

12TH DISTRICT • 2009 CAPITOL UPDATE

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It is an honor and a privilege to serve as your Kansas State Representative for the 12th District. Inside, you will find an overview of the 2009 session. For more in-depth coverage of issues, or to express your concerns and opinions, please send a request to jeffkingks@hotmail.com to subscribe to my e-newsletter.

Jeff King
Kansas State Representative
12th District

Representing You in Topeka!



Representative Jeff King

12th District • 2009 Capitol Update

The FY 2010 Budget – Holding the Line on Taxes

Residents of Montgomery, Elk, and Chautauqua counties know firsthand the dire effects of the current recession. In our area alone, the economic turmoil has cost thousands of jobs and harmed almost every family and business. The faltering economy has had equally devastating effects on state government. Unemployed Kansans, investors who lose money, and unprofitable businesses pay few taxes. As such, the state lost hundreds of millions in revenue during the last fiscal year and even greater losses are expected in fiscal year 2010.

Unlike the federal government, the State of Kansas cannot run budget deficits. Thus, the Kansas Legislature had two options for solving the state's financial woes: tax increases or budget cuts. The worst recession in many decades is not the time to raise taxes. To avoid such a result, I worked hard as Vice-Chair of the House Tax Committee to prevent any tax increases this legislative session.

Instead, the Kansas Legislature worked diligently to cut state spending. Specifically, the Legislature made the following cuts to state programs for FY 2010:

- General government spending = -12.75%
- Poor and disabled spending = -6.75%
- Public safety spending = -12%
- Agricultural and natural resources spending = -25.5%
- Higher education spending = -5.75%
- Community mental health centers = -12.75%
- K-12 education = -3.45%

I received dozens (if not hundreds) of emails, calls, and letters concerned about budget cuts on K-12 education. As the son and brother of five Kansas teachers, I share this concern. However, K-12 education, while likely the most important activity funded by the State of Kansas, is

not the only one. I cannot impose such substantial cuts on our community mental centers, our law enforcement officers, our developmentally and physically disabled, and our agricultural community without applying at least some cuts to K-12 education. I worked to keep this cut small enough to preserve teaching jobs while relieving some of the budget-cutting burden from other state programs.

That said, I still have grave concerns about the 2010 budget. The Legislature avoided a direct tax increase. The final 2010 budget included no new taxes or direct tax hikes for Kansans.

That description does not tell the whole story. In 2006, the Kansas Legislature promised local governments that it would provide tens of millions of dollars annually in property tax relief. This money was promised to offset lost local revenue from the machinery and equipment ("M&E") tax, a key component of the tax base especially in Montgomery County. In 2009 alone, Montgomery County taxpayers were promised over \$1.3 million such tax relief.

Former Governor Sebelius's budget broke this promise. I opposed the Governor's plans and helped broker a compromise that paid half of this tax relief on March 1, 2009 and half on June 1. Despite this additional promise, the Governor and a majority of legislators broke their pledge and stripped the June 2009 M&E money from the budget. This action, which I fought against diligently, will cost Montgomery County taxpayers \$650,000 this year alone.

The Kansas budget problems will likely continue next session. Hopefully, an improving economy will help cure these ills. Regardless, this year's problems underscore the need for further reforms and efficiencies in state spending – a goal I will strive to achieve in the 2010 legislative session.



Tax Relief for Property Owners

Local property taxpayers won an important victory this session with SB 98, a bill ensuring that out-of-state utility companies storing natural gas in underground formations pay property tax on that gas. In 1992, Kansas voters passed an amendment to the Kansas Constitution authorizing this tax. Although in-state utility companies currently pay the tax, a recent Kansas Supreme Court opinion allows out-of-state companies to avoid it. As a result, Kansas residents must pay about \$9 million extra in taxes every year to compensate for those taxes avoided by out-of-state companies.

SB 98 corrects existing law, forcing out-of-state public utilities to pay the same property taxes as their Kansas counterparts. In Montgomery, Elk, and Chautauqua counties alone, this legislation will generate about \$500,000 annually in additional property tax revenue from out-of-state companies. By forcing out-of-state public utilities to pay their fair share, local residents will save a half-million dollars annually in property taxes.

In these tough economic times, every bit of tax relief helps. I am proud to have sponsored this legislation in the Kansas House and worked hard for its passage.

Graduated Driver's License

As Chair of the House Subcommittee on Teenage Driving Safety, I am proud to have played a key role in passage of the Graduated Driver's License (GDL) bill. Hundreds of Kansas teenagers die every year from traffic accidents.

The GDL is a vital step towards reducing these teen fatalities. Regrettably, many of these deaths were preventable through increased seat belt use, reduced driving distractions, and more experience for young drivers. The GDL addresses these main causes of teen accidents. When it goes into effect on January 1, 2010, the GDL will require every teen to hold a learner's permit for 12 months before obtaining a restricted or a full license. It will limit teen drivers to no more than one non-sibling passenger under the age of 18 during the first 6 months of full licensing. It will also limit late-night driving to 9:00 p.m. during the first 6 months of full licensing unless driving to and from work or school. **The bill makes no changes to the existing farm permit provisions or restricted license provisions.**

The GDL will ensure that teen drivers have more experience and fewer distractions behind the wheel before they receive their full driver's license. It is my hope that this bill will save the lives of countless Kansas teens over the coming years.

