

2016 Kansas Legislative Session Final Report and Voting Record

- Produced by the Public Policy and Advocacy Committee -

Dear Chamber Member,

Many issues that impact your business, both positively and negatively, are decided at the Capitol in Topeka. You have told us advocacy is one of the most important services of the Overland Park Chamber of Commerce. It may come as a surprise to you that we are the only chamber of commerce in the state that publishes a summary of a number of those important legislative votes cast in Topeka so you can be an informed voter.


No voting record can tell the entire story of a legislator's attitude and actions on issues of importance to business. Each year, legislators cast votes on hundreds of proposed laws. Many anti-business bills were rejected by legislators in policy or fiscal committees, thus stopping proposals before they reached the floor for a recorded vote. This Voting Record does not capture those or any other unrecorded votes.

What the 2016 Voting Record does provide you with is a valuable tool for evaluating our Johnson County legislators' performances on business-centric and quality of life issues and a guide for acknowledging votes favorable and unfavorable relative to the Chamber's legislative agenda. Remember, this is a legislative agenda based on those issues that you, our members, have told us are important to your businesses, and it has been carefully reviewed and discussed by our Public Policy and Advocacy Committee as well as our Board of Directors and Executive Committee. Please read this record carefully and thoroughly – let it spur continued dialogue with your elected officials and help guide you in your decision-making process at election time.

After last year's record long legislative session, the 2016 session was a relatively short one, wrapping up in just 72 days. However, the Governor had to call legislators back to Topeka for a two-day special session in late June to address K-12 school funding. On behalf of the Overland Park Chamber of Commerce and our members, we want to thank all members of the Johnson County Delegation for their hard work and dedication this legislative session. They often are required to make difficult decisions and experience personal sacrifice to fulfill the responsibilities of their elected offices.

If you would like additional information on the Chamber's advocacy efforts, or if you are interested in participating in our Public Policy and Advocacy Committee, please contact Tom Robinett, Vice President of Public Policy and Advocacy, at (913) 766-7602 or t robinett@opchamber.org.

Sincerely,



Mike Hess, **HNTB Corporation**

2016 Co-Chair, Public Policy and Advocacy Committee



Tony Rupp, **Foulston Siefkin LLP**

2016 Co-Chair, Public Policy and Advocacy Committee

2016 Government Affairs Committee

Committee Chairman:

Mr. Mike Hess
HNTB Corporation

Committee Co-Chairman:

Mr. Tony Rupp
Foulston Siefkin LLP

Mr. Christopher Aikin
Shook, Hardy & Bacon L.L.P.

Dr. Patricia All
Olathe Unified School District #233

Ms. Kate Allen
Johnson County Community College
Foundation

Mr. John Andrade
Olathe Unified School District #233

Mr. Mac Andrew
Shafer, Kline & Warren

Ms. Rita Ashley
Commerce Bank N.A.

Mr. James Bartling
Atmos Energy

Ms. Mary Birch
Lathrop & Gage LLP

Ms. Mikaela Blocher
First National Bank

Ms. Julie Brewer
United Community Services

Mr. Bill Burghart
Capital City Bank

Mr. Chris Carroll
AT&T

Mr. Dick Carter
The Carter Group

Ms. Jacqueline Clark
Ash Grove Cement Company, Inc.

Mr. Sean Connelly
Empower Retirement

Ms. Sara Corless
Homebuilders Association of Greater Kansas City

Mr. Toby Crouse
Foulston Siefkin LLP

Ms. Allison Darling
GoalGETTERS

Mr. Kirby Deeter
Varnum/Armstrong/Deeter, L.L.C.

Mr. Michael DeMent
HNTB Corporation

Sen. Jim Denning
Discover Vision Centers

Ms. Julia Fabris McBride
Kansas Leadership Center

Mr. Jarad Falk
Charter Communications

Mr. Owen Faulkner
Service Experts Heating & Air Conditioning

Mr. Patrick Fucik
Sprint

Mayor Carl Gerlach
City of Overland Park

Ms. Molly Haase
Representative Kevin Yoder's Office

Ms. Audrey Hill
Saint Luke's Health System

Mr. Paul Hink
SPX Cooling Technologies

Mr. Bob Holcomb
Empower Retirement

Mr. Jenny Inghram
The University of Kansas Hospital

Mr. Mark Johnson
BHC RHODES

Mr. Scott Jones
Kansas City Power & Light

Rep. Marvin Kleeb
Allied Staffing

Mr. Mike Lally
Olsson Associates

Mr. Michael Lee
Home Builders Association of Greater Kansas City

Mr. Zachary Luea
National American University

Mr. Brent McCune
COBLE MCCUNE Wealth Management

Ms. Darci Meese
WaterOne

Mr. Phil Melugin
Phoenix Home Care, Inc.

