App	roved	4/27/87 Date	
MINUTES OF THE <u>Senate</u> COMMITTEE ON <u>Ways and</u>	d Means		•
The meeting was called to order by <u>Senator August "Gus"</u>	Bogina nairperson	·	at
11:00 a.m./來來. on <u>March</u> 20	_, 19 <u>8</u> 7in roo	m <u>123-S</u>	of the Capitol.
All members were present except: Senators Doyen and Winter on excused absences			
Committee staff present: Research Department: Robin Hunn, Ron Schweer, R. Revisor's Office: Norman Furse Committee Office: Judy Bromich, Pam Parker	ay Hauke		

Conferees appearing before the committee:

Gary Stotts, Acting Director of Budget E. A. Mosher, League of Kansas Municipalities Chip Wheelen, Kansas Legislative Policy Group Bev Bradley, Kansas Association of Counties

Senator Bogina reviewed and discussed a profile of state General Fund balances for FY 1988. (Attachment 1) During his review, he stated that, to date, proposals passed by both House Appropriations Committee and Senate Ways and Means Committee amounts to about \$8 million over the Governor's recommendations.

SB 383 - an act relating to transfers from the state general fund; relating to the local ad valorem tax reduction fund and the county and city revenue sharing fund

Staff reviewed  $\underline{SB\ 383}$ . Mr. Stotts reviewed the fiscal impact of  $\underline{SB\ 383}$ . (Attachment 2)

Mr. Mosher stated that the League does not have a formal position in regard to  $\underline{SB}$  383 due to time constraints, however, he was confident that the governing body of the League or any committee of the League would be in support of  $\underline{SB}$  383 considering the alternative. (Attachment 3)

Mr. Wheelen, during his remarks, stated that the Kansas Legislative Policy Group adopted a formal policy position in February, 1986 as being opposed to the provisions of HB 2206. He pointed out that mineral producing counties have experienced significant reductions in assessed valuations because of the recession in the oil and gas industry. As a result of that they were looking forward to the additional sharing revenues that would have helped offset the losses in property tax dollars. He noted that they cannot take a formal position on SB 383 because two of the four members could not be contacted. He was however, told by the President of the Association that in view of the circumstances, in comparing SB 383 with HB 2206 and considering the problems the legislature is encountering with general fund ending balances, he thought SB 383 appears to be a very reasonable compromise. Mr. Wheelen stated that they are afraid that in 1990 there will be considerable shifting in property tax burden that results from reappraisal in spite of the protections built into the classification amendment to the Constitution. For that reason they urge the Committee to retain the temporary nature of SB 383.

Bev Bradley stated that they do not have a formal position regarding <u>SB 383</u> and have not had time to establish one. The president of their Board indicated that if this measure was a one time situation, the Association would support it, but he was not sure they should support the two year provision. She noted information from a salary survey they have conducted indicates that more than half of the counties took no salary increases for any of their officers in 1987 so counties are already "holding the line".

### CONTINUATION SHEET

MINUTES OF THI	E <u>Senate</u>	. COMMITTEE ON	<u>Ways and</u>	Means	,
room <u>123-S</u> , Stat	ehouse, at <u>11:00</u>	a.m./\$p\x\x. on _	March 20	· · · · · · · · · · · · · · · · · · ·	 9 <u>8</u> 7

 $\frac{\text{SB }384}{\text{general fund}}$  - an act relating to transfers to the state highway fund from the state

Staff reviewed <u>SB 384</u>. Information provided for the Committee was distributed. (Attachments 4 and 5) Mr. Stotts reviewed SB 384. (Attachment 6)

In answer to a question from Senator Gaines, Mr. Mosher stated that the League does not have a position on  $\underline{SB\ 384}$ . He stated that the League has a policy position calling for increased highway user revenues.

Additional information distributed illustrates growth in state General Fund revenues compared to growth in transfers from the state General Fund. (Attachment 7)

Senator Talkington moved, Senator Kerr seconded, SB 384 favorably for passage. The motion passed on a roll call vote.

Senator Talkington offered a motion, Senator Harder seconded the motion, to recommend SB 383 favorably for passage. Following discussion, the motion passed on a roll call vote.

A motion was offered by Senator Talkington and seconded by Senator Werts to approve the minutes from the March 3, 4, 5, 6, and 9, 1987 meetings. The motion carried on a voice vote.

