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Approved	_ August	17.	1990	
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MINUTES OF THEsenate COMMITTEE ONassessm	ENT AND TAXATION
The meeting was called to order bySENATOR_DAN_THIESSEN	Chairperson at
8:00_ a.m./xxxx. onFriday, May 04	, 19_90 in room _519_s of the Capitol.
All members were present except:	

Committee staff present:

Don Hayward, Revisor's Office Chris Courtwright, Research Department Tom Severn, Research Department Marion Anzek, Committee Secretary

Conferees appearing before the committee:

Senator Edward Reilly Senator Jack Steineger Robin Leech, Kansans for Fair Taxation Linda Ferguson, Manhattan Small Business Phil Urban, KS Taxpayers Coalition Dan Kane, Shawnee County Resident Senator Paul "Bud" Burke, President of the Senate Allen Alderson, Attorney, Western Retail Implement and Hardware Association Bob Corkins, Director of Taxation, KS Chamber of Commerce and Industry Terry Humphreys, KS Manufactured Housing Association Trudy Aron, Executive Director, The KS Society of Architects Timothy N. Etzel, President JETZ Service Company George Barbee, Executive Director, KS Consulting Engineers Mike Reecht, State Director-Government Affairs, KS-AT&T Liberty Ford, Manager Government Affairs, US Sprint Ron Smith, KBA Legislative Counsel Bob Storey, representing Idelman Telemarketing, Wichita Pat Hubbell, representing the KS Railroad Association Donald P. Schnacke, Executive Vice President, KS Independent Oil & Gas Association Mary Turkington, Executive Director-KS Motor Carriers Association Ed DeSoignie, Public Affairs Director-KS Contractors Association Tom Slattery, representing The KS Association of General Contractors of KS Bernie Koch, representing the Wichita Area Chamber of Commerce Mary Ellen Conlee, representing KS Association of Small Business Janet Stubbs, Executive Director-Home Builders Association T. L. Green, Attorney at Law, representing Mid States Port Authority Ron Hein, representing American Advertising Federation & American Association of Advertising Harriet J. Lange, Executive Director, KS Association of Broadcasters

Chairman Thiessen called the meeting to order at 8:02 a.m. and said we have an awfully lot of conferees listed for today, and he would limit testimony to 2 minutes each, and if conferees had written testimony, we would be glad to make them a part of the minutes. He said we would be looking at SB807.

He said, it was inconceivable to him that on the last day of the session we are here looking at this, when it has been turned down by both Houses at various times throughout this session. It is also interesting to him, to note the sponsors of this measure, 5 of the 8 being lawyers, 2 professional people and 1, a realtor. How much sales tax do those people pay in their business. The tools of their trade, is education and the taxpayers pay about 75% of the cost of their education when they got it. Yet they want the industry and agriculture, who have to have machinery and equipment to pay more sales tax to reduce property taxes on their homes.

He turned attention to SB807 and recognized Tom Severn to give a brief explanation of what the bill does.

> SB807:AN ACT providing means to increase revenue producing state tax sources for distribution to unified school districts to reduce their reliance on revenue produced from the levy of property taxes; amending K.S.A. 70-3603, 79-3606, 79-3620, 79-3703 and 79-3710 and repealing the existing sections.

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Tom Severn said SB807 would repeal a number of exemptions in the sales tax statutes, 3603 and 3606 primarily, and would amend the allocation of the sales tax revenue, in such a way that the extra revenue would flow through to the school district advalorem tax reduction fund. The percentages that go through the other funds, that currently get money from the sales tax, the local advalorem tax reduction fund, the state highway fund, and county revenue sharing plan, would be adjusted so they would be held harmless, and receive the same money they would as under current law.

Between the time that the bill was requested and introduced, there may have been a few changes in it, as to what their proponents wanted among the exemptions. The bill will need some technical amendment to percentages, if exemptions in the first several sections are changed.

<u>Chairman Thiessen</u> we will call the proponents to <u>SB807</u> first and he recognized Senator Reilly.

THE FOLLOWING CONFEREES ARE PROPONENTS.

Senator Edward Reilly said he appeared today to urge the committee to send SB807 to the full Senate for consideration. He urges the committee to withstand the pressure of special interest groups, to reinstate any particular exemption, and not to amend the bill, with the exemption that will later be noted by the Senator from Wyandotte County.

He said, reviewing the thought process that arrived at this proposal. (1) There is a lot of want by fellow Kansans for us to lower property taxes, by raising other taxes. (2) Substantial increases in sales taxes, income taxes and other taxes have been rejected by one or the other body of this legislature. (3) There is a want by many Kansans to provide property tax relief, it was on day one, of the regular session and it is now on the 100th day, the primary issue of concern, of the citizens of this State. (4) We have so narrowed our tax base, that any relief is at the expense of some narrow group of taxpayers. We must spread that responsibility of solving this crisis to the extent possible broadly and equitably. (5) We need an immediate response in addition to the long term relief that a constitutional amendment might provide.

Senator Reilly reviewed the nature of how some exemption repeals were chosen. (ATTACHMENT 1)

Senator Jack Steineger said he was struck by the <u>Chairman's</u> opening remarks. He referred to the committee room as the kitchen that has prepared meals over the past several years, and he felt it did no good to come to the "kitchen" and try to digest what has been produced for the people of Kansas. Particuliarily in some 10 to 20 counties, representing some 70% of the population of Kansas. He felt, as a result of the food produced in this kitchen, we have divisiveness through-out this State, marching on the Capitol.

We have come today, to try and ask the committee to change the receipes that they are providing for the majority of the people. We now have a State of unrest and unfairness in our tax structure, and we now have an opportunity to began to correct, and change the receipe that would meet with the majority of the people of this State.

He said, in the legislature we have pending, not only this bill which removes many of the exemptions and lets many other people pay sales tax, just as the family of 4, or the senior citizens pays the sales tax on his grocery bill. Some people are paying these taxes and others are not. This bill would eliminate many of those exemptions, and in addition, in this legislature we have a classification amendment that restores, a small part of the inventory back on the tax rolls, and we have everything in the kitchen that we need to solve this problem, but there is an alliance of farm organizations, KS Association of Commerce and Industry, that have been able to successfully keep their exemptions, that received through this legislature, the last several years at the expense of the majority of the citizens.

He said, perhaps there are (2) amendments needed in <u>SB807</u>. You will recall in addition to the \$150.M of tax relief that would be available, by virtue of the reduction of the state sales tax, that in addition there will be another \$60.M available through the expanded base of the local sales tax. This bill reports to dedicate the revenues from that expanded base of the local sales tax.

He said, the bill needs an amendment, that directs a mandate, that the local increase be dedicated to property tax relief. ($\underline{\text{ATTACHMENT 2}}$)

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<u>Chairman Thiessen</u> asked Senator Steineger if he would offer his amendment on the floor of the Senate, because <u>The President of the Senate</u> asked us not to amend it, so we could get it to the floor and have action on it? <u>Senator Steineger</u> agreed to do this.

Robin Leech, Kansans for Fair Taxation said since the committee is not amending the bill, his testimony would not be appropriate. He said, the experience he has had this year in lobbying, he felt, it was time this committee starts looking at things. He said, it was interesting to go to the 1st meeting of KFFT, and see all kind of people, homeowners, business people, property owners and renters. They all had one common goal, at one time they had faith in this State's government, and they have begun to lose it. They read the newspapers everyday and are very aware of what is going on in Topeka and Washington.

It is difficult for them to understand, how everyone supports some kind of a tax to be raised, that they don't pay. Basically what KFFT agreed on, was to come up with some kind of a tax that everyone could pay something, and he said, apparently Mr. Chairman you don't agree with this, but he said, it is equally wrong on all the people of this State to leave a certain number of people out there, that don't pay. NO WRITTEN TESTIMONY

<u>Linda Ferguson</u>, representing Manhattan Small Business said she started a Coalition of KS Taxpayers, within one week, she said, she had 100 members, and all were homeowners, about $\frac{1}{4}$ to $\frac{1}{3}$ were business owners, and $\frac{1}{4}$ to $\frac{1}{3}$ were landlords. She said, she is all, a landlord, business owner and homeowner.

The people in this coalition are scared, they do not know what they are going to do next year. You are talking about taxing us, out of our homes, our businesses and out of our apartments, that we provide living quarters for other people.

SB807 is at least beginning to direct the issue of broadening the tax base. Right now only a few are carrying the burden, and that can't continue, as there are only a few of us left, after this year there may be less of us available to pay any taxes, then what? Maybe a worse situation than we have now. I applaud the fact that you are addressing some of the exemptions, but there are an awfully lot out there that have not been addressed. (NO WRITTEN TESTIMONY)

Phil Urban, KS Taxpayers Coalition said, they can support <u>SB807</u> partially, because it is the only one we have seen so far, that is broadening the tax base, rather than raising other taxes to try to cure the tax problem. We feel, the tax base needs to be broadened, but we do not understand why it has not been dealt with sooner, and why it wasn't broadened more. We feel, any business, and we don't care what kind, that is there for a profit, should be charged sales tax. There are a lot of them out there, that are not required to do this, and there are a lot of us that are required to charge. Again, we are no special interest group, we are the People of Kansas. (NO WRITTEN TESTIMONY)

Dan Kane, a Shawnee County Resident said he is in full accord with SB807, and said he would pay any tax, you can increase the tax, broaden the base, and he said since 1950 he has not gone through a year that there was not any increase, and with the new valuations, the mill levy is going to creep and he said, property tax is a bureaucrat's dream, because you have the mill levy there, and you can adjust it, so you increase it every year, by property tax, to make up the short fall.

