The Kansas Legislature has thankfully adjourned until Wednesday – March 1. Hopefully this weekend lawmakers will have time for a more thoughtful consideration of actions taken on cutting taxes, downgrading election laws, further promotion of unaccredited private schools (with public tax dollars) and isolating certain individuals. While the Senate flew through a tax-cutting bonanza, the House held off on their tax bills. Both chambers changed existing election law to make it more difficult to vote and have your ballot counted even though the top election official – Kansas Secretary of State – found the changes unnecessary. Transgender phobia is rampant as a culture war ‘dog whistle’. Important water bills passed the House overwhelmingly and will now be worked in the Senate. Staring March 1, the sprint is on to finish regular business – primarily the State budget and tax cut legislation - by April 6.

SUSTAINABLE AGRICULTURE PROPOSAL

The discussion has begun on creating a ‘sustainable agriculture division’ at the Kansas Department of Agriculture (KDA). Unfortunately, SB 71 & HB 2091 used sustainable agriculture as a cover for a scheme to have KDA act as a front organization to leverage millions in federal greenhouse grant dollars to construct renewable natural gas or sustainable ammonia or urea plants. Complete sustainable agriculture practices should encompass soil health building, diversified cropping systems, managed intensive grazing, water conservation, direct marketing options and local/regional food systems. The USDA has been developing new programs for climate smart agriculture and soil health that have funds which Kansas could leverage to build a more sustainable agricultural system.

KDA needs to do this in conjunction with the Kansas Department of Commerce and K-State Research and Extension. In the mid-1990’s, the Kansas Legislature created the Kansas Center for Sustainable Agriculture and Alternative Crops (KCSAAC) with an initial funding level of $60,000 from K-State Research and Extension. That $60,000 has not changed in three decades even though K-State Research and Extension is given a $50 million state block grant annually. KSU nor KDA have a local food economist on staff to develop a ‘state
Food plan’ for the $8+ Billion spent yearly on food in Kansas. K-State Research and Extension have very few ‘local food’ extension agents to educate and promote specialty crops while Kansans import 90+% of the produce consumed in Kansas. There are no organic cropping trials in Kansas by KSU.

KSU President Richard Litton was the Dean of Agriculture at North Carolina State University which has one of the premier sustainable agriculture centers in the country – Center for Environmental Farming Systems (CEFS). North Carolina Agricultural and Technical State University and North Carolina State University (two land grant schools) formed a groundbreaking partnership with North Carolina Department of Agriculture and Consumer Services to create an institutional ‘home’ for CEFS. CEFS was dedicated on February 1, 1994 at the 2,000-acre Cherry Research Farm in Goldsboro, North Carolina. This farm is one of the nation’s leading research and demonstration sites for large-scale organic and sustainable production systems. CEFS is celebrated for its work in building consensus around policies, programs and actions that facilitate a vibrant local food economy. The attached brochure will give you a complete picture of CEFS from field research, academics & education, extension & outreach, the North Carolina 10% Local Food Campaign, community food strategies, to equity in the food system.

Center for Environmental Farming Systems Brochure

KANSAS FLAT EARTH TAX POLICY

Kansas lawmakers are at it again to cut revenues to the state and benefit their wealthiest campaign donors. It took Kansas five years to partially recover from the Brownback tax experiment (2013-2017) where billions were lost in state revenue, essential programs arbitrarily cut, public education underfunded and the State’s credit score downgraded twice. This new experiment – SB 169 – is not quite as onerous in cutting state revenues by $764 million compared to Brownback’s cut of $1 Billion+ annually. But again 70% of the $764 million goes to just 20% of the wage earners.

SB 248 would zero out both state and local sales tax on just ‘healthy foods’ while reinstating the full state sales tax of 6.5% on all other foods. This is done to reinstate some state revenues so the flat income tax is not as egregious. The problem exists in defining exactly what ‘healthy foods’ mean? Until that is done it is impossible to compute the revenue impact on Kansas.
Proponents would use the existing food choices allowed under the Women’s, Infants and Children (WIC) program. The Kansas Department of Revenue is unable to complete a fiscal impact statement on the net revenue impact. Kansas would be the first state in the union to try this approach. It might put Kansas out of step with other states and limit out of state sales tax collections.