Senator Talkington moved, Senator Werts seconded, the introduction of bill draft 7 RS 1287, an act relating to emergency medical services; concerning emergency medical technician-defibrillator. The motion carried on a voice vote.

Senator Talkington moved, Senator Werts seconded, the introduction of bill draft 7 RS 1304, an act concerning bonds; relating to registration of certain bonds by state treasurer. The motion carried on a voice vote.

The Chairman adjourned the meeting at 12:20 p.m.

# GUEST LIST

COMMITTEE: SENATE WAYS AND MEANS NAME (PLEASE PRINT) COMPANY/ORGANIZATION Sen Mulich's Office

## PROFILE OF SGF BALANCES FY88

Governor's Budget Recommendation-Balance   (Includes GBA 1) Less: Sales Tax Transfer KDOT     LAVTR Transfer     Inheritance Tax Transfer Revised balances (less transfers)(includes \$12 million FY87 and \$143 million FY88 "windfall")	d .	\$133.3 (15.9) (4.2) (1.2) \$112.0
Budget Demands FY88 (Included in above balance) Income Tax Rebate School DItricts KPERS Adjustment - School CCRSF Community Colleges and Washburn credit hour aid Restore Shift Hospital and tuition revenues	\$13.4 24.9 2.8 2.1 11.4 \$54.6	
Governor's Budget Recommendations (Included in above balance) General Aid USD Transportation Aid Special Ed All Other Regents Salary Plan Corrections Judicial Health & Environment All Other  Program enhancements FY88 over FY87	\$ 22.3 2.1 9.1 (6.4) 25.4 7.0 6.8 2.0 1.2 4.4 \$ 73.9	
ADDITIONAL EXPENDITURES  SRS case load adjustments (FY87 additional)  SRS case load adjustments FY88  Right to Know  Corrections  Winfield Decertification	\$ 3.2 5.6 .6 .9 1.4 \$ 11.7	\$(11.7)
Revenue Assumptions Allowable error-1% Adjust "windfall" (½ of error margin stated by Department of Revenue)  *Probable ending balance FY88	\$ 19.4 30.0 \$ 49.4	\$100.3 \$(49.4) \$50.9

\*Assumes:

1. Consensus Estimates with an error rate of 1%.
2. "Windfall" error of  $\frac{1}{2}$  of stated  $\pm$  \$60 million probable error.
3. No appropriations above the Governor's Budget.
4. Non-passage of SB Substitute 62.
5. Non-passage of demand transfers.

Prepared by:

AUGUST BOGINA, JR., P.E. Senator, Tenth District

ATTACHMENT 1 3/20/87 SWAM

HB 2206(GBR) SB 383

		\$	\$
LAVTR	\$ Millions	Inc./(Dec.) PY	<pre>Inc./(Dec.) Current</pre>
FY 88 () FY 89 FY 89 ()	GBR) 26.9 383) 30.5 387 GBR) 25.2 383) 32.4	1.3 .9 2.3 4.2  3.6 2.6 (1.7) 1.9	(4.2) (.6)  (8.5) (1.3)
FY 90 FY 90 (	33.8 GBR) 25.3 383) 33.2	.1 .1 .8	(8.5) (.6)
C.C. Re	v. Sharing		
FY 84 FY 85 FY 86 FY 87 FY 88	16.5 18.2 18.6 19.5 22.4	1.7 .4 .9 2.9	
FY 88 (3 FY 89	GBR) 22.4 383) 22.4 26.1	2.9 2.9 3.7	
FY 89 (3 FY 90	GBR) 19.6 383) 25.1 26.3	(2.8) 2.7 .2	(6.5) (1.0)
•	GBR) 19.7 383) 25.3	.1	(6.6) (1.0)

No. 9 March 20, 1987

#### A LETTER TO LOCAL OFFICIALS:

League of Kansas Municipalities, 112 W. Seventh Street, Topeka, Kansas 66603, (913)354-9565

The Senate Committee on Ways and Means has introduced SB 383, which seems to be a reasonable compromise to the local revenue sharing cut-back issue pending before the 1987 session. The bill would reduce the local share of state sales taxes for two years by 3.8% annually, the amount that various state programs were reduced earlier this year.

