Editor’s Note:  
This is the final wrap-up issue for the 2022 Kansas Legislative Session. However, an additional issue will be published early fall as a pre-election policy issue. Thank you for your support this year! We hope you remain engaged with the Kansas Rural Center and all the issues over the summer. Look for KRC’s monthly Rural Round-Up’s for information and news!  
Mary Fund

FINAL PUBLIC POLICY UPDATES

by Paul Johnson

The Kansas Legislature’s primary constitutional responsibility is to pass an annual, balanced State Budget. With a 90-day session timeline - where most Mondays and Fridays have light workloads - there is only so much policy bandwidth available. The State Budget takes up a great share of committee time to assemble. Education (both K-12 and Higher) comprises 63% of the State General Fund while social services and corrections comprise 32%.

Legislative leaders decide on the public policy debates, so culture war election issues are taking more center stage. The fundamentals for the Kansas economy such as housing, energy, water, agriculture and even health and medical issues coverage are given short shrift. Some progress on housing issues was made this session. Water programs saw more funding, but no state energy plan discussion took place. No time was given to the state of the family farm or its future. Medicaid expansion discussion was strictly forbidden. Public education was fully funded but with more momentum to move public tax dollars to private schools.

Read more below.

Housing Progress

Following on the lead of the Governor’s first Statewide Housing Needs Assessment in 30 years, legislation was passed for tax credits and direct allocations to the Kansas Housing Resources Corporation (KHRC). The Governor’s budget had $20 million for KHRC’s Moderate Income Housing (where the normal annual amount was $2 million). HB 2237 had a number of housing incentives from state low-income housing tax credits (to match the federal tax credits) to historic structures to even child care subsidies. It will be important to keep this momentum going the next few years.

Kansas has enacted four 10-year highway plans spending over a billion dollars a year on roads. Kansas could use such an approach for housing.
Kansas needs an ‘affordable housing commission’ appointed by the Governor and Legislature to develop an annual policy and funding report. Kansas has a State Housing Trust Fund at KHRC but no dedicated funding source. Kansas has not issued a federally subsidized First Time Home Buyer Loan in 15 years as other states continue. Kansas needs a reserve in the State Housing Trust Fund to jump start these essential first-time loans. Reversing rural population loss and developing affordable urban workforce housing requires a state housing plan.

Water Funding Increases; No Policy Changes

The Governor’s budget finally restored - since 2008 - full state funding of $8 million to the State Water Plan Fund. The House Water committee debated significant legislation to reorganize state water programs and reporting requirements by the Groundwater Management Districts. Unfortunately, special water interests in Kansas derailed and gutted this legislation in committee.

The question remains whether this water debate will continue next session? The Kansas Senate stepped forward with $80 million in funding to buy public water storage rights in three reservoirs in Kansas.

The Kansas Water Authority is set this summer to approve a 2022 Kansas Water Plan that updates the 2014 version. With this Plan, there will be policy proposals along with updated data on water quantity and water quality. Federal Farm Bill conservation programs (such as the Conservation Reserve Program, Conservation Stewardship Program and the Environmental Quality Incentive Program) must be fully integrated into a substantive Kansas Water Plan. As these federal conservation programs prioritize soil health and climate mitigation practices, this will complement the Kansas plan to lessen soil erosion, decrease water use and improve water quality. There will be a new federal Farm Bill in 2023 that should be reformed to pay more farmers for soil health improvements. A state soil health bill was introduced last session but no hearings were held this year.

Energy Debate Stalled

While legislation to restrict renewable energy was fought off this session, any meaningful energy debate has stalled in the Kansas Legislature. Two years ago, legislators forced ratepayers to fund an electrical energy report (by London Economics) at a cost of $300,000. The first recommendation of this study was for Kansas to develop a State Energy Plan.

Legislation in 2021 proposed a task force to develop such a plan but the legislation died in the same year, and was not re-introduced in 2022. Kansas is one of 8 states without a state energy plan. This is at a time when EVERGY, Kansas’ largest electrical utility, is now primarily owned by outside investor speculators more interested in their short-term rate of return versus a responsible generational energy plan for captive Kansas ratepayers.

