2016 Water, Energy, Land, and Food Forum at the Capitol
Priority Bill Summary

Bill Number: SB 318  Legislative Status: Awaits confirmation from the Senate  Category: Energy
Abolishing the Kansas Electric Transmission Authority (KETA) & Clean Power Plan (CPP) efforts
Summary: SB 318 abolishes KETA (1) and forbids development on the CPP (2). (1) KETA has steadily improved Kansas’ transmission infrastructure. Through active engagement in Southwest Power Pool (SPP) meetings, KETA ensures that Kansas has a robust voice in transmission planning and cost allocation decisions that benefit the entire state. The SPP Integrated Marketplace, FERC Order 1000, and the Clean Power Plan (CPP) are all important topics impacting transmission in Kansas. By abolishing KETA, Kansas not be represented at those critical meetings. The bill was amended to keep KETA funds in the public regulatory fund. (2) SB 318 forbids the development of a state Clean Power Plan, in response to the recent Supreme Court stay. A new amendment allows the Attorney General to continue working on a legal strategy and allows state agencies to respond to questions about the CPP. While CPP is on hold, it’s important for Kansas to have a plan in case the CPP regulations are reinstated.

My take on the SB 318: Support ☐  Don’t support ☐  Neutral ☐  Need more information ☐

Bill Number: HB 2649  Legislative Status: In Committee  Category: Energy
The Kansas Energy Efficiency Act (PACE financing)
Summary: Passage of this legislation would enable Kansas to join the 32 other states who have established Property Assessed Clean Energy (PACE) programs. This legislation is an innovative approach to improving energy efficiency, while also reducing the cost of electricity for businesses. One of the biggest barriers to implementing energy efficiency improvements is the high up-front costs required to achieve long-term savings. PACE removes these barriers by allowing customers to repay costs back over time in the form of property assessments. PACE could stimulate interest in energy efficiency improvements statewide. PACE promotes local job growth and economic development in Kansas. This bill provides local governments the flexibility to implement legislation that maximizes the benefits of energy efficiency while minimizing the costs. PACE financing supports job growth, saves money, and promotes clean energy in Kansas.

My take on the HB 2649: Support ☐  Don’t support ☐  Neutral ☐  Need more information ☐

Bill Number: SB 314  Legislative Status: In Committee  Category: Food
Extending the Local Food & Farm Task Force
Summary: The Local Food & Farm Task Force prepares policy and funding recommendations for expanding and supporting local food systems in Kansas. This past year, task force members listened to food and farming grassroots advocates, organizations, and business leaders to learn about the complex and the unique issues and opportunities around local foods in Kansas. Kansans support the vision of better incorporating Kansas farms into the Kansas food supply chain thereby strengthening Kansas’s economy, community, environment, and health status— the Local Food & Farm Task Force helps implement this vision. Increasing production of fruits, vegetables, other marketable food products grown, raised and made in Kansas for local markets would help diversify and thereby strengthen Kansas agriculture, the Kansas economy, and access to healthful foods. The task force has been a great success in bringing together grassroots, community groups, organizations and business from all sectors of the food and farming worlds. The continuation of their work will help ensure the vision Kansans support for farm and food future in Kansas.

My take on the SB 314: Support ☐  Don’t support ☐  Neutral ☐  Need more information ☐
Bill Number: HB 2595  Legislative Status: House Floor  Category: Food
Reserving regulation of consumer incentive items and nutrition labeling for food menu items in restaurants and vending machines to the legislature.
Summary: HB 2595 is an over reach of state government into local government entities and local food and nutrition. This bill will halt existing growth and momentum of food policy councils and other local initiatives that support increased access to healthy food and local food systems across Kansas. Efforts to expand local food systems including farmers markets, community gardens, hoop house production, or other community efforts that support the growth of farm to consumer food access are all at risk of mired growth and economic vitality with this bill.
This bill would take away a community’s ability to adequately and appropriately address food-based health disparities and solutions tailored to their needs. This bill would obstruct youth services such as schools, parks and rec and other political subdivisions within local governments from activating food and beverage procurement policies that address the unique needs and disparities of the youth populations they serve.
This bill would negatively affect the local initiatives to solve obesity issues in children and adults. It is critical that local governments have the ability to improve population health through food policy councils and other initiatives.