Mr. Ronnie Metsker
Johnson County Election Office

Mr. Gus Meyer
Rau Construction Company

Mr. Jason Meyers
Burns & McDonnell Engineering

Ms. Katie Misukanis
Rasmussen College

Mr. Greg Musil
Douthitt Frets Rouse Gentile & Rhodes

Dr. Leigh Anne Neal
Shawnee Mission School District

Mr. Gary Nevius
MOMENTA

Mr. Neal Nichols
Overland Park Host Lions Club

Mr. Ed O'Connor
PC Partners, Inc.

Mr. Steve O'Hern
Swiss Re America Holding Company

Mr. Aaron Otto
Johnson County Government

Ms. Margot Pickering
Pickering Law Firm

Mr. Dallas Polen
Children's Mercy Hospitals & Clinics

Ms. Penny Postoak Ferguson
Johnson County Government

Mr. Clint Robinson
Black & Veatch

Mr. Nick Sanders
Wallace Saunders

Ms. Stephanie Seger
Children's Mercy Hospitals & Clinics

Ms. Carrie Sherer
Black & Veatch

Mr. Neil Shortlidge
Stinson Leonard Street

Councilmember John Skubal
Kaw Valley Engineering, Inc.

Mr. Cris Smith
Central Bank of the Midwest

Councilmember Fred Spears
City of Overland Park

Mr. Jon Stanfield
VSR Financial Services, Inc.

Ms. Margaret Steele
Kansas Gas Service

Mr. Alan Stetson
Children's Mercy Hospitals & Clinics

Mr. Brad Stratton
Overland Park Wealth Management

Mr. Barry Sutherland
McCarthy Building Companies, Inc.

Mr. Dennis Swan
Kincaid Coach Lines, Inc.

Mr. Greg Swarens
Option Real Estate Services, Inc.

Mr. Tom Swenson
TranSystems

Ms. Emily Tilgner
McCownGordon Construction

Mr. Dave Trabert
Kansas Policy Institute

Mr. Mick Urban
Kansas Gas Service

Mr. Tim Van Zandt
Saint Luke's Health System

Sen. Robert Vancrum
Vancrum Law Firm, LLC

Sen. John Vratil
Blue Valley School District

Ms. Katie Walkley
Home Builders Association of Greater Kansas City

Mr. Mike Waters
QC Holdings, Inc.

Mr. Paul Weida
Black & Veatch

Councilmember Dave White
Foland, Wickens, Eisfelder, Roper & Hofer, PC

Mr. Ryan Wiens
Waddell & Reed, Inc.

Mr. Larry Winn, III
BHC RHODES

Mr. Dennis Wolf
Wells Fargo Advisors

Mr. Greg Wolf
Dentons

Mr. Josh Woolard
HNTB Corporation

Mr. Rick A. Worrel, P.E.
Affinis Corp

Ms. Kendra Wyatt
New Birth Company

Ms. Deb Zila
Shawnee Mission School District

SENATE

Percentage of Votes with Chamber Position			63%	75%	75%	75%	75%	86%	50%	88%	100%
	Senate Issues Bill Number & Descriptions	OP Chamber Position	Baumgardner	Denning	Lynn	Melcher	Olson	Pettey	Pilcher-Cook	Smith	Wolf
04/30/16 35-5	H Sub for SB 149 - Vote #255, Motion to Adopt Conference Committee Report; Extends Sunset of Angel Investor Tax Credit for 5 Years	Y	N	Y	Y	Y	Y	Y	N	Y	Y
05/02/16 22-18	H Sub for SB 249 - Vote #276, Motion to Adopt Conference Committee Report; Appropriations for FY2016, FY2017 and FY2018 (Budget Bill)	N	N	Y	Y	Y	Y	N	Y	N	N
04/29/16 37-3	S Sub for HB 2088 - Vote #233, Motion to Adopt Conference Committee Report; Modifies Existing Voter Approval Requirement for Certain Local Property Tax Increases (Property Tax Lid)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
01/28/16 39-1	HB 2449 - Vote #15, Final Action; Repeal of Non-Severability Clause in 2015 Judicial Branch Appropriations (Eliminates Funding Tie to Court Action)	Y	N	Y	Y	Y	Y	Y	Y	Y	Y
05/01/16 32-6-1-1	HB 2502 - Vote #268, Motion to Adopt Conference Committee Report; Prohibits Public Employers from Prohibiting Otherwise Legally Qualified Employee from Carrying Concealed Weapon on the Job	N	Y	Y	Y	Y	Y	N	Y	Y	N
05/01/16 40-0	HB 2632 - Vote #263, Motion to Adopt Conference Committee Report; Modifies STAR Bond Process; Authorizes Sale of Kansas Bioscience Authority	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
03/24/16 32-5-3	S Sub for HB 2655 - Vote #205, Final Action; Modifies CLASS Act to Adjust Equity Funding of K-12 Schools	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
06/24/16 38-1-1	Sub for HB 2001 – Vote #S 502 (Special Session), Final Action; Making and Concerning Appropriations for the Fiscal Years Ending June 30, 2017 and June 30, 2018, for Certain Agencies; Authorizing Certain Transfers, Imposing Certain Restrictions and Limitations, and Directing or Authorizing Certain Receipts, Disbursements, Procedures and Acts Incidental to the Foregoing (School Finance, LOB Equalization)	Y	Y	Y	Y	Y	Y	NV	N	Y	Y

NV = Not Voting, which means the Senator was not present in the Senate Chamber for this vote.

