REDISTRICTING WITH A SMIRK

Congressional redistricting gerrymandering in Kansas is not too complicated. MIGHT MAKES RIGHT. Kansas legislative leaders have recruited an obedient, compliant supermajority team in each chamber. Team members that express independence or a conscience risk their committee assignments and their legislation.

The joint House and Senate Redistricting committee rushed through public hearings last year before census numbers were ready and any maps proposed. The hearings were convenient displays of window dressing. The two committees adopted legislative guidelines early this session which instructed that districts be as compact as possible; and that ‘communities of interest’ should be protected, and that districts be identifiable and understandable to the voters.

In reality, the gerrymandered congressional districts had been drawn a couple years ago behind closed doors but touted by the former Kansas Senate President.

There was no testimony by the 500 participants at the public hearings to split Wyandotte County in half and move the African-American northern part out of the 3rd and into the 2nd. There certainly was no public testimony to carve Lawrence out of the 2nd district and move it into the sprawling Big 1st that stretches to the Colorado border. No secret that primarily Democratic constituents in Douglas and Wyandotte counties were summarily buried in dark red districts.

‘Communities of interest’ has a specific meaning for the legislative leaders. These four Congressional districts have to have the right portion of our voters to assure the right electoral outcome. In a rushed fashion before adequate public comment could be provided, the Kansas Senate and Kansas House have approved the most egregious gerrymandered map – Ad Astra 2 - and placed it on the Governor’s desk. While the Governor has not made any definitive comments on this map, she has concerns over keeping communities of interest together. If vetoed by the Governor, will the Republican supermajorities hold together?

View the maps here: http://www.kslegresearch.org/KLRD-web/Publications/Redistricting/2022-Plans/M3_AdAstra_2-packet.pdf

While Kansas is just finishing our Congressional map redistricting, a vast majority of states have had their maps finished for some time. Princeton University has a nationwide ‘Gerrymandering Project’ that rates the maps that have been drawn, and compares states that have their maps drawn by legislators in comparison to the 13 states that have independent redistricting commissions. There is no one standard for these independent commissions so some are just as partisan as the legislative drawn maps.

https://gerrymander.princeton.edu/

For the most direct information on the partisan rankings of Congressional districts nationwide, the website to visit is the ‘538 redistricting’. 
GROCERY VERSUS FOOD SALES TAX SAGA

The battle over the sales tax on just groceries versus all food sales started in the House Taxation on January 25. The House Taxation committee bill – HB 2484 – would exempt food and food ingredients, including products sold at restaurants, from the 6.5% state sales tax beginning Jan.1, 2023. The Governor’s bill – HB 2487 eliminates the state sales tax on groceries and also completely eliminates both the state and local sales of farm products at farmers’ market (plus direct farmer to consumer sales).

The fiscal notes are important in terms of affording these revenue losses over time. HB 2484 costs $320 million in 2023 (since it starts mid-fiscal year) but increases to $782 million in 2024 and $797 million in 2025. HB 2487 has a fiscal note of $443 million in 2023, $492 million in 2024 and $501 million in 2025.

Kansas Rural Center’s Executive Director Tom Buller submitted written testimony supporting HB 2487 especially the part on exempting all food sales tax at farmers’ markets and direct farmer food sales to consumers. There was testimony by the KC Chamber of Commerce to phase in the reduction to assure a stable and sufficient State General Fund going forward to respond to uncertain future economic downturns.

While these hearings have now been held in the House, the Senate Assessment and Taxation committee will take up the Senate counterparts – SB 339 (food sales tax) and SB 342 (grocery sales tax) – on Tuesday, February 1 at 9:30 am in Room 548-S. Hopefully there could be a clean state sales tax bill on groceries and/or food for legislators to debate in floor action but it seems unlikely.

FOOD INSECURITY IN THE HEARTLAND's BREADBASKET

On January 19, the House Seniors and Children Committee featured an informational hearing on food insecurity in Kansas. The Kansas Food and Farm Coalition provided information on the importance of the SNAP Program and food banks as well as how to strengthen the food system across the state. The hearing can be viewed here: https://www.youtube.com/watch?v=DXhSc1ApyRM&t=2601s

Food insecurity is defined as not having reliable access to enough food, often caused by inadequate household income and financial instability. In 2013, one in five Kansas households were food insecure with one-half of all households of single women and children food insecure. There is ‘low food insecurity’ and ‘very low food insecurity’. From 2017 to 2019, the low food insecurity rate in Kansas was 12.5% and the very low food insecurity was 5.5% so in total Kansas is still at that one in five households out of 1,139,000 households still food insecure.