He said he has had ancestors here since 1859, and we have been property tax payers all that time and he said he is not going to stick around any longer and keep paying these property taxes. Other state's have better tax structures. (NO WRITTEN TESTIMON)

THE FOLLOWING CONFEREES ARE OPPONENTS OF SB807

Senator Paul "Bud" Burke, President of the Senate said, he thought it very important to put this matter to the floor, whether your a proponent or opponent. He thought, the issue needed to get to the floor so the whole Senate has an opportunity to make consideration on this very important policy. (NO WRITTEN TESTIMONY)

<u>Allen Alderson</u>, Attorney, Western Retail Implement and Hardware Association, turned in written testimony only. (<u>ATTACHMENT 3</u>)

Bob Corkins, Director of Taxation, KS Chamber of Commerce and Industry, said they support a roll back proposal, which they have testified on before, and sales exemptions

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should play a part of that roll-back, however they believe <u>SB807</u> is an over-reactive approach to the problem. It intends to do everything in the roll-back to put the repeal on sales tax exemptions. Unfortunately KS sales tax base is already very popular with all of our neighboring State's. We don't give away any large sales tax exemption, that every other State in the region gets, and KS sales tax rate however, is lower than most of the other State's in the region. We have major concerns with some of these exemptions that have been included in the bill, some are very valuable to economic development to this State, and they have gained those exemptions over many many years of debate, and those exemptions have been supported with countless testimony, and by unbiased experts. (NOT WRITTEN TESTIMONY)

Terry Humphrey, KS Manufactured Housing Association said they oppose the provisions of <u>SB807</u> that would repeal (3) sales tax exemptions that apply to manufactured housing. These are explained in her handout. (<u>ATTACHMENT 4</u>)

Trudy Aron, Executive Director, The KS Society of Architects, AIA said while taxing all services may seem like an equitable idea, it will have dire consequences for those in the design industry, architects, engineers, landscape architects, interior designers and others. These design firms are small businesses, our biggest architectural firm has just 50 employees. These firms experienced the same increases in their property taxes as other small businesses, however, unlike some, architects and other design professionals, having no inventories, received no tax savings from this repeal. (ATTACHMENT 5)

Timothy N. Etzel, President JETZ Service Co., Inc. said he would outline some of the reasons why this proposed tax on their industry is not justified. He said, it is the most regressive tax that you could possibly impose. It primarily affects the low income, the poor, students and the elderly.

He said, there are approximately 200,000 Kansas citizens that live in multi-family facilities that utilize coin-operated laundry equipment. If this regressive tax is passed on to these residents at 13.4% increase, how is that to be explained. If we do not pass the tax on to the consumer, then this simply becomes an income tax which has been my contention all along.

He asked, why the legislature is singling out previously exempt industries, and why not tax all services? (ATTACHMENT 6)

George Barbee, Executive Director-KS Consulting Engineers said as he reviewed the sales tax statutes it became evident to him that the entire retailers sales tax statutes were clearly intended for the retailer to collect from the consumer a tax on the final retail transaction. The providing of a professional service such as engineering is not a final retail transaction. (ATTACHMENT 7)

Mike Reecht, State Director-Government Affairs, KS-AT&T, said businesses look to the cost of doing business in any state before locating in that state. AT&T feels that increasing the cost of telecommunications by the imposition of an additional tax, drives that cost up and therefore creates an economic disincentive to locating in KS vs. bordering states, like Missouri or Nebraska.

He said, interstate long distance is already taxed at a rate of 3% by the Federal Government. This means the imposition of a 4.0% intrastate rate would drive the tax rate to 7.0% for those businesses or residential consumers who find the use of long distance a necessity.

Revenue estimates of such a tax are approximately \$6.5M of which about 65% would fall directly on residential and small business consumers, the remainder falls on large business customers. (ATTACHMENT 8) Attached to Mr. Reecht handout are letters in opposition to SB807 from Morris A. Brassfield, Regional Administrative Supervisor, Southern Region, Enron, Gas Pipeline Operating Company, Roger Smith, Director MIS, Learjet Corporation, Sid Miner, Assistant Vice President and Director, Fort Scott Group Operations Center.

Liberty Ford, Manager, Government Affairs, US Sprint said they would like to clarify a misconception that a sales tax on their service does not harm the, since it passed through on customers' bills. The customers, both corporate and residential very realistically perceive higher taxes simply as price increases. This decreases usage and has an impact on our bottom line.

He asked the committe to remember that telephone users already pay a 3% federal

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room 519-S, Statehouse, at 8:00 a.m./FXX on Friday, May 04 , 19 90 excise tax, which would combine with a state sales tax to total over 7%. When local taxes are added, the tax rate can approach 9%. (ATTACHMENT 9)

Ron Smith, KBA Legislative Counsel, said he had opposed service or sales taxes on legal services before, to this committee and he passed his handout. (ATTACHMENT 10)

Bob Storey representing Idelman Telemarketing, Wichita, said their concern is the same as everyone else before him, just too much taxes. Telemarketing and Telecommunications is a direct tax, which you put on business, which serves the consumers. Idelman Telemarketing, Inc. has over 1400 employees, located in Wichita, because KS was a good State for business, but that is not true today, and if this legislature keeps doing this, no new businesses will come here. This tax is not costing him as an attorney, because he passes it on, to the consumer. It is all going back to the people, the legislature is trying to protect, the people on the street. (NO WRITTEN TESTIMONY)

Pat Hubbell, representing the KS Railroad Association, said his attachment is the same one he has turned into 6 times before. He said, his handout is a listing of Cities in the State of Kansas, that the Santa Fe Railraod cut vouchers for in 1989, and he said, the railroad industry pays sales tax on all goods that are consumed in the State of Kansas, if consumed outside of Kansas, we do not pay sales tax, and these are goods that are purchased from Kansas vendors, and it makes little sense to them, to keep buying from Kansas vendors and ship it around the country, if they are going to have to pay a sales tax on it, when they can buy it from most any other State. He said, he has explained his handout before, and would just remind the members to look at it once again. (ATTACHMENT 11)

Donald P. Schnacke, Executive Vice President, KS Independent Oil and Gas Association said it has been estimated that their industry pays in excess of \$100.M in sales tax each year. Unlike some, our industry does not pass the sales tax along to the consumer.

He said, their industry has relied on the existing tax code for years. It provides for exemptions in the area of original construction and consumables. Just last year the legislature corrected an inequity arising from a court decision. The legislature declared explosives and drill bits as consumables and should be exempt from the tax. The Revenue Department suggested they be placed in the Code rather than be handled as they do under the consumable definition. SB807 would dip into a segment of consumables that are exempt. He referred to page 14 (RR) of SB807. (ATTACHMENT 12)

Mary Turkington, Executive Director-Ks Motor Carriers Association said they strongly oppose the provisions of SB807. Their industry's opposition is based specifically on the elimination of subsection (f) of Section (2) of SB807, but also questions the impact the proposed changes would have on the amount of sales tax dollars which are to be earmarked and utilized to fund the expanded KS highway program.

She said, perhaps the sponsors of this legislation will make clear at some future moment., the basis for the indiscriminate selection of those who would retain sales tax exemptions while other exemptions would be denied.

She said, they honestly believe its introduction raises false expectations of a "revenue stream" which will need to be appropriately addressed by this Legislature for general fund revenues in 1991. (ATTACHMENT 13)

Ed DeSoignie, Public Affairs Director-KS Contractors Association said, after reviewing SB807 it is their belief that enactment of the bill into law would produce significant distruptions in all sectors of the construction industry for many years to come. They base these observations on (2) significant policy changes made by the bill, explained in his handout, with (2) suggested amendments, Exhibits 1 and 2. (ATTACHMENT 14)

Tom Slattery, representing The Association of General Contractors of KS, said they represent the commercial builders contractors throughout the State. He said he would 2nd what Ed DeSoignie has testified, particularly in terms of your consideration of the amendments, he proposed to the committee. If this bill should go to the Senate and get in a conference committee, this amendment would provide that any contractor, who has entered into contract prior to September of 1990, would be exempted from this increased tax. If this is not done the effects will be devastating on any contractor, who has bid a job and awarded the job, and just getting started, and have to start again. (NO WRITTEN TESTIMONY)

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Bernie Koch, representing the Wichita Area Chamber of Commerce, said they do not support removal of the sales tax exemption for machinery and equipment. They believe it's been a strong incentive for KS manufacturers, particularly those in the Sedgwick County area, to purchase modern equipment which makes them more competitive.

This exemption helps retain present jobs and create new ones and he urged that it not be repealed. ($\underline{\text{ATTACHMENT 15}}$)

Mary Ellen Conlee, representing KS Association for Small Business, said she had explained to the members, she represents, that many in the legislature believe that an exemption of sales or property tax for machinery and equipment is a "big business, special interest exemption." Many of these members, began their businesses in their garages. Some of those businesses now employ 50 or 100 people. Others are run by "Mom and Pop" a couple of sons, a couple of daughers and two or three other employees. They are living the American dream. They are building a business to pass on to their children.

These businesses may be different from a grocery store, a restaurant, a bowling alley or a day care center because as they grow they must compete nationally for business. In addition they are machinery intensive, with the machinery and equipment component generally valued 4 or 5 times higher than the land and building. The cost of doing business in KS impacts the competitiveness of their bids for work.

In spite of this difference there are a lot of similarities. The owners have invested their life's savings. They have signed their name on loans to purchase equipment and to provide working capital. (ATTACHMENT 16)

<u>Janet Stubbs</u>, Executive Director-Home Builders Association of KS said, to add to the cost of housing in order to reduce real property taxes seems contradictory to the legislative action taken earlier this session due to the expressed concern for affordable housing for all KS citizens.

It would appear there are unanswered questions which would be settled through Rules and Regs. For example, would the builder be charged on just material and labor only or would it be on the sale price of the home which would include overhead and profit and the cost of the lot. In the latter situation, even though sales tax on the commission of real estate agents is not included in this proposal, if tax is charged on the sale price of the home it would include this item plus landscaping and land. (ATTACHMENT 17)

T. L. Green, Attorney at Law, representing the Mid States Port Authority, said their specific exemption is still in <u>SB807</u>, however since its acquisition of part of the old Rock Island railroad, Mid States has only used the exemption contained in (bb) once. That occasion was in conjuction with a \$13,000,000 rehabilitation project commenced upon acquisition. The exemption saved Mid States approximately \$350,000, which was used to further improve the property to guarantee continued rail service in northwest and northcentral Kansas. The sales tax exemption on this project allowed the authority to install approximately 15,000 additional ties. Or assuring continued rail service on 20 miles of railroad.

He urged the committee to preserve section (bb) in 3606 for the future economic benefit of northwest and northcentral KS. (ATTACHMENT 18)

Ron Hein, representing American Advertising Federation and American Association of Advertising Agencies, said they oppose SB807 to the extent that it makes the professional services conducted by advertising agencies subject to the sales tax. Historically the sales tax has been a tax imposed on the consumer and collected by the retailer. The tax is not intended to be a tax upon the business that collects the tax, but is to be a tax which is passed on to the consumer.