P = Present, which means the Senator was present in the Chamber for the vote but chose not to take a position.

Only votes in opposition to the Overland Park Chamber's position reduce the % rating.

HOUSE

	Percentage of Votes with Chamber Position		91%	64%	73%	91%	64%	55%	55%	91%	45%	55%	38%	73%	45%
	House Issues Bill Number & Descriptions	OP Chamber Position	Bollier	Bruchman	Campbell	Clayton	Davis	Dove	Esau	Gallagher	Grosserode	Hildabrand	Kiegerl	Kleeb	Lunn
04/29/16 45-74-6	H Sub for SB 63 - Vote #211, Motion to Adopt Conference Committee Report; Repeal of Business Pass-Through Income Tax Exemption (LLC Loophole)	Y	N	N	Y	N	Y	N	N	N	N	N	NV	Y	N
04/30/16 100-21-4	H Sub for SB 149 - Vote #226, Motion to Adopt Conference Committee Report; Extends Sunset of Angel Investor Tax Credit for 5 Years	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	N
05/01/16 63-59-3	H Sub for SB 249 - Vote #250, Motion to Adopt Conference Committee Report; Appropriations for FY2016, FY2017 and FY2018 (Budget Bill)	N	N	N	Y	N	Y	Y	Y	N	Y	Y	Y	Y	Y
04/29/16 112-5-8	S Sub for HB 2088 - Vote #216, Motion to Adopt Conference Committee Report; Modifies Existing Voter Approval Requirement for Certain Local Property Tax Increases (Property Tax Lid)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NV	Y	Y
03/22/16 44-78-3	H Sub for Sub for HB 2292 - Vote #167; Motion on General Orders to Recommend Favorably for Passage; Repeal and Prohibit Use of Common Core Standards	N	N	Y	N	N	Y	Y	Y	N	Y	Y	Y	N	Y
01/21/16 119-0-6	HB 2449 - Vote #3, Final Action; Repeal of Non-Severability Clause in 2015 Judicial Branch Appropriations (Eliminates Funding Tie to Court Action)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
05/01/16 92-28-5	HB 2502 - Vote #244, Motion to Adopt Conference Committee Report; Prohibits Public Employers from Prohibiting Otherwise Legally Qualified Employee from Carrying Concealed Weapon on the Job	N	N	Y	Y	N	Y	Y	Y	N	Y	Y	Y	Y	Y
05/01/16 89-32-4	HB 2632 - Vote #242, Motion to Adopt Conference Committee Report; Modifies STAR Bond Process; Authorizes Sale of Kansas Bioscience Authority	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y
03/24/16 93-31-1	S Sub for HB 2655 - Vote #186, Motion to Concur in Senate Amendments; Modifies CLASS Act to Adjust Equity Funding of K-12 Schools	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
02/04/16 68-54-0-3 (failed, required 2/3)	HCR5005 – Vote #6, Final Action; Allows Governor to Appoint Supreme Court Justices and Court of Appeals Judges Subject to Senate Confirmation (Federal Model)	N	N	Y	Y	N	Y	Y	Y	N	Y	Y	NV	Y	Y
06/24/16 116-6-3	Sub for HB 2001 – Vote #H 502 (Special Session), Final Action; Making and Concerning Appropriations for the Fiscal Years Ending June 30, 2017 and June 30, 2018, for Certain Agencies; Authorizing Certain Transfers, Imposing Certain Restrictions and Limitations, and Directing or Authorizing Certain Receipts, Disbursements, Procedures and Acts Incidental to the Foregoing (School Finance, LOB Equalization)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y

NV = Not Voting, which means the Representative was not present in the House Chamber for this vote.

P = Present, which means the Representative was present in the House Chamber for the vote but chose not to take a position.

Only votes in opposition to the Overland Park Chamber's position reduce the % rating.