Food assistance programs come in many programs totaling $800 million annually. The largest by far is the federal Supplemental Nutrition Assistance Program (SNAP formerly known as food stamps) at 70%, school meals at 17% and the private sector at 8%.
Since 2013, SNAP has declined dramatically in Kansas from 316,424 persons monthly to 198,919 in 2022. The number of children served has fallen from 141,761 in 2013 to 88,193 today. According to the 2018 USDA’s REACHING THOSE IN NEED report, Kansas ranked 48th of the 50 states in SNAP participation serving just 68% of those eligible.

See link below.

Kansas has initiated policies over the last few years limiting SNAP access for felons, able-bodied childless adults, and women who must comply with child support enforcement rules to receive SNAP.

The Kansas Food and Farm Coalition is advocating for changing these onerous regulations to counter food insecurity in Kansas. There needs to be discussions in budget hearings over the staffing levels at the Kansas Department of Children and Families who administer SNAP. Is there adequate staffing? What more can be done with promotion? Do the SNAP application forms need to be more user friendly? The Harvesters Community Food Network sends out postcards educating the public on income guidelines and providing a phone number for more information.

The good news is that USDA recently updated the system for determining the benefit guidelines by 25% and there has been significant extra SNAP assistance in the federal pandemic legislation. The average monthly SNAP benefit went from $121.20 in 2020 to $196.39 in 2021 to $299.56 in 2022 although this latest boost will end the middle of 2022.

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**WATER PROGRAMS UPDATE PRESENTED**

The Kansas Water Authority (KWA) working with the key state agencies – Kansas Water Office, Kansas Department of Agriculture and Kansas Department of Health & Environment – decides on water program policies along with funding proposals. The KWA presents an Annual Report to the Governor and the Legislature. On January 26, the Director of the Kansas Water Office, Connie Owens, and the Chairperson of the Kansas Water Authority, Dawn Buehler, presented the 2022 Report to the Kansas House Water Committee.

This is the key document on recommendations for programs and funding in the State Water Plan Fund (SWPF). Expenditures from the SWPF increases from $16 million in 2021 to $21.8 million in 2022 and $20.4 million in 2023.

Since 2008, Governors have recommended full state funding ($8 million) for the SWFP since 2008. If these full transfers had been made since 2008, there would have been $84.6 million more spent on water programs. But that full funding did not happen.

This 2022 Report lists and explains the numerous programs operated by the three key state agencies. In addition, the Governor is proposing to pay-off the $10.8 million balance of the $20 million in bonds issued to dredge John Redmond reservoir. In terms of public water storage at federal reservoirs, Perry Lake and Milford Lake have contracted water storage with the United States Army Corps of Engineers but no existing customers to fund this storage. For a one-time payment of $52 million, Kansas would take control of this public water storage for future needs from Perry and Milford. The leadership of the Kansas House Water committee has requested that the budget committees in the House and Senate prioritize this expenditure of the one-time funds now found in the State General Fund. You can view the 2022 KWA Report here:
[https://kwo.ks.gov/about-the-kwo/kansas-water-authority](https://kwo.ks.gov/about-the-kwo/kansas-water-authority)

Every five years the Kansas water Office is tasked with updating the Kansas Water Plan (KWA). 2014 was the last update. Former Governor Brownback developed a 50-year water visioning process that has been incorporated into this new 2022 plan that is still in draft form but should be ready for review by the KWA in late March.

The 14 Regional Advisory Committees provided specific comments and action plans for this draft. This updated KWP will serve as the state’s primary tool to address current water resource issues and to plan for future needs. The guiding principles include: conserve & extend the High Plains Aquifer, secure, protect and restore Kansas Reservoirs, improve the State’s water quality, reduce vulnerability to extreme events and increase awareness of Kansas water resources.
You can view the draft 2021 Kansas Water Plan here: https://www.kwo.ks.gov/docs/default-source/water-vision-water-plan/water-plan/combined_files_9-10-21_new.pdf?sfvrsn=745d8014_2

WATER TRANSFER ACT FOR HAYS and RUSSELL

The cities of Hays and Russell have been battling since the 1960’s to secure a water supply. Hays is the only major city in Kansas without a stable, reliable water supply. In 1995, Hays purchased the 7,000-acre R9 ranch in Edwards County. Since that time, the challenges have been to meet the criterion of the 1993 Water Transfer Act and qualify for the 1994 public water supply loan fund. Presently projects related to the diversion or transportation of water acquired through a water transfer is not eligible for the low public water supply loan fund rate of 1.3%. **HB 2480** deletes that restriction. A hearing was held in the House Water Committee on Jan. 25.