SB 383 would reduce the sales tax share for the local ad valorem tax reduction fund (LATRF) from 4.5% to 4.329%, a 3.8% reduction. The county-city revenue sharing fund would be reduced from 3.5% to 3.367%, also a 3.8% reduction. On a state fiscal year basis (ending June 30), it would reduce the LATRF amount by an estimated \$637,000 in FY 1988, \$1,293,000 in FY 1989 and \$656,000 in FY 1990. The revenue sharing fund would be reduced by an estimated \$991,000 in FY 1989 and \$1,021,000 in FY 1990. On a calendar year basis, the LATRF reduction would be \$1,274,000 in 1988 and \$1,312,000 in 1989. The revenue sharing reduction would be \$991,000 in 1988 and \$1,021,000 in 1989. The combined calendar year reductions would be \$2,265,000 in 1988 and \$2,333,000 in 1989, a total of \$4,598,000 for the two years.

Unlike HB 2206, which originally proposed a permanent 25% cut-back in these programs, SB 383 would be for two years only. HB 2206, which would cut the two programs by about \$14.8 million annually, was "defeated" on the House floor by a vote of 22 to 97, but is still alive in the House Appropriations Committee. SB 383 also differs from HB 2065, which would freeze the two funds to a fixed level in FY 1988. This bill would cost local units about \$10.3 million.

By accepting the 3.8% cut in SB 383, the existing formula is retained for the future. Absent further changes, the full formula would be in effect for local receipts in 1990, the year in which taxes on reappraisal values will be expended. The bill is not a "win" for local units—it's a loss control measure. In my judgment, it is the best result obtainable. I would urge you to convey to your legislators your reluctant support of SB 383, and your opposition to any further reductions. At the same time, it should be noted that even this \$4.6 million reduction is vulnerable. It is possible that the amount of local sharing could be further reduced before the legislature finally adjourns.

E.A. Mosher Executive Director

ATTACHMENT 3 3/20/87 SWAM

CONTACT YOUR STATE LEGISLATORS

State Capitol Building, Topeka, KS 66612

SENATORS: (913) 296-7300 REPRESENTATIVES: (913) 296-7500

(See Legislative Bulletin No. 1 for individual offices and telephone numbers) LEGISLATIVE INFORMATION HOTLINE: 1-800-432-3924



### PUBLISHERS OF KANSAS GOVERNMENT JOURNAL/112 WEST SEVENTH ST., TOPEKA, KANSAS 66603/AREA 913-354-9565

TO: House Committee on Appropriations

RE: HB 2206 -- Local Revenue Sharing Cutback

FROM: E. A. Mosher, Executive Director

DATE: February 23, 1987

My name is E. A. Mosher, Executive Director of the League of Kansas Municipalities, appearing in opposition to HB 2206, pursuant to policy actions taken by the League Governing Body and the League committees on finance and taxation and on state legislation. In brief, HB 2206 provides for a permanent 25% reduction in local sharing of state sales and compensating use tax revenue. It is distinctively different, and in our judgment more onerous, than HB 2065 introduced earlier by this Committee, which provides for a one time freeze of the amounts distributed through the city and county revenue sharing fund and the local advalorem tax reduction fund.

The passage of HB 2206 would represent a fundamental, and to us unfortunate, departure from Kansas traditions and state-local fiscal relations. To understand this thesis, perhaps a brief review of the two programs is needed.

The local ad valorem tax reduction fund (LATRF) receives revenue equal to 4½% of state sales and compensating use tax collections. The LATRF money is first distributed to county treasurers, based 65% on population and 35% on assessed valuation. The county treasurer then distributes the amount received to the several taxing subdivisions within the county on the basis of relative property taxes levied the previous year, excluding state taxes and school district taxes. One-half is paid on January 15 and one-half on July 15. Approximately 4,000 governmental units in Kansas receive a share of the LATRF money for property tax reduction.

Some local sharing of retail sales tax revenue has been a feature of state law since the sales tax was first enacted a half century ago. The LATRF fund was changed from a \$12.5 million annual total to 10% of the total of retail sales and compensating taxes in 1970 (Ch. 389). In 1973, the 10% total was reduced to 4.5% as a result of the revision in the School District Equalization Act (Ch. 292). At that time, it was estimated that school districts were receiving about 5.5% of the LATRF distributions. With this change, which was essentially a bookkeeping change, the basic revenue sharing concept has continued.