HOUSE

	Percentage of Votes with Chamber Position		91%	45%	36%	55%	82%	45%	91%	40%	55%	70%	45%	73%
	House Issues Bill Number & Descriptions	OP Chamber Position	Lusk	Macheers	McPherson	Merrick	Ousley	Powell	Rooker	Rubin	Ryckman	Schwab	Sutton	Todd
04/29/16 45-74-6	H Sub for SB 63 - Vote #211, Motion to Adopt Conference Committee Report; Repeal of Business Pass-Through Income Tax Exemption (LLC Loophole)	Y	Y	N	N	N	N	N	N	N	N	NV	N	Y
04/30/16 100-21-4	H Sub for SB 149 - Vote #226, Motion to Adopt Conference Committee Report; Extends Sunset of Angel Investor Tax Credit for 5 Years	Y	Y	N	N	Y	Y	N	Y	N	Y	Y	N	Y
05/01/16 63-59-3	H Sub for SB 249 - Vote #250, Motion to Adopt Conference Committee Report; Appropriations for FY2016, FY2017 and FY2018 (Budget Bill)	N	N	Y	Y	Y	N	Y	N	N	Y	Y	Y	Y
04/29/16 112-5-8	S Sub for HB 2088 - Vote #216, Motion to Adopt Conference Committee Report; Modifies Existing Voter Approval Requirement for Certain Local Property Tax Increases (Property Tax Lid)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
03/22/16 44-78-3	H Sub for Sub for HB 2292 - Vote #167; Motion on General Orders to Recommend Favorably for Passage; Repeal and Prohibit Use of Common Core Standards	N	N	Y	Y	Y	N	Y	N	Y	Y	N	Y	N
01/21/16 119-0-6	HB 2449 - Vote #3, Final Action; Repeal of Non-Severability Clause in 2015 Judicial Branch Appropriations (Eliminates Funding Tie to Court Action)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
05/01/16 92-28-5	HB 2502 - Vote #244, Motion to Adopt Conference Committee Report; Prohibits Public Employers from Prohibiting Otherwise Legally Qualified Employee from Carrying Concealed Weapon on the Job	N	N	Y	Y	Y	N	Y	N	Y	Y	Y	Y	Y
05/01/16 89-32-4	HB 2632 - Vote #242, Motion to Adopt Conference Committee Report; Modifies STAR Bond Process; Authorizes Sale of Kansas Bioscience Authority	Y	N	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y
03/24/16 93-31-1	S Sub for HB 2655 - Vote #186, Motion to Concur in Senate Amendments; Modifies CLASS Act to Adjust Equity Funding of K-12 Schools	Y	Y	Y	Y	Y	Y	Y	Y	NV	Y	Y	Y	Y
02/04/16 68-54-0-3 (failed, required 2/3)	HCR5005 – Vote #6, Final Action; Allows Governor to Appoint Supreme Court Justices and Court of Appeals Judges Subject to Senate Confirmation (Federal Model)	N	N	Y	Y	Y	N	Y	N	Y	Y	Y	Y	Y
06/24/16 116-6-3	Sub for HB 2001 – Vote #H 502 (Special Session), Final Action; Making and Concerning Appropriations for the Fiscal Years Ending June 30, 2017 and June 30, 2018, for Certain Agencies; Authorizing Certain Transfers, Imposing Certain Restrictions and Limitations, and Directing or Authorizing Certain Receipts, Disbursements, Procedures and Acts Incidental to the Foregoing (School Finance, LOB Equalization)	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y

NV = Not Voting, which means the Representative was not present in the House Chamber for this vote.

P = Present, which means the Representative was present in the House Chamber for the vote but chose not to take a position.

Only votes in opposition to the Overland Park Chamber's position reduce the % rating.

Voting Record Bill Explanations

The Overland Park Chamber's legislative positions are shown in red italics.

SENATE

MOTION TO ADOPT THE CONFERENCE COMMITTEE REPORT ON H SUB FOR SB 149 – Vote #255 (04/30/16), passed: Taxation; Extends sunset of Angel Investment Tax Credit for 5 years.Signed into law, May 11, 2016

See House Explanation

MOTION TO ADOPT THE CONFERENCE COMMITTEE REPORT ON H SUB FOR SB 249 – Vote #276 (05/02/16), passed: Appropriations for FY 2016, FY 2017 and FY 2018 for various state agencies; omnibus appropriation act of 2016 Signed into law, May 18, 2016

See House Explanation

MOTION TO ADOPT THE CONFERENCE COMMITTEE REPORT ON S SUB FOR HB 2088 – Vote #233 (04/29/16), passed: Property tax lid, cities and counties; effective date; exemptions; election options.Signed into law, May 9, 2016

GOVERNANCE: The Chamber opposes tax, revenue and/or spending lids on state and local government, including any constitutional amendments, public referendums or statutes that restrict legislative authority to make decisions regarding taxing or spending. Specifically, the Chamber supports the repeal of the impending requirement for a public vote to approve certain property tax increases proposed by local governments as mandated by the 2015 legislature.

This bill modifies and improves existing law regarding the “property tax lid” imposed on local units of government by the 2015 Legislature. It includes provisions that:

- Accelerates the effective date of the requirement of a popular vote under current law from January 1, 2018 to January 1, 2017
- Changes the determination of the lid from the previous year’s CPI to a rolling 5-year average CPI
- Clarifies that when a popular vote is required to permit a property tax increase in excess of the CPI, that vote may be conducted at any regular, special or mail ballot election
- Retains the exemptions for expiration of property tax abatements and for expiration of a tax increment financing district, rural housing incentive district, neighborhood revitalization area or other property tax abatement program
- Adds an exemption for increases in public safety expenditures
- Adds an exemption for expenses relating to a federal, state or local disaster or a federal, state or local emergency as declared by a federal or state official or municipal governing body
- Adds an exemption for property taxes levied by a subordinate government if the city or county does not have the authority to modify the tax levy of the subordinate body
- Retains the exemption for bond and interest payments.

