

# 2011 Kansas Legislative Session Final Report and Voting Record

- Produced by the Government Affairs Committee -

Dear Chamber Member,

Many of the issues that impact the business community are decided in the halls of government. For this reason, it is critical for the Chamber to advocate for its members and play an active pro-business role in building an environment conducive to economic growth and an enhanced quality of life.

The business advocacy process first involves asking our members what specific issues are of most importance to them. The Chamber then takes positions on those pieces of legislation that reflect our businesses' interests, communicates those positions to elected officials, and then holds those officials accountable for their votes.

The 2011 Overland Park Chamber of Commerce Voting Record is a very valuable tool for evaluating legislators' performances on business-centric issues and is a guide for acknowledging votes favorable to the Chamber's legislative agenda. It also allows us to identify votes unfavorable to our members and our community. I urge you to carefully look at this record - let it spur continued dialogue with your elected officials and help guide you in your decision-making process in next year's elections.

Through its advocacy work during this year's Kansas Legislative Session, the Chamber helped produce some very important legislative successes including the passage of comprehensive workers' compensation reform, a "Deal Closer Fund" to help seal economic development projects, the University Engineering Initiative Act, and enhanced economic development incentives. Since the Chamber's members consistently have viewed our top notch schools to be our best economic development tool and a top legislative priority, we were greatly disappointed at the drastic funding cuts our public education system suffered, but we did successfully lobby for various proposals that helped maintain important education programs and increased local control.

Lobbying is a two-way street, so emphasis also must be placed on the Chamber's successful efforts to oppose harmful legislative proposals from becoming law, including helping stifle the March to Economic Growth (MEGA) bill and the proposed repeal of the one-cent sales tax increase passed last July.

page 1 of 2

On behalf of the members of the Overland Park Chamber of Commerce, I would like to extend our sincere appreciation to 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.

In addition, I would like to thank the members of the Chamber's Government Affairs Committee and others who contributed their time and energy this session advocating for the business interests of Overland Park. The Chamber tracked more than 125 bills affecting the business community this year, and the committee met throughout the session to discuss and take action on key legislative initiatives.

To help all Chamber members stay informed, this report contains a summary of selected issues from the Chamber's legislative agenda and a record of how Johnson County legislators voted on those issues. If you would like additional information regarding the status of bills or would like to read "Explanations of Votes" submitted by legislators, please visit the Kansas Legislature website at [www.kslegislature.org](http://www.kslegislature.org) for more information.

If you would like additional information regarding the Overland Park Chamber's voting record, or if you are interested in participating in our Government Affairs Committee, please contact Jennifer Bruning, the Chamber's Vice President of Government Affairs, at the Chamber office at (913) 766-7602 or [jbruning@opchamber.org](mailto:jbruning@opchamber.org).

A handwritten signature in black ink, appearing to read "Rick Worrel". The signature is fluid and cursive, with a large initial "R" and "W".

Rick Worrel, P. E., Affinis Corp.

