



League of Women Voters of Kansas

Policy Watch Weekly Update by Paul Johnson

*Members receive **Policy Watch Weekly Update** throughout each Kansas legislative session. Reports may also be found at lwvk.org.*

SCHOOL FINANCE Solution: Will it be Enough?

March 25, 2017

The plans were grand. Two years ago the old school funding formula was thrown out with the promise that a new school funding formula would be written. The chairman of the House Appropriations committee – who is now the Speaker of the House – pledged that a newer, better plan would be written. Fast forward to today and the clock has almost run out.

While the block grant established two years ago froze funding for public schools with no regard for higher operating costs, the income tax cuts for the wealthiest Kansans stayed in place as the destabilizing of public schools increased. The leadership of the House and Senate dithered.



Finally a new school funding formula is unveiled – House Bill 2410 – that essentially reinstates the old funding plan with very little new state funding and greater reliance on school districts to raise local property taxes. Even with a Kansas Supreme Court ruling to improve the adequacy of funding and maintain an equitable funding formula, this new plan does neither.

HB 2410 creates a base state aid for student (BASE aid) of two parts. The state foundation aid is similar to the previous base aid per pupil. Local foundation aid is similar to a portion of the previous local option budget. The proposed state foundation aid is \$4,170 compared to \$3,852 per pupil today – an increase of \$64 million (2.1%) in state funding. Local foundation aid is increased \$30 million in local funds and \$11 million in state aid to total \$1.068

Billion. The total increase in state and local aid is \$94.4 million on today's base of \$4.114 Billion in state funds, local option budgets and special education – a 2.3% increase over 2017 funding. This is far less than the \$400-500 million needed to fully restore the old school funding formula that was in place in 2009.

HB 2410 would fund kindergarten students fully by 2020. The bill does not expand preschool funding and eliminates vocation weightings, but does expand authorized expenditures from the vocational education fund. The BASE aid increases each year based on the Midwest Consumer Price Index. There is no change in the special education formula and at-risk weighting is based on the number of free lunches.

Transportation weighting is similar to the previous formula. Declining enrollment weighting is provided at 50% of the old formula in 2018 and eliminated in 2019. Virtual school state aid is \$5,000 for full time students, \$1,700 for part-time students and \$709 per course for adult students.

Capital outlay and bond and interest state aid is continued under current law except that districts with less than 260 students must get State Board of Education approval for state aid to construct new facilities. Districts are required to spend at-risk and bilingual funds only on those programs and a set portion of the local funds on these programs. Beginning in 2018-19 school year, enrollment counts of September 20 and February 20 will be averaged for budget purposes. This bill appears to restore previous incentive provisions allowing consolidating districts to retain their previous higher budget for a period of time. Beginning in 2019 the tax credit for low income private school scholarship could be expanded from \$1 million to \$10 million annually.

The clock keeps ticking. The House K-12 Education budget committee is now holding hearings on HB 2410. There will be an extended debate over several provisions in this bill. There will be a constant discussion on finding the necessary revenues to adequately fund a new school formula. The question remains - when will the leadership of the House and Senate, along with the Governor, offer a serious solution for an adequate and equitable public school system?

KANSAS OPEN MEETINGS ACT

Senate Bill 70 eliminates the confusing wording of the existing Kansas Open Meetings Act. Current law states that in closing a meeting, a board or commission needs to state (1)

justification for closing the meeting, (2) the subjects to be discussed during the closed meeting and (3) the time and place at which the open meeting is to resume. The current law then goes on to provide a list of justifications for closed meetings (personnel matters, consult with an attorney, etc.) and calls them subjects. By calling 'justifications' subjects, the current law has led most boards and commissions to conclude that if a justification is cited, no additional subject(s) need be cited. A recent study of the practices of the governing bodies of the 10 largest cities and 10 largest counties has shown that 95% close meetings at times without disclosing the subjects they are going to discuss. Citizens are then given no meaningful information about the subjects to be discussed and the governing boards conduct governmental business in secrecy. Senate Bill 70 merely makes the distinction between subjects and justifications clear. There were no opponents to Senate Bill 70 and it passed the Senate 39-1. The House Federal and State Affairs committee will have a hearing on SB 70 early next week.

CONCEALED CARRY

The gun debate is finally moving. Senate Bill 235 would exempt certain medical facilities such as State Hospitals, KU-MED, community hospitals, community mental health facilities and adult care homes from allowing concealed handguns without having metal detectors and security guards. These facilities have been exempted for four years and SB 235 makes these facilities permanently exempt. The hearing on SB 235 was held before the Senate Ways and Means committee. The fiscal note for the four State Hospitals was over \$11 million to buy metal detectors and hire security. This additional security cost was not put in the Governor's 2018 & 2019 budget.

In a procedural move, the Senate Ways & Means committee took out the contents of House Bill 2278 and inserted SB 235 which is now Sub. for HB 2278. This bill should pass the Senate Ways & Means committee and be debated on the Senate floor next week. An amendment will be proposed on the Senate floor to add public colleges to the exemption list. The debate may come down to local control. School districts have always been exempt but school districts have the latitude to set their own gun policy and allow concealed carry. This has been the request from public colleges to allow them to set their own policy.