My take on the HB 2595:  Support ☐  Don’t support ☐  Neutral ☐  Need more information ☐

Bill Number: SB 384 (HB2547)  Legislative Status: Senate Floor for Debate  Category: Land
Amending the KS Nongame and Endangered Species Act
Summary: the bill narrows protections for Kansas threatened and endangered species by altering the definition of “critical habitat.” The new alteration to law restricts protections to only its current occupied, marginalized territory, rather than the traditional consideration of its historical range and potential habitat at full population health. Such a limit restricts the KDWPT's ability to undertake appropriate conservation measures for listed species.
SB 384 also ends habitat protections for 32 species without recovery plans. (only 19 of the state's 51 designated threatened and endangered species have published recovery plans.) No occupied (critical) habitat could be designated protected until a species recovery plan is completed. Current budget and staff resources at KDWPT are not sufficient for completing additional recovery plans in a timely fashion. Confining species' protections to occupied habitats invites federal oversight. Impediments to population recovery may exacerbate population loss, triggering federal listing of the jeopardized species. The Kansas Dept. of Wildlife, Parks, and Tourism already successfully working with project developers to minimize habitat interference and avoid federal intrusion. This bill would constrain our state in doing its job, and offers no advantages to our state’s current handling of endangered wildlife management. Bill Amendment took out definition of “critical habitat” and keeps the current law that allows species recovery for species without a recovery plan. New species added will have 4 years to develop a recovery plan. The bill still includes exemptions for farming practices and industries. Content of the bill was added into HB2547.

My take on the SB 384:  Support ☐  Don’t support ☐  Neutral ☐  Need more information ☐

Bill Number: SB 425  Legislative Status: In Senate Committee  Category: Land
Eliminating Conservation Easements/ Land Rights in Perpetuity
Summary: the bill would drastically change the regulation of a conservation easement, which is a legal agreement that retires development rights in favor of permanent land conservation. The bill would first grant new authority powers of county commissioners to regulate conservation easements, and would limit conservation easements to only the lifetime of the easement grantor, not in perpetuity. SB 425 erodes the fundamental values of the 1992 Kansas Act and strips Kansas’ landowners of their property rights to conserve their
land. When a landowner wishes to keep their legacy family farm from being developed, a conservation easement allows the ability for a third party to protect that land long after the owner is gone. The bill removes landowner’s current right to protect his or her land for future generations and gives that right to county governments. County commissioners will then decide on the terms of an easement. With no standards or guidelines for governing easements at the county level, each county may establish its own rules for instituting conservation easements. For land that may cross county boundaries, conflicting rules will put county governments at odds with each other. SB 425 will restrict a landowner’s ability to protect land that he or she has cared for, and to pass that land on to future generations of Kansans – land that provides for wildlife, open space, healthy soil, and clean water.

My take on the SB 425: Support ☐ Don’t support ☐ Neutral ☐ Need more information ☐

Bill Number: SB 2479  Legislative Status: In Senate Committee  Category: Land  
Amendments to Kansas Noxious Weed Law  
Summary: The bill transfers regulatory authority of noxious weeds from the KS legislature to the Secretary of the Dept. of Agriculture and a selected weed advisory board. The Secretary shall determine any species of plant a “noxious weed” by rule and regulation. Counties can publish a list of weeds to be controlled in addition to the noxious weeds list and can search for noxious weeds at any private property. There is in no legal protection in statute today to protect landowners who post their land as “no spray” zone. The bill does not adequately protect our state’s organic and specialty crop producers or landowners who wish to establish native wildlife habitat on their property.