Chairman, Government Affairs Committee of the Overland Park Chamber of Commerce

# 2011 Government Affairs Committee

Mr. Shawn Adams  
**Savers**

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

Ms. Rita Ashley  
**Olathe Board of Education**

Mr. Steve Bachenberg  
**BHC RHODES**

Mr. Pete Barndollar  
**Kansas Asphalt, Inc.**

Mr. James Bartling  
**Atmos Energy**

Mr. Steve Baru  
**Baru Financial Services**

Ms. Hilary Berndt  
**Black & Veatch**

Ms. Mary Birch  
**Lathrop & Gage L.C.**

Mr. Doug Boyd  
**HMN Architects, Inc.**

Ms. Lisa Bunce  
**Kansas Gas Service**

Mr. Bill Burghart  
**Capital City Bank**

Mr. Chris Carroll  
**AT&T**

Ms. Jacqueline Clark  
**Ash Grove Cement Company, Inc.**

Mr. Steven Cowen  
**Homebuilders Association of Greater KC**

Ms. Allison Darling  
**GoalGETTERS**

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

Mr. Michael DeMent  
**HNTB Corporation**

Mr. Edward DeSoignie  
**Heavy Constructors Association**

Mr. Owen Faulkner  
**Neal Harris Heating & Air Conditioning**

Ms. Dina Fisk  
**Verizon Wireless**

Mr. John Foudray  
**Neighbors Construction Company**

Mr. Mark Frutiger  
**INTRUST Bank**

Mr. Patrick Fucik  
**Sprint**

Mr. Tim Gelvin  
**Johnson County Community College**

Dr. Gary George  
**Olathe Unified School District #233**

Mayor Carl Gerlach  
**City of Overland Park**

Ms. Cindy Green  
**Senator Jerry Moran's Office**

Mr. Rick Guinn  
**Colantuono Bjerg Guinn, LLC**

Dr. Al Hanna  
**Blue Valley School District**

Mr. Brian Harrold  
**Cornerstone Financial Group**

Mr. Michael Henry  
**Time Warner Cable**

Ms. Karin Humbolt  
**Humbolt Commercial Appraisal**

Dr. Gene Johnson  
**Shawnee Mission School District**

Mr. Scott Jones  
**Kansas City Power & Light**

Mr. Steven C. Klika  
**Blue Valley Board of Education**

Mr. Dave Kocour  
**URS Corporation**

Mr. Bill Land  
**Blue Valley NEA**

Ms. Donna Lauffer  
**Johnson County Library**

Mr. Korb Maxwell  
**Polsinelli Shughart PC**

Mr. Brent McCune  
**Compass Financial Resources**

Ms. Lurena Mead  
**Johnson County Developmental Supports**

Ms. Darci Meese  
**WaterOne**

Mr. Jeff Melcher  
**NetStandard**

Mr. Ronnie Metsker  
**Parakaleo Group**

Mr. Gus Meyer  
**Rau Construction Company**

Mr. Jason Meyers  
**Burns & McDonnell Engineering**

Mr. Gary Nevius  
**Nevius Serig Palmer Architecture**

Mr. Ed O'Connor  
**PC Partners, Inc.**

Mr. Steve Peppes  
**Delta Dental of Kansas**

Mr. Jeff Plummer  
**M&I Bank**

Mr. Dallas Polen  
**Children's Mercy South**

Mr. Jerry Rich  
**Christ Community Church**

Mr. Mark Richards  
**Marillac Center**

Mr. Tom Robinett  
**American Academy of Family Physicians**

Mr. Clint Robinson  
**Black & Veatch**

Mr. Erik Sartorius  
**City of Overland Park**

Mr. Bernie Shaner  
**Shaner Appraisals**

Mr. Neil Shortlidge  
**Stinson Morrison Hecker LLP**

Mr. Jerry Simer  
**Best Buy**

Mr. John Skubal  
**Kaw Valley Engineering, Inc.**

Mr. Paul Snider  
**Kansas City Power & Light**

Mr. Fred Spears  
**Leadership Systems / OP City Council**

Mr. Alan Stetson  
**First National Bank of Kansas**

Mr. Tom Swenson, PE, PTOE  
**TranSystems**

Mr. Ward Symons  
**Blue Valley NEA**

Mr. Mick Urban  
**Kansas Gas Service**

Mr. Tim Van Zandt  
**Saint Luke's Health System**

Mr. Robert Vancrum  
**Vancrum Law Firm, LLC**

Mr. Chuck Vogt, Jr.  
**All Star Awards & Ad Specialties, Inc.**

Senator John Vratil  
**Blue Valley School District**

Mr. Mike Waters  
**QC Holdings, Inc.**

Mr. Paul Weida  
**Black & Veatch**

Mr. Frank Whitchurch  
**Prescription Solutions**

Mr. Dave White  
**Foland, Wickens, Eisfelder,  
Roper & Hofer, PC / OP City Council**