If there is any doubt at all, we would ask that the exemption be left in so that this Department of Revenue or any future Department of Revenue will not interpret the action by this committee, if <u>SB807</u> should pass, as legislative intent, that advertising agencies should be taxable by virtue of the deletion of the exemption. (<u>ATTACHMENT</u> 19)

Harriet J. Lange, Executive Director, KS Association of Braodcasters said their interest in <u>SB807</u> relates to the proposed removal of the exemption language found in K.S.A. 793606 (pp) concerning the services provided by advertising agencies and broadcast stations.

The advertising process is complex, it many times includes interstate activities and numberous entities. The most talented of Department of Revenue personnel would

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have difficulty in determining who pays how much on what transactions, not to mention the burden it would place on small businesses in making the same determination.

A tax on advertising services would be counter-productive; it would pose administrative problems because of the complexity of the advertising process, and it could do economic harm to the state and its businesses. (ATTACHMENT 20)

<u>Chairman Thiessen</u> concluded hearings on $\underline{SB807}$ and said if anyone that had not testified and wanted to turn in written statements, he would be glad to accept them, and he said in order to get $\underline{SB807}$ before the committee, he recognized Senator Audrey Langworthy.

Senator Audrey Langworthy said it is with great reluctance, and with no endorsement, she moved to pass SB807, without recommendation, 2nd by Senator Francisco. The motion carried.

WRITTEN TESTIMONY WAS TURNED IN BY: (1) Pat, Barnes, KS Motor Car Dealers Association, ATTACHMENT 21. (2) T.C. Anderson, Executive Director, KS Society of CPAs ATTACHMENT 22. (3) Jerry Simpson, KS Lottery, ATTACHMENT 23.

Chairman Thiessen adjourned the meeting at 9:25 a.m.

FRIDAY DATE: 5-04-90 SENATE. COMMITTEE: ASSESSMENT & TAXATION

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
PAT BANES	TOPELLA	Ks. MotenCAn Delenta
Pat Hubbell .	· Topelan	KS RR A SXC
Dee Likes	Topeka	KLA
· Lyle Gray	Len	.HLA
Robert Conforma	attaux.	Mid Couldick To
Remie Koch	Wichita	Wichita Chamba
Tom Tunnell	: Jopehn	Karsus Drain & Treed Orie
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Roberts Burkelen	Buhlen.	I AARP
GARY GURIFFUR	Topers	KOOT.
Openn Coulter	Topeka	As Contractor Usso
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Ell Moses	Ereal Bund KS	KANSAS AGG PACOUCIUS
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Jeorge Barbee	Topelar	Barber d'accorder
J. Mossel	Topular	Exposition with
T.O Chaleson	Topoba	KSCPA

COMMITTEE: ASSESSMENT & TAXATION DATE:

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
Kevin Allen	Ks. Motor Car Dealer Association	s Topeka:
Tack Glaves	· W N Every	Welok
Claudia Mentage	12/91. Line	Papelo REFT
Thomas Co Mes	3540 NE Mariden F	
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Donald. E. Valamita	: 1700ENEECRO#853	,
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Ch Berry	5720 N. Topela	1 2000-
Phil Walans	201 Wester Lea	
MARK A. BURGHART	TOPEKA	DEUZNUE
Marla Hree	Topela	Kacc
Tom Bell	Topela	Ks. Hosp. Assu.
DOHN TORBERT		KAC.
BUD GRANI	h :	
Minmi Tingonan	Jakeka	Hawne Counts
DOUG MARTIN	TOPEKA	11 11/
Dan Comernile.	TORKA	KOOT
JACKE DAKES	La Sast Anto De Tquire	RS TRU RAT DE ASSOC
Juhr Meterin	Tunk	M. K. P. Late Man
Bill Curtis	Topeka	KASB
Simbluse	(1	KRA
July Ludge 1.9	TOIREKA	I KPL
Frien Oron	1)	Kan Doc of Oro Soft
Rob Proding	Toucka	KOOT

DATE: COMMITTEE: ASSESSMENT & TAXATION. ADDRESS' COMPANY/ORGANIZATION

SENATE. DATE: COMMITTEE: ASSESSMENT & TAXATION -ADDRESS' COMPANY/ORGANIZATION NAME (PLEASE PRINT)

REMARKS TO THE SENATE ASSESSMENT AND TAXATION COMMITTEE MAY 4, 1990

SENATOR EDWARD F. REILLY, JR.

I APPEAR HERE TODAY TO URGE THIS COMMITTEE TO SEND SB 807

TO THE FULL SENATE FOR CONSIDERATION. I WOULD URGE THE COMMITTEE

TO WITHSTAND THE PRESSURE OF SPECIAL INTEREST GROUPS TO REINSTATE

ANY PARTICULAR EXEMPTION AND NOT TO AMEND THE BILL WITH THE EXCEPTIONS

I NOTE BELOW.

LET ME REVIEW THE THOUGHT PROCESS THAT ARRIVED AT THIS PROPOSAL.

FIRST, THERE IS NOT A WANT BY KANSANS FOR US TO LOWER PROPERTY

TAXES BY RAISING OTHER TAXES.

SECONDLY, SUBSTANTIAL INCREASES IN SALES TAXES, INCOME TAXES AND OTHER TAXES HAVE BEEN REJECTED BY ONE OR THE OTHER BODY.

THIRDLY, THERE IS A WANT BY KANSANS TO PROVIDE PROPERTY

TAX RELIEF. IT WAS PROBABLY ON DAY 1 OF THE REGULAR SESSION

AND IT IS ON THIS THE 10th DAY OF THE "WRAP-UP SESSION," 110

CALENDAR DAYS LATER, THE PRIMARY ISSUE OF CONCERN TO OUR CITIZENS.

FOURTHLY, WE HAVE SO NARROWED OUR TAX BASE, THAT ANY RELIEF IS AT THE EXPENSE OF SOME NARROW GROUP OF TAXPAYERS. WE MUST SPREAD THE RESPONSIBILITY OF SOLVING THIS CRISIS TO THE EXTENT POSSIBLE BROADLY AND EQUITABLY.

FIFTHLY, WE NEED AN IMMEDIATE RESPONSE IN ADDITION TO THE LONG TERM RELIEF THAT A CONSTITUTIONAL AMENDMENT MIGHT PROVIDE.

I AM NOT GOING TO GO THROUGH EACH EXEMPTION REPEAL, BUT I WILL REVIEW THE NATURE OF HOW SOME WERE CHOSEN OVER OTHERS.

(1) THOSE ITEMS DEALING WITH COMPONENT PARTS THAT WOULD HAVE CREATED A TAX ON A TAX WERE NOT INCLUDED.

SENATE ASSESSMENT AND TAXATION COMMITTEE FRIDAY, MAY 04, 1990 ATTACHMENT 1

- (2) GOVERNMENTAL PURCHASES WERE NOT INCLUDED.
- (3) CERTAIN ECONOMIC DEVELOPMENT WAS NOT INCLUDED.
- (4) ITEMS THAT FEDERAL LAW WOULD PROHIBIT THE APPLICATION OF A SALES TAX WERE NOT INCLUDED.

TWO NEED TO BE MAINTAINED BECAUSE

HISTORY TELLS US THAT GOVERNMENTS CHANGE BECAUSE OF DISSATISFACTION WITH TAX POLICY. THE FRENCH REVOLUTION, THE BOSTON TEA PARTY,
THE INITIATIVE OF CALIFORNIA PROPOSITION 13, AND THE KANSAS PROPERTY
TAX REVOLT OF 1990 ALL HAVE RESULTED BECAUSE GOVERNMENT DID NOT
CONCERN ITSELF WITH NOR BE RESPONSIBLE TO ITS CITIZENS.

WE CAN PREVENT OUR REVOLT BECOMING A REVOLUTION THROUGH ENACTMENT OF SB 807.

Proposed Amendment to SB 807

On page 17, after line 10, by inserting a new section to read as follows:

"New Sec. 7. The amount of revenue distributed to any county or city in 1991 pursuant to the provisions of K.S.A. 12-187 of 107% of the amount so distributed in 1989, seq. in excess shall be utilized solely to reduce the general fund property tax levy of such county or city. The amount of revenue so distributed in 1992, and all years thereafter, in excess of 107% of the amount distributed in the next preceding year shall be utilized solely to reduce the general fund property tax levy of such county or city. The director of accounts and reports shall adopt necessary to implement and insure regulations rules and compliance with the provisions of this section.";

By renumbering existing sections accordingly

ALDERSON, ALDERSON, MONTGOMERY & NEWBERY

ATTORNEYS AT LAW

1610 S.W. TOPEKA AVENUE P.O. BOX 237 TOPEKA, KANSAS 66612-1840

W. ROBERT ALDERSON, JR.
ALAN F. ALDERSON
STEVEN C. MONTGOMERY
C. DAVID NEWBERY
JOSEPH M. WEILER
JOHN E. JANDERA

DANIEL B. BAILEY

TELEPHONE: (913) 232-0753 FAX:

(913) 232-1866

MEMORANDUM

TO: Members of the Senate Assessment & Taxation Committee FROM: Alan F. Alderson, Attorney, Western Retail Implement and

Hardware Association

RE: Senate Bill No. 807

DATE: May 4, 1990

Due to a previously-scheduled Court hearing, I am unable to appear on behalf of the Western Retail Implement and Hardware Association, an association having approximately 300 Kansas members. By this memorandum, however, I want to express our opposition to Senate Bill No. 807.

I will not attempt to address the merits of this bill as an answer to the perceived property tax crisis — I will limit my remarks to that portion of the proposed legislation which has the most dramatic and drastic impact upon this state's implement dealers — the elimination of the exemption for farm machinery and equipment, repair and replacement parts therefor and services performed in the repair and maintenance of such machinery and equipment.

We can only assume that each group whose ox is about to be gored will make its own appeal for a stay of execution. I would like to tell you what we perceive as being the consequences of the repeal of 79-3606(u). Before you eliminate the exemption for farm machinery and equipment, please consider the following;

- 1. The states of Arkansas, Iowa, Missouri, Oklahoma and Texas have exemptions for farm machinery and equipment. The sales tax rate in Colorado has been reduced to 3% on such farm machinery and equipment. The only state which is even close to Kansas and which imposes sales tax at a full rate (4%) on farm machinery and equipment, is the state of Nebraska.
- 2. One-third of Kansas dealers went out of business during the 1980's.
- 3. New farm equipment sales were down by 70% during the 1980's, but are now beginning to rebound.
- 4. The sales tax exemption for farm machinery and equipment has helped, and should be allowed to continue to help, Kansas farmers cut their equipment costs.
- 5. The sales tax exemption encourages Kansas farmers to stay at home and to buy their equipment from their hometown dealers. When dealing with pieces of equipment as expensive as those used by our Kansas farmers, the SENATE ASSESSMENT AND TAXATION COMM FRIDAY, MAY 4, 1990 ATTACHMENT 3

price differential which can be offered in a neighboring state by virtue of our imposition of Kansas retailer's sales tax on farm machinery and equipment, makes it well worth the drive to buy from a neighboring state. The sales tax on a \$70,000 combine is nearly \$3,000.