FINAL ACTION ON HB 2449 – Vote #15 (01/28/16), passed: Judicial Branch; repealing the non-severability clause in 2015 House Bill 2005 and providing for the severability of the provisions of such bill concerning

See House Explanation

MOTION TO ADOPT THE CONFERENCE COMMITTEE REPORT ON HB 2502 – Vote #268 (05/01/16), passed: Regulation of the possession of firearmsSigned into law, May 11, 2016

See House Explanation

MOTION TO ADOPT THE CONFERENCE COMMITTEE REPORT ON HB 2632 – Vote #263 (05/01/16), passed: Economic development, concerning administrative fees for economic development programs administered by the Department of CommerceSigned into law, May 17, 2016

See House Explanation

FINAL ACTION ON S SUB FOR HB 2655 – Vote #205 (03/24/16), passed: Education; Amendments to CLASS Act regarding supplemental general state aid and capital outlay state aid Signed into law, April 6, 2016

EDUCATION: The Chamber recognizes that high-quality public education, from pre-K through post-secondary, leads to a high-quality workforce. Educational excellence is one of the single most important reasons companies have selected Johnson County and Overland Park as their place of business, thus creating jobs in our region and economic prosperity in Kansas.

The Chamber supports a fundamental reform of the school finance formula that appropriately and fairly addresses statewide funding requirements and equalization, utilizes local authority to better relate to the actual cost of providing services, incentivizes operational efficiencies and expands local authority and flexibility over how education funds are raised and spent, with an overall goal of maximizing educational outcomes.

This bill redistributes the funds already appropriated under the block grant by reinstating the formula used to determine Capital Outlay State Aid prior to the creation of the current block grants, and using that formula for determining both Supplemental General State Aid (the local option budget equalization) and Capital Outlay State Aid for the 2016-17 school year. This change in the way that the Supplemental General State Aid is calculated means that less money is required to equalize, resulting in a reduction in the Supplemental General State Aid to be received by a number of districts. The bill also includes a “hold harmless” provision that ensured that any district that would end up receiving less state aid under this new law than it was scheduled to receive under the existing block grant would be paid the difference.

FINAL ACTION ON SUB FOR HB 2001 – Vote #S 502 (06/24/16), passed: Making and concerning appropriations for the fiscal years ending June 30, 2017 and June 30, 2018 for certain agencies; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing Signed into law, June 27, 2016

See House Explanation

HOUSE

MOTION TO ADOPT THE CONFERENCE COMMITTEE REPORT ON H Sub for SB 63 – Vote #211 (04/29/16), failed: Taxation; Repeal of Business Pass-Through Income Tax Exemption.

TAXATION: The Chamber supports a balanced and reasonable approach to tax reform that provides a positive business climate. The Chamber recognizes the value and necessity for adequate state funds to provide essential government services that our businesses and citizens rely upon such as transportation, education, and public safety and quality of life offerings. The Chamber recommends that the Legislature reconsider the plan for the scheduled elimination of the state income tax. The Chamber believes that the existing tax structure and plan, particularly the total exemption of non-wage pass through business income from the payment of state income taxes, has failed to have the promised positive impact on the state’s overall fiscal health, including the ability to maintain the key quality of life offerings identified by both business leaders and residents as fundamental.

This bill would have repealed the pass-through business income exemption from state income tax (commonly referred to as the “LLC loophole”) that was part of the 2012 tax cuts returning as many as 330,000 business owners (LLC’s, Sub S Corporations, partnerships, and sole proprietorships) to the state tax rolls. It is estimated that this change would generate approximately \$250 – \$300 million annually, including \$50 - \$60 million in FY 2017.

MOTION TO ADOPT THE CONFERENCE COMMITTEE REPORT ON H SUB FOR SB 149 – Vote #226 (04/30/16), passed: Taxation; Extends sunset of Angel Investment Tax Credit for 5 years. Signed into law, May 11, 2016

ECONOMIC DEVELOPMENT: The Chamber strongly encourages lawmakers to support, protect and enhance proven economic development and workforce development programs that are critical tools used to stimulate employment and leverage private investment.

Kansas allows a tax credit of up to 50% of an investor’s cash investment in a qualified Kansas business; however, the law allowing these tax credits was to sunset at the end of 2016. This bill extends the sunset of the tax credits available to Angel Investors for five years, from 2017 through 2021.