Mr. Ryan Wiens  
**Waddell & Reed, Inc.**

Mr. Tim Wilson  
**Prescription Solutions**

Mr. Larry Winn, III  
**BHC RHODES**

Mr. Dennis Wolf  
**Wells Fargo Advisors**

Mr. Greg Wolf  
**SNR Denton**

Mr. Rick A. Worrel, P.E.  
**Affinis Corporation**

Ms. Karen Wulfkuhle  
**United Community Services of Johnson  
County**

Mr. Brian Yates  
**QC Holdings, Inc.**

# SENATE

			88%	57%	63%	63%	100%	50%	100%
	<b>Senate Issues Bill Number &amp; Descriptions</b>	<b>OP Chamber Position</b>	<b>Huntington</b>	<b>Lynn</b>	<b>Merrick</b>	<b>Olson</b>	<b>Owens</b>	<b>Pilcher Cook</b>	<b>Vratil</b>
4/01/11 40-0 3 NV	<b>Sub for HB 2134</b> - Vote #276 on Workers' Compensation	Y	Y	Y	Y	Y	Y	Y	Y
05/09/11 22-17 1 NV	<b>SB 77</b> - Vote #312 on Unemployment Insurance	Y	Y	N	N	N	Y	N	Y
05/10/11 35-3 1 NV, 1 P	<b>H Sub for SB 196</b> - Vote #321 on Expensing of Invest- ment Expenditures / Deal Closer Fund	Y	Y	Y	Y	Y	Y	Y	Y
05/09/11 37-1 1 NV, 1 P	<b>SB 193</b> - Vote #314 on HPIP Carry Forward Extension & PEAK Enhancements	Y	Y	Y	Y	Y	Y	Y	Y
03/23/11 28-11 1 NV	<b>S Sub for HB 2149</b> - Vote #221 on University Engineer- ing Initiative Act	Y	Y	N	N	N	Y	N	Y
05/12/11 36-1 3 NV	<b>H Sub for Sub for SB 127</b> - Vote #340 on University Engineering Initiative Act	Y	Y	NV	Y	Y	Y	N	Y
05/12/11 34-3 3 NV	<b>H Sub for Sub for SB 111</b> - Vote #339 on School Finance (school districts can access unencumbered balances held in particular funds)	Y	Y	Y	Y	Y	Y	Y	Y
05/11/11 31-6 2 NV, 1 P	<b>SB 150</b> - Vote #326 on Annexation	N	Y	Y	Y	Y	N	Y	N

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

			92%	58%	82%	92%	75%	55%	73%	58%	70%	58%	75%
	<b>House Issues Bill Number &amp; Descriptions</b>	<b>OP Chamber Position</b>	<b>Bollier</b>	<b>Brown</b>	<b>Bruchman</b>	<b>Colloton</b>	<b>Denning</b>	<b>Donohoe</b>	<b>Grosserode</b>	<b>Hildabrand</b>	<b>Kiegerl</b>	<b>Kinzer</b>	<b>Kleeb</b>
04/01/11 120-0 5 NV	<b>Sub for HB 2134</b> - Vote #240 on Workers' Compensation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
03/14/11 90-33 2 NV	<b>SB 77</b> - Vote #119 on Unemployment Insurance	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
05/10/11 122-0 2 NV	<b>H Sub for SB 196</b> - Vote #281 on Expensing of Investment Expenditures / Deal Closer Fund	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
05/05/11 107-10 7 NV	<b>SB 193</b> - Vote #274 on HPIP Carry Forward Extension & PEAK Enhancements	Y	Y	Y	Y	Y	Y	Y	Y	Y	NV	Y	Y
05/12/11 85-37 2 NV	<b>H Sub for Sub for SB 127</b> - Vote #299 on University Engineering Initiative Act	Y	Y	Y	Y	Y	Y	N	N	N	Y	N	Y
05/12/11 114-9 1 NV	<b>H Sub for Sub for SB 111</b> - Vote #298 on School Finance (school districts can access unencumbered balances held in particular funds).	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
05/04/11 74-44 6 NV	<b>H Sub for Sub for SB 111</b> - Vote #268 on School Finance (Colloton Capital Outlay Amendment)	Y	Y	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y
03/30/11 56-68 1 NV	<b>Sub for HB 2193</b> - Vote #208 on School Finance (Local Activities Budget)	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y
03/17/11 39-80 6 NV	<b>HB 2091</b> - Vote #126 on Repeal of One-Cent Sales Tax Increase	N	N	Y	N	N	N	Y	N	Y	NV	Y	N
03/18/11 73-47 5 NV	<b>H Sub for SB 1</b> - Vote #137 on MEGA Bill (March to Economic Growth Act, also known as March to Zero)	N	N	Y	NV	N	Y	Y	NV	Y	Y	Y	Y
03/30/11 69-55 1 NV	<b>Sub for HB 2161</b> - Vote #206 on Destination vs. Origin Sourcing	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
05/11/11 105-17 2 NV	<b>SB 150</b> - Vote #287 on Annexation	N	Y	Y	Y	N	Y	Y	Y	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 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 Voting Record continued on the next page.*

