



Legislative Committee

Meeting Agenda

Noon, March 1, 2013

Workforce Alliance Administrative Offices
Commissioner Chip Westfall, Chairman

1. **Welcome, Introductions, and Announcements:** *Commissioner Chip Westfall*
2. **Approval of Minutes from January 25, 2013:** *Commissioner Chip Westfall*
Recommended Action: *Approve or modify minutes as needed.*
3. **SCK Delegation Meeting Report:** *Joe Yager*
REAP served as the host/sponsor for the weekly South Central Delegation Meeting on February 13th. A report highlighting the meeting will be provided.
4. **Legislative Liaison Report:** *Tom Bruno*
An update from Topeka on the 2013 Legislative Session will be provided.
5. **HB2366 – Sustainable Development Bill:** *Joe Yager*
A bill to prohibit use of public funds to promote sustainable development has been introduced to the House Energy and Environment Committee. The Committee is asked to discuss this item.
6. **“Town Hall” Update:** *Commissioner Chip Westfall*
The Committee will be provided an update on the potential for legislative “town halls.”
7. **Upcoming Events:** *Commissioner Chip Westfall*
 - a. **REAP Board Meeting:** *8:00 AM, March 11, 2013, Wichita State University Metroplex, 29th and Oliver*
 - b. **REAP Legislative Committee Meeting:** *Noon, March 29, 2013, Workforce Alliance*
 - c. **SCK Delegation Forums:**
 - i. *9:00 AM, Saturday, March 2, 2013, National Center for Aviation Training, 4004 N. Webb Road*
 - ii. *9:00 AM, Saturday, March 23, 2013, Wichita State University Metroplex, 29th and Oliver*
 - iii. *6:30 PM, Monday, May 6, 2013, Derby Welcome Center, 611 Mulberry RD, Derby, KS 67037*
8. **Unscheduled Topics:** *Committee Members*
9. **Adjourn**

Legislative Committee
Meeting Minutes –January 25, 2013
Workforce Alliance Administrative Offices
Commissioner Chip Westfall, Chair

1. Welcome, Introductions and Announcements:

Commissioner Chip Westfall, Harvey County, opened the meeting; members, staff, and guests introduced themselves.

2. Review of Minutes from November 16th, 2012 REAP Legislative Committee Meetings

Mr. Bob Myers, City of Newton, moved (Mayor Kristey Williams, Augusta) to approve the minutes. The motion passed unanimously

3. 2012 Annual Legislative Policy Summit Report

Mr. Joe Yager led the committee through the highlights of the 2012 REAP Policy Summit. He noted that the Legislative Policy Summit and luncheon costs were covered by the sponsors. He also noted the attendance by several new legislators and large overall attendance. He added that staff was looking for feedback on what worked with the event and what ideas the Committee had on future events. Commissioner Westfall congratulated REAP staff on a successful summit and great turnout. Councilmember Jeff Longwell, Wichita, commented that Ms. Kathy Sexton's, Derby, presentation on Home Rule helped many legislators understand this important issue. The Committee discussed several aspects of the summit and requested an earlier start on sponsorships and format in 2013.

4. Legislative Priorities Report

a. Mr. Yager presented a report on the REAP 2013 Legislative Priorities and mentioned that this report will continue to be updated throughout the session as necessary.

b. Mr. Tom Bruno submitted a legislative report highlighting key issues. He mentioned that the new legislators are learning as they go which makes the session more unpredictable. He noted that the Governor's budget lays out the ASR project as a priority, but it did not get the level of funding requested. Mr. Bruno discussed Senate adopted pay-as-you-go in joint rules, the governor's tax proposal, and SB 78 on property taxes, there will be some continued questions on these pieces. There is speculation on budget cuts due to revenue shortfalls. He noted that HB 2047 is relevant to cities as they employ public funds for lobbying and that LKM is cautious about the bill and the City of Olathe has come out in opposition of it.

Mr. Dale Goter, discussed a water issue with GMD 5 and 6, which extends into Reno County. He noted that the issues relates to over-irrigation and overall water rights appropriations. He noted that this may be an opportunity for the Water Resource Committee to become involved, however, it is unknown at this time. He also informed the committee of a hearing last week on water rights apportionments; noting that on February 21st 2013 the long term drought plan of the City of Wichita would be discussed in a Council workshop.

Mr. Myers commented on the municipal solids waste industry bill, HB 2639. Mr. Myers informed the committee that if the bill passes, municipalities must put a bid out to the private sector and if the city would like to keep providing the service, they must prove it is cheaper. Municipalities would need a separately audited financial system as well.

c. Mr. Yager gave an update on the affordable airfares program, noting the required financial status report was done and provided to the appropriate individuals on January 14, the 1st day of the legislative session. He also noted that there is a new palm card printed with the most recent facts and figures.