We realize that the amount of money which could be raised through the elimination of all sales tax exemptions may appear to be an attractive quick fix. It is also easy to rationalize this decision as simply "making a special interest group pay their fair share." This rationalization ignores two very important concepts:

- 1. The sales tax is not paid by special interest groups -- it is paid by Kansas consumers. Sales tax on farm machinery and equipment is paid by Kansas farmers.
- 2. There were very sound economic or other policy reasons for the enactment of most of these sales tax exemptions. The reasons for the exemption of farm machinery and equipment continue to be valid.

On behalf of the farm machinery and equipment dealers of Kansas, I urge you to take a very cautious approach to any proposal which would provide substantial competitive advantages to our neighboring states, and do not be fooled by any "quick fix" remedy which may have far-reaching and unintended consequences. We urge you to vote against SB 807.

KANSAS MANUFACTURED HOUSING ASSOCIATION

TESTIMONY BEFORE THE SENATE

ASSESSMENT AND TAXATION COMMITTEE

TO:

Senator Dan Thiessen, Chairman and

Members of the Committee

Terry Humphrey, Executive Director FROM:

Kansas Manufactured Housing Association

May 4, 1990 DATE:

The Kansas Manufactured Housing Association opposes the provisions of the Senate Bill 807 that would repeal three sales tax exemptions that apply to manufactured housing.

First, SB 807 repeals K.S.A. 79-3606 (dd) that deals with used manufactured housing. In 1985 the Kansas Legislature passed Senate Bill 152 which granted a sales tax exemption for people who purchase a pre-owned manufactured home. The rational for exempting pre-owned homes was based on the fact that when an individual buys a pre-owned site built home sales tax is not paid. For many years manufactured home buyers were treated unfairly when compared to other home buyers and this sales tax exemption corrected that problem. However, under SB 807 this inequity would be reinstated.

Secondly, SB 807 repeals K.S.A. 79-3606 (hh) that deals with new manufactured housing. In 1987 Senate Bill 309 was passed by the Kansas Legislature granting a partial sales tax exemption for new manufactured homes. Specifically, 40% of the retail cost of a new manufactured home was exempted from sales tax. This partial exemption was passed because site built housing only paid sales tax on materials used to construct the home and not on labor. Therefore, the 40% exemption for manufactured housing represents the labor in the home.

Thirdly, SB 807 repeals K.S.A. 79-3606 Section (v) which would apply sales tax to the lease or rental agreements for manufactured housing. However, the bill would not apply sales tax to the lease or rental agreements for apartments or single family homes.

While the major thrust behind the passage of these sales tax exemptions was based on equity between all housing products, the Legislature also recognized that manufactured housing serves the low to moderate income.

> SENATE ASSESSMENT AND TAXATION COMMITTEE FRIDAY, MAY 4, 1990 ATTACHMENT 4

The tax inequities that I describe in SB 807 are very serious and unfair when you consider that typically the people that either purchase or rent manufactured housing are in the low to moderate income. According to a 1988 study of manufactured home owners, the median income level of the household in 1987 was \$18,600.. Consequently, it makes no sense to tax this group of people simply because they choose a manufactured home.

Recently, at all levels of government the focus has been on the need for affordable housing. Currently the United States Congress is considering a national affordable housing act that is expected to provide some funding for affordable housing. However, state and local governments will be asked to submit an affordable housing plan that reviews tax and land use policies that affect affordable housing. Consequently, if Kansas would begin to apply a sales tax to housing purchases it could negatively affect our ability to receive federal housing dollars in the future.

In conclusion, before you reinstate a sales tax on manufactured housing it is very important that you consider what affect this would have on low to moderate income people who already have difficulty obtaining home ownership. In addition, it is truly unfair that these home buyers would be charged sales tax on their home while the purchasers of a pre-owned site built homes would not. Finally, it is devastating to think that the Legislature would even consider applying a sale tax to individuals and families who by necessity, rent a manufactured home for shelter and not apply the same burden to renters of apartments or site built housing. Surely the result of this action would lead to greater numbers of homeless people and families.

I respectfully request that you reject the repeal of any sales tax exemption dealing with manufactured housing. Thank you.



THE KANSAS SOCIETY OF ARCHITECT

A Chapter of the American Institute of Architects The Jayhawk Tower 700 Jackson, Suite 209 Topeka, KS 65503 913•357•5303

OPPOSITION TO TAX ON ARCHITECTURAL SERVICES

The Kansas Society of Architects OPPOSES any legislation which would tax architectural services or other professional services.

While taxing all services may seem like an equitable idea, it will have dire consequences for those in the design industry - architects, engineers, landscape architects, interior designers, and others. These design firms are small businesses, our biggest architectural firm has just 50 employees. These firms experienced the same increases in their property taxes as other small businesses, however, unlike some, architects and other design professionals, having no inventories, received no tax savings from this repeal.

Many architectural firms design projects in more than one state. Taxing design fees will put Kansas firms at a competitive disadvantage with firms outside Kansas. The tax will favor out-of-state firms which will not be subject to the tax. Since architectural services are high-cost items involving long-term capital expenditures, more clients will turn to out-of-state firms in order to avoid paying the tax. This will be particularly detrimental to small firms, which tend to rely primarily on in-state business and must already compete for in-state projects with larger out-of-state firms.

If the tax is applied so that it pyramids on the services performed by consultants (most architectural firms hire all consultants - structural, electrical and mechanical engineers, landscape architects, etc.) it will further limit the ability of Kansas design firms to compete outside this state, and will place small, single-discipline firms at a substantial disadvantage in competing with "full-service" design firms with their own in-house consultants. In fact, permitting the tax to pyramid on the work subcontracted to a subconsultant by a prime consultant, could spell the death of small, single-discipline design firms.

Passage of this bill will increase the tax burdens of small businesses more than large businesses because these companies cannot provide the same services a large firm provides internally (like legal, accounting, advertising, etc.). Thus, professional service taxes hinder small business growth and expansion which is contrary to the State's programs designed to stimulate economic growth and development.

SENATE ASSESSMENT AND TAXATION COMMITTEE FRIDAY, MAY 4, 1990 ATTACHMENT 5

Edward M. Koser, AIA

SECRETARY David G. Emig, AIA

DIRECTOR

DIRECTOR Kent F. Spreckelmeyer, AIA

Vincent Mancini, AIA

DIRECTOR Donnie D. Marrs, AIA

DIRECTOR Skyler W. Harper, AlA

DIRECTOR Steven A. Scannell, AIA

DIRECTOR

PAST-PRESIDENT Vance W. Liston, AIA

EXECUTIVE DIRECTOR Trudy Aron

PRESIDENT

PRESIDENT-ELECT Eugene Kremer, FAIA

TREASURER Peter Gierer, AIA

John H. Brewer, AIA

DIRECTOR

F. Lynn Walker, AIA

The tax will encourage large corporations and other frequent users of architectural services to locate out of state, reducing architects' business even further (in addition to revenues lost because these businesses relocate out of state). Those firms who remain in Kansas will add design professionals to their staffs and perform their own architectural and engineering services in house to avoid paying the tax to outside designer firms. This will reduce the number of design firms and accordingly, eliminate the income and sales taxes (on goods) these firms currently pay.

Professional service business should be encouraged. Kansas should be encouraging professional service business to settle in Kansas. By their nature, service business costs few tax dollars; they are clean and nonpolluting and do not require a wide array of governmental services. In addition, their employees constitute an important part of the local and state tax bases. Thus, the state should be encouraging professionals to locate and expand in Kansas.

Architects, along with other Kansans, have experienced our share of problems related to property reappraisal and classification. Taxes on professional services will only increase the problems by shifting tax burdens again.



CORPORATE OFFICE (913) 354-7588

2514 KANSAS AVENUE TOPEKA, KANSAS 66611

Professional Laundry Systems

May 4, 1990

TO: Senate Assessment and Taxation Committee

RE: Senate Bill #807 (Removal of exemption for coin-operated laundry services)

Dear Senator:

I apologize for being redundant concerning my strong belief on this issue. However, I feel so strongly about this subject that my conscience will allow nothing less.

I would like again to outline some of the reasons why this proposed tax on our industry is not justified:

- 1. It is the most regressive tax that you could possibly impose. It primarily affects the low income, the poor, students and the elderly.
- 2. In order to collect the 4-5% being proposed our industry will have to raise prices by 13.4%, a 10¢ minimum increase on a 75¢ cycle. (See attached brochure.)
- 3. Washing clothes, (cleanliness) is a neccessity not a luxury. To tax the right to cleanliness in a regressive situation is simply not right.
- 4. There are approximately 200,000 Kansas citizens that live in multi-family facilities (apartments) that utilize a coin-operated laundry equipment. If this regressive tax is passed on to these residents at 13.4% increase, how is that to be explained. If we do not pass the tax on to the consumer, then this simply becomes an income tax which has been my contention all along.
- 5. Why are you singling out (?) previously exempt industries? Why not tax all services?
- 6. The argument has been made that we are the last coin-operated industry not being taxed for sales. I have not heard the justification whether it is right or wrong, collectable or uncollectable, just that we are the last. I am not arguing the case for product vendors, however they do have control over the size of their products, as an example, four sticks of gum instead of five, smaller roll of life savers, smaller candy bar and so on. For our service can we stop our machine in the middle of the final spin and accomplish the same thing? Obviously no!

I am asking for your support in removing our industry from any consideration concerning the removal of our exemption. Vote no on any legislation which includes the removal of our exemption. Don't allow our industry to be sacrificed or our interests be compromised because of a larger goal. Please help! Please respond!

Yours Very Truly,

JETZ SERVICE CO., INC.

SENATE ASSESSMENT AND TAXATION COMMITTEE

FRIDAY, MAY 4, 1990

ATTACHMENT 6

STRIKE A KNOCKOUT BLOW AGAINST INFLATION!