# HOUSE

			67%	67%	58%	58%	60%	58%	92%	58%	83%	92%	83%
	<b>House Issues Bill Number &amp; Descriptions</b>	<b>OP Chamber Position</b>	<b>Meigs</b>	<b>Montgomery</b>	<b>O'Hara</b>	<b>Rubin</b>	<b>Schwab</b>	<b>Siegfried</b>	<b>Slattery</b>	<b>Smith</b>	<b>Spalding</b>	<b>Wolf</b>	<b>Worley</b>
04/01/11 120-0 5 NV	<b>Sub for HB 2134</b> - Vote #240 on Workers' Compensation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
03/14/11 90-33 2 NV	<b>SB 77</b> - Vote #119 on Unemployment Insurance	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y
05/10/11 122-0 2 NV	<b>H Sub for SB 196</b> - Vote #281 on Expensing of Investment Expenditures / Deal Closer Fund	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
05/05/11 107-10 7 NV	<b>SB 193</b> - Vote #274 on HPIP Carry Forward Extension & PEAK Enhancements	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
05/12/11 85-37 2 NV	<b>H Sub for Sub for SB 127</b> - Vote #299 on University Engineering Initiative Act	Y	N	Y	N	N	N	N	Y	N	Y	Y	Y
05/12/11 114-9 1 NV	<b>H Sub for Sub for SB 111</b> - Vote #298 on School Finance (school districts can access unencumbered balances held in particular funds).	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
05/04/11 74-44 6 NV	<b>H Sub for Sub for SB 111</b> - Vote #268 on School Finance (Colloton Capital Outlay Amendment)	Y	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	Y
03/30/11 56-68 1 NV	<b>Sub for HB 2193</b> - Vote #208 on School Finance (Local Activities Budget)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
03/17/11 39-80 6 NV	<b>HB 2091</b> - Vote #126 on Repeal of One-Cent Sales Tax Increase	N	Y	Y	Y	Y	NV	Y	N	Y	N	N	N
03/18/11 73-47 5 NV	<b>H Sub for SB 1</b> - Vote #137 on MEGA Bill (March to Economic Growth Act, also known as March to Zero)	N	Y	Y	Y	Y	Y	Y	N	Y	N	N	N
03/30/11 69-55 1 NV	<b>Sub for HB 2161</b> - Vote #206 on Destination vs. Origin Sourcing	N	N	Y	Y	Y	Y	Y	N	Y	Y	Y	Y
05/11/11 105-17 2 NV	<b>SB 150</b> - Vote #287 on Annexation	N	Y	Y	Y	Y	Y	Y	N	Y	Y	N	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 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

### **Adoption of Conference Committee Report for Sub for House Bill 2134 – Vote #276: Comprehensive Workers' Compensation Bill . . . . .SIGNED INTO LAW**

*The Chamber supports protecting the integrity and affordability of the workers' compensation system so it fairly provides for employees legitimately injured while performing job duties without increasing employer costs. The Chamber:*

- Opposes new provisions that open the workers' compensation process to increased court activity;*
- Supports legislation to clarify court decisions which have eroded the reforms of the 1993 workers' compensation legislation.*

This year the Legislature passed one of the most major and comprehensive pieces of workers' compensation legislation in nearly two decades. The bill's contents reflected a compromise agreement reached before session between workers' compensation attorneys and labor groups. Key provisions of the bill include:

- Ending payment of unwarranted claims by raising the threshold required for an incident to be compensable;
- Overturning numerous non-business friendly court decisions, including the Bergstrom case (employees again have a good faith obligation to find work), the Tyler case (there must be a nexus between the workplace injury and the wage loss), and the Fernandez case (if an employee is not eligible for a valid contract of employment, he is not eligible for work disability);
- Clarifying that employers get a credit for pre-existing conditions (the employer pays only for what the workplace causes);
- Increasing benefit caps significantly for the injured worker;
- Protecting and reinforcing the fairness of the workers' compensation system. Employees are compensated without regard to fault, and workers' compensation remains the exclusive remedy for the care and compensation of employees with workplace injuries.