MOTION TO ADOPT THE CONFERENCE COMMITTEE REPORT ON H SUB FOR SB 249 – Vote #250 (05/01/16), passed: Appropriations for FY 2016, FY 2017 and FY 2018 for various state agencies; omnibus appropriation act of 2016 Signed into law, May 18, 2016

EDUCATION: The Chamber supports policies, programs, and adequate funding that encourage the development of a world-class, robust P-20 public education system emphasizing a rigorous science, technology, engineering, and mathematics (STEM) curriculum based on globally competitive standards that prepare students to be college and career-ready for the future and fosters a well-trained, productive, globally competitive workforce. Within our state’s public higher education institutions, the Chamber supports enhanced funding to address deferred maintenance on infrastructure.

TRANSPORTATION: The speed, reliability, capacity and overall effectiveness of the state's transportation systems are crucial for job creation, economic development, and business retention and expansion throughout Kansas. The Chamber supports full implementation of T-WORKS, Kansas' 10-year Comprehensive Transportation Program (CTP). On a statewide basis, the Chamber supports protecting existing transportation funding sources (sales tax, fuel tax, bonding, vehicle registration fees, etc.), and opposes diversion or sweeping of funds from the Kansas Highway Fund.

MEDICAID AND SAFETY NET PROGRAMS: The Chamber supports maximizing state funding for Medicaid home and community-based waivers for vulnerable populations to further enhance our quality of life and help lower business costs. The Chamber also supports appropriate investments in the "safety net" – programs and policies designed to care for and protect the vulnerable in our community - to help prevent higher business costs in the future and create a healthier, better educated, and more highly-skilled workforce.

H Sub for SB 249 is the omnibus budget bill. It did not, however, provide the constitutionally required balanced budget, instead leaving to the Governor the need to make almost \$100 million of additional allotments (cuts) for the budget to balance. The Governor made those allotments, including cuts to KanCare providers of approximately \$56 million and \$30 million to higher education, bringing the budget into balance and then signed the budget bill into law.

The bill included provisions that:

- Provided projected ending balances of approximately \$27M (FY2016) and \$81M (FY2017)
- Swept a total of nearly \$185M from the state's highway fund (KDOT confirming that this sweep will delay as many as 25 new modernization and expansion projects around the state, a total of over \$500 million)
- Allowed the delay of the \$92 million fourth quarter FY2016 payment to KPERS; the payment must be repaid in FY2018 at 8% interest (although the Governor line item vetoed the provision that would have required tobacco money settlement fund payment amounts in excess of amount appropriated for children's programs to be used to make the delayed payment, and the veto was sustained)
- Changed the simple across-the-board allocation of cuts to higher education to one that is based on each state university's "all funds budget," meaning that the large amount of research grant moneys received primarily by KU and KSU must be figured in, meaning that the loss to each school's main campus will be about \$1M more than originally anticipated. It also includes language that removes the restrictions on tuition increases for state universities that were imposed by the 2015 Legislature for FY2017

Prohibited any funding cuts to K-12 education in order to balance this budget

MOTION TO ADOPT THE CONFERENCE COMMITTEE REPORT ON S SUB FOR HB 2088 – Vote #216 (04/29/16), passed: Property tax lid, cities and counties; effective date; exemptions; election options.Signed into law, May 9, 2016

See Senate Explanation

MOTION ON GENERAL ORDERS TO RECOMMEND H SUB FOR SUB FOR HB 2292 FAVORABLY FOR PASSAGE – Vote #167 (03/22/16), failed: Education; establishment of K-12 curriculum standards,

GOVERNANCE: The cornerstone of...public education is the belief that governance should be as close to the people as possible.

EDUCATION: The Chamber recognizes that high-quality public education, from pre-K through post-secondary, leads to a high-quality workforce. Educational excellence is one of the single most important reasons companies have selected Johnson County and Overland Park as their place of business, thus creating jobs in our region and economic prosperity in Kansas.

The Chamber supports policies, programs, and adequate funding that encourage the development of a world-class, robust P-20 public education system emphasizing a rigorous science, technology, engineering, and mathematics (STEM) curriculum based on globally competitive standards that prepare students to be college and career-ready for the future and fosters a well-trained, productive, globally competitive workforce.

This bill would prohibit Kansas curriculum standards from being formed by adoption of common core state standards or by adoption of a "federally-provided or required" set of educational standards. The bill would repeal any such adopted standards on July 1, 2017.

It would further provide the Kansas curriculum standards must incorporate the capacities (known as the Rose capacities) set forth in KSA 2015 Supp. 72-1127 (c) and amendments.

The bill also would require advanced placement and international baccalaureate courses or programs to continue in existence "consistent with any Kansas curriculum standards adopted" pursuant to other provisions in the bill.

The bill would require the State Board of Education to develop and establish new Kansas curriculum standards meeting the above-stated requirements on or before July 1, 2017. In addition, it would require these new standards to be submitted to the Legislature for review prior to implementation.