The jostling on a final tax cut package is far from done. SB 169 & SB 248 have passed out of the Senate Assessment & Taxation committee and most likely will pass the full Senate headed to the House for a full discussion. If these two measures are left intact for the most part and make it to the Governor’s desk, plan on a veto and a tax cut battle to pursue.

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**UTILITY REGULATION IN KANSAS**

The battles over changing utility regulation have stalled for the time being. Bills enabling businesses, schools, churches, hospitals and others to enter contracts with investors for installation of solar arrays on their property to directly purchase that electricity at a lower rate plus gain a better rate for this electricity when sold back to the grid will not come out of committee this session. There might be an interim study this year to find some compromise.

Twenty-seven states allow third-party production contracts for electricity from solar or wind systems. Kansas remains among seven states to expressly forbid the practice. Kansas is in the 10 ten sunniest states, but in 2020 ranked 43rd in terms of solar generation. HB 2227 would allow consumers of electricity to be free to make choices about financing, construction and operation of solar or wind facilities on their property without involving a utility company. A power purchase agreement allows a financer to buy the system, own it, and have it installed so - for example - a church just buys the power produced every month. The Citizens’ Utility Ratepayer Board – that represents residential and small businesses before the Kansas Corporation Commission (KCC) – testified that this bill would be in the public interest because it would help broaden the state’s energy portfolio. Expectedly the KCC and the utilities were in opposition.

SB 88 & HB 2154 would establish statewide elections for Kansas Corporation Commissioners while moving the utilities division from the KCC to the Attorney General’s office to represent ratepayers before the KCC. These bills are stalled for now. Statewide elections would be open auction for regulators and campaign finances used to buy the most favorable utility rates for certain interests. But there needs to be more improvement at the KCC. Kansas is one of just 8 states with no statewide energy plan.

The KCC hands out ‘utility service monopolies’ – defined service areas & captive ratepayers – to large investor-owned utilities without a complete picture of energy use in Kansas. The law states that electric and natural gas utilities must provide ‘reasonably efficient & sufficient’ services to their captive utility customers. The word is ‘services’ not simply electricity or natural gas. Energy efficiency and conservation programs are often the lowest cost compared to new power generation. EVERGY has tried for years to offer energy efficiency programs to Kansas customers as they do in Missouri but the KCC utility division staff continues to block these programs. In our state where 70% of homes are heated by natural gas and powered by electricity, energy efficiency programs would cut costs on heating and cooling. Kansas ranks virtually last in energy efficiency ratings
WATER LEGISLATION UPDATE

HB 2279 & HB 2302 have now passed out of the House Water committee and fully approved by the entire House. HB 2279 requires Groundwater Management Districts (GMDs) to submit annual reports to the Legislature and conservation/stabilization action plans to the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture. HB 2302 establishes funding for the State Water Plan Fund (via sales tax dedication) and water infrastructure projects. The specific details for these two bills can be gleaned in the supplemental notes from Kansas Legislative Research Department:

- SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2302
- SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2279

SOIL HEALTH, CARBON SEQUESTRATION, & CLIMATE CHANGE

This testimony by Dale Strickler – given on February 2, 2023 before the House Agriculture & Natural Resources committee – is a forty-four minute discussion of climate change and the role of soil health. The first slide is ‘Better Soil is the solution to Climate Change’. The first question is whether climate change is a myth or is it real? Should we do nothing or something? This presentation centers on soil health and how that improves handling floods as well as droughts. How restoration of grasslands can be an improvement for farmers, the land and rural communities. When you click on this video, you need to move the bar at the bottom so the clock at the bottom right reads 3:40 (the starting time of Dale’s lecture accompanied by his power point show). He ends at 4:24 and there are 30 minutes of committee questions: Recording: House Agriculture and Natural Resources

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:

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/

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.

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