### **Motion to Concur in House Amendments to Senate Bill 77 – Vote #312: Unemployment Insurance Bill . . . . .SIGNED INTO LAW**

*The Chamber supports returning the Employment Security Trust Fund to solvency within a reasonable amount of time, while balancing cost to employers.*

In 2010, through both state and federal programs, the Kansas Labor Department paid out almost \$1.2 billion in unemployment benefits to claimants. This unprecedented draw on the state's Employment Security Trust Fund essentially bankrupted it, necessitating the state to borrow money from the federal government to fulfill its unemployment insurance obligations. This loan must be repaid with interest. The highlights of SB 77 are as follows:

- "Negatively balanced" businesses whose laid-off workers are drawing more than the company paid in unemployment taxes will pay more in taxes in 2012 through a surcharge used specifically to pay interest due on the federal loan;
- The rate caps passed last session in HB 2676 remain in effect for "positively balanced" businesses until 2014. (The Chamber had lobbied on behalf of these caps to provide some relief to businesses that had received startling increases in their tax bills in late 2009);
- Reinstates the "waiting week" provision, which is used to conserve the benefit fund by reducing or eliminating payments for short periods of unemployment;
- Eliminates the "trailing spouse" benefit, with the exception of military spouses, which had allowed persons who quit their job in order to relocate with their spouse to another state to collect unemployment benefits.

The Legislature omitted a key part of the bill that slowly would have increased the taxable wage base paid by employers on each employee from its current \$8,000 to \$11,000 by 2014. The tax increase would have helped replenish the Trust Fund, while maintaining the integrity of the experience rating system.

### **Adoption of Conference Committee Report for House Sub for Senate Bill 196 – Vote #321: Economic Development Bill - Expensing and Deal Closer Fund. . . . .SIGNED INTO LAW**

*Strong state economic development tools are vital for local business recruitment and retention. The Chamber strongly encourages the Legislature to:*

- Improve accessibility of cash incentives and work toward building an economic development contingency fund.*

This bill was one of the major components of the Governor's proposed strategic economic development plan. The expensing portion of the bill allows Kansas businesses that make a capital investment to take a deduction against state income tax for the depreciation of the investment and allows for an immediate deduction of the full investment amount instead of requiring a prescribed schedule of smaller deductions over multiple years. The bill also creates a "deal closer" fund to be used to help seal those businesses interested in moving to Kansas or retain those businesses contemplating moving out of the state. SB 196 does eliminate machinery and equipment tax credits (previously available for M&E purchased before 2006) and changes the High

Performance Incentive Program (HPIP) thresholds from \$50,000 to \$1 million for Kansas' six urban counties, including Johnson County.

While the bill as originally proposed would have eliminated the HPIP program all together, the Chamber successfully advocated on behalf of the need for the program's continuance, as well as for the elimination of a five-year sunset of the program, seen as a mechanism that could dissuade site selectors from recommending the incentive to relocating companies.

**Adoption of Conference Committee Report for Senate Bill 193 – Vote #314: HPIP Carry Forward Extension & PEAK Enhancements . . . . .SIGNED INTO LAW**

*The Chamber strongly encourages the Legislature to:*

- *Support changes to eligibility thresholds within PEAK to further optimize the program;*
- *Extend the carry-forward provision of HPIP tax credits granted to a Kansas business before January 1, 2011 from 10 years to 20 years.*

The Overland Park Chamber successfully advocated for passage of SB 193 which has two major economic development components within it instrumental to the continued job recruitment and retention success of our city, county and state. First, the legislation enhances the Promoting Employment Across Kansas (PEAK) program by:

- Adding a retention component for FY2013-2014 to be used only until the Governor's proposed "deal closing fund" has sufficient funds to take over retention needs;
- Creating additional opportunities for existing Kansas companies by increasing the \$4.8 million cap for in-state expansions to \$6 million;
- Forgiving 95% of personal income tax liabilities for owners of new LLCs and Sub-S companies that move to Kansas; and
- Allowing non-profit corporations to be eligible for PEAK.