5. South Central Kansas Meeting Sponsorship

REAP is serving as the sponsor for the weekly South Central Delegation Meeting on February 13th. Mr. Bruno asked the Legislative Committee what message they wanted to present to the legislators. Commissioner Westfall noted that some issues relevant to cities and counties would be House Bill 2047, the Kansas Affordable Airfares Programs and water related issues. Mr. Myers suggested that the message should include a reminder that cuts at the state level put pressure on local government. Commissioner Dave Unruh, Sedgwick County, suggested the focus on a regional approach. Commissioner Unruh complemented Commissioner Westfall for his messaging at the Delegation meeting in January and noted that a similar message should be carried forward at this lunch. Mr. Yager asked for members to volunteer to attend and noted that an email request would be forthcoming as well.

6. “Town Hall” Discussion

Commissioner Westfall asked the Committee to discuss the potential for legislative “town hall” discussions. Mr. Bruno offered to schedule in advance to ease the planning process as last minute calls would be more difficult to schedule. He also suggested that individual phone calls may be best as the legislators are all very busy. Mr. Goter commented that legislators would be willing to engage in discussions with local elected officials. Mr. Yager noted that the committee would need to locate the technical ability for large conference call and suggested the conference calls be scheduled around the lunch hour. The Committee directed staff to work on this issue and report back.

7. Upcoming Events

Commissioner Westfall reminded the committee of upcoming events including the Sustainable Communities Grant Kick-off event, the South Central Kansas Delegation meeting, the REAP Board meeting, and the South Central Kansas Delegation Forums as noted on the agenda.

It was also noted that on February 9 and April 13 the Harvey County delegation will hold town hall meetings as well.

8. Unscheduled Topics

No unscheduled topics were brought up for discussion.

9. Adjourn

Having no other business the meeting was adjourned.

REAP Legislative Committee

Attendance – 01/25/2013

Committee Members

Chair- Commissioner Chip Westfall, Harvey County
Mayor Kristey Williams, City of Augusta
Ms. Stephanie Knebel, City of Derby
Mayor Marcey Gregory, City of Goddard
Mr. Bob Myers, City of Newton
Commissioner Dave Unruh, Sedgwick County
Mr. Marv Duncan, Sedgwick County
Mr. Dale Goter, City of Wichita

Mr. Tom Bruno, Bruno and Associates—via phone
Mr. Bill Bolin, SCKEDD
Mr. Keith Lawing, Workforce Alliance
Ms. Kelly Bergeron, Workforce Alliance
Dr. Nancy McCarthy Snyder, WSU
Mr. Joe Yager, WSU
Ms. Rebecca Likiardopoulos, WSU
Mr. Brandon Mills, WSU

Guests/Staff

Item

SCK Delegation Meeting Report

Background

The REAP Legislative Committee identified two areas of importance in the REAP Strategic Plan:

- 1) **Guide state and national policies** by engaging local leadership to represent the region at the state level and developing relationships with state governmental officials.
- 2) **Engage stakeholders** by providing regional forums that connect REAP membership with public sector stakeholders and conducting outreach on the purpose and accomplishments of REAP.

In an effort to address these roles the REAP Legislative Committee has increased its efforts in outreach and engagement. The following is a report from the recent delegation meeting sponsorship in Topeka.

South Central Delegation Meeting in Topeka

The Legislative Committee identified the use of sponsoring a weekly meeting of the South-Central Kansas Legislative Delegation as an activity to guide state policies through awareness, communication and coordination. The following are some of the highlights for the South-Central Kansas Legislative Delegation Meeting, held on February 13, 2013 at the State Capital room 152-S.

- More than **50 people** attended the meeting, including **26** state legislators.
- The meeting provided an opportunity for the members of the Legislative committee to discuss pertinent legislation coming before the state legislator. Commissioner Chip Westfall, Chair of the Legislative Committee, presented information about REAP, including: background and history: roles, work items and the purpose of REAP; and overview of several REAP legislative priorities.

Questions from the Delegation

What was the grant in 2003 for and are the dollars competitive?

Follow-up: What are the strings attached and whom are you serving?

Do you have any insight into what is going into the former Boeing building?

Can you explain home rule?

What is the Economic Development Committee? What are the big issues they are attacking?

The delegation also discussed several issues, including mandates on local governments and the unintended consequences of certain pieces of legislation, such as DUI laws that mandate jail terms and cause increased expenditures at the local level.