UNIVERSAL-FOUR LETS YOU INCREASE PRICES FROM 25¢ TO \$1.00 WITHOUT CHANGING CHUTES!

Raising prices has never been easier or faster. Just remove a single screw from the chute slide, knock out the appropriate dime or quarter plug, and change the price decals.

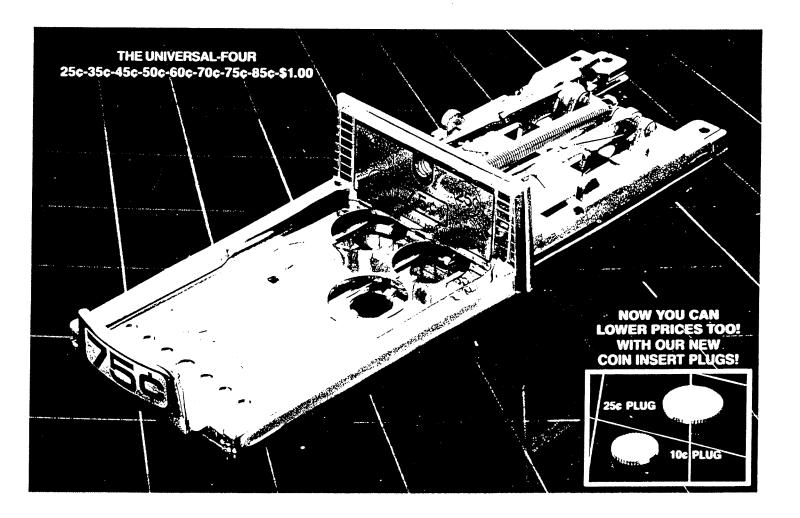
The Universal-Four gives you a choice of 9 pricing options: 25e, 35e, 45e, 50e, 60e, 70e, 75e, 85e, & \$1.00. You even have the added flexibility of lowering prices as well, with our recently introduced coin insert plugs.

The Universal-Four is built to last. For example, it has a thicker slide bar than most chutes, and a slide bed casting that extends the full length of the slide. Although it can handle

Four coins at one time, the Universal-Four has fewer parts for even greater reliability and longer life.

Because of certain features in it's patented design, the Universal-Four gives you maximum protection against slugging and cheating. The Universal-Four offers you pricing flexibility for both your present and future needs. Universal-Fours are now available for immediate delivery, and can be factory set for any of the above mentioned pricing options. Universal-Four, not a purchase, an investment.

When it says Greenwald, it means quality.



GEORGE BARBEE, EXECUTIVE D JR
810 MERCHANTS NATIONAL BANK
8TH & JACKSON
TOPEKA, KANSAS 66612
PHONE (913) 357-1824

STATEMENT

Date:

May 4, 1990

TO:

Senate Committee on Assessment and Taxation

FROM:

George Barbee, Executive Director

RE:

SB-807

Mr. Chairman and members of the Committee, I am George Barbee, President of Barbee & Associates and today I am appearing before you on behalf of the Kansas Consulting Engineers.

The Kansas Consulting Engineers are opposed to SB-807.

This bill would tax engineering services under the sales tax provisions of the state statues. Engineering services have not been taxed in the past because they are not listed as a taxable service.

As I reviewed the sales tax statutes it became evident to me that the entire retailers sales tax statutes were clearly intended for the retailer to collect from the consumer a tax on the final retail transaction. The providing of a professional service such as engineering is not a final retail transaction.

The design of a project is a necessary step toward providing the builder the necessary contract documents and plans from which the builder can determine ways, means, materials and methods to build according to the design and specifications.

Sales taxes <u>are</u> paid by the engineers as they individually make final retail transactions for materials that are incorporated as components of the final constructed project. The engineering firm pays sales tax on paper, pencils, computers, automobiles, trucks and equipment. The contractor pays tax on construction materials and the sophisticated construction equipment of the 90's. Taxes are currently being paid at the proper time when the final retail transaction is conducted on component parts of the project.

SENATE ASSESSMENT AND TAXATION COMMITTEE FRIDAY, MAY 4, 1990 ATTACHMENT 7

Often times a public, tax exempt entity will merge with a private corporation to develop a project, area, building, etc. An example of such an agreement here in Topeka might be the transformation of the old auditorium into the Topeka Performing Arts Center. The city only provided funding for a percentage of the project after private donations were collected. A bookkeeping nightmare would be created in distinguishing which portions of the work performed for the center would be taxable and which portions would be tax exempt. Who is responsible for making this determination? This is not to mention the difficulty in determining taxability of any subcontracts the design firm may enter into.

Before I continue, let me share with you what a consulting engineer does. Consulting engineering services vary in scope from short-term consultations to the development and design of large and complex projects. These professional engineering services are commonly summarized into four basic classifications: consultation, investigation, reports, project coordination and administration services.

The services included in these general classifications are widely diversified. Typical examples are:

- Collecting and interpreting data
- Engineering studies and reports
- Cost studies
- Economic comparisons
- Long-range facility planning
- Conducting public hearings
- Appraisals and evaluations
- Feasibility studies
- Investigations
- Government agency liaison
- Applications for government grants or advances Basic Design Services

To provide any of the above services often requires a coalition of professionals working together through sub-contracts.

Imagine that we are finally going to get a new major convention hotel in downtown Topeka. The owner of this new imaginary high-rise is located in Chicago. The owner has options on property, knows how many units, restaurants and meeting rooms are needed and it is time to hire an architect to coordinate with a team of design firms to design the project.

The architect will eventually hire an electrical engineering firm to design the electrical distribution system; a structural engineering firm to design the skeletal support frame; a mechanical engineering firm to design the air conditioning, heating and ventilation system, and water and fire sprinkling system; a geotechnical engineering firm to perform site investigation and many other specialists to develop the construction documents, plans and specifications.

Will the owner hire a team of Kansas designers on this project and pay a sales tax at every sub-contracting level of engineering, or will the owner simply hire a non-Kansas team to save on the cost of the sales tax?

Remember the service of design is not performed on the site of construction. It is performed in the location or locations where the design team members have their offices. That very likely will not be Kansas if this bill passes.

To compound the problem, KCE is made up of several firms which have offices on both sides of the Kansas/Missouri border. Also, many of our firms are active in national and international projects. We believe a tax on services would simply result in firms deferring taxable projects, both in and out-of-state, to their out-of-state branch offices. Smaller firms who do not have the luxury of out-of-state branch offices will be at a serious disadvantage when competing for design projects with a 4% added to their cost of services.

In both cases, the result is lost workers and jobs in the state of Kansas. Losing their ability to compete, smaller firms may be forced to cut staff size or even go out of business, while large branch offices may be reduced and employees transferred to states with more competitive business climates. You don't have to be a genius to figure that lost jobs and workers translates into lost income tax and sales tax revenue for the state of Kansas.

The Kansas Consulting Engineers are also opposed to SB-807.

SB-807 does not include a provision to tax professional services, something for which we are truly grateful. However, we must oppose the bill due to the provision which reduces the general fund transfer to the highway program. KCE has worked diligently the previous three years to secure a meaningful highway improvement program.

Mr. Chairman, Thank you for the opportunity to speak to these issues, and I would be glad to respond to questions.



Mike Reecht State Director Government Affairs Kansas Capitol Tower 400 SW 8th Street, Suite 301 Topeka, KS 66603 Phone (913) 232-2128

TESTIMONY ON BEHALF OF AT&T

SENATE BILL 807

MIKE REECHT

Businesses look to the cost of doing business in any state before locating in that state. AT&T feels that increasing the cost of telecommunications by the imposition of an additional tax, drives that cost up and therefore creates an economic disincentive to locating in Kansas versus bordering states, like Missouri or Nebraska.

In fact, of the states bordering Kansas, only Oklahoma has instituted a state sales tax on interstate long distance, but Oklahoma limited the tax to basic Long Distance thus preserving the exemption for high volume business customers.

Interstate long distance is already taxed at a rate of 3% by the Federal Government. This means the imposition of a 4.0% intrastate rate would drive the tax rate to 7.0% for those businesses or residential consumers who find the use of long distance a necessity.

Revenue estimates of such a tax are approximately \$6.5 million of which about 65% would fall directly on residential and small business consumers, the remainder falls on large business customers.

Kansas has been successful in attracting firms specializing in telemarketing and reservation related services for two basic reasons. First, Kansas' geographic location provides a lower cost of telecommunications services. In addition, the flat accent of our workforce is seen as an asset in contact with customers nationwide. Currently this industry provides approximately 2,000 jobs statewide. Several other large telemarketing operations are currently looking at Kansas for site locations. Those firms have indicated that the imposition of a state sales tax would negatively influence their decision to locate in the state.

I urge your careful consideration before recommending a tax that creates an economic disincentive for business development and an additional economic hardship on those residential customers who need to make long distance interstate calls.

SENATE ASSESSMENT AND TAXATION COMMITTEE



Mike Reecht State Director Government Affairs Kansas Capitol Tower 400 SW 8th Street, Suite 301 Topeka, KS 66603 Phone (913) 232-2128

SENATE BILL 807

PROPOSED STATE SALES TAX ON INTERSTATE LONG DISTANCE FACT SHEET

- A proposed sales tax on the interstate long distance residential and business ratepayer is an ecomonic development disincentive for the state, in that it drives the price for conducting telecommunications business in the state higher relative to other bordering states.
- Interstate long distance is currently subject to a Federal Excise Tax of 3%. Under the provision of this bill, imposition of a state sales tax would subject interstate long distance to a 7.0% tax rate for Kansans.
- Imposition of a state sales tax on interstate calls would generate approximately \$6.5 million in additional taxes, 65% of which would be borne by residential customers. To many of these customers, long distance is not a luxury, but a necessity.
- Sales tax on interstate calls have not been established in the surrounding states of Missouri, Colorado, and Nebraska. Oklahoma implemented a state tax on interstate calling for Message Toll Service only, which does not impact large business customers.
- The Missouri legislature defeated a similar measure last year, as well as in the current session.
- Several industries have located in the Wichita and Lawrence areas and their sole business purpose is interstate telemarketing (sales) operations. Certainly the cost of doing business including telecommunications costs, were major factors in their location decision.
- The entire telephone industry would suffer economic consequences of increased prices and resulting lower call volumes. Long distance carriers would lose toll revenues; Local exchange companies would lose access charges.
- The collection of the tax is not completely effective. Users of private networks may avoid the tax. The tax could encourage firms to bypass the conventional telephone network which would hurt remaining users because they are left to bear the total cost of the toll network.

