LEGISLATIVE ISSUES & NOTES
by Paul Johnson

Legislation: There have now been 286 House bills and 161 Senate bills filed. It is the call of the chairperson to schedule a bill hearing with the tacit approval of legislative leadership. After a slow start, more committee hearings are increasing. It is time for the ‘culture’ issues to take center stage. In terms of public education, private school tax credits are proposed for expansion, publicly-funded vouchers for students at private or home schools, and establishing parent’s bill of rights to direct education. In regards to elections, limiting drop boxes, a 7pm election night deadline for all ballots, expanding certain election crimes and creating new ones. Opponents to renewable energy have legislation to block upgrades of transmission lines and a resolution to further our dependence on fossil fuels. There is a bill – HB 2156 – that allows the KCC the authority to establish rates that benefit low-income residential customers. There are bills on solar power purchase agreements and allowing more customers to install renewable energy systems.

House rules: Transparency loses again. Amendments to House rules would have required committee members record their vote on final passage of a bill out of committee. An amendment to limit at midnight - House deliberations on legislation was defeated. The ‘pay go’ rule is now back in full force so that any additional funding amendment offered on the House floor to a budget bill must include funding taken from another line item. Last year, the House did not enforce this rule if the State General Fund (SGF) ending balance was over 7.5%. ‘Pay go’ is not enforced for any tax cut. End of the year tax cut conference committee bills can include any number of tax bills. Last year, it was an amalgam of 29 different pieces of legislation. Last year the Education conference committee bill had 16 education bills included. The maneuver is to have must-pass bills paired up with less desirable bills to force approval. It is unclear if a bill has to pass at least one chamber to be eligible for inclusion.

Budgeting: The budget process in the Kansas Legislature is comparable to ‘speed dating’. Once the process starts after the Governor’s budget is released and Kansas Legislative Research Department completes its budget analysis, various committees start zooming through the process even though there is two months left in the session. Looking at next week’s calendar, committees have hearings on a department and come to a decision within two days.
While these are technically public hearings, there is not time allowed for measured public input and a week to deliberate on budgetary decisions. Take a look at the budgetary process before the Senate Ways & Means committee next Tuesday, Wednesday and Friday. On Tuesday, 11 budget reports from KDA to the Office of the Governor will be ‘speed dated’. In 90 minutes, it is hard to just read the reports into the record let alone deliberate. The same can be said for the House Appropriations committee next week (except Monday). There is a little more deliberation on certain human service budgets for the state hospitals, health budgets and DCF where public testimony is more encouraged. These budgets are handled by the Ways & Means Subcommittee on Human Services.

**KANSAS DEPARTMENT OF AGRICULTURE (KDA) BUDGET**

KDA’s budget for Fiscal Year (FY) FY 2024 is $57.3 million. KDA has 345 employees spread over 6 divisions: administrative services, agricultural business services, agricultural marketing, animal health, conservation and water resources. Funding sources include: $12.1 million State General Fund (SGF), $11.6 million State Water Plan, $1 million lottery funds, $19.6 million from fees, and $12.8 million in federal funds. Salary and wages account for 49.5% of KDA’s budget ($28.4 million) with professional fees at $9.4 million and grants, claims at $10.4 million. The FY 2024 budget of $57.3 million is down from the FY 2023 KDA budget of $61.9 million. The decrease is attributable to State Water Plan funds of $4.4 million that were carried over from FY 2022 but spent in 2023.

This FY 2024 KDA budget is proposed by the Governor and will now be before the Legislature for budgetary decisions. For FY 2024, the Governor accepted eight enhancement requests from KDA: water management, water appropriations, water structures, watershed dam construction, irrigation technology, and crop/livestock research. These enhancements total $2 million with $1.6 million from SGF and $400,000 from the State Water Plan. The Governor recommended $100,000 from SGF for the Division of Agricultural Marketing to extend a grant-funded position to write future grants on local food purchases. KDA was the recipient of a ‘Local Food Purchase Cooperative Agreement’ of $2.5 million spread over FY 2023 & FY 2024 for underserved populations provided through local food pantries.

The ‘Kansas Department of Agriculture 2023 Budget Overview’ is the most complete picture of KDA’s programs, staffing, goals & objectives. For each division, there is a complete analysis of staffing, budgets, program expenditures, statutory authority and purpose. There are specific measures outlined for a ‘performance-based budget’.