The Kansas Corporation Commission (KCC) is flying blind without a comprehensive state energy plan detailing less expensive energy conservation opportunities in comparison to more costly energy production investments. EVERGY is just now before the KCC proposing to offer a number of energy conservation programs to residential and small commercial customers as they have done in Missouri for several years.

All the while Kansas ratepayers are being forced to pay off the incredulous natural gas costs from Kansas needs an ‘affordable housing commission’ appointed by the Governor and Legislature to develop an annual policy and funding report. Kansas has a State Housing Trust Fund at KHRC but no dedicated funding source. Kansas has not issued a federally subsidized First Time Home Buyer Loan in 15 years as other states continue. Kansas needs a reserve in the State Housing Trust Fund to jump start these essential first-time loans. Reversing rural population loss and developing affordable urban workforce housing requires a state housing plan.

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the infamous February freeze of 2021. The Federal Energy Resources Commission has had no luck or interest in deciphering these skyrocketing gas prices and any windfall profits made from such market manipulation. The Kansas Attorney General has special consumer protection laws - beyond the KCC - to investigate such price gouging. His concern and outrage has gone silent.

Agriculture & Food Debate Limited

The Kansas Legislature passed legislation on dairy fees and allowing raw milk dairies greater opportunities for promotion, (but the state’s 45 raw milk dairies still cannot sell their milk off farm, only direct to consumers who come to the farm.) Legislation was also passed requiring clear labeling of meat and non-meat products. Food sales tax took up the bulk of any food related debate or energy, with the incremental food sales tax reduction adopted.

Going forward, Kansans deserve a more in-depth debate of our food system in light of the pandemic chaos and climate challenges. In the early 2000’s, Kansas established a 2020 goal for renewable energy production of 20%. Kansas surpassed that goal early and in 2020 Kansas was the first state in the country to have a majority of electrical production from renewables (primarily wind). Kansas lawmakers should consider such a goal for consumption of local foods.

Kansans spend around $800 million annually for fruits and vegetables, but 95% of that is imported. The pandemic elevated the concerns surrounding availability of local food and supply chain disruptions. Kansas used federal pandemic funding to increase the number of local meat plants. KSU and the Kansas Department of Agriculture need local food system economists to develop a state plan. There need to be more local foods extension agents statewide along with organic and sustainable cropping/field trials on farms as well as at KSU research stations. As the salad and fruit bowl of Central California faces a mega-drought and abandonment of thousands of acres, Kansas needs a plan for more self-reliance in local food production which will also benefit the State economically by capturing those food dollars.

In terms of hunger in the heartland, somewhere between 1 in 5 or 1 in 6 of all Kansas households are food insecure. Especially now that food inflation has accelerated. The most important food assistance program in Kansas is the Supplemental Nutrition Assistance Program (SNAP – food stamps). It accounts for 65% of all food assistance programs with school meals, the private sector and WIC far behind.

In 2018, USDA research documented that Kansas ranked 48th of the 50 states in terms of eligible SNAP recipients actually getting the benefits. The national average of participation was 82% while Kansas came in at 68%. Next session there should be a discussion on why this is the case and improvements that can be made – be it staffing or simplifying the application process.

(Legislation note: The Second Summary of Legislation by the Kansas Legislative Research Department came out on May 6. The education bills that passed (including appropriations) are on pages 5-8. The new election and ethics laws are on pages 31-37. The Governor signed the first bill (HB 2138) and had her veto overridden on the second (HB 2252). The meat analog bill (SB 261) is on pages 1 & 2. http://www.kslegresearch.org/KLRD-web/Publications/SummaryofLegislation/PreliminarySummaries/2022-preliminary-summary-supp-II.pdf

FOOD INSECURITY HIGHLIGHTED IN NEW REPORT

Adding to the above story, a report released June 2, Food Assistance and Hunger in the Heartland 2021, highlights hunger and food insecurity in Kansas, Missouri, the Ozarks region, and St. Louis, MO for 2020/21. The study was done by the University of Missouri’s Interdisciplinary Center for Food Security. Harvesters, a network of food pantries and assistance that serves 26 counties in NE Kansas and NW Missouri, says the report indicates about 54% of food-insecure neighbors served by its networks get more than half of their monthly food from a food pantry. Read more here.