Second, it extends the carry-forward period of the HPIP tax credits from 10 years to 16 years, a priority piece of legislation for a number of Overland Park Chamber members.

**Final Action on Senate Sub for House Bill 2149 – Vote #221: University Engineering Initiative Act . . . . . PASSED BUT BILL WAS LATER SIGNIFICANTLY AMENDED**

*Our higher education institutions have been a significant benefit for workforce development and economic growth. The Chamber supports:*

- *Measures to improve workforce development including enhanced career and technical education throughout the state;*
- *Enhanced funding to address deferred maintenance on infrastructure.*

The Engineering Initiative is of great importance to Johnson County, as we have the largest number per capita of engineers working in our metropolitan area than any other location in the country. The Engineering Initiative specifically addresses a workforce shortage issue confronting our state - the availability of highly trained engineers - by increasing the capacity of our state's engineering schools from 875 to 1,365 graduates by 2021. SB 127 appropriates \$10.5 million in lottery funds each year from 2012 through 2021 to be divided between the three Regents institutions with engineering programs (KU, KSU and WSU) to be used for annual maintenance and operation costs of any newly constructed or existing engineering facility. These funds are to be matched on a dollar-for-dollar basis with private funds or non-state sources. This bill also would give the University of Kansas the authority to issue \$65 million in bonds to construct a 100,000-square-foot classroom building for the engineering school.

**Adoption of Conference Committee Report for House Sub for Sub for Senate Bill 127 – Vote #340: University Engineering Initiative Act . . . . .SIGNED INTO LAW**

This is the same initiative outlined in the vote above minus the increase in bonding authority.

**Adoption of Conference Committee Report for House Sub for Sub for Senate Bill 111 – Vote #339: School Finance – Unencumbered Funds Access . . . . .SIGNED INTO LAW**

*The Overland Park Chamber recognizes the importance of quality education to the economic prosperity of Kansas and supports:*

- *Proposals that maintain and enhance public education programs, which includes early childhood education through post-secondary education;*
- *Maintaining funding for quality pre-K-12 education and oppose additional budget cuts that undercut districts' efforts to meet and exceed the proficiency needs of all students.*

The Overland Park Chamber actively lobbied for SB 111, which allows cash-strapped districts to access money in formerly "tied up" school accounts for the 2011-12 school year and redirect them for general education purposes to help make up their loss in base state aid per pupil. The following funds can be considered the first priority for use: at-risk education; bilingual education; contingency reserve; driver training; parent education; pre-school-aged at-risk; professional development; summer program; virtual school; and vocational education. The textbook and student materials revolving fund will be the second priority, with the special education fund the last priority for use.



**Adoption of the Conference Committee Report for Senate Bill 150 – Vote #326: Annexation . . . .SIGNED INTO LAW**

---

*The Chamber opposes changes to statutes governing cities' ability to annex unincorporated land with the County's approval.*

The passage of an annexation bill will greatly restrict the successful and orderly growth of Overland Park. While the final contents of the bill were labeled as “a compromise” between anti-annexation legislators and the League of Municipalities, in fact, the Chamber still opposed many provisions within the bill.

SB 150 restricts the annexation of land via petition to the Board of County Commissioners by requiring a two-thirds vote by the board of county commissioners to approve an annexation. Annexations of less than 40 acres could be approved by the County Commission, though no more than three such annexations could be approved in a 60-month period. Annexations of more than 40 acres approved by the Board of County Commissioners would require an election involving landowners within such area.

## HOUSE

**Adoption of Conference Committee Report for Sub for House Bill 2134 – Vote #240: Comprehensive Workers' Compensation Bill . . . .SIGNED INTO LAW**

---

See Senate explanation.

**Final Action on Senate Bill 77 – Vote #119: Unemployment Insurance Bill. . . .SIGNED INTO LAW**

---

See Senate explanation.

**Adoption of Conference Committee Report for House Sub for Sub for Senate Bill 196– Vote #281: Economic Development Bill - Expensing and Deal Closer Fund . . . .SIGNED INTO LAW**

---

See Senate explanation.