The county and city revenue sharing fund is financed by 3½% of state sales taxes, and is apportioned to each county area based 65% on population and 35% on assessed valuation. The amount apportionable to each county area is then paid 50% to the cities based on population and 50% to the county government. Payments are made on July 15 and December 10. There are 105 counties and 627 cities which receive money from this revenue sharing fund.

This revenue sharing fund was enacted in 1978 as a trade-off for the discontinuation of city and county sharing in the revenue from the state cigarette tax and the liquor enforcement tax. At the time the adjustment was made, the 3½% share was approximately equal to the amount of dollars paid to cities and counties from the two tax funds. Establishment of the new revenue sharing fund followed many years of Kansas traditions in sharing the cigarette and liquor enforcement tax revenue.

We hear comments in the hallways, and elsewhere, that HB 2206 is not really a cutback but simply an elimination in local sharing of the revenue from the new 1c statewide sales tax. The bill itself attempts to reinforce this approach, by restricting the 4% and 3% shares to "3/4 of the total..." We call to your attention that 4%% of 3/4 is 3.375%, while 3%% of 3/4 is 2.625%. The current 8% total for the two programs is thus cut to 6%, and this is a 25% reduction, no matter how you cut it.

We assume that each member of this Committee, and each member of the legislature, were well aware last session that the 1¢ sales tax increase involved continued local sharing. I can vouch for the fact that Governor Carlinknewit when he advocated the increase — it was part of the Governor's program. I can also testify that there were at least some state legislators who reported their acceptance of the 1¢ tax increase only with the understanding that local units would receive some sharing of the revenue.

In summary of this part of my remarks relating to policies and principles, I simply note that HB 2206 is a departure from Kansas traditions and state-local fiscal relations.

Some observations about the fiscal effect of the bill, and on state-local fiscal relations, also seem important to this discussion. We are well aware of the problem with the state general fund balance, and the reductions that have been made and continue to be made in state general fund appropriations, including aid for education. There is, in our judgment, a distinctive difference between revenue sharing programs and state appropriation and grant programs. Revenue sharing expenditures go up or down with the revenue, not with the level of appropriations. They do not, in fact, eat into the moneys available for other purposes since they are a fixed percentage.

Cutting back on local sharing of state sales tax collections implies, at least to us, that Kansas local governments do not have a fiscal problem! In our view, the same kinds of forces and factors that affects the state general fund balance is equally pervasive on the local level.

We call to your attention that many local units are experiencing declines in their local property tax base. Of the 627 cities in Kansas, 45.6% had a smaller tax base in 1986 than they did in 1985, a trend we think will continue as to assessments as of last January 1.

Another indicator is local sales tax collections. This is illustrated by comparing July - December collections in 1986 versus those in 1985. The county-wide collections were down for 74.5% of the counties with comparable data. The collections were down in 60.4% of the cities with comparable data. State-wide, total local sales tax collections are increasing, as are state sales tax collections. Some local units have experienced growth in commercial activity, but most have not. If you exclude the Johnson County countywide tax, and the city-levied tax of the four Johnson County cities of Lenexa, Merriam, Olathe and Overland Park, the receipts of all of the other local units for which comparable data is available, during this six months period, declined by \$1.6 million, an average decrease of 3.3%

One further fiscal factor needs mentioning—the termination of federal general revenue sharing. Last year, Kansas local units received \$34.7 million from the federal general revenue sharing, a drop from \$38.3 million for calendar 1985. This program has been discontinued, as you know. Last session there were at least some legislators who were well aware of the extreme probability that federal revenue sharing would be discontinued, and noted the fact that the continued 8% sharing of state sales tax collections from the new 1¢ tax would help soften the blow to local units and local taxpayers.

In your consideration of this matter, we would urge you to look at the annualized impact of HB 2206. We do not have any quarrels with the figures prepared by the Legislative Research Department or the Office of State Treasurer, but emphasize the significant difference between the state's fiscal year and the local calendar year. The Research Department's memo shows that the state FY 1988 impact of HB 2206 would be a total of \$4,190,000, for the LATRF fund. The county and city revenue sharing change would not have any impact on the general fund for FY 1988, because of the distribution dates. But from the local government viewpoint, which budget on a calendar year basis, the story is different. Sales and use tax collections for calendar 1987 are estimated at approximately \$740 million. The difference between 8% and 6% of this total is \$14.8 million. This approximately \$15 million local loss, of course, will increase or decrease depending on total sales tax collections. Interestingly, the loss in local revenue would be approximately half the loss in federal general revenue sharing.

