

This Week **in Topeka**

Overland Park Chamber

*Business, Economic Development & Local Government News
from the Legislative Session Week of February 15-19, 2016*

Written by Tom Robinett, Vice President of Public Policy and Advocacy

The pace has definitely quickened as some of this session's major legislation moved through the system last week. And, as expected, the legislative calendar was revised with the intent of shortening the overall 2016 session. After working bills on the floor of both the House and Senate all day on Monday (and carrying over onto Tuesday, if necessary), Turnaround Day marking the halfway point of the session is now set for Tuesday, February 23rd. The legislature will then take a week long break before reconvening on Wednesday, March 2. First adjournment has also been moved up by a week to Friday, March 25. The veto session is still set to begin on Wednesday, April 27, day 69 of the session; day 90 would then be May 18, although I believe the hope that the session does not extend for the full 90 days is unanimous.

Budget. Last week I discussed the various provisions contained in the respective budget adjustment bills passed by the House (**H Sub for SB161**) and the Senate (**S Sub for HB2365**). A conference committee was able to work out details and a compromise budget proposal using **H Sub for SB161** as the vehicle was passed by the legislature in what was considered to be near record time, the House voting 68-53 and the Senate 22-16, and sent to the Governor. This bill does not address the recent Supreme Court decision on equity in school finance (the *Gannon* case).

Some of the notable provisions contained in the budget bill include:

- An ending balance of approximately \$6.5 million for FY2016 ending July 1, 2016
- An ending balance for FY2017 estimated to be approximately \$89 million
- Authorization for the Governor to make targeted, rather than across-the-board allotments (i.e., cuts) if the fiscal year's ending balance is projected to be less than \$100 million

- Allows the Governor to delay the state's final required contribution to KPERs, approximately \$100 million, as long as it is repaid by September 30, 2016 with 8% interest
- A proviso that prohibits any new STAR bond projects in Wyandotte County through the end of FY2017, although that prohibition will be rendered null and void if the legislature passes a bill containing new STAR bond legislative oversight provisions (originally a total prohibition of new STAR bonds state-wide, this proviso apparently arose from efforts out of the Governor's office to assist in relocating the American Royal to Wyandotte County as part of a new or expanded STAR bond project, apparently causing the state to miss out on \$42 million of sales tax revenue when existing bonds are paid off in December)
- A limitation on KU's use of unrestricted funding outside what has already been included in its approved budget (the response to KU's issuance of \$327 million in bonds to fund its Central District redevelopment project without obtaining legislative approval)
- Sweep of \$27 million from KDOT in each of FY2016 and FY2017 and reinstating the 18% cap on highway fund borrowing
- A probation on the privatization of either or both of Osawatomie or Larned State Hospitals without prior legislative approval
- An increase in funding of \$3 million for Osawatomie and Larned State Hospitals
- Leaves the approximately \$50 million of tobacco settlement funds in the Children's Initiative Fund rather than transferring it to the state general fund as proposed by the Governor
- Provides \$2.4 million for a 2.5% pay increase for Department of Corrections uniformed officers

K-12 School Finance. As previously mentioned, the Kansas Supreme Court gave the legislature until June 30, 2016 to fix the equity aspects of school finance. It is most likely that any fix will not come until the veto session when legislators will have a better idea of available revenue. Options for the fix would seem to include more money (estimated to be in the range of \$50 million), or a new funding formula to distribute the funds already appropriated for the block grant, or a combination of both. I suppose enough legislators could opt for a constitutional confrontation with the judiciary by simply refusing to comply with the Supreme Court's decision; hopefully, reason will prevail and that will not be the choice.

Common Core. In an unusual and controversial move following what was shown on its agenda as an “Informational Briefing on the History of Education” by a Professor of English from Wisconsin (reported to have been for the most part simply an hour long rant against Common Core), the House Education Committee bypassed any further hearings and worked and sent to the full House a bill that would eliminate Common Core in Kansas.

Originally developed by state school officers and representatives from governors’ offices (Kansas representatives were included and played a major role), the Common Core standards were adopted by the Kansas State Board of Education in 2010, one of 42 states to do so as of now; since then, school districts across the state have invested significant time and money to develop district curriculum and otherwise implement the standards. The cost to the state and individual districts to replace current standards and curricula with those not in any way related to Common Core could be staggering.

From and after July 1, 2017, the bill, **Sub for HB2292**, makes any actions by education or state officials to adopt, implement or align programs, assessments, testing, surveys or any educational materials or activities to the common core state standards; the social, emotional and character development standards; the national curriculum standards for social studies; the national health education standards; the national sexuality education standards; core content and skills; or the K-12 or any other academic standards not in the public domain. Further, the bill’s language seems unclear and calls into question the future of advanced placement and international baccalaureate programs.

Upcoming Events. The next **Public Policy and Advocacy Committee (formerly the Government Affairs Committee)** meeting on March 11 will feature Congressman Kevin Yoder with an update on the happenings in DC. Note that this meeting will be a breakfast meeting, beginning at 7:30 am here at the Chamber; we will conclude by 9:00 am. Please register by 5:00 p.m. on Tuesday, March 8 – [click here](#). Partners and sponsors may register with Julie Hakan at jhakan@opchamber.org.