FINAL ACTION ON HB 2449 – Vote #3 (01/21/16), passed: Judicial Branch; repealing the non-severability clause in 2015 House Bill 2005 and providing for the severability of the provisions of such bill concerning the Judicial BranchSigned into law, February 8, 2016

JUDICIARY: A fair and impartial judicial system is important in maintaining a stable and prosperous business climate. Justice for businesses and individuals is more likely attained when judges are able to perform their role based on constitutional principles and the rule of law, free from the influence of political and financial pressure from special interests.

This bill repeals the non-severability provisions of 2015 HB 2005 and enacts a severability clause declaring that, if any provision of HB 2005 is held invalid or unconstitutional, then the remainder of the provisions of HB 2005 will remain in effect.

The 2015 Legislature passed HB 2005, a separate appropriations bill that funded the Judicial Branch operations in FY 2016 and FY 2017. In addition to its appropriating provisions, HB 2005 also included a non-severability clause stating that the provisions of the bill are non-severable internally and non-severable from the provisions of 2014 Senate Sub for HB 2338, unless the appropriations to the Judicial Branch for FY 2016 or FY 2017 are reduced below the amounts appropriated in the bill by another act of the 2015 or 2016 regular session of the Legislature. A primary reason for removing the judiciary from the mega budget bill was to include a non-severability provision that made the bill (i.e., the Judicial Branch funding) null and void if the policy found in the bill, HB 2338, passed by the 2014 legislature that contained new limits on some of the Kansas Supreme Court’s administrative powers was held to be unconstitutional as a violation of the separation of powers doctrine.

MOTION TO ADOPT THE CONFERENCE COMMITTEE REPORT ON HB 2502 – Vote #244 (05/01/16), passed: Regulation of the possession of firearms Signed into law, May 11, 2016

LOCAL CONTROL: The Chamber supports the right for local units of government and businesses to regulate the carrying of firearms (open and concealed) on their premises.

This bill makes changes to several laws concerning firearms. It:

- Prohibits public employers from implementing personnel policies that restrict or prohibit any employee otherwise legally qualified to carry a concealed weapon from doing so while engaged in the employee’s duties outside their place of business, including while in any means of conveyance. School districts are specifically excluded from the definition of “public employer”
- Amends the definition of “adequate security measures” in current law to specify that personnel used at public entrances of buildings where concealed carry is prohibited have to be armed
- Prohibits school districts from adopting policies that prevent organizations from conducting activities on school property solely because the activities involve the possession and use of air guns.

MOTION TO ADOPT THE CONFERENCE COMMITTEE REPORT ON HB 2632 – Vote #242 (05/01/16), passed: Economic development, concerning administrative fees for economic development programs administered by the Department of Commerce Signed into law, May 17, 2016

ECONOMIC DEVELOPMENT: Strong state economic development tools are vital for local business recruitment and retention. The Chamber strongly encourages lawmakers to support, protect and enhance proven economic development and workforce development programs that are critical tools used to stimulate employment and leverage private investment.

This bill includes provisions that do the following:

Prohibits STAR bond districts approved by the Secretary of Commerce after March 1, 2016 from including property that was part of a previous STAR bond project

Prohibits STAR bond districts approved after January 1, 2017 from using sales tax revenues received from retail automobile dealers to finance the bonds

Includes a provision that states if area is added to a STAR bond district, the base tax year for that new area will be the 12-month period immediately preceding its addition to the district

Requires the Secretary of Commerce to provide an annual report to the Legislature by January 31 on the status of all then current STAR bond districts.

MOTION TO CONCUR IN SENATE AMENDMENTS TO S SUB FOR HB 2655 – Vote #186 (03/24/16), passed: Education; Amendments to CLASS Act regarding supplemental general state aid and capital outlay state aid. Signed into law, April 6, 2016

See Senate explanation

FINAL ACTION ON HCR 5005 – Vote #6 (02/04/16), not adopted (required 2/3 majority): Constitutional amendment revising Article 3, relating to the judiciary; allowing the governor to appoint Supreme Court justices and Court of Appeals judges, subject to Senate confirmation; abolishing the Supreme Court Nominating Commission.

JUDICIAL SELECTION: A fair and impartial judicial system is important in maintaining a stable and prosperous business climate. Justice for businesses and individuals is more likely attained when judges are able to perform their role based on constitutional principles and the rule of law, free from the influence of political and financial pressure from special interests.

For these reasons, the Chamber supports a non-partisan merit system for selection of judges, including the process for selection of Supreme Court justices in its current, basic form as well as periodic retention elections to ensure a reasonable level of accountability, and opposes all efforts to impose partisan judicial elections for trial or appellate court judges. The Chamber also opposes lowering the mandatory retirement age for judges.

HCR 5005 would have submitted to the qualified electors of the state an amendment to Article 3 of the Kansas Constitution concerning the method of selection for justices of the Kansas Supreme Court. The amendment would eliminate the Supreme Court Nominating Commission and allow the Governor to appoint a qualified person as a justice of the Supreme Court with the consent of the Senate.