Finally I would conclude by observing that the League and its member cities are concerned about strengthening the state local partnership—we serve the same constituency. We are also concerned about improving the state-local fiscal partnership, and have had as a long term objective the increase in state revenue sharing from the current 8% to a total of 10%. As we review both local and state fiscal conditions, and as we predict the future impact of property classification and reappraisal, we suggest that now is not the time to pass HB 2206.

The provisions in SB 384 would result in an additional reduction of State Highway Fund receipts from the State's Five Year Plan. In FY 1988, the State Highway Fund will be receiving 3 quarters of the sales tax transfer because the fourth quarter receipts will not be transfered from the State General Fund until July 1, 1989. According to the State General Fund Spreads, about 25.6 percent of the sales tax receipts are received in the fourth quarter. Taking into account the 1 quarter lag and the reduction of the sales tax rate, the net effect of SB 384 is presented below:

(In Millions of Dollars)

				FISCAI	L YEAR			
TRANSFER	1987	1988	1989	1990	1991	1992	1993	TOTAL
REVISED	\$27.7	\$35.8	\$44.7	\$46.3	\$48.0	\$49.8	\$51.5	\$303.8
SB 384	27.7	20.0	31.8	43.0	47.6	49.3	51.1	270.5
Differenc	e 0	(\$15.8)	(\$12.9)	(\$ 3.3)	(\$ 0.4)	(\$ 0.5)	(\$ 0.4)	(\$ 33.3)
(SB 384 L	ess revi	ised)						

Note: The reduction from FY 1990 onwards is due to the 1 quarter lag (i.e. the fourth quarter) in the transfer of moneys. The net total loss from the provisions of SB 384 to the five year program is about \$33.3 million.

