individualized negotiations deliver better results. The Kansas Chamber of Commerce, Americans for Prosperity and the Kansas Policy Institute all testified in favor of the bill. Chairwoman Julia Lynn closed the hearing stating the committee would wait to "judge the atmosphere" before the panel works on the bill further.

**Earthquake List Available**

There have been 28 earthquakes since March 1 in Kansas, as well as Oklahoma counties along the Kansas border. In 2014, Harper County experienced more than 100 earthquakes. Scientists believe the surge of quakes is tied to human activity from the oil and gas industry, particularly saltwater injection wells. The Hutchinson News plans to start running a list weekly showing earthquakes that occurred in the region over the previous week. Also, for a map showing all the earthquakes that have occurred in Harper and Sumner counties since 2003, through March 8, go to:

<http://hutchne.ws/z5sbb>

**Ethanol Plant Near Full  
Production**

A massive new-generation ethanol plant built by Abengoa with financing from the U.S. Department of Energy near Hugoton KS, is preparing to begin full-scale production of clean-burning fuel - not from corn, but from the bits and pieces of crops left in farmers' fields after harvest - corn stover, wheat straw, switch grass, any herbaceous material can be processed into ethanol. More than 15 million tons of the stuff is available within 50 miles of the plant every year and of that they only need roughly 320,000 tons, to operate the facility - providing all of the electricity needed, and all of the steam needed to produce 25 million gallons of ethanol every year. For now, ethanol demand is high, largely because of federal guidelines that require it to be blended into the nation's fuel supply. But a bill to repeal those guidelines is once again pending in the Senate.

**Agriculture Department to  
Determine Water Overuse  
Fines**

A spokeswoman for the Kansas Department of Agriculture said some proposed regulations to increase fines for over pumping groundwater may be ready for public input by the time the legislature recesses in April but the completed proposal won't appear until the legislative session ends in May. There is widespread agreement that such regulations are necessary to preserve the state's water supply and restore confidence in the enforcement system. The state's largest and most influential agriculture advocacy group, the Kansas Farm Bureau has stated their position is that any change in regulations regarding offenses, penalties and enforcement mechanisms should be clearly communicated to water users and that the penalties must be sufficient to keep violations from ever happening.

## **House Bill Would Increase Metal Theft Penalties**

The House Judiciary Committee is reviewing a bill passed by the Senate in February to make damaging a building or other structure to steal scrap a felony punishable by up to 19 months in jail for a first offense. Farm and law enforcement groups said scrap thieves often do thousands of dollars in damage when removing precious metals. Representative Jim Ward noted that the state could not afford more-crowded prisons and suggested that the bill be coupled with legislation to reduce other prisoners' sentences and Representative Craig McPherson added that provisions in the measure to track scrap items would increase bureaucracy.

## **Fire Crews Battling Blaze Startled By Fireworks Blasts**

Firefighters from the city of Goodland as well as the Sherman County Rural Fire Department were surprised by a barrage of fireworks as they battled a blaze at a Goodland storage unit that took several hours for them to contain. Residents at a nearby mobile home park were under voluntary evacuation orders and a temporary shelter was set up at a church. The Kansas Fire Marshal has been called in to investigate.

## **Aqueduct Proposal Not Gaining Support**

The Director of the Kansas Water Office told the Salina Noon Rotary that an aqueduct proposal reincarnated from a 1982 study by the U.S. Army Corps of Engineers is probably not the way forward towards alleviating water shortages in irrigation-intense western Kansas. That echoes what American Indian tribes in Kansas and neighboring states have said about diverting excess flows from the Missouri River into a manmade reservoir and pumping it roughly 1,700 feet uphill to

another reservoir near Utica to enhance the Ogallala Aquifer at the cost of \$18 billion to build and \$1 billion a year to operate. Meanwhile, water shortages in areas of western Kansas aren't going away, and the capacity for storing water in the state's reservoirs is diminishing as they fill with silt from erosion. State officials, irrigators and citizens in general are exploring ways to stretch the resource. Conservation is a big part of the governor's long-term vision for water in Kansas. A bill under consideration in the Legislature would allow for self-imposed voluntary, incentive and market-based water conservation and land management activities as preferred tools for ensuring a reliable statewide water supply.

## **Legislators Asked To Maintain Energy Standards**

The Senate Utilities Committee reviewed Senate Bill 253 that would sunset the Renewable Energy Standards Act adopted in 2009 by the end of this year. The act requires major electricity companies like Westar Energy to receive 10 percent of energy capacity from renewable sources. It also deletes the Renewable Portfolio Standard increases. A spokesperson for The Wind Coalition said passing the bill would remove an effective policy and deter global investors from considering Kansas and urged lawmakers to uphold the requirement for utility companies to generate or purchase renewable energy. However a representative from Americans for Prosperity said the current policy restricts flexibility in the market and that they believe there is sufficient wind energy production in Kansas for any business to meet their renewable goals without RPS mandates. The committee decided to extend the hearing until Wednesday to hear the remaining testimony.

## **New Republican River Deal Ensure Kansas Gets Water**

A new Republican River agreement will mean more irrigation water for some Nebraska farmers this summer, and make it easier to ensure Kansas gets the water it is entitled to. Disputes over the water in the river have continued for decades, but recently officials in Colorado, Nebraska and Kansas have been able to find ways to cooperate more. The acting director of the Nebraska Department of Natural Resources Jim Schneider said Monday the new agreement offers more flexibility. Nebraska will now have until next spring to deliver all the water Kansas is entitled to, so more water can be released for irrigation this year. The new agreement also clarifies when and how much Kansas irrigators will have to pay for repairs to the dam at the Harlan County Reservoir.

## **Tax Hearing for Ag Land Delayed**

Committee on Assessment and Taxation took a hearing on SB 178 off their calendar and there is no word on if it will be rescheduled. The bill targets 46 million acres of farm and ranch land across Kansas, amending the formula for how it is appraised. New estimates by the Kansas Department of Revenue show that, if passed, the bill would collect an additional \$173 million in property taxes for the state general fund, while counties, school districts and local communities would take in an additional \$717 million. It is expected to increase ag land values by an average 473%.

**Friday morning  
call-in at 8AM  
during the  
legislative session.**

**Call (605) 475-3235  
& enter 301599#.**

**Legislative update  
calls last 30  
minutes.**