NOXIOUS WEED UPDATE

House Bill 2246 would fundamentally change noxious weed law by moving authority to list noxious weeds from the Kansas Legislature to the Kansas Secretary of Agriculture. This bill had a hearing but remained in the House Agriculture committee. Meanwhile the Senate was passing a very narrow noxious weed bill – Senate Bill 117 – that would allow counties to pass a resolution declaring the ‘wild blackberry’ a noxious weed in their particular county and let the spraying of 2-4D begin to control this weed. The behind the scene political plan was for the House Agriculture committee to wait and amend SB 117 by attaching HB 2246. The House Agriculture committee voted down the proposed amendment to add HB 2246 to SB 117 and then voted down SB 117 itself. Since SB 117 passed the Senate, there may be a possibility it gets added to other agriculture bills in a multi-bill agriculture and natural resources conference committee report.

The fact is that state noxious weed law and pesticide law need to be reviewed and updated for the 21st century. The increased use of more toxic chemicals such as 2-4D seems inevitable. The abuse and overuse of glyphosate has bred more ‘super weeds’ that are now resistant to Round-Up. There is no definition of ‘drift’ in statute today. There is no statutory right for a landowner to post their property a ‘no spray’ zone. Great debate exists over the legal liability of county weed departments for any ‘drift’ damage. The expansion of key specialty crops - such as grapes or any other fruits and vegetables - depends on a sensible chemical protection protocol. All key stakeholders need to be at the table to discuss a re-write of these laws.

MEDICAID (KANCARE) EXPANSION

Medicaid expansion – HB 2044 – has now passed the Senate Public Health & Welfare committee and will be debated on the Senate floor early next week. This expansion could impact 180,000 uninsured Kansans. One third of all Kansas hospitals are in some form of financial jeopardy and this expansion could greatly assist in reducing uncompensated health care costs. It is important to contact your State Senator and ask that they support this expansion.

FEDERAL FARM BILL UPDATE

PATH TO THE 2018 FARM BILL: COMMODITIES AND CROP INSURANCE

March 20, 2017

From National Sustainable Agriculture Coalition (NSAC)

KRC Editor's Note: As a lead up to the 2018 Farm Bill, around which discussions and debate in Congress have already begun, the National Sustainable Agriculture Coalition is previewing some of the major programs and policies advocates need to know in order to effectively engage. The third post in our series, "[Path to the 2018 Farm Bill](#)," covers the commodities title, focusing on support programs for staple, non-perishable, and generally storable commodities (e.g., corn, soybeans). Future blogs will address programs for value-added and organic agriculture, local and regional food systems, and beginning and underserved farmers and ranchers.

If the farm bill is long freight train, commodity support programs could be seen as one of two very powerful engines – the second being the [Nutrition Title](#) (predominantly the Supplemental Nutrition Assistance Program), which we covered in our first *Path to the 2018 Farm Bill* post. Since the 1930s, farm bills have focused largely on farm commodity program support for staple crops such as corn, soybeans, wheat, rice, peanuts, cotton, and dairy. Following the 2014 Farm Bill, many in agriculture proclaimed that commodity programs had been supplanted by crop insurance programs as the new mainstay of the farm safety net. Commodity prices were fairly good at the time, and hence that was a relatively easy position to take. Since that time, however, commodity prices and farm income have declined, and farm interest groups are likely to try and shift the balance between the programs once again. [Read more...](#)

MAKING THE MATCH BETWEEN BEGINNING FARMERS AND LANDOWNERS

Pathways to Land Access: A Study of the Conservation Reserve Program- Transition Incentives Program in Four States

USDA's [Conservation Reserve Program Transition Incentives Program](#) was created in 2008 as a way to connect retiring farmers who own CRP land to beginning farmers and ranchers looking to farm sustainably. Through CRP-TIP, retiring farmers continue to receive rental payments for their land in CRP if they are selling/renting their land to traditionally underserved farmer groups (i.e., beginning farmers). In order to evaluate CRP-TIP usage and provide strategies to increase awareness about the program, USDA's Farm Service Agency recently published a new report [Pathways to Land Access](#) as part of a cooperative agreement with the Center for Rural Affairs,

Dakota Rural Action, and NSAC. *Pathways* evaluates the usage of CRP-TIP and provides context and strategies for how to increase awareness of and participation in the program, with a focus on four key states (IA, NE, ND, SD) that have a large number of acres enrolled in CRP. Additionally, the report attempts to explain the major factors that influence CRP-TIP participation, including administrative, economic and environmental factors. [Read more.](#)



The **League of Women Voters of Kansas** is a grassroots, volunteer, political organization with [nine local Leagues across the state](#). For nearly 100 years, LWVK has encouraged the informed and active participation of citizens in government and has influenced public policy through education and advocacy. The League never endorses candidates or political parties.

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