**Adoption of Conference Committee Report for Senate Bill 193 – Vote #274: HPIP Carry Forward Extension & PEAK Enhancements . . . .SIGNED INTO LAW**

---

See Senate explanation.

**Adoption of Conference Committee Report for House Sub for Sub for Senate Bill 127 – Vote #299: University Engineering Initiative Act . . . .SIGNED INTO LAW**

---

See Senate explanation for Senate Bill 127 - Vote #340.

**Adoption of Conference Committee Report for House Sub for Sub for Senate Bill 111 – Vote #298: School Finance – Unencumbered Funds Access . . . .SIGNED INTO LAW**

---

See Senate explanation.

**On Agreeing to the Amendment by Pat Colloton, R-28, to House Sub for Sub for Senate Bill 111 – Vote #268: School Finance – Capital Outlay . . . .AMENDMENT PASSED BUT WAS REMOVED FROM BILL**

---

*The Overland Park Chamber supports expanding local control, in order to maintain and enhance the State's long-term economic health and skilled workforce.*

This amendment would have increased local funding authority by allowing school districts to levy a capital outlay tax for school year 2011-2012 to pay for additional purposes, such as utility services and insurance premiums, thus freeing up money in maintenance funds to put toward educational instruction. The amendment successfully passed in the House but was removed in the final Conference Committee Report.

**Final Action on Sub for House Bill 2193 – Vote #208: School Finance – Local Activities Budget . . . . .BILL FAILED**

---

*The Overland Park Chamber supports expanding local control, in order to maintain and enhance the State's long-term economic health and skilled workforce.*

The bill would have given local school districts additional authority to raise local taxes by letting them establish a “local activities budget” funded by their local option budget. Funds coming from the “local activities budget” could only be used for school

programs and activities not required by the state, such as debate teams, glee clubs, sports teams, etc. The Overland Park Chamber actively advocated for this bill because it would expand local control. However, while coming closer to success than previous years' attempts, the bill still failed to pass.

**Motion to Recommend House Bill 2091 Favorably for Adoption – Vote #126: Repeal of One-Cent Sales Tax Increase  
.....BILL FAILED**

*The Overland Park Chamber of Commerce supports:*

- *A balanced approach to maintaining the services the State currently provides while providing a positive business climate;*
- *Protecting existing funding sources (sales tax, fuel tax, bonding, vehicle registration fees, etc).*

The Overland Park Chamber successfully lobbied in opposition to this bill, which would have repealed last year's one-cent sales tax increase. Last year's increase raised the sales tax rate from 5.3 percent to 6.3 percent beginning July 1, 2010, with revenues from the increase directed to the state general fund. The sales tax was then to be reduced to 5.7 percent on June 30, 2013, with 0.4 percent of those revenues to be sent to the state highway fund to help finance the ten-year comprehensive transportation plan (T-WORKS) passed by the Legislature last session. Repeal would have decimated the primary funding source supporting the implementation of T-WORKS and created an additional \$300+ million gap in our state budget, a budget already stressed at the beginning of session with a \$500+ million deficit.

**Final Action on House Sub for Senate Bill I – Vote #137: March to Economic Growth (MEGA) Bill . . . .BILL FAILED**

*The Overland Park Chamber of Commerce:*

- *Believes the responsibility to appropriate funds lies with the democratically elected legislature and strongly opposes efforts to limit that authority;*
- *Opposes all constitutional amendments or statutes that restrict legislative authority to make decisions regarding taxing or spending;*
- *Opposes tax lids on local government;*
- *Supports a balanced approach to maintaining the services the State currently provides while providing a positive business climate;*
- *Opposes any change in tax law that would apply a sales tax on services thereby negatively impacting our competitiveness with neighboring states. Any comprehensive review of tax exemptions should include careful consideration of the economic development and employment consequences of eliminating such exemptions.*

The MEGA bill proposes to buy down corporate and personal income tax by utilizing a formula to correlate increases in state tax receipts with a deduction in corporate and personal income taxes, all based on a selected actual state general fund receipts computation.