*Kansas Department of Agriculture Budget Overview*
Kansas Legislative Research Department (KLRD) analyzes the Governor’s budget and writes a budget report for legislators to consider. For KDA’s budget the KLRD analyst is Luke Drury and his report is attached: *Kansas Department of Agriculture 2022-2024 Budget Analysis*

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**COLORADO RIVER WATER WOES**

As Western Kansas comes closer and closer to a ‘dust bowl’ drought – like the 20 year long drought in Colorado and western states, Kansans should pay close attention to water use and sustainable growth for the future. As Kansas over-appropriated groundwater rights in the 1950’s through the 1970’s, the Colorado River Compact was negotiated in 1922 between upper basin states (Colorado, New Mexico, Utah and Wyoming) and the lower basin states of Arizona, California and Nevada (with Mexico added later). The premise on average river flow was $17.5$ million acre-feet annually. The river’s actual flow has averaged less than 15 million acre-feet each year for the past century. Then the drought hit from 2002 to 2022 and the river’s annual flow averaged just over 12 million acre-feet (with the last three years less than 10 million).

The U.S. Department of Interiors Bureau of Reclamation has been negotiating deeper reductions among the states. It hasn’t been enough and last summer the water level in Lake Mead sank to 1,040 feet above sea level, its lowest ever. At 950 feet the Hoover Dam will no longer generate hydroelectric power and at 895 feet no water would be able to pass the dam at all – a condition called ‘dead pool’. In June 2022, the Interior Department gave the states 60 days to reduce their use of the Colorado River by 2 to 4 million acre-feet – about 20 to 40% of the river’s entire flow. The deadline came and went. The new deadline was this January 31 and six states came to some agreement on a 2 million acre-feet reduction but not California (that has the largest allotment – 4.4 million acre-feet - among the seven states).

In California, the largest user of Colorado River water is the Imperial Irrigation District which has rights to 3.1 million acre-feet (as much as Arizona and Nevada combined). The Imperial Valley covers 800 square miles in the southeast corner of California. For comparison, Kansas has 3.8 million acre-feet of water allocated and Kansas covers 80,000 square miles. California has the ‘senior’ water rights over Arizona and Nevada thus forcing those states to reduce water consumption. Another angle to this dilemma is that about half of the water going to Arizona via the Central Arizona aqueduct goes to Native American tribes which have ‘senior’ water rights and water reductions violate a trust obligation from the federal government. The water battles are here and now. Decisions between crop irrigation and subdivision developments will have to be made. Kansas has some more time but not much. Kansas cannot simply take away groundwater rights entirely but the water appropriations act allows KDA to seriously curtail water use. To this point Kansas has not found and pledged the funding to retire water rights at the level necessary to insure future sustainability.

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**KANSAS STATE UNIVERSITY AGRICULTURE PRESENTATION**

J. Ernest Minton – KSU Dean of Agriculture and Director of K-State Research and Extension
– gave the 2023 Annual Report to the Kansas Senate Agriculture and Natural Resources Committee on January 31. He started with fundraising successes of $81 million in private gifts along with $25 million of public funds from the State and a possible challenge grant consideration of $25 million. For now, the goal for buildings and technology upgrades is $200 million with an ultimate future goal of $500 million. There will be a new ‘Global Center for Food and Grain Innovation’ as well as renovations for Call Hall and Weber Hall. There are also plans for a new ‘Agronomy Research and Innovation Center’ and a ‘Livestock Competition Arena & Horse Teaching/Research Unit’ that would seat 3,000.

Agriculture is the largest economic driver in Kansas with economic studies documenting that every $1 spent on agriculture education and research at KSU returns $17 in economic activity over the years. In two years, 8 food companies announced $2.8 Billion in new investments and 2,000 jobs. (Companies like JTM Foods, Schwan’s, Hills Pet Nutrition and Scorpion Biological Services). Regenerative agriculture is now a new focus. Regenerative farming is a way to work with nature to make the soil richer and healthier. Scientists find it can be a long-term solution for many of agriculture’s greatest challenges. Research shows that using cover crops, double-cropping and growing diverse species increases the organic soil carbon producing better soil structure and water infiltration. Tania Kim approaches pest and weed control in an ecologically friendly was by encouraging ‘good insects’ – who eat harmful insects and weed seeds – into crop fields. Logan Thompson is moving a national study on ‘regenerative grazing’ to Kansas to study how livestock can help improve soil health and sequester carbon into the soil.

