



## Conservative think tank gives Kansas good marks in some areas

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Kansas ranked in the top third of states for “overall freedom” in a new report from conservative think tank Cato Institute, but it received a mediocre rating for its fiscal policy in the report.

Kansas’ fiscal policy rating comes as a notable blow after the state’s historical tax changes three years ago. Gov. Sam Brownback had eliminated the top tax bracket, reduced rates across the board and exempted more than 330,000 business owners from paying income tax on the profits.

The recent rankings are for fiscal year 2013-14. The Legislature enacted Brownback’s tax cuts in 2012

Cato’s report says: “The state’s tax cuts were large, but we show that their projected outcome brings Kansas’s state-level tax burden only slightly below the national average, while its local tax burden is a little above the national average.”

In an e-mail Monday afternoon, Brownback spokeswoman Eileen Hawley focused on Kansas’ fiscal rating improvement – from 39th to 33rd.

“The improved rating is a positive reflection of policies that make putting more money in the hands of hard-working Kansans more important than the growth of government,” she wrote.

The report ranked each state’s freedom for 23 categories, along with an “overall freedom” ranking for each state. Kansas ranked 16th for overall freedom.

Cato’s analysis offers mixed reviews about Kansas, saying that it spends much less than average on business subsidies, but has much higher-than-average number of government employment given the state’s size.

The report is titled Freedom in the 50 States. Cato Institute says it compiles the rankings with more than 230 policy variables from state and local governments. Those variables include taxation, debt, eminent domain laws, occupational licensing, drug policies and educational choice.

The top five states overall were, in order, New Hampshire, Alaska, Oklahoma, Indiana and South Dakota.

It ranks New York as “by far the least free state,” followed by California, Hawaii, New Jersey and Maryland.

In the report’s subcategories, Kansas ranked fourth for regulatory conservatism and first for cable and telecom freedom.

Kansas passed a telecom deregulation bill during the 2011-12 session. That passage caused Kansas to jump from 27th to first in the nation for that category.

### **Cato’s recommendations to Kansas**

- Cut spending on health, hospitals and public buildings.
- Legalize independent nurse practitioner practice with full prescribing authority.
- End state approval and registration of private school teacher licensing and curriculum requirements.

### **Cato’s findings**

Here are some of the highlights from the report, including things Kansas does well, and areas where Cato says there is room for improvement:

- Land-use freedom is high, though the state has enacted stricter-than-normal renewable portfolio standards.
- Kansas is a right-to-work state.
- The civil liability system is much better than average.
- Occupational freedom is traditionally high, except for nurses, but has fallen noticeably in recent years.
- The state has no hospital certificate-of-need law.
- Kansas has a price-gouging law, as well as a Depression-era law licensing moving companies.
- Kansas’ criminal justice is better than most other conservative states, but the incarceration rate has crept up over time, as have victimless crime arrest rates.
- Marijuana sentencing policies are milder than in most states, but Kansas has made no move to remove criminal penalties altogether.

- The state has very little legal gambling.
- Educational freedom improved in 2013–14 with a new, albeit modest tax credit scholarship law. However, nonsectarian private schools are tightly regulated: they must get state approval and must hire only licensed teachers.
- Smoking bans are comprehensive, and cigarette taxes are relatively low.
- Alcohol is less regulated than it was in the days when Kansas banned liquor by the drink, but wine or spirits are still not sold in grocery stores, and local blue laws are still on the books.
- The state takes in way more than the average state in civil asset forfeiture equitable sharing funds.