Attendance

REAP Members that joined Commissioner Westfall were: Council Members Jeff Longwell and Pete Meitzner (Wichita); Mayor Marcey Gregory (Goddard); Commissioner Willis Heck (Newton); John Waltner (Harvey County); Dale Goter (Wichita); and Marv Duncan (Sedgwick County). Also in attendance were partners: Dr. Tony Kinkel (WATC); Keith Lawing (Workforce Alliance); and Diane Gjerstad (USD 259). Tom Bruno, Joe Yager, and Brandon Mills also attended.



ANDOVER, AUGUSTA, BEL AIRE, BENTLEY, BENTON, BUTLER COUNTY, CHENEY, CLEARWATER, COLWICH, CONWAY SPRINGS, DERBY, EL DORADO, GARDEN PLAIN, GODDARD, HALSTEAD, HARVEY COUNTY, HAYSVILLE, HESSTON, HUTCHINSON, KECHI, KINGMAN COUNTY, MAIZE, MCPHERSON COUNTY, MOUNT HOPE, MULVANE, NEWTON, PARK CITY, RENO COUNTY, ROSE HILL, SEDGWICK, SEDGWICK COUNTY, VALLEY CENTER, WELLINGTON, WICHITA

REAP Legislative Committee 2013 Legislative Priorities

Adopted November 5, 2012

Legislative Priorities

- Maintain Kansas Affordable Airfares Program to assure more flight options, more competition for air travel, and affordable airfares for Kansas.
- Advance legislative and administrative action to secure state financial participation in:
 - the Equus Beds Aquifer Storage and Recovery (ASR) Project to preserve the aquifer for agricultural, industrial, and municipal use that is essential to the regional economy.
 - sediment and nutrient reduction programs that protect and sustain the region's public water supplies.
 - aviation research at the National Institute for Aviation Research at Wichita State University.
 - orthopedic research at the Center of Innovation for Bio Orthopedic Research (CIBOR).
- Support a reevaluation of current state water policy including Kansas Water Authority representation; revenue sources and distribution for the state water plan fund; and, the process for adopting the annual state water plan fund budget.
- Promote science-based, common sense policies that protect the safety of the region's water supply and air quality; recognizing that the region's job creation potential should not be unnecessarily jeopardized.
- Support a stronger system of business-driven technical training and education in Kansas including enhanced funding support, better alignment and articulation of education and training programs, and transition programs to better serve adult learners.
- Support the continued funding of the Kansas T-Works comprehensive transportation program and utilization of these funds for transportation purposes.
- Support continued evaluation of the feasibility of expanded and existing passenger rail service throughout the State of Kansas.
- Support home rule authority to provide cities and counties the ability to fund service for local residents.
- Support existing business incentives that affect the ability to retain or expand existing businesses or the recruiting of new businesses (i.e. To include but not limited to High Performance Incentive Program -HPIP, Promoting Employment Across Kansas -PEAK).
- Support federal reauthorization of the Workforce Investment Act of 1998 to include maintaining local control through private sector and employer driven Local Workforce Investment Boards.

HOUSE BILL No. 2366

By Committee on Energy and Environment

2-15

1 AN ACT concerning the use of public funds to promote or implement
2 sustainable development.

3

4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) No public funds may be used, either directly or
6 indirectly, to promote, support, mandate, require, order, incentivize,
7 advocate, plan for, participate in or implement sustainable development.
8 This prohibition on the use of public funds shall apply to: (1) Any activity
9 by any state governmental entity or municipality;

10 (2) the payment of membership dues to any association;

11 (3) employing or contracting for the service of any person or entity;

12 (4) the preparation, distribution or use of any kit, pamphlet, booklet,
13 publication, electronic communication, radio, television or video
14 presentation;

15 (5) any materials prepared or presented as part of a class, course,
16 curriculum or instructional material;

17 (6) any current, proposed or pending law, rule, regulation, code,
18 administrative action or order issued by any federal or international
19 agency; and

20 (7) any federal or private grant, program or initiative.

21 (b) Nothing in this section shall be construed to prohibit the use of
22 public funds outside the context of sustainable development: (1) For
23 planning the use, development or extension of public services or resources;

24 (2) to support, promote, advocate for, plan for, enforce, use, teach,
25 participate in or implement the ideas, principles or practices of planning,
26 conservation, conservationism, fiscal responsibility, free market
27 capitalism, limited government, federalism, national and state sovereignty,
28 individual freedom and liberty, individual responsibility or the protection
29 of personal property rights; and

30 (3) to advocate against or inform the public about any past, present or
31 future governmental action that is violative of this act.