For the full report go to:
REDISTRICTING STANDARD SURRENDER

Once the United States Supreme Court surrendered its constitutional responsibility to set national non-partisan redistricting standards, the responsibility was dropped to the State Supreme Courts. Some State Supreme Courts have taken up this task. The Kansas Supreme Court surrendered.

With a partisan super-majority legislative hammer of changing the selection of Supreme Court justices and squeezing future judicial branch budgets, the Kansas Supreme Court may well have felt cornered. It seemed destined that former Governor Sam Brownback’s general counsel and appointee to the Kansas Supreme Court – Justice Caleb Stegall - would hoist the white flag of surrender without offering any accompanying judicial wisdom to explain the decision for now. Mystery redistricting maps drawn in the dark and rushed through with no regard for contrary public comments is a fine constitutional standard for Kansas.

This partisan political takeover maneuver was publicly announced by the former Kansas Senate President Susan Wagle and planned out in detail. With the advantage of dark, unlimited campaign contributions and nefarious half-truth postcard bombardments, any Republican moderate standing in the way was duly defeated. So-called public redistricting hearings were crammed into one-week last summer with no regard for work schedules of most citizens. The hearings were apparently a ‘have to requirement’ to get out of the way.

These hearings were called even before final census data was available. Legislative redistricting guidelines were copied from the guidelines in 2011, which stated that districts should be compact, communities of interest considered, and public understanding deemed essential.

Guidelines are just that. They are not ‘rules’ that must be followed. Mystery maps just appeared at the last minute to be passed. Johnson County had to be kept whole to make it more politically controllable, while Wyandotte County could be carved up to jettison certain minority voters to the 2nd District (from the 3rd). The City of Lawrence was conveniently cut out of Douglas County (now in the 2nd District) and dropped into the Big 1st district of Western Kansas.

The state legislative district maps were no better with a brand-new State Senate district created out of whole cloth in Shawnee County (Topeka). The State Board of Education Districts were gerrymandered in several counties to guarantee future partisan control.

Kansas is stuck with this gerrymandering for a decade. Politics is power and the powerful write the rules. One-party rule can seem inevitable. Kansans now have this decade to consider and establish a different approach.

Several states have established non-partisan redistricting committees by statute or more commonly by constitutional amendment or referendum. Iowa has had their own system - for a few decades - of legislative research staff drawn maps (without regard to voter registration) that the Iowa Legislature must approve without the authority to amend.

Why should lawmakers be in a position to select their own voters? Non-partisan Congressional and state legislative district maps were drawn and presented by the League of Women Voters of Kansas. This should be that teachable moment where these maps are compared to the adopted maps and the distinctions are clearly explained.

The final enacted redistricting maps can be found at the Kansas Legislative Research Department website at: http://www.kslegresearch.org/KLRD-web/Redistricting-2022-Plans.html

The League of Women Voters of Kansas proposed maps can be found at these links: LWVK Congressional proposed map: http://www.kslegresearch.org/KLRD-web/Publications/Redistricting/2022-Plans/m5_bluestemcongress-packet.pdf

LWVK State Senate proposed map: http://www.kslegresearch.org/KLRD-web/Publications/Redistricting/2022-Plans/Senate/BluestemSenate.pdf
LEGISLATIVE RULES NEED TRANSPARENCY

When the Kansas Legislature convenes for the 2023 session next January, a first order of business will be to adopt legislative rules for the House, the Senate and a set of joint rules. This would be the perfect time to adopt new rules that would increase transparency and improve state government overall.

There will be a new Speaker of the Kansas House who could establish such honest and open government priorities. A dozen seasoned Representatives have already retired and a few more new lawmakers will be elected in the August primaries or the fall general election. A number of representatives will run unopposed.