Promoting Employment Across Kansas

I am excited about a new economic development tool created by the 2009 Legislature. Promoting Employment Across Kansas (PEAK) provides a new way to recruit high-paying jobs at no expense to Kansas taxpayers. Similar to aggressive business development tools used in Missouri, Oklahoma, and many other states, PEAK provides cash incentives to companies who bring new high-paying jobs with health benefits to Kansas. To qualify, the new jobs must pay above the average Kansas wage and relocate to Kansas from other states or foreign countries.

Qualifying companies may retain the state withholding tax for a few years as a cash incentive to relocate to Kansas. Thus, no local tax dollars are needed to bring these high-paying jobs to Kansas. Now more than ever we need to bring quality, high-paying jobs to south-east Kansas. As Vice-Chair of the House Tax Committee that helped develop PEAK, I am confident that this important legislation will help create these desperately need Kansas jobs.



Comprehensive Energy Plan

After two years of exhaustive work, the Governor finally agreed with the Legislature and signed a comprehensive energy plan. The compromise, which contains nearly identical language to the House Energy plan vetoed earlier this year, will allow Sunflower Energy in Holcomb, Kansas to construct one 895 megawatt coal plant. This project will provide vital, high-paying jobs in western Kansas, with more than 1,500 jobs at the peak of its construction and more than 300 permanent jobs.

The bill includes important long-term energy and environmental policy components. For instance, the bill requires the new Holcomb plant to utilize an unprecedented level of carbon mitigation technology. The bill also advances several re-

newable energy standards by requiring non-municipal electric public utilities to generate or purchase some electricity from renewable resources. Investor-owned electric utilities must make net metering (i.e. allowing individuals to sell energy back to utilities) available to customers who generate their own electricity. The bill also strengthens energy efficiency provisions for state owned and leased property.

The bill also provides regulatory certainty to new and existing Kansas businesses, a vital step in growing the Kansas economy. Specifically, the bill amends the Kansas Air Quality Act to prohibit the Secretary of Health and Environment from promulgating environmental rules and regulations more strin-

gent than those under federal law. Kansas, if it so desires, may still enact stricter environmental laws. The bill merely makes the elected Kansas Legislature (and not unelected government regulators) in charge of future environmental policy.

By combining new low emission standards and applying those standards to current and future generators, Kansas can promote high environmental standards while protecting its future energy supply. With the increased research into renewable energy promoted by this bill, Kansas can lead the nation in creating new sources of renewable and environmentally-friendly energy.

Local Festival and National Guard Unit Honored

Two bills of local importance passed the Kansas Legislature this session. First, the Legislature officially named the William Inge Festival at Independence Community College as the official theater festival of the State of Kansas. Second, SB 5 designated US Highway 160 from the Independence city limit east to the junction with US 169 as the 1011th Quartermaster Co. U.S. Army Reserve memorial highway. Pictures from the signing ceremonies for both bills are included below. I am proud to have carried both bills successfully through the Kansas House.



Left to Right— CSM Michael Giersch, Captain Victor McGee, Bill Wullenschneider, Governor Mark Parkinson (seated), Sen. Derek Schmidt, Ray Shoaf, Rep. Jeff King



Left to Right—Rep. Jeff King, Lois Lessman, Governor Mark Parkinson (seated), Dr. Rick Goheen, and Sen. Derek Schmidt

King Holds Listening Tour in Area Towns

To give you an opportunity to ask questions about issues important to you, I have scheduled town hall meetings in every community in the 12th district. I look forward to seeing you at one or more of these events.

Elk County – Wednesday, September 2

- 10:00 a.m. – 11:00 a.m. Howard Howard City Library, 126 S. Wabash
- 11:15 a.m. – 12:15 p.m. Moline Swinging Bridge Café, 304 Walnut
- 12:30 p.m. – 1:30 p.m. Grenola Grenola Senior Center, 124 S. Main
- 2:00 p.m. – 3:00 p.m. Elk Falls Elk Falls Senior Center, 716 Seventh St.
- 3:15 p.m. – 4:15 p.m. Longton Longton Senior Center, 406 Kansas

Montgomery County – Tuesday, September 8

- 4:30 p.m. – 5:30 p.m. Independence New Courthouse Basement, 300 E Main
- To Be Determined Elk City

Chautauqua County – Wednesday, September 9

- 9:00 – 9:45 a.m. Niotaze Niotaze City Hall, Hwy 166
- 10:00 – 10:45 a.m. Peru Peru Truck Stop, 2490 Hwy 166
- 11:00 – 11:45 a.m. Chautauqua Chautauqua Community Building, Franklin & Laurel St
- 3:15 – 4:15 p.m. Sedan The Rack Shack, 99 Hwy & Hwy 166-B

If you cannot attend one of these events, please feel free to contact me at jeffkingks@hotmail.com or by phone at 620-331-2071.

Battery Against a Law Enforcement Officer

The Kansas Legislature passed legislation, which I drafted with the help of Independence Police Chief Ken Parker, ensuring that criminals who seriously injure law enforcement officers spend time in prison.

Previously, a criminal who injured a law enforcement officer was presumed to receive only probation. As such, almost none of these criminals served jail time.

HB 2060 changes this result by providing a statutory presumption that these offenders will serve prison time for their crime. Specifically, HB 2060 changes the Kansas Sentencing Guidelines to recommend imprisonment for battery convictions that result in bodily harm to a law enforcement officer. This approach is similar to one used successfully for years in Nebraska.

Police officers put their lives on the line every day to protect Kansans. HB 2060 ensures that criminals who seriously injure our officers spend time in prison for their crime.