

## **2014 Legislative Update No. 9 from Ron Highland, Representative of the 51<sup>st</sup> District**

Activities are picking up as we near the March 26 deadline. This week was busy with committee activities and passing or rejecting bills in committee that were “blessed” or Senate bills sent over for consideration. Within the Education Committee we conducted a “gut and go” procedure for a bill that many in the state want to reach the House floor for a vote. I attended a seminar on the Renewable Energy Portfolio Standards (RPS) that was enlightening.

The Education Committee heard testimony from six district superintendents and from in house experts on at risk funding. The determination for at risk funding is directly tied to the income of each family with school age children and their qualification for free or reduced lunch. If the forms completed show the family to be at 130% the poverty level their children will receive free lunch and if at 185% they will receive reduced lunch prices. Some school districts are at near 80% of their students receiving free or reduced lunches. At risk funding, along with all the funding formulas for education, are being reviewed in light of the recent Kansas Supreme Court decision.

The Education Committee passed out a bill requiring the teaching of financial literacy and a substitute bill on sex education. This substitute procedure called a “gut and go” was used with the sex education bill. An old bill still viable this session that is destined to never be heard is used as a shell and the contents of another bill is inserted. HB 2307 was gutted with only the number retained. HB 2620 – The Sex Education Bill, as originally presented to the committee was inserted into the shell. As it goes to the floor, it mandates opt-in sex education, requires sharing of materials with parents upon request, and demands that schools ensure any student who has not opted in to the program will not under any circumstances see any of the materials. This puts parents in control of this piece of their children’s education. The bill will next go to the full House for consideration in the near future. The bill came as a result of concerned parents who found objectionable teaching materials being used in the curriculum at their schools and contacted their Representatives.

Because I am on the Energy and Environment Committee, I attended a seminar on the Renewable Energy Portfolio Standards (RPS). In 2009 the state mandated that utilities must reach 10% of their power purchases or generation from renewable sources for years 2011 – 2015, 15% in compliance years 2016 – 2019, and 20% thereafter. The goals are laudable, but the costs to the customers and to the state are beyond reason. The mandate gives the wind power industry a pass on property taxes. As long as the property is used as a wind farm and for that purpose only, the property is exempt from any state property taxes. In lieu of taxes the companies may make a donation to the county (Payment in Lieu of Taxes, PILOT). In 2013 their donations amounted to \$8.6 million. If they were taxed as all other power generation facilities are, the tax revenue would have been between \$117 and \$130 million. That represents a loss to the state’s revenue of close to \$120 million yearly. By comparison, the state collected approximately \$450 million from fossil-fuel producers of electricity in property taxes and another \$100 million in severance taxes.

Currently in Kansas, right at 20% of the electricity sold is generated from renewable sources, exceeding the mandates. Your federal taxes are also being used to heavily subsidize these

ventures. Then there are the costs passed on to the customers for building the power lines and the back-up natural gas generators to support the wind farms when the wind is not blowing. Kansas electricity prices have been raised approximately eight times the national average since the mandates were enacted in 2009. The Representatives who were around then have told me they voted for the mandates because they were promised that the Holcomb coal power plant would be approved. They now regret that vote. Neither the state nor the federal government should be picking winners and losers; let the free market system work. Because we are already exceeding the renewable energy mandate, many want to repeal the 2009 law.

The Energy and Environment Committee passed a bill (HB 2661) that extends the notification period for the public and land owners where proposed power lines are to run. The recent public outcry over the new direct current (DC) electrical lines to run from SW Kansas to as far as Indiana across our state caused landowners and county residents to question the approval process. The bill will make the process more open for public comment in the future.

The committee also heard a review of the newly instituted Integrated Marketplace Program. It went into effect on March 1 that companies who generate electricity must bid their asking price from seven days to one day in advance of the sale. The prices may fluctuate by the minute each day. This gives the new balancing authority, Southwest Power Pool (SPP), the ability to buy and sell energy in a way that reduces the costs for the customers. Current members of the SPP include Arkansas, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, and Texas. The KCC, SPP, and Westar all reported the new system is working well so far.

The All-Day Kindergarten Committee met to hear the final testimonies from the three experts on early education. A reading program representative came from LEXIA. I invited Dr. Eva Horn, a KU professor of early learning, and Mrs. Roxie Peterson, a retired kindergarten teacher from Wamego and finalist for Kansas teacher of the year. She presented a detailed overview of her kindergarten teaching and the committee members asked many questions of her because she was the only actual classroom teacher to testify.

Visitors this week included John and Roxie Peterson of Wamego, Tammy Wallin and Cristina Hargitt from the Pottawatomie-Wabaunsee Infant Toddler agency, and Dr. Mark Bettencourt, representing the Kansas Optometric Association. Ms. Tamela Biswell, advisor for the FCCLA chapter at Wamego High School/Family and Consumer Sciences Department was in the Capitol with their booth to show their good work. The students who accompanied her were, Dallas Holz, Cody Filbert, and Annie Waegli. I thoroughly enjoyed visiting with them and hearing their future plans. Their motivation for success was very heartening.

As always, it is an honor and a privilege to serve you. Remember, this is your government and your Representatives and Senators need to know how you feel about issues before them. I can be reached by email, mail or in person at the Capitol. My office phone is 785-296-7310 and my email address is [ron.highland@house.ks.gov](mailto:ron.highland@house.ks.gov).