Research awards coming from outside the university have increased from $23.8 million in 2011 to $68.8 million in 2022. In 2021, total university research was $204 million with Ag. Research at $94.5 million – 46% of the total. For agriculture experiment stations - grants, contracts, other funds accounted for $57.2 million while state appropriations were $33 million and federal funds $4.5 million. Cooperative extension services had $22 million in funding from counties, $15 million in grants & contracts, $5.4 million in federal funds and $21.2 million in State appropriations. The College of Agriculture is at $12.1 million in state appropriations plus tuition with $5.1 million from grants, contracts & other funds. The challenges continue. After years of underfunded maintenance budgets, upgrading and modernizing older buildings is a task. Outside research funding is defined by the funder and not necessarily specifically focused on Kansas needs. There is no ‘local food’ economist on staff at KSU. Sustainable agriculture research and programs continue to be underfunded.

Innovative Agriculture Serving Kansas and the World

Farm Bill Update
By Tom Buller

This week, the National Sustainable Agriculture Coalition (NSAC) held its Winter Meeting in Washington DC, and I was able to attend and learn about the ongoing progress towards a new 2023 Farm Bill. While assignments for the key House and Senate committees are still in the process of being finalized, work is underway to complete a new Farm Bill before the current one expires at the end of September. The committees have already started having hearings, and we are watching the introduction of so-called marker bills, which are smaller pieces of legislation that will be introduced for committee debate with the goal of being rolled into the larger Farm Bill as it is compiled. NSAC is working to get several marker bills introduced, among them the Agricultural Resilience Act focused on climate and conservation, a yet to be named local foods marker bill, and the Strengthening Local
Processing Act, which will build support for small and regional scale meat processing. There will also be efforts to improve the crop insurance options for small-scale and diversified farm operations who are currently mostly left out of the risk management options for larger operations. Key priorities in all these areas include not only expanding support for good programs that currently exist, but also refining how key programs operate to make them more accessible for those who have been traditionally underserved by the USDA.

Kansas is well represented on the key committees with Representatives Mann and Davids both on the House Agriculture Committee, Senator Marshall on the Senate Agriculture Committee, and Senator Moran serving on the Appropriations Committee. Alongside colleagues for Cultivate KC, this week I was able to meet all these legislators briefly and have more detailed discussions with their staff to highlight opportunities for the next Farm Bill to strengthen Kansas communities both rural and urban.

As marker bills are introduced, and key topics come up for discussion in Washington, we will do our best to keep you informed so you can share your thoughts with legislators about how the Farm Bill can help build a brighter future for Kansas. If you have any key topics that are of particular interest or concern for you, and especially if you have stories to share about how programs have had an impact on you, either positive or negative, please let me know- tom@kansarsruralcenter.org.

NSAC is hosting a Rally for Climate Resilience on March 6-8 in Washington DC

The Rally for Resilience will bring together farmers and farm organizations from all over the country with a united request for their members of Congress--make climate change policy a priority in the 2023 Farm Bill! If you are a farmer who is interested in attending, let Tom know by Feb 6 so he can try to secure some financial assistance to support your journey tom@kansarsruralcenter.org.

Kansas Legislature Website

For Legislative Committee and Hearing Information, and how to contact your legislator, and view floor and committee remotely, go to:
http://kslegislature.org/li/current/

LEAGUE OF WOMEN VOTERS OBSERVER CALLS

During the legislative session, the League of Women Voters of Kansas (LWVK) hold weekly
Friday (4 pm) zoom calls with their policy observers. The League has offered to open up these calls for interested Policy Watch readers. Cille King is the policy coordinator for the League. You will need to email Cille @ cilleking@gmail.com to be added to the notice list. Agendas come out a day or so before the call.

Here is the link to the LWVK 2023 Legislative Priorities:

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, Jayhawk Audubon Society, 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 info@kansasruralcenter.org

For questions about Policy Watch content, contact Paul Johnson at pdjohnson@centurylink.net

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