## PROGRAM STATE HIGHWAY FUND CASH BALANCE PROJECTION (\$1,000)

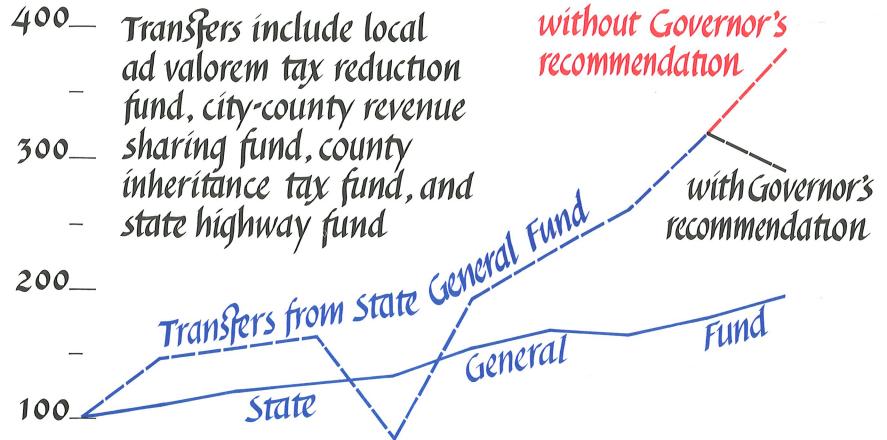
	FY 1986	FY 1987	FY 1988	FY 1989	FY 1990	FY 1991	FY 1992	FY 1993	87 to 93 TOTAL
STATE REVENUE  Motor Fuel  Registration Fees Miscellaneous Revenue SB 384 S6F (Sales Tax) Transfer	0 0	77,500 70,000 6,027 27,700	79,500 70,000 5,724 20,000	76,500 70,500 5,700 31,800	76,000 70,500 5,700 43,000	75,800 70,500 5,700 47,600	75,400 71,000 5,700 49,300	75, 700 71, 000 5, 700 51, 100	40,251 270,500
Freeway Fund Transfer Maintenance Transfer Construction Transfer Statutory Transfers In	9 9 9	7,478 1,453	7,585 3,031 3,526	7,793 3,379 3,611	8,182 1,707 3,861	424 3,861	9 9 3,861	0 0 0 3,861	31, 038 9, 994 26, 109
Total State Revenue	9	193,685	189, 366	199,283	208,950	203,885	205,261	207,361	1,407,792
REIMBURSEMESTS  Projects Construction Engineering Preliminary Engineering S6 - 91 Utilities Right-of-Way Construction Engineering 92 -94 Preliminary Engineering 92 -94		142, 265 19, 655 4, 237 606 333	112,320 8,424 2,578 135 227	96,559 7,215 2,242 105 276	94, 468 7, 985 2, 768 556 824	81,712 6,128 2,912 30 57	87, 411 6, 556 0 0 0	8,166 612 0 0 0 5,978 2,500	622,700 46,676 14,737 1,432 1,717 5,978 5,000
Total Highway Improvement Program	9	157,896	123, 684	106,397	105,701	90,839	96, 467	17,256	698,240
HP9 & PR Local Aid State Operations Airport FY-85		1,869 2,312 402 35 12,500	1,869 2,899 958 80	1,869 2,670 806 45	1,869 2,639 806 0	1,863 2,639 806 0	1,869 2,639 806 0	1,869 2,639 806 0	13,083 18,437 5,390 160 12,500
Total Reimbursements	2	175,014	129,490	111,787	111,015	96, 153	101,781	22,570	747,810
Total Revenue		368,700	318,856	311,070	319,965	300.038	307,042	229, 931 ======	2,155,602
EXPENDITURES  Projects 85 - 91  Utilities 86 - 91		208,429 2.201	190,651 177	148, 765 138	149,636 731	 137,506 39	137,415	11,232 0	983,634 3.286
Right-of-Way 86 - 91		1,389		363	1,084	75 	9	0	2,911
Total Highway Improvement Program		212,019			151,451				989,831
Galaries & MOE Connecting Links Local Ald Railroad Park Roads		132, 689 1, 400 2, 312 300 527	136,055 1,400 2,899 300 525	144, 034 1, 400 2, 570 300 500	149,084 1,400 2,639 300 1,000	156,010 1,400 2,639 300 1,000	162,718 1,400 2,639 300 1,000	169,715 1,400 2,639 300 1,000	1, 050, 365 9, 800 18, 437 2, 100 5, 552 800
Turnpike Study Buildings Design Contracts Statutory Transfers Out		800 2,861 2,787 21,621	2,210 3,175 25,644	2,676 3,075 27,286	2,751 2,900 24,491	2,617 2,900 25,717	1,500 500 27,536	1,500 500 29,032	16,115 15,837
Total Expenditures		377,316	363, 036	331,267	336,016	330, 203	335,008	217,318	2.290,164
Excess Revenue Over/Under Expenditures	======	æ (8,616)	(44, 180	) (20,198	) (16,051)	(30, 165)	(27,966)	12,613	0 9 (134, 562)
Beginning Balance		76,990	68,374	24, 194	3,996	(12,055)	(42; 219)	(70, 186	)
Fund Balance		68, 374	24, 194	3,996	(12,055)	(42, 219)	(70, 185)	(57,572	12)
Fund Balance (current Program) - NOTES:		68,374	39,99	4 32,6°	16 19,94	2 (4,214	(31,23	0) (24,2	16)

NOTES:
1. Current Program as-of 1-29-87
2. SSF (Sales tax) Transfer adjusted to reflect Nov. Consensus Estimate.
3. Moter Fuel Receipts updated to reflect Dec. Estimate.
4. Revised FY 1987 beginning Balance.
5. Revised Salaries & OCE 1-27-87.
6. SSF (Sales Tax) Transfer (SB 384)

HB 2198(GBR) SB 384

# Highway Fund Transfer

			Millions	\$	\$
			\$	Inc./(Dec.) PY	<pre>Inc./(Dec.) Current</pre>
FΥ	84		5.0		
FΥ	85		10.2	5.2	
FΥ	86		16.1	5.9	
FΥ	87		27.7	11.6	
FΥ	88		35.8	8.1	
FΥ	88	(GBR)	20.0	(7.7)	(15.8)
FΥ	88	(384)	20.0	(7.7)	(15.8)
FΥ	89		43.0	7.2	
FΥ	89	(GBR)	32.2	12.2	(10.8)
FΥ	89	(384)	30.9	10.9	(12.1)
FΥ	90		43.0		
FΥ	90	(GBR)	32.2		(10.8)
FΥ	90	(384)	40.2	9.3	(2.8)



0 1979 '80 '81 '82 '83 '84 '85 '86 '87 '88

Growth in State General Fund Revenues Compared to Growth in Transfers from State General Fund (FY 1979=100)