



Statehouse News

January 29, 2022

Happy Kansas Day!

Forecast: Windy and Sunny

Wind and solar farms would be banned in more than half of Kansas counties — and made nearly impossible in the rest — under a trio of bills heard by legislators this week. One of the bills would require leases presented to landowners to come with a message in 16 point font recommending they hire a lawyer. Another would consider projects abandoned if construction doesn't start within three years. Senate Bill 325 would require leased land for a wind or solar farm to be zoned as industrial. 60 Kansas counties currently do not have zoning. This bill forces them to impose zoning if they want to have wind or solar projects.

SB 325 also creates a series of bureaucratic problems for counties, including requiring wind and solar developers to get a permit before they file signed leases, but a developer can't get a permit until the ground is leased. The lease would also have to be filed with the Register of Deeds within 30 days. There is also a confusing protest petition clause which would force a vote if 10% of the surrounding landowners objected to their neighbor wanting a wind or solar farm.

Senator Mike Thompson introduced the series of bills. SB 325 was heard in Senate Local Government. The others in Senate Utilities. Renewable energy industry officials say the bills would end wind and solar development in Kansas.

The KAC and KCCA are opposing the bills because they infringe on county local control. Word is Senate Local Government Chair Carolyn McGinn, R-Sedgwick, will not work SB 325.

Week #3 Legislative Action

Redistricting: The House and Senate passed the controversial Ad Astra Congressional map which splits Wyandotte County down the middle along I-70 putting the north half in the 2nd District and the south half in the 3rd District. The map also drags Lawrence into the Big 1st. The map is headed to Governor Laura Kelly who is expected to veto it as blatant gerrymandering. It's also expected one or more groups will file lawsuits in Federal District Court. Work on State House and Senate maps will get underway next. Because western Kansas lost population, House and Senate Districts will have to expand, which means incumbent will likely be pitted against incumbent in some areas. Johnson County grew by a large number, so districts there will shrink and new ones added. Johnson County could pick up three new Representatives and one new Senator. The results will widen the rural-urban split with the legislature officially consisting of more big city lawmakers than rural lawmakers.

Affordable Housing: Senate Bills 375 and 376 look to offer tax credits to developers who build

affordable housing in both urban and rural areas. The shortage of available housing is a problem in every part of the state. Senator Rob Olsen has drafted these bills to encourage construction of more homes. He has convinced leadership to let him hold hearings in the Senate Federal and State Affairs committee instead of sending bills to Commerce or Tax. I'll be watching the bills and likely offering support.

Food Sales Tax: What could be a simple bipartisan issue—get rid of the State sales tax on groceries—is getting complicated. HB 2484 and HB 2487 and SB 342 and SB 339 propose eliminating the 6.5% tax in different ways. In all cases cities and counties would be allowed to keep local sales tax at least for now. Rumors are the Senate Committee will push an amendment which would also block local governments from charging sales tax on groceries and perhaps even restaurant meals. We will be keeping a close eye for that move and will oppose. Eliminating the city and/or county sales taxes on any food sales would be financially devastating.

Sales Tax on Utilities – SB 359 deals with sales tax on utilities. It would remove the state sales tax from utility bills in 2023. The bill has an option which would allow local governments to also remove local sales tax if they choose. Senate Tax will hold a hearing on SB 359 Wednesday. I'll be there to make sure they don't do anything which intrudes on local control.

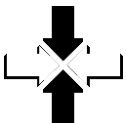
Fireworks: If your county wants to be able to sell fireworks year around, Senate Bill 378 will give you the chance. While the bill would allow fireworks sales year around, it also gives local governments the ability to prohibit all fireworks sales or establish a specific fireworks season when legal sales are allowed.

Open Records: SB 386 bears watching because it would change what local governments can charge for open records requests. It would require the rate charged for staff time to fill the request be set at the lowest hourly rate of a person qualified to fill the request. No hearings set, but negotiations are underway to ensure the bill is workable if it does advance.

Wildfire Help: Farmers and ranchers are still waiting on this measure exempting sales taxes for fencing materials needed to rebuilt fences damaged in December's wildfires to move forward to the Governor's desk

Meetings: This week I had conversations with the following people on behalf of the KCCA:

- Rep Jim Minnix, R-Scott City
- Rep Kathy Wolfe-Moore, D-Kansas City
- Rep Jim Gartner, D-Topeka
- Rep Leah Howell, R-Derby
- Rep Steve Huebert, R-Valley Center



StrategyConsultants

4530 N 108th Street
913-449-4848

Kansas City, Kansas 66109
miketaylor4530@gmail.com

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