To ensure our elected representatives' ability to govern effectively, the Overland Park Chamber historically has had a longstanding opposition to tax and spending lids of any kind. More specifically, we oppose the MEGA bill because of the uncertainty as to how such a large shift in our state's tax structure would affect the revenue streams and quality of our state's largest budgetary items including K-12 education, social services and KPERS funding. We noted that the desire to cut taxes is usually precipitated by a strong fiscal outlook, yet this proposal came while Kansas is weathering the effects of a devastating recession.

A broad and varied tax base is essential to stability in our tax system. The more narrow a state's tax base, the more susceptible it is to wide swings when specific segments of the economy have problems. While reduced taxes can modestly spur economic growth, researchers also find that state expenditures on education, infrastructure, highways, and public health matter as much or more than taxes in determining economic growth rates. Reduced taxes that are accompanied by reductions in spending on services that benefit the economy and businesses can have a negative effect on economic growth. A significant reduction in one revenue source may also necessitate an increase in another area such as sales or property tax in order to maintain basic services.

**Final Action on Sub for House Bill 2161 – Vote #206: Destination vs. Origin Sourcing . . . . .BILL FAILED**

*The Overland Park Chamber supports regulatory framework that results in consistent and predictable application of state policies, procedures and regulations.*

The Overland Park Chamber successfully played defense against passage of this bill, which would have changed the way a retailer collects sales tax from a destination-sourcing mode back to origin-based sourcing. About eight years ago, the Legislature changed tax law to require businesses to collect sales tax at the rate established where a product was being delivered versus the rate in place where the product was sold (or originated). This change required many businesses to spend money on costly software to update their collections process. A change back to origin sourcing would have jeopardized the state's standing in the national streamlined sales tax compact, and it also could have meant a loss of revenue within Overland Park should retailers choose to collect sales tax in lower-taxed areas. Additionally, this inconsistency in regulations creates costly compliance issues for businesses.

**Adoption of the Conference Committee Report for Senate Bill 150 – Vote #287: Annexation . . .SIGNED INTO LAW**

See Senate explanation.

## Lifetime Voting Records

SENATE	Year Elected	2011	Lifetime
Terrie Huntington	2010*	88%	93% <sup>1</sup>
Julia Lynn	2006	57%	77%
Ray Merrick	2011*	63%	72% <sup>2</sup>
Rob Olson	2011*	63%	75% <sup>3</sup>
Tim Owens	2009*	100%	97% <sup>4</sup>
Mary Pilcher Cook	2008*	50%	62% <sup>5</sup>
John Vratil	1999	100%	96%

\* Year elected to the Senate after serving in the House

<sup>1</sup> Lifetime record includes sessions served in the House (2003-2009)

<sup>2</sup> Lifetime record includes sessions served in the House (2000-2010)

<sup>3</sup> Lifetime record includes sessions served in the House (2004-2010)

<sup>4</sup> Lifetime record includes sessions served in the House (2002-2008)

<sup>5</sup> Lifetime record includes sessions served in the House (2004-2006)

HOUSE	Yr. Elected	2011	Lifetime
Barbara Bollier	2010	92%	95%
Anthony Brown	2004	58%	60%
Rob Bruchman	2011	82%	82%
Pat Colloton	2004	92%	98%
Jim Denning	2011	75%	75%
Owen Donohoe	2006	55%	65%
Amanda Grosserode	2011	73%	73%
Brett Hildabrand	2011	73%	73%
Mike Kiegerl	2004	70%	68%
Lance Kinzer	2004	58%	59%
Marvin Kleeb	2008	75%	84%
Kelly Meigs	2011	67%	67%
Robert Montgomery	2011	67%	67%
Charlotte O'Hara	2011	58%	58%
John Rubin	2011	58%	58%
Scott Schwab	2008	60%	66% <sup>1</sup>
Arlen Siegfroid	2002	58%	75%
Mike Slattery	2008	92%	97%
Greg Smith	2011	58%	58%
Sheryl Spalding	2006	83%	95%
Kay Wolf	2005	92%	95%
Ron Worley	2006	83%	93%

<sup>1</sup> 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](mailto:opcc@opchamber.org)  
 Web site: [www.opchamber.org](http://www.opchamber.org)