ENRON

Gas Pipeline Operating Company

2130 North Highway 83 Liberal, Kansas 67901 (316) 626-2200

March 12, 1990

Representative Keith Roe House Taxation Committee

Dear Chairperson:

Enron Gas Pipeline Operating Company is opposed to a tax on interstate telecommunications services, and we are actively pursuing to defeat this provision. While we realize that a tax on interstate telecommunications services may help meet short-term revenue objectives of the state, the long-term effect on the Kansas economy, and on our business, will be negative.

Our community, Liberal (Seward County) Kansas, has some of the most advance electronic switchgear installed by A.T.& I. in the country. The community, in an effort to stimulate the economy, has been pursuing telecommunication companies to utilize this equipment. This sales tax could effectively destroy those efforts.

Imposition of a state sales tax on interstate calls would generate approximately six to seven million in additional tax revenue. 65% of which would be born by residential customers directly within this state. To many of these customers, long distance is not a luxury but a necessity.

Interstate long distance service is already subject to a Federal Excise Tax of 3%. Imposition of a state sales tax would subject interstate long distance to a 7.5% tax rate for Kansans.

Please vote "NO" on HB2858.

Sincerely,

Morris A. Brassfield A

Regional Administrative Supervisor

Southern Region



March 7, 1990

Taxation Committee Keith Roe Chair-Person Kansas House of Representatives

Dear Mr. Keith Roe

Learjet Corporation has received notification of a House Bill #2858, which among its provisions would impose a 4.25 percent sales tax on interstate telephone or telegraph services. Interstate long distance is currently subject to a Federal Excise tax of 3 percent. Imposition of a state sales tax would subject interstate long distance to a 7.25 percent tax rate for Kansans.

The overall direction for the state of Kansas should be to attract industry. Increases in our overall taxation within the state of Kansas is not attractive for industry, especially when the proposed tax bill (#2858) would create an additional cost of \$4.25 for every \$100.00 of interstate calling. A large amount of our business activity is conducted by phone, both voice and fax.

Our position would be to eliminate the proposed tax bill of 4.25 percent for interstate telecommunications. We would appreciate your cooperation and concurrence in rejecting the proposal.

Sincerely,

TOPER =

Roger Smith, Director MIS

LEARJET CORPORATION

15:15

Martin F. Miner turing the second

The Color of the C

LINCOLN INATIONAL ADMINISTERAL 25 SERVICE S CORPORATION

March 12, 1990

Representative Koith Roc Chairmon of the House Taxation Committee Topeka, KS

Dear Representative Roef

It has come to our attention that legislation has been introduced (House Bill 2858), which smong its provisions, would impose a 4.75% union tax an interniate telephone nervice.

Uncoln National Assimistrative Services Corporation in Fort Scott, Kansas is a division of Lincoln National Corporation that processes Group Posith Claims for policyholders from all across the mation. the interaction with our claimants, policyholders, marketing, and comparate offices is essential to our operation and a major operational expense item. Our average monthly telephone expenses are \$25,000.00 for voice transmissions. In medition, we are a heavy data transmission user.

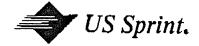
This office was established in Kansas because of the lower operating expenses. We are very much against the proposed logislation. We need to do everything we can to attract industry to Kansas, not add . another roadblock.

Sincerely,

Assistant Vice President and Director Fret Scott Group Operations Center

BM/dkc

1520 E. Rochelle Blvd. P. O. Box 152051 Irving, TX 75015-2051 214 506-1000



Before the Kansas State Senate May 4, 1990

US Sprint would like to thank the committee for this opportunity to testify in favor of retaining the sales-tax exemption for long-distance service.

US Sprint employs over 2,000 in Kansas. Our annual payroll is over \$50 million. Sprint Services recently added a \$1 million fax operation to its operator services in Overland Park. We of course spend heavily with area suppliers, vendors, and utilities. Obviously, US Sprint has prospered in Kansas's favorable tax environment, where business can thrive.

We would like to point out the three main areas in which, in our view, a tax on interstate long-distance service would be detrimental to Kansas.

First, a state's tax climate is critical to its economic development. Because of the way American industry is changing, taxes on interstate long-distance service are a particular disincentive to economic development.

Service industries are supplanting manufacturing as the growth industry in America. These new industries critically depend on sophisticated telecommunications, which can amount to as much as 40% of their cost of doing business. Keeping these costs reasonably priced is a very real drawing card to companies considering locating or remaining in Kansas. An increase in long-distance taxes can make a significant difference. In fact, a Coopers & Lybrand study estimates that for every 1% increase in telecommunications cost, several thousand jobs are jeopardized or lost.

Second, we would like to clarify a misconception that a sales tax on our service does not harm us, since it passed through on customers' bills. Our customers, both corporate and residential, very realistically perceive higher taxes simply as price increases. This decreases usage and has an impact on our bottom line.

Lastly, the public interest requires awareness that long-distance service is no longer the prerogative of large corporations or more affluent subscribers. Since divestiture, elderly and low-income citizens show a dramatic increase in long-distance usage; they are by far the fastest-growing segments of the long-distance market. Being less mobile for financial or health reasons, these subscribers can now depend on long distance to maintain ties with distant family and friends. Long-distance taxes are thus regressive, placing the heaviest burden on the very people who can least afford it.

Please remember that telephone users already pay a 3% federal excise tax, which would combine with a state sales tax to total over 7%. When local taxes are added, the tax rate can approach 9%.

In closing, US Sprint appreciates the opportunities Kansas gives us to flourish, and we in turn are proud to contribute to the growth of the state.

SENATE ASSESSMENT & TAXATION FRIDAY, MAY 4, 1990

Liberty Ford

ATTACHMENT

Manager, Covernment Affairs/

MEMORANDUM

TO: Members, Senate Tax Committee

FROM: Ron Smith, KBA Legislative Counsel

SUBJ: SB 807; service tax on lawyers DATE: May 4, 1990

Again, KBA opposes service or sales taxes on legal services. It raises the following policy questions:

- 1. If the goal of SB 807 is property tax reductions primarily to the business community, how is that logically accomplished by an increase on legal and accounting services used primarily by the business community, especially small businesses?
- 2. A service tax hits the client seeking legal services, not the lawyer. These clients do not always <u>choose</u> to seek legal advice. Is it wise public policy that adversity be taxable?
- 3. The state does not now levy a tax on the widow's portion of an estate. Is it the intent of the legislature that "widows and orphans" will have an additional portion of an estate go to pay the state because they necessarily had to hire an attorney and accountant to probate the estate?
- 4. Is it wise public policy that women, desperately needing legal services in order to get their nonsupportive ex-husband to pay child support, must also pay a tax on those legal fees?
- 5. Why is it prudent tax policy that small vulnerable businesses, who provide most of the new jobs in Kansas but must hire legal and accounting services privately, pay an additional tax, yet large businesses who can hire lawyers and accountants in-house, can avoid the tax?
- 6. In many instances, this state tax would be burdening a federal right, such as bankruptcy filings or legal services to press a civil rights claim under federal statutes. The Supremacy clause of the U.S. Constitution may prohibit such burdens.
- 7. Interstate taxation of legal services will be a significant administrative problem. Will a Kansas "use" tax solve that problem?
- 8. The contingent fee will not be taxed if the plaintiff is unsuccessful. However, defendants -- win or lose, and regardless of the merits of the claim -- pay a tax. Does this not burden already high insurance premiums in addition to the state's current premium tax?
- 9. Administrative costs in the legal sector alone will diminish the estimated revenue generation capability of a service tax on legal services. Administration of legal services taxes will be difficult.

We urge legal services be stricken from the bill. Thank you.

JANUARY 27 1990 50

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FARMERS COOP GR ABBYVILLE K ABILENE AUTO PA ABILENE К ABILENE RENT-AL ABILENE AGL SUPERIOR SE ABILENE К B RADIATOR SERV ABILENE К BILL'S TEXACO ABILENE К CITY CAB ABILENE DICKINSON COUNT ABILENE DICKINSON COUNT ABILENE К К DICKINSON COUNT ABILENE К DON'S TIRE AND ABILENE DOMS TIRE & SUP ABILENE FAULKHER WELDIN ABILENE К ABILENE К H & H REPAIR К HELM REFUSE MODERN PLUMBING ABILENE К PIONEER FARM AN ABILENE К К RAY'S APCO SERV ABILENE К ROBSON OIL COMP ABILENE ROBSON OIL COMP ABILENE

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VILLER REFRIGER ARKANSAS C KS THE BRYANT HARD ARKANSAS C KS UNITED AUTO ELE ARKANSAS C KS UNITED ARKANSAS C KS UNITED AUTO ELE ARKANSAS C KS UNITED ARKANSAS C KS UNITED AUTO ELE ARKANSAS C KS UNITED ARKANSAS C K VENDOR CITY STATE

