

Legislative Update No. 7

Act II, Scene II ended on April 5, 2019. We all expected more drama before the end of the session, also known as Drop Dead Day, but it ended without too much rancor. No bills can be considered after that day except bills vetoed by the Governor or Omnibus Appropriations bills. We are on a three week break and return on May 1 to consider any vetoes and to vote on the final appropriations bill (budget). That will begin Act III of the 2019 Legislative session. You will have the honor of deciding if the play was a comedy, fiction, or historical drama when the final curtain comes down.

Several bills passed out of both chambers during the last week and then ended up in conference committees. Conference committees are famous for removing contents of bills and replacing them with other bills, commonly called “gut and go.” It is difficult to defend this process, but there are times when it becomes necessary to move forward with legislation. Another activity is also prevalent in conference committees and that is bundling. Bundling is where a base bill will have added the contents of up to four other bills inserted. This often occurs with Judiciary, Transportation, and Taxation bills. The rule is that all bundled bills must be of the same topic. Generally, this is an acceptable practice, unless a less desirable bill is added to a group of very desirable bills. Many complain the process is to allow passage of a “stinker” along with much needed legislation. Those comments are not unfounded, but it is part of the legislative process, warts and all.

Most important bills passed and sent to the Governor:

HB 2167 – Commercial Hemp legislation. This was the last bill to pass before adjournment. It began as HB 2173 in the House and the contents were inserted into HB 2167 by the Senate. The bills passed both chambers overwhelmingly. The conference committee cleaned up some technical points and reduced the law enforcement oversight for growers and processors except for the processors involved in extracting CBD oil. The bill went to the Governor on April 9th where she has ten days to sign, veto, or allow to become law. The bill along with the Kansas Department of Agriculture’s rules and regulations will be forward to USDA for approval.

It was necessary to put together a large team of experts to write the bill to satisfy current USDA and FDA regulations. At one point I asked agency representatives, attorneys representing the legislature, and committee members, totally about twenty people, to meet and think through all the necessary requirements for this legislation. As with many of the bills that are written, we search other states for similar legislation. However, this bill has no precedent available. Other states have been growing hemp, but technically, illegally. Congress declared hemp no longer a controlled substance in Dec. 2018 and we have worked diligently to develop a program for the 2020 growing season. This has been the most complicated legislation that I have been involved in developing during my years as a legislator. With all the calls I am receiving, I know there is much interest in growing hemp in Kansas. Here’s hoping we can get processing plants in Kansas soon. District 51 seems like a good location with easy access to I-70.

SB 67 – The Abortion Pill Reversal Pill. The bill specifically applies to medication abortions induced via mifepristone (also known as RU-486), which is followed by a second pill named misoprostol. The first pill is taken in the presence of a physician and the second is taken at home. This is intended as an option for those who have changed their minds about continuing with the abortion. This bill started in the House as HB 2274 and later became SB 67 by the process explained above. It passed both chambers with the support we consider veto proof, but only time will tell. I voted yes. It was sent to the Governor on April 11th.

HB 2209 – The Kansas Farm Bureau Health Care Benefits plan. This bill would primarily exempt a nonprofit agricultural membership organization in Kansas, the Kansas Farm Bureau (KFB), from jurisdiction of the Commissioner of Insurance should healthcare benefit coverage be provided to its members. The bill also contained three other policies. First, the bill would prevent life insurance companies from refusing to insure individuals who are living organ donors. Secondly, the bill would require life insurance benefits to be payable to the owner or the beneficiaries, and in the event they could not be found, then the benefits would revert to the state as unclaimed property. The third policy allows the Kansas Board of Regents (KBOR) to purchase cybersecurity to protect student records and other sensitive information. I voted yes.

SB 16 – The amendments to the Kansas School Equity Act (the K-12 Budget bill). I voted for the House version of SB 16 because it had developed a funding plan that met the Supreme Court's requirements, contained accountability measures, and could be defended by future legislatures without increasing taxes. Once the bill reached conference committee, many of the measures I supported were removed and the budget busting payment plan was adopted. I voted no on the final plan. It passed, and the Governor signed it into law. Before the ink was even dry, the attorneys for the schools that sued the state announced that it still is not enough money. The Supreme Court will receive briefs from the Attorney General by April 15 and then the Court will decide if the payments satisfy their ruling.

I will predict that within two, maybe three years, some if not all the following will occur because of this legislation: Taxes will be raised, no food tax reduction, KDOT will have funds withdrawn, and KPERS payments delayed or the debt re-amortized. When a recession should occur, then the situation becomes even more critical.

HB 2144 – A bill to increase transparency: Community College Taxpayer and Student Data. The bill requires Community Colleges to prominently display on their website information on tuition, fees, property tax levy, and all relevant information for the public to understand the costs associated with either attending or supporting the institution.

There were some notable events since I last wrote you. Linda and I enjoyed evenings with the Tallgrass Ranchers and the Prairie Band Nation leaders. We spent a Saturday morning starting out in Admire at their community center breakfast and meeting up there with ESU President Allison Garrett. Then we moved on to Emporia for a legislative

forum. I also spoke at a forum in Manhattan and attended Congressman Marshall's events in Alma and Wamego.

One of the last days before break the House voted all day and I was asked to be in the Speaker's chair for five hours straight. I gave it my best to keep the process moving. The House gathered on the west steps of the Capitol for the photo we take every two years. We also met twice recently with the Republican Party Chairman Michael Kuckelman who spoke to our caucus and is taking an active interest in Statehouse happenings.

I was asked to meet with Third Secretary Dariel Quintana, Cuban Embassy, Washington, D.C. He was escorted by Kerry Wefald, Marketing Director for Kansas Department of Agriculture, and Taylor Williamson, Kansas Association of Wheat Growers. His visit was an effort to continue conversations with the Kansas Farm Bureau, Kansas Wheat, and the Department of Agriculture specific to wheat, soybean, and dairy milk powder trade interests. Secretary Quintana also met with the Kansas Department of Commerce to talk non-agriculture commodity trade and discuss current Federal efforts to enhance trade.

I humbly thank you for the opportunity to serve you in the legislature. Until May 1 veto session, I can be contacted at ron.highland@house.ks.gov.

With kind regards,
Ron