HB 2479 has the potential to fast track noxious weed declarations without consideration for 'best practices' or using the least toxic chemicals first. Overuse of chemicals have already created herbicide-resistant “super-weeds” and have damaged sensitive crops and ecosystems without much recourse against counties and applicators. HB 2479 opens the door for more chemical herbicides to by counties to control noxious weeds.

My take on the SB 2479: Support ☐ Don’t support ☐ Neutral ☐ Need more information ☐

Bill Number: HB 2059  Legislative Status: Senate Floor for debate  Category: Water  
Selling and Appropriating Surface Water that Otherwise Leaves the State  
Summary: HB 2059 bill would add exemptions for a chemigation user’s permits, change the chemigation user’s permits fee, and establish the application fee for permits to appropriate surface water that otherwise leaves the state. The bill establishes application fees for surface water transfers and amends the application fee schedule for water right applications proposing to appropriate surface waters leaving the state. This bill was originally introduced as Senate Bill 322 and was amended into HB 2059 and includes an amendment regarding chemigation.

This bill significantly reduces the application fee to acquire water leaving the state, which will make it much easier to apply for transfers. It will make it affordable to apply for transfer from the Missouri River (via an aqueduct). This includes both the Missouri and the Arkansas River sub basins. Currently there is a compact with Oklahoma that Kansas could transfer up to 2.6 million acre feet of water from the Ark River. A compact with Missouri would need to be developed.

This bill will reduce agricultural department revenue and the ag department notes the time it would take to handle such applications would leave them under funded. Taking the water from these sub basins will take needed water for wildlife, fisheries, plants, drinking water, and downstream flows. The latest bill amendment requires the applicants to include a work plan for implementing the water transfer projects, subject to approval by the chief engineer.

My take on the HB 2059: Support ☐ Don’t support ☐ Neutral ☐ Need more information ☐
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Priority Bill Summary

Relevant Committee Meetings Schedule for March 17, 2016

House Committee Meetings

- Agriculture and Natural Resources | 3:30 pm | Location: 346-S
  - Meeting Agenda: Meeting on call of the chair
- Agriculture and Natural Resources Budget | 1:30 pm | Location: 142-S
  - Meeting Agenda: Informational briefing: Kansas Board of Veterinary Examiners Budget and Future Plans
- Utilities and Telecommunications | 9:00 am | Location: 582-N
  - Meeting Agenda: Meeting on call of the chair

Senate Committees Meetings

Natural Resources | 8:30 am | Location: 159-S
  - Meeting Agenda: Possible action on bills previously heard


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<th>Category</th>
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<td>Energy</td>
<td>HB 2529</td>
<td>Died in Committee</td>
<td>Increasing registration fees on electric and hybrid vehicles</td>
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<td>Land</td>
<td>SB 330</td>
<td>General Orders in the House</td>
<td>Establishing the KS Conservation Reserve Enhancement Program</td>
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<td>Land</td>
<td>SB 365</td>
<td>S 36-4</td>
<td>Enacting the Contaminated Property Redevelopment Act</td>
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<td>Land</td>
<td>HB 2634</td>
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<td>Enacting the Alternative Crop Research Act (Industrial Hemp)</td>
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<td>Land</td>
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<td>Senate Floor</td>
<td>Creating the Constitutional Right to Hunt, Fish, and Trap</td>
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<td>Water</td>
<td>SB 337</td>
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<tr>
<td>Water</td>
<td>HB 2511</td>
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<td>Increasing fees to fund water projects</td>
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<td>Food</td>
<td>HB 2444</td>
<td>In Committee</td>
<td>Drop sales tax on groceries to 2.6%</td>
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<tr>
<td>Food</td>
<td>A constitutional amendment, SCR 1612</td>
<td>In Committee</td>
<td>A constitutional amendment, SCR 1612 - Reduce the state tax to 4 percent beginning in July 2017, then to 2 percent in 2018 &amp; to zero by July 2019.</td>
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