VENDOR (CITY	STATE	VENDOR CITY ST	Αì
			NEWS-STANDARD P CHANUTE	Kξ
CITY OF BELLE P	BELLE PL	HI KO	OIL FLOW MFG CHANUTE	Kξ
HARBER'S ICE CR	BELLEVIL	LE KS	OIL PATCH PUMP CHANUTE	K٤
REPUBLIC COUNTY	BELLEVIL	LE KS	OLSON HEATING & CHANUTE	K٤
FARMWAY COOP IN	BELOIT	KS	PLATTNER WELDIN CHAMUTE	K٤
BARSCH CORPORAT	BERRYTON	KS	ROLLOW'S SMALL CHANUTE	Kξ
BROWN TERMITE C	BERRYTON	KS	TAYLOR'S ICE DO CHANUTE	K٤
E4 EXCAVATING,	BERRYTON	KS	WESTERN DRILLIN CHANUTE	K٤
ASSOCIATED DESI	BONNER S	FR KS	YOUNG'S WELDING CHANUTE	K٤
BERKEL & COMPAN	BONNER S	FR KS	10000 2 4552110 41111-	Kξ
BERNING TIRE IN	BONNER S	PR KS	ZIMICKING CCCC, Commercia	Κŧ
COLEMAN IMPLEME	BONNER S	PR KS	: HOTHICH De 100H OFFICE	
MULTI SYSTEMS I	BONNER S	PR KS	CITY OF CHERRYV CHERRYVALE GENES 66 CHERRYVALE	V
SOUTHWEST STEEL	BONNER S	PR KS		
BURLINGAME CONC	BURLINGA	ME KS	NETONS CHERRYVALE	177
DONALD G KIOUS	RURLINGA	ME KS	BURNS & PICKLE CIMARRON	Κŧ
JONES TREE SERV	BURRTON	KS	CHARLES BURNS CIMARRON	Κέ
MC CLURE'S EQUI		KS	CIMARRON COOPER CIMARRON	K
RED MAPLE RESTA		KS	CIMARRON MOTOR CIMARRON	Κŧ
CITY OF CARBOND	CARBONDA		GRAIN GROWERS C CIMARRON	Κξ
RON'S SERVICE I	CASSODAY	KS	GRASSER OIL COM CIMARRON	K
THE GAS KAN CON	CASSULIA	r KS	SMITH'S WELDING CIMARRON	K٤
THE FARMERS CO-	CASSIET	N KS	STEPHENS LUMBER CIMARRON	Κŧ
		KS	THOMAS IMPLEMEN CIMARRON	Κŝ
ALTA'S & STAN'S	CHANUIC	KS	GRAY COUNTY NOX CIMMARON	K
CHANDLER OIL CO	CHANUTE		INTERIOR SERVIC CINCINNATI	Κŧ
CHANUTE AUTO PA	CHANUTE	KS	CENTER ENGINEER CLAY CENTE	Κŧ
CHANUTE IMPLEME		KS	CLAY COUNTY WEE CLAY CENTE	Κŧ
CHANUTE LP-GAS		KS	FARMERS UNION C CLAY CENTE	ΚS
CHANUTE'S RENT		KS	CLOUGH OIL COMP COFFEYVILL	K!
CIRCLE K AUTO P		KS	DOLLAR TIRE STO COFFEYVILL	K!
CITY OF CHANUTE		KS	DON VINING RENT COFFEYVILL	K!
CLEAVER FARM AN		KS	FUNK MANUFACTUR COFFEYVILL	Κ.
CLEAVERS FARM S		KS	FUNK MANUFACTUR COFFEIVILL	V.
COMFORT CONTRAC		KS	HARRY KEITH & S COFFEYVILL	174
CONSOLIDATED OI	CHANUTE	KS	KANSAS BEARING COFFEYVILL	
DENISON INCORPO	CHANUTE	KS	PLATTHER WELDIN COFFEYVILL	K:
FRED'S TIRE SER	CHANUTE	KS	TAYLOR CRANE & COFFEYVILL	
GRAY LUMBER INC	CHANUTE	KS	TRI-STATE FLECT COFFEYVILL	
HARRY BYERS & S	CHANUTE	KS	ABRAM READY MIX CONCORDIA	K
HOME APPLIANCE	CHANUTE	KS	BOYDS INCORPORA CONCORDIA	K
HUBBLE ENTERPRI	CHANUTE	KS	CITY OF CONCORD CONCORDIA	K:
JAYHAWK GLASS	CHANUTE	KS	CLOUD COUNTY CO CONCORDIA	K)
JOHN HOUSTON PL	CHANUTE	KS	CLOUD COUNTY WE CONCORDIA	K
K-K FLECTRIC IN	CHANUTE	KS	DOUBLE CIRCLE A CONCORDIA	K:
K-K ELECTRIC, I		KS	DOUBLE CIRCLE F CONCORDIA	K:
KAISER/ESTECH F	CHANUTE	KS	GERALD'S BODY S CONCORDIA	K:
KEN'S RADIATOR		KS	JOHNSTON SUPPLY CONCORDIA	K
KUSTOM ELECTRON		KS	KLING MOTOR CO CONCORDIA	K
MARTIN TRACTOR		KS	KRIER MOWER & E CONCORDIA	K
MERLE KELLY FOR		KS	MARTIN TRACTOR CONCORDIA	K
MYERS GENERATOR		KS	MID-WEST LUMBER CONCORDIA	K:
NAFF ACE HARDWA		KS	PELTIER FOUNDRY CONCORDIA	K:
NAPA AUTO PARTS		KS	POSTMASTER CONCORDIA	K:
			RITE-WAY LINEN CONCORDIA	K
NEELY BATTERY C	CHARUIE	KS	VIIE ANI LINEI COMPONENTI	

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SKYLINE ""A6" S CONCORDIA KS
KOPHNS SERVICE COPELAND
KS
KOPHNS SERVICE COPELAND
SIEKER OIL COMP COTTONNOOD KS
DIEKER OIL COMP COTTONNOOD KS
DIEKER OIL COMP COTTONNOOD KS
PEAGOCK OIL CO COTTONNOOD KS
PEAGOCK OIL COTTONNOOD KS
PEAGOCK OIL CO COTTONNOOD KS
PEAGOCK OIL CONTONNOON KS
PEAGOCK OIL CO COTTONNOOD KS
PEAGOCK OIL CO CO CITY STATE VENDOR

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VENDOR	CITY S	TATE	VENDOR	CITY	
		V0	POSTMASTE	R EMPO	RIA KE
ROBERTSOH TANK	ELKHART	KS	SISOIL	& PRO EMPO	RIA KE
THE ELKHART COO	ELKHART	KS	S & S SER	VICE C EMPO	RIA KE
LEBBIN OIL AND	ELLINWOOD	KS	S AND S O	IL AND EMPO	RIA KE
THE GREAT BEND	ELLINWOOD	KS	SANTA FE	INN EMPO	RIA KE
ELLSWORTH COUNT	ELLSWORTH	KS	SCHAFFER	EQUIPM EMPO	RIA KE
AMERICAN ELECTR	EMPORIA	KS	SKELGAS I	NC EMPO	RIA KE
BARNETT TANK AN	EMPORIA	KS	CDARKS SQ	LES AN EMPO	
BECK'S TIRE INC	EMPORIA	KS	CTANTON I	HOLESA EMPO	RIA KS
BLEVINS FLECTRI	EMPORIA	KS	STRITTON W	FMAN B EMPC	RIA KS
BLUESTEM FARM &	EMPORIA	KS	SIEVE CUI	COMPAN EMPC	
BLUESTEM FARM A	EMPORIA	KS	IEM HAD	SIZZLIN EMPC	
BOB CRAWFORD, I	EMPORIA	KS	WESTERN S	TAXI EMPL	
BONEBRAKE FORD	EMPORIA	KS	MHITE LIN	E TAXI EMPO	
BRECKS TIRE INC	EMPORIA	KS	CITY OF	NSIGN ENSI	
BURNAP BROS INC	FMPORIA	KS	KAM VALLE	Y WARE EUDO	
C H HUMPHREYS		KS	F E BLIS	SOLID EUR	
CENTRAL POWER P		KS	LA RETTA	SCOUN FAIR	
CLINE AUTO SUPP	FMPORIA	KS	NATIONAL	SPECIA FLO	•=
COFFMAN CONSTRU	EMPORTA	KS	SHANKLIN		
DAVE HOLLOND		KS	CRESS IM	PLEMENT FRE	DONIA K
DAVE HOLCOND		KS	DENISON	INCORPO FRE	DONIA K
DIDDE OFFICE SU	EMPORTA	KS	FREDONIA	CO-OP FRE	DONIA KE
DIDDE OFFICE SO	EMPORTA	KS	WESTERN	DINER FRE	DONIA KE
EMPORIA CONSTRU	FULUKIH	KS	WILSON C	OUNTY N FRE	DONIA K
EMPORIA GLASS C	EMPURIA	KS	GALATIA	CO-OPER GAL	ATIA K
EMPORIA LOCK AN	EMPURIA	KS KS	AMERICAN	IMPLEM GAR	DEN CIT K
EMPORIA RENTAL	EMPURIA		R AND L	RENTALS GAR	DEN CIT K
FIRE SAFE EXTIN	EMPURIA	KS	RERRY TR	ACTOR A GAR	DEN CIT K
FLINT HILLS TIR	EMPURIA	KS	BUFFALO	MILL SU GAR	DEN CIT K
GALLAGHER'S INC	EMPURIA	KS	BUGS R U	S GAR	DEN CIT K
GALLAGHER'S J N	I EMPURIA	KS	CIRCLE K	AUTO P GAR	
GET-N-GO	EMPORIA	KS	CONCRETE	INDUST GAR	DEN CIT K
HAHN RENTAL AND		KS	COUCKE!	EFRIGER GAR	DEN CIT K
HANSON KIMMAL F	EMPORIA	KS	DILLONS		DEN CIT K
HAROLD'S WELDIN	4 EMPORIA	KS	DOUNNY 3	RUCK AN GAR	
HOME LUMBER AND) EMPORIA	KS	TIONAL I	COUNTY N GAR	DEN CIT K
HORTON'S AUTOMO) EMPORIA	KS	FINNET C	NSTRUCT GAR	DEN CIT K!
HOSPITALITY HOU		KS	FULIZ CO	I HOLLAN GAF	DEN CIT K!
IBT INCORPORATE		KS	רות אבין רות דמנו פ	STREET 6 GAR	DEN CIT K
INDUSTRIAL BEAR		KS	PULIUN S	CITY AUT GAF	DEN CIT K!
J. W. TRUCKING		KS	CARDEN C	CITY FOR GAR	DEN CIT K
JIM'S CUSTODIA		KS	DARDEN (CITY HIL GAR	DEN CIT K
JONES HEATING		KS	GARDEN (PEIROLE GAR	TOEN OIT K
KANSA CORPORAT		KS	GENERAL	PEIKULE OHR	DEN CIT K
LONGHORN RESTAL	J EMPORIA	KS	GREAT WE	STERN T GAR	TOEN CIT V
LYON COUNTY TRI		KS		RPORATE GAR	DEN CIT K
MARK II CORPOR		KS	J J APPE		
MCKINZIE SCHEN		KS	JOHNSCH	SEPTIC GAR	DEN CIT V
MODERH AIR CON	D EMPORIA	KS	K.L. JO	INSON TR GAR	OPEN CIT IN
MORGAN SUPPLY		KS	KANAMAK	HYDRAUL GAR	DEN CIT K
MUCKENTHALER II		KS	KANSAS A	AVENUE " GAF	CUEN CIT K
OXYGEN SERVICE		KS	KEMPER A	AUTO ELE GAF	(DEN CIT K)
PENNY'S CONCRE		KS		GLASS IN GAR	DEN CIT K
PLUMBING BY SPI		KS	LADD SER	RVICE GAR	DEN CIT K
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DURING 1989