Up to 1993, there was only one water transfer project in Kansas and it involved Johnson County moving water in a 35-mile pipeline from the Missouri River. Since 1993, there have been no new water transfers. The 1993 law set the threshold at 2,000-acre feet of water moved over 35 miles. This Hays (82%)/Russell (18%) project will run 67 miles in a 20–24-inch pipe. This pipeline would be underground (except for some stream crossings) and primarily on public rights-of-way. The exact pipeline route is still under study. The cost today is $90 million but with inflation may be closer to $110 million when completed.

The R9 ranch was bought on the open market by Hays in 1995 and had 6,756-acre feet of water rights. When water use is changed from agriculture to municipal use there is a reduction in the quantity of water allowed. That process started in June of 2015 with the Kansas Department of Agriculture (KDA) Water Resources Chief Engineer David Barfield who reduced the water use to a sustainable annual level of 4,800-acre feet.

Hays and Russell will not need all that water initially but will have the guaranteed water supply for area expansion. This KDA ruling was subsequently challenged and brought to judicial review. This challenge was heard in January of 2021, but the final decision has yet to come down.

If the decision is favorable to Hays/Russell, the next step is to go before the Water Transfer Board comprised of the Kansas Water Office Director, KDA’s Chief Engineer and the Secretary of the Kansas Department of Health & Environment (KDH&E). There are 26 criteria to consider but the overriding consideration is whether this water transfer is beneficial to the entire state - not just one specific area. There are expanded federal funds in the recently passed infrastructure bill that could be passed through KDH&E’s public water supply loan fund. Federal funds cannot be used to buy water rights but rather for project construction costs. There is a similar bill in the Senate – **SB 358**. Both HB 2480 and SB 358 seem to be on the fast track.

HEARINGS Week of January 31

*Note: Calendars are set by committee chair discretion so are subject to change. Check the daily calendar at [http://kslegislature.org/li/b2021_22/chamber/calendars/](http://kslegislature.org/li/b2021_22/chamber/calendars/). Hearings are also available remotely. See [http://www.kslegislature.org/li/](http://www.kslegislature.org/li/) Go to Audio/Video broadcast box on right side of page.*

**HOUSE**

*Energy, Utilities, & Transportation 9 a.m. Room 582-N*
*Tuesday Feb. 1, Presentation on Wolf Creek Nuclear Generating Station & Presentation on Nuclear Energy State of Advanced Reactors*
*Thursday February 3 Presentation on Southwest Power Pool Overview*

House Children and Seniors Committee 1:30 p.m. Room 152-S
**HB 2525** Removing non-cooperation with child support from food and child food assistance programs...

House Commerce, Labor and Economic Development 1:30 p.m. Room 346-S
HB 2497 Tuesday Feb. 1. Economic Expansion Act....
Also continued hearing on Wed. Feb. 2 and Thurs. Feb. 3 with action on Feb. 3

House Agriculture 3:30 p.m. Room 112-N
Wednesday Feb. 2 Presentation on KSU College of Agriculture, Dean Ernest Minton
Thursday Feb. 3 Information briefing: State of Kansas Food System by Kansas Food and Farm Coalition

House Taxation 3:30 p.m. Room 346-S
**SB 318** Tuesday Feb. 1 Providing sales tax exemption for purchases to repair or replace fencing due to wildfires

**SENATE**
Senate Agriculture & Natural Resources 8:30 a.m. Room 144-S
Weds. Feb. 2 Presentation KSU College of Agriculture by Dr. Ernest Minton

Senate Assessment & Taxation 9:30 a.m. Room 548-S
**SB 339** Tuesday Feb. 1 Eliminating State Food Sales tax ...
**SB 342** Tuesday Feb. 1 Eliminating food sales tax including farmers markets...

Senate Utilities 1:30 p.m. Room 548-S
Tuesday Feb. 1 Informational Briefing Operations of Wolf Creek Nuclear Generating and presentation on Nuclear Energy State of Advanced Reactors
Thurs. Feb. 3 Informational hearing on Electric Power Services, Southwest Power Pool

Senate Federal & State Affairs 10:30 a.m. Room 144-S
**SB 369** Establishing Kansas affordable housing tax credit act ... for qualifying low income housing projects

Contributors to KRC are automatically on the Policy Watch e-list, if they provide an e-mail address. KRC provides Updates to the sponsoring organizations including League of Women Voters of Kansas, Kansas Natural Resource Council, Kansas Farmers Union, Climate and Energy Project, Audubon of Kansas, and Friends of the Kaw, who make the Updates available to their memberships.

If you are receiving KRC Policy Watch through one of these organizations and have questions, contact the organization directly.

If you wish to be removed from the KRC list, contact i [nfo@kansasruralcenter.org](mailto:nfo@kansasruralcenter.org)

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