32 (c) For the purposes of this section: (1) "Municipality" shall have the
33 meaning ascribed to it in K.S.A. 75-6102, and amendments thereto; and

34 (2) "sustainable development" means a mode of human development
35 in which resource use aims to meet human needs while preserving the
36 environment so that these needs can be met not only in the present, but

- 1 also for generations to come, but not to include the idea, principle or
- 2 practice of conservation or conservationism.
- 3 Sec. 2. This act shall take effect and be in force from and after its
- 4 publication in the statute book.

THE CAPITAL-JOURNAL

Geophysicist's bill prohibits sustainable development

CJ Online

Andy Marso

February 20, 2013 12:01 AM EST

A Wichita legislator with ties to the oil and natural gas industry has introduced a bill to prohibit use of public funds to promote sustainable development.

Rep. Dennis Hedke, a Republican, brought the bill to the House Energy and Environment Committee of which he is chairman. He said Tuesday he saw no conflict of interest in the fact that he is a contract geophysicist whose client list includes 30 regional oil and gas companies.

"I can't see why," Hedke said. "I didn't think about that. It really never crossed my mind. I'd probably just say no."

Sen. Anthony Hensley, D-Topeka, disagreed.

"It's a blatant conflict of interest," Hensley said. "I certainly feel like he should be called out."

The bill, HB 2366, defines sustainable development as "a mode of human development in which resource use aims to meet human needs while preserving the environment so that these needs can be met not only in the present, but also for generations to come, but not to include the idea, principle or practice of conservation or conservationism."

It prohibits public funds from being used "either directly or indirectly, to promote, support, mandate, require, order, incentivize, advocate, plan for, participate in or implement sustainable development." Hedke said he brought the bill at the request of some constituents.

"I felt like it was a responsible thing to go ahead and let that debate perhaps come out," Hedke said. Hedke said the constituents who encouraged him to bring the bill have concerns about specific instances of their tax dollars being used for sustainable development projects, but he declined to name those instances pending a hearing that has yet to be scheduled.

Rep. Gail Finney, D-Wichita, who sits on the energy committee, said she hadn't been contacted by constituents with similar concerns.

"I really haven't heard of that being a problem," Finney said.

Finney said she was unaware of Hedke's work with the oil and gas industry, which is outlined in his statement of substantial interests legislators must file with the Secretary of State's Office.

Hedke was among several House members who testified last year for a resolution repudiating United Nations Agenda 21, a 20-year-old nonbinding agreement that encourages sustainable development. He said HB 2366 is more locally focused.

"This is really focused on, I think, state issues and national to some extent," Hedke said. "We see some evidence in other states, too, so we're not the only ones being impacted by that sort of thing."

Hedke has a documented history of casting doubt on global climate change resulting from the burning of fossil fuels.

According to the "Voice for Liberty in Wichita" libertarian website, Hedke had a website in 2009 called HeadOnIssues.org dedicated to presenting the "science, economics, and politics of climate change and global warming alarmism." The link provided is now inactive.

The libertarian site also states that in 2010 Hedke appeared at two forums at Johnson County Community College to present the documentary film "Not Evil Just Wrong: the True Cost of Global Warming Hysteria."

Hedke is also on the House Education Committee that recently introduced a bill requiring school districts to adopt science curricula that teach all sides of "controversial" issues — of which climate change is the only one listed.

Earlier this month, Hedke brought four climate scientists to his energy committee, two of whom testified that their research doesn't support any link between human activity and global climate change. One who testified that such a link does exist, Johannes Feddema, of The University of Kansas, said he feared the number of skeptics invited to speak could mislead lawmakers about how much dissent there is on a scientific topic on which "98 percent" of researchers agree.

Zack Pistora, spokesman for the Kansas Sierra Club, said Hedke has attempted to "brainwash" his committee members on climate change and "might as well rename his committee House Energy and Anti-Environment."

Pistora said HB 2366 is an extension of last year's anti-U.N. resolution that Pistora linked to the American Legislative Exchange Council and Americans for Prosperity. Pistora said Hedke also scuttled a scheduled hearing on regulating hydraulic fracturing — a form of gas drilling known as "fracking." "It is clear that Hedke has been influenced heavily by the money involved from his contract work with the oil and gas industry," Pistora said. "As a state representative, he needs to put his own financial interests aside and focus instead on doing what's right for Kansans, our environment and our future generations."

Andy Marso can be reached at Capital: (785) 233-7470; Office: (785) 295-5619 or andy.marso@cjonline.com.
Follow Andy on Twitter @andymarso.