

## **Legislative Update No. 7, April 2018**

First Adjournment or “Drop Dead” day was officially April 7, 2018. After much wrangling between the House and the Senate, the joint resolution establishing both the First Adjournment dates were set at April 7 and Sine Die as May 4, 2018. That means when we return on April 26 for Veto session there will be only eight days to complete all the business for this session. It also means that the Governor will be able to veto all or line item veto portions of the final budget without the legislature being able to override. We will finish in 91 days but giving up any action on any veto that may occur during the eight days.

We finished a little past midnight into Sunday morning, April 8. Saturday was a day of Kabuki theater. The theater was directed by the Senate President, Speaker of the House, and the Governor. The audience participation was limited to the legislature, news outlets, and a few in the gallery. The main plot was passage of the K-12 funding bill and the sub-plot was the adjournment resolution. The origin of the adjournment alternates between the House and the Senate each year. This year it was the Senate’s turn to initiate.

Upon returning on April 26, we will complete action on a final budget, tax bill, omnibus bill, and any conference committee bills that did not receive final action before April 7. The short eight days will be very busy and filled with spreadsheets to evaluate and determine how one will vote. When the gavel falls for Sine Die, the campaign officially begins for everyone except the Senate. Because this is an election year for the Governor, and other state office holders, to include the Kansas House of Representatives, the airways will be buzzing. Our U S Congressional Representatives are also up for election, adding to the excitement.

### **Major bill action that will go to the Governor for signature:**

**HB 2445 & SB 423:** At the end of session, the contents of HB 2445 were inserted into SB 423 (gut and go) with amendments agreed upon by the conference committee. This was done to have the House vote first and then pass over to the Senate for an up or down vote. I voted no on this bill for several reasons. It passed with just the necessary 63 votes.

First, this bill is simply the legislature bowing down to the Kansas Supreme Court that has no responsibility for budget decisions. There is also a lack of accountability to the people within the bill as the Kansas State School Board is to develop its own accountability measures. I know of no other organization or business that allows the one receiving funding, to spend money without oversight.

Much of the bill focus, funding, and accrediting is for federally pushed, Social Emotional Learning, already adopted by the KSBE. Also included is the purchase of more database for tracking students, and the bill states, “increasing schools’ access to counselors, social workers, and psychologists statewide, which includes establishing collaborative relationships with community mental health centers.” The mental health funding is also for specific school districts/areas of the state with an additional cost of \$10 million.

Lastly, this plan lays out funding for the next five years. A basic rule in the legislature is that one legislature cannot dictate to a following legislature how to appropriate. This essentially

makes promises of spending in the future and will be seen as a promissory note that will have to be kept, or again meet in court. Unless there is a miraculous increase in the Kansas economy, I predict tax increases in the future to keep those promises. Keep in mind that there needs to be money left for higher education, roads, Medicaid, prisons, Department of Children and Families, and all the other state agencies.

An eighty-million-dollar error for increased funding was discovered late the last evening of voting, but too late to correct. The Governor intends to sign the bill as passed. A quick bill to add an additional \$80 million will be written and rushed through the legislature when we return later this month. That vote will be interesting.

Estimated cost in the first year (as intended) is \$191.1 million with the out-years costing anywhere from \$105.5 to \$115.5 million per year. When you take in account the cumulative effect of increasing spending over the next five years, Sub 423 will cost Kansas taxpayers over \$2 billion in additional funding.

**SB 282:** This bill makes technical changes to the listing of controlled substances. It further removes cannabidiol (CBD oil) from the list of controlled substances with the stipulation that it contains 0% THC (the active ingredient in marijuana). Allowing kratom was debated and defeated. I voted no on this bill. The FDA is the group responsible for approving substances used to treat medical conditions and our state legislature does not have the knowledge to be approving substances for medical use.

**SB 263:** Commonly called the hemp bill, it basically gives approval for the Department of Agriculture to research hemp as an alternative crop for Kansas. I voted yes on this bill to research whether this is a viable crop for both production and value-added products for the market place.

**SB 272:** This is a traffic safety bill that was bundled with other bills dealing with traffic. It is of interest, because the bill includes my bill that I worked on for three years to increased fines for those passing a school bus with stop sign extended and lights flashing. Of course, I voted yes.

**HB 2606:** This bill deals with licensing motorcycle and CDL drivers. It allows motorcycle drivers if they have graduated from a motorcycle safety course to forgo the test. It changes the CDL renewal from 4 years to 5 years. The last item in the bill allows for people under the age of 50 to renew their license every other time remotely if they have a documented eye exam within the last year. I voted yes.

**SB 331:** This bill, already sent to the Governor, creates two new state parks in Kansas. The Flint Hills Trail state park is 117 miles long running from Osawatimie to Herington on old rail line. The trail was turned over to Wildlife, Parks and Tourism Department for development and managing. The Little Jerusalem Badlands state park in Logan county is a large area of limestone outcropping that has been privately owned for decades and the family wants to see it preserved. Its management is also in the hands of Wildlife, Parks and Tourism. I voted no because the rails to trails project has too many unanswered questions, most of which were brought up by farmers and ranchers, Kansas Farm Bureau, and Kansas Livestock Association who testified against it.

Importantly, how will it be adequately funded? I would have supported a separate bill establishing the Little Jerusalem Badlands Park.

While I was in the House chamber focused on legislation each day, Linda hosted two events. She again led the Legislative Spouses on a tour. They began at Nextgen's Chophouse in Maple Hill for lunch, toured the Caterpillar factory and inside the Old Dutch Mill in the Wamego Park, and came to our home for Linda's homemade pie. Thanks to Caterpillar and the Wamego Historical Society for providing the tours. Our grandsons spent a day as my pages. It was special for me to have them with us, watch them run errands for legislators, and then back home get in on some dominoes.

There will be more to share after the eight-day session. It is my honor to represent you and keep you informed with my newsletters. At my website, [www.ronhighland.com](http://www.ronhighland.com), you can find a syllabus that explains in detail how to get legislative information. My contact information is: Rm 561 W, State Capitol, Topeka, Kansas 66612; 785-296-7310; [ron.highland@house.ks.gov](mailto:ron.highland@house.ks.gov). I look forward to hearing from you.