VENDOR

CITY STATE

MICCORDS TIQUING

GREAT BEND KS

MOEDER OIL COMP GREAT BEND KS

PARTS INCORPORA GREAT BEND KS

RICHES AIR COND GREAT BEND KS

SCRANTON HACHIN GREAT BEND KS

SIMMONS AUTO PAG GARBEN CIT KS

ANDERSON COUNTY DE GREAT BEND KS

MOLKEN DIL CO GARNETT

KS

GEMF FARM CENTER GARNETT

KS

GUESTUS HANDHARD COUNTY NO GREAT BEND KS

MOLKEN DIL COUPAN GREAT BEND KS

MOLKEN VENDOR CITY STAT VENDOR CITY STATE

VENDOR CITY STATE

KROPF LUBER IN HESSTON KS
SOLID MASTE HAU HESSTON KS
SOLID MASTE HAU HESSTON KS
SOLID MASTE HAU HESSTON KS
SUNFLORER STUKESON HISSON KS
SCHUETZ TOOL AN HIAWATHA KS
CODPERATIVE GRA HILLSBORD KS
COPERATIVE GRA HILLSBORD KS
CASIELLY UEDIN HOISTINGTON KS
LARRY KLOTZ
HOLCOMB KS
LARRY BROTHERS HOLTON KS
LARRY BROTHERS HOLTON KS
LARRY BROTHERS HOLTON KS
LARRY BROTHERS HOLTON KS
CHENT BROTHERS HOLTON KS
SCHEIL INC
HOLTON KS
SCHEIL SHOOTON KS
DAVIS CONTRACT INDEPENDEN KS
SCHEIL SHOOTON KS
DAVIS CONTRACT INDEPENDEN KS
SCHEIL SHOOTON KS
LINN'S AIR COOL INDEPENDEN KS
CAREY SALT COMP HUTCHINSON KS
CL & BELLING CON HUTCHINSON KS
CAREY SALT COMP HUTCHINSON KS
CL & BELLING CON HUTCHINSON KS
CHORLE BROWNTOWN KS
CHORLE BROWNTOWN KS
COPPER TITE SER HUTCHINSON KS
COPPENDENCE RE
CITY OF PUTCHIN HUTCHINSON KS
COPPENDENCE RE
COOPER TITE SER HUTCHINSON KS
COPPENDENCE RE
COOPER TOOL MANASA CIT KA
ARE LEGED ROOT KANSAS CIT KA
ARE FEDDI ROOT KANSAS CIT KA
ARE VENDOR CITY STAT VENDOR CITY STATE

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KANSAS CIT KS
B AND HESTER, I KANSAS CIT KS
B C NC DONALD A KANSAS CIT KS
B C NC MARCHADA CONTROL KANSAS CIT KS
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B S SIEEL OF KA KANSAS CIT KS
B SEALING HEADOULA KANSAS CIT KS
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B SEALING HEADOULA KANSAS CIT KS
B SELELER FLOORING KANSAS CIT KS
B SELELER FLOORING KANSAS CIT KS
B SELELER FLOORING KANSAS CIT KS
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CITY STAT VENDOR

					CITY ST	A)
VENDOR	CITY	STATE	V	ENDOR	CIII O	117
A ELIDAN				ELSON MACHINE	LAURENCE	K٤
VOLZ OIL CO	KINSLEY	KS	7	RLIN WAGNER 51	LAWRENCE	K٤
VOLZ OIL COMPAN		KS	L L	ATCHEN ELECTRI	LAWRENCE	K٤
BOGNER INC	KIOWA	KS	-	ENNY'S READY M	LAURENCE	K٤
CITY OF KIOWA		KS	<u> </u>	POLK OIL COMPAN	LAWRENCE	K٤
D AND W BODY RE	KIOWA	KS	ļ F	ADTK OIL COULDIN	LAMPENCE	K٤
DEB'S 66 SERVIC	KIOWA	KS	Į F	PUR-O-ZONE CHEM	LAMICHIOL	Kξ
GAMBLES	KIO4A	KS) C	QUALITY ELECTRI	LHWRENCE	Kξ
HUMPHREY INCORP		KS	(5	STATE RADIATOR	LAMKENCE	Κξ
J R MICHEL OIL	KIOWA	KS	T	THE FARMERS CO-	LHWKENCE	KE KE
JARVIS AUTO SUP		KS		J.A. DUNBAR AND	LAWKENCE	Κέ
KIOWA SERVICE C	KTOWA	KS	1	WHELAN'S	LAURENCE	
KIUWA SEKVILE L	KIOWA	KS	1	CAPITAL ELECTRI	LEAVENHURI	K
MC NAMAR'S L P	KIOWA	KS	1	CLEAN TECH SYST	LEAVENWORT	K
Q MART COUNTRY		KS	1	GEIGER READYMIX	LEAVENWORT	Κŧ
RALPH'S SHOP	KIOWA	KS	: 1	FAVENWORTH COU	LEAVENWORT	Κ٤
THE LITTLE STOR	KIUWA		<u>.</u>	MANCE LAWN & GA	LEAVENWORT	Kξ
THE O K COOPERA	KIUWA	KS		RUTLEDGE BACKHO	LEAVENWORT	Κ٤
THE TUCKER COMP	KIUWA	KS		AIRSIGNAL INC	LEAWOOD	Κŧ
RUSH COUNTY NOX	LACRUSSE	KS KS	 	ENGINEERED MATE	LEAWOOD	Kξ
CITY OF LAKIN	LAKIN	KS		GENERAL DATACOM	LEAWOOD	Κŧ
KEARNY COUNTY W	LAKIN	KS		MCI AIRSIGNAL I	LEAWOOD	Κŧ
DEAN'S 66 SERVI	LARNED	KS		SOFTWAIRE CENTE	LEAWOOD	Κŧ
LARNED READY MI	LARNED	KS		CASEY'S # 1266	LE'BO	K٤
PAWNEE COUNTY C		KS		DEAN KNIGHT OIL	LEBO	Kξ
PAWNEE COUNTY N		KS		GRANGER'S COOPE	LERO	Κŧ
ROTH EQUIPMENT	LARNED	KS		AMBROSE SALES	LENEXA	K
A-1 CITY CAB CO) LAWRENCI	E KS		AMERICAN BUSINE	LENEYA	Κŧ
ANDERSON RENTAL	LAWRENCE	E KS			LENEXA	K:
ART & SIGN GRAF	LAWRENCE	E KS		ANIXTER		K
AUTO PARTS COM	LAWRENC	E KS		AVNET COMPUTER		K:
BRANCH PLUMBING	LAWRENC	E KS		BARNETT, STUAR BLACKMORE AND	LEMEAH	KS.
BUSINESS HEALTI	1 LAWRENC	E KS		BLACKMORE AND	J LENEXH	K
CHANEY PLUMBING	LAWRENC	E KS		BRADCO INCORPO	K LENEXH	K
CLOUD HEATING	LAWRENC	E KS		BUBECK SERVICE	LENEXA	
COMET CORPORAT	I LAWRENC			BUTLER PAPER C	D LENEXA	K
CONNECTING POI	V I AURENC		•	C.L. MCMICHAEL	LENEXA	K
D & D TIRE, IN	C LAWRENC			CADILLAC PLAST	I LENEXA	K
DOUGLAS COUNTY	LAURENC ORBENE			CARPET MAGIC B		K:
ELECTROLIFE BA	T LAURENC			CASHCO	LENEXA	K:
FARMERS CO-OP	A LAUDENC			CHEMICAL SALES	LENEXA	K
FLEETWOOD SMAL	H EHWNENC			COLT TECHNOLOG	Y LENEXA	K:
	LAWRENC			COMPUTER ACCES	S LENEXA	K:
HEETCO INC HUXTABLE AND A				CONTRACTORS SU	P LENEXA	K:
HOXIABLE AND H	D LAUDENC	E KS		DATA PORT TECH	N LENEXA	K:
JONES FARM SUP	r LHWRENC			ECZEL CORPORAT	I LENEXA	K!
JONES RENT-ALL	LHWRENC			ERNST-EICHMAN	M LENEXA	K:
KAH VALLEY IND	U LHWRENC			FRAME IT ALL	LENEXA	K)
KENNEDY GLASS,	し しんいりにいつ	E KS		GBC	LENEXA	K:
LAWRENCE ASPHA				GENERAL BINDIN		K:
LAWRENCE PAPER				HALLMARK FLECT	R LENEXA	K:
M. W. SIMONSON				HAMILTON AVNET	LENEXA	K:
MALONE AND ASS				HEDEEN ARCHITE	C LENEXA	K:
MC CONNELL MAC				HERMES LANDSCA		K:
MICRO-SOURCE M				HUGHES MACHINE		K:
MID WEST EXTER	M LAWRENC	E KS		HOUSED HOUSE		

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VENDOR CITY	STATE	VENDOR CITY STAT
	КS	COLLINGWOOD GRA LITTLE RIV KS
IMAGE PRODUCTIO LENEXA	KS	LONGFORD LUMBER LONGFORD KS
INFORMIX SOFTWA LENEXA	KS	COZY INN CAFE LONGTON KS
INTERMEC LENEXA		ALEX STUCHLIK & LOST SPRIN KS
INTERSTATE ELEC LENEXA	KS	BRUCE BARSH LOUISBURG KE
JOHNSON-POLAND LENEXA	KS	OSAGE COUNTY NO LYNDON KE
JOHNSON'S YARD LENEXA	KS	CITY OF LYONS LYONS KE
KC CAD COMPANY LENEXA	KS	JONES DIL CO. LYONS KS
KENNEDY VAN BRU LENEXA	KS	AND L SUPPLY LYONS KE
KEYSTONE LENEXA	KS	PICE COUNTY WEE LYONS KE
KNOPKE BROTHERS LENEXA	KS	WELLMAN TRASH S MACKSVILLE KE
LENEXA COMMUNIC LENEXA	KS	ALLISON GARAGE MANCHESTER KS
LESLIE PAPER CO LENEXA	KS	CHARTER AMERICA MANHATTAN KS
LOGIC CONTROL S LENEXA	KS	MID WEST EXTERM MANHATTAN KS
LOUIS W. IZARD LENEXA	KS	MID ACOL CALCAL LINAMIS
MASTER TAPE DUP LENEXA	KS	PIEER BUT I TI F 10000000
MASTERGLASS WIN LENEXA	KS	TEMETE COORT I I TOURS -
MECHