

# KLPG Capitol Highlights

## 2015 Legislature, Week Eleven

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

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

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

### School Funding Bill Signed By Governor

Calling it a critical first step toward developing a new funding formula, the Governor signed the school block grant bill this week just 12 days after the legislation was introduced. There was no public signing ceremony. Senate Majority Leader Terry Bruce said the focus of legislators now will be to shape a new formula that emphasizes flexibility in K-12 budgeting while maintaining a high degree of success experienced by graduates. Funding was only \$3.98 billion during the 2014-15 school year, but for 2015-16 it will increase to \$4.09 billion and for 2016-17 it will increase to \$4.16 billion under this new law which sunsets after that date. However several school districts are projected to actually see a decrease in funds.

### Senate Works on Multiple Bills

The Senate is now considering House Bill 2183 that would enable a statewide officeholder, legislator or candidate for a state office to issue public solicitations for contributions on social media during the legislative session. These individuals would be permitted to post on Twitter messages expressly advocating election or defeat of candidates without including a note identifying who paid for the post. In addition, House and Senate members as well as the Governor and Lt. Governor would be permitted to use state-provided wireless broadband connectivity when advocating defeat or election of candidates involved in races for state and local office. Senator Olson successfully amended the bill to block city and county officials from regulating sign placement or the quantity of signs placed on private property or in unpaved right of way. Meanwhile, the Senate gave first-round approval to Senate Bill 270, which would revise the state tax credit for donations to private school scholarships. The program is limited to \$10 million annually, while scholarships would be capped at \$8,000 per student. Low-income elementary and secondary students could participate. The chamber also endorsed Senate Bill 63 to give any municipality to defer special tax assessments over more years to make residential developments more attractive.

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

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

## **Kansans Seek to Block New Funding Law**

Plaintiffs in the ongoing Gannon vs. Kansas case filed a motion on March 26 that asked a three-judge panel in Topeka to block implementation of the new school block grants recently signed into law to and to preserve the status quo until their motion may be heard. They allege that the law is unconstitutional in design and in its intended implementation. The panel is already scheduled to hold a hearing May 7 on another motion by the plaintiffs calling to reopen another part of the lawsuit pertaining to a possible inequitable distribution of state school funding. The plaintiffs ultimately want the court to declare the new law unconstitutional and permanently enjoin the state from enforcing it. The new law takes effect upon publication in the Kansas Register. As of Thursday morning, the bill had not yet been published online. Unless the court steps in to block the law, it would

immediately change the way money is allocated to school districts for the rest of this fiscal year and each of the next two years.

## **Bill Lists Impeachment Grounds for Justices**

The bill introduced by the Senator Mitch Holmes spells out grounds for impeaching state Supreme Court justices that include attempting to usurp the executive branch's power, judicial ethics breaches and failing to adequately supervise subordinates. The state constitution allows for impeachment of justices by the House, then trial by the Senate and removal if convicted of treason, bribery or other high crimes and misdemeanors. Lawmakers believe the constitutional language offers them no guidelines and thus they are not ever likely to exercise their power to impeach and try justices.

## **EPA Emissions Plan Advances in House**

The House advanced a measure on a voice vote to set up a greenhouse gas reduction plan that would direct the Kansas Department of Health and Environment to develop an emissions policy which the Legislature's energy committees would be required to approve. The Environmental Protection Agency has directed states to develop stricter emissions standards by June 2016. States without a suitable plan will have federal regulations imposed upon them. The EPA estimates

Kansas would have to cut emissions 23% by 2030.

## **Farmers Lobby Lawmakers**

Kansas Family Farms Day participants gathered at the Capitol to urge lawmakers to oppose bills they believe could harm rural communities. Concerned was expressed about Senate Bill 178, which would tax agricultural land; Senate Bill 264, which would remove sales tax exemption on agriculture equipment; Senate Bill 294, which would revise the school funding based on a district's successful number of graduates, defining success as any graduate who earned an income of at least 250% over poverty level, or \$30,000. Although decisions likely will not be made until next session, the purpose of Kansas Family Farms Day was to warn the agriculture, natural resources and taxation committees of the potentially harmful impact of these legislations.

## **House Moves Ahead with Funding for KPERs**

Representatives voted 67-57 to send House Bill 2095 to the Senate. Introduced by the House Pensions and Benefits Committee, the legislation would authorize Kansas to issue \$1.5 billion in bonds to provide investment capital for the Kansas Public Employees Retirement System. Proceeds from the 30-year bond deal would be applied to the account's \$7 billion unfunded liability. Chairman of the House Pensions and Benefits committee noted issuance of bonds this year would take advantage of current low interest rates while Chairman of the House Budget committee affirmed

the bond strategy as a useful tool for legislators as they work towards stabilizing the state budget deficit. If successful, the bond transaction would allow the state to divert \$39 million annually to other budget priorities.

### ***Senate Approves Several Bills This Week***

The Senate gave first-round approval to House Bill 2104 restricting withdrawals from general election ballots to candidates who die, suffer a medical hardship in the immediate family, or move to another state. They also approved Senate Bill 224 granting authority to the Emergency Medical Services Board to impose fines, issue subpoenas and investigate alleged violations by EMS personnel. Senate Bill 239 which would cancel the 2016 presidential preference primary because of its estimated \$1.8 million cost was tentatively approved with an amendment deleting from state law provision for the presidential primary submitted by Senator David Hemsley. Senators also adopted an amendment to House Bill 2336 to give the Kansas Department of Corrections authority to decide whether to place offenders ages 16 to 18 in a juvenile or an adult facility. In all the Senate scheduled floor debate on more than 20 bills as lawmakers worked through final weeks of the annual session.



### ***Senate Sends Unfunded Budget Bill to House***

With a vote of 26-13 the Kansas Senate passed a preliminary budget bill that that funds most state government agencies for the next two years, even though it cannot be funded without significant tax increases that neither the House nor Senate have started to address. The bill includes a \$9.4 million funding cut over two years for Kansas University. It also includes a significant reallocation of student financial aid money between public and private institution students. The bill is still a long way away from becoming law however as it now heads to the House where they will have a choice to continue trying to pass their own bill or go straight to conference committee on this Senate bill.

### ***Unlicensed Conceal Carry Bill Approved***

Senate Bill 45 was approved authorizing people over 21 years of age to carry concealed any type of firearm without obtaining weapons training or securing a state license. The House adopted the bill 85-39 and the Senate voted 31-8 to concur with the House. The

legislation would retain the permit system in Kansas to preserve the opportunity of state residents to gain conceal-carry reciprocity privileges in other states but it would not extend the privilege of carrying a concealed firearm to people prohibited from possessing a firearm under federal or state law. The National Association of Gun Rights organization made telephone calls and reached out by email, direct mail and social media to urge 80,000 Kansans to lobby legislators on behalf of the bill.

### ***Federal Grant Will Fund Training For Welfare Recipients***

Gov. Brownback announced at a Department for Children and Families event that Kansas plans to use a three year, \$13.5 million grant from the US Department of Agriculture to a expand a jobs training program that will reach food assistance (SNAP) recipients in 35 counties. A Food and Nutrition Service Administrator from the USDA remarked that the aim of the grant wasn't training for training's sake, but to help recipients find jobs – the program will include helping recipients acquire job skills as well as working with partner organizations to place them into paid positions.

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