The resolution would also have added the law concerning the Court of Appeals to the Kansas Constitution and would provide for vacancies on that court to be filled in the same manner as that described above for the Supreme Court. This procedure is already in place in statute for the Kansas Court of Appeals.

If it had been approved by two-thirds of the members of the House and Senate, the amendment would be submitted to the electors at the November 2016 general election.

FINAL ACTION ON SUB FOR HB 2001 – Vote #H 502 (06/24/16), passed: Making and concerning appropriations for the fiscal years ending June 30, 2017 and June 30, 2018 for certain agencies; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing Signed into law, June 27, 2016

EDUCATION: The Chamber recognizes that high-quality public education, from pre-K through post-secondary, leads to a high-quality workforce. Educational excellence is one of the single most important reasons companies have selected Johnson County and Overland Park as their place of business, thus creating jobs in our region and economic prosperity in Kansas. The Chamber supports policies, programs, and adequate funding that encourage the development of a world-class, robust P-20 public education system

This bill returns the method by which K-12 LOB funding is equalized among the state’s school districts to the pre-block grant formula in order to equalize the LOB funding efforts, resulting in approximately \$38 million being redistributed. The sources of the \$38 million are as follows:

\$2.8 million by a virtual state aid adjustment (freezes the amount of aid per virtual student provided for online learning programs at \$5,000, eliminating the previously approved increase to \$5,600).

\$4.1 million by using Temporary Assistance for Needy Families (TANF) to fund an existing Pre-K pilot program.

\$10.5 million from the Master Tobacco Settlement Funds (this amount is deemed to be excess funds that, while otherwise going to the Children’s Initiative Fund, are not designated for use by the CIF for specified programs.

\$7.2 million from the Extraordinary Need Fund (ENF) established under the block grant school funding bill enacted in 2015.

Up to \$13 million from the sale proceeds of the Kansas Bioscience Authority in excess of \$25 million.

\$5 million from the state highway fund (these funds are generated by a motor vehicle registration fee); these funds are to be deposited in the ENF, which may be reduced further than the initial draw of \$7.2 million in the event that the KBA sale generates less than \$38 million.

Lifetime Voting Records

SENATE	First Term	2016	Lifetime
Molly Baumgardner	2014	63%	62%
Jim Denning	2013*	75%	57% ¹
Julia Lynn	2006	75%	55%
Jeff Melcher	2013	75%	47%
Rob Olson	2011*	75%	61% ²
Pat Pettey	2013	86%	73%
Mary Pilcher Cook	2008*	50%	46% ³
Greg Smith	2013	88%	49% ⁴
Kay Wolf	2013*	100%	92% ⁵

* Elected to the Senate after serving in the House

¹ Lifetime record includes sessions served in the House (2011-2012)

² Lifetime record includes sessions served in the House (2004-2011)

³ Lifetime record includes sessions served in the House (2004-2006)

⁴ Lifetime record includes sessions served in the House (2011-2012)

⁵ Lifetime record includes sessions served in the House (2006-2012)

HOUSE	First Term	2016	Lifetime
Barbara Bollier	2010	91%	84%
Rob Bruchman	2011	64%	65%
Larry Campbell	2013	73%	63%
Stephanie Clayton	2013	91%	85%
Erin Davis	2014	64%	61%
Willie Dove	2013	55%	55%
Keith Esau	2013	55%	49%
Linda Gallagher	2015	91%	86%
Amanda Grosserode	2011	45%	55%
Brett Hildabrand	2011	55%	49%
Mike Kiegerl	2014†	38%	61% ¹
Marvin Kleeb	2008	73%	68%
Jerry Lunn	2013	45%	53%
Nancy Lusk	2013	91%	75%
Charles Macheers	2013	45%	55%
Craig McPherson	2013	36%	43%
Ray Merrick	2011*	55%	65% ²
Jarrold Ousley	2015	82%	76%
Randy Powell	2015	45%	43%
Melissa Rooker	2013	91%	85%
John Rubin	2011	40%	51%
Ron Ryckman, Jr.	2013	55%	53%
Scott Schwab	2008†	70%	61% ³
Bill Sutton	2013	45%	50%
James Todd	2013	73%	60%

*Elected to the House after serving in the Senate.

†Second time serving in the House.

¹ Lifetime record includes previous sessions served in the House (2004-2012)

² Lifetime record includes sessions served in the House (2000-2010, 2013) and in the Senate (2011-2012)

³ Lifetime record includes previous sessions served in the House (2003-2006)



9001 West 110th Street, Suite 150
 Overland Park, KS 66210
 Phone (913) 491-3600
 Fax (913) 491-0393
 E-mail: opcc@opchamber.org
 Website: www.opchamber.org

**To view the Overland Park
 Chamber of Commerce's
 2016 State Legislative Priorities,
[click here.](#)**