This is the time to engage these lawmakers in their home districts to support these recommended new rules. This past two-year session has been a debacle in terms of committee manipulation of public hearings and games played with contorting bills at the last minute. Attached is a must-read analysis by Kansas Reflector editor Sherman Smith – “How the Kansas Legislature avoids public scrutiny by hiding in the darkness”. https://kansasreflector.com/2022/05/08/analysis-how-the-kansas-legislature-avoids-public-scrutiny-by-hiding-in-darkness/

The Kansas Coalition of Open Government (sponsored by the Kansas Press Association, Kansas Association of Broadcasters and the Kansas Professional Chapter of the Society of Professional Journalists) has outlined seven proposals. These do not deal with policy issues but rather procedural steps to allow Kansas residents to see what their government is doing:

- Restrictions on the number of bills that can be bundled.
- A requirement that all bills must have had a public hearing in order to be considered by the committee of the whole.
- Limiting “gut and go” to same-subject bills that have had a public hearing.
- Requiring the public be notified of a bill’s hearing 48 hours in advance of the hearing.
- Requiring all hearing testimony be posted online before a bill is considered by the committee of the whole, or within 48 hours of the end of a hearing.
- Requiring that each legislator have access to bill language before voting on a bill.
- Providing equal time to each person testifying before a committee, not equal time per side.

These proposals focus on fair public hearings and making it easier to track legislation and understand the proposed legislation. The real challenge may well come in the Kansas Senate where the same cast of characters will be in office till the 2024 elections. Other fundamental changes should also be considered. Hundreds of bills are proposed each legislative cycle, but just a select few are given a committee hearing let alone a debate on the floor. Legislative leaders select all committee chairs and committee members with the power to remove a chair or committee member for any reason. Legislative leaders determine the issues that will or will not be discussed. Public polling or sentiment matters little. Of the 125 House members, a good third may well be new so this is the time to establish a more open and honest set of legislative rules.

FROM THE FIELD

USDA FRAMEWORK TO TRANSFORM THE FOOD SYSTEM ANNOUNCED

On June 1, United States Department of Agriculture (USDA) Secretary of Agriculture Tom Vilsack
announced the USDA Framework to Transform the Food System. In response, the National Sustainable Agriculture Coalition (NSAC) issued the following comment, attributable to Eric Deeble, NSAC Policy Director:

“The National Sustainable Agriculture Coalition (NSAC) applauds Secretary Vilsack’s announcement of a framework to transform the food system to support consumers, producers, and rural communities by providing more options, increasing access, and creating and improving markets for diverse producers. Today’s announcement is another meaningful step toward creating a more fair, equitable, and sustainable farm and food system. When taken together with USDAs recent actions to fight concentration and consolidation and support climate focused conservation programs, these new investments will help farmers grow healthy, affordable foods for families in their own communities.”

“NASC commends USDA for committing $2.095 billion in new funding to strengthen critical parts of the food system, to promote greater competition and fairness, build resiliency, and generate greater economic opportunity for small and medium scale producers. For far too long we have seen how inadequate competition stifles growth and innovation throughout the agricultural supply chain and makes the food system susceptible to significant shocks such as pandemics and war.”

“NSAC believes these increased investments are critical to addressing longstanding structural challenges related to production systems, anti-competition and anti-consolidation, farmer incomes, rising food prices, and addressing equity and food access. We are particularly pleased to see:

$200 million for the Food Safety Certification for Specialty Crops Program to expand pathways to existing markets;

-An addition of $50 million for the Senior Farmers Market Nutrition Program; $40 million in the GusNIP Produce Prescriptions Program; and $60 million to leverage increased commodity purchases through Farm-to-School, to help consumers and institutions purchase more healthy foods from farmers in their own communities; and

-$300 million for Organic Transition and $75 million to support urban agriculture to help farmers seeking to engage in more sustainable practices.”

The Kansas Rural Center is a member of the National Sustainable Agriculture Coalition.

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**Kansas Legislature Website**
**For Legislative Committee and Hearing Information, and how to contact your legislator, and view floor and committee remotely, go to:**


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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 info@kansasruralcenter.org

For questions about Policy Watch content, contact Paul Johnson at pdjohnson@centurylink.net or Mary Fund at ksrc@rainbowtel.net

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Kansas Rural Center | 9350 E Corporate Hills Drive, #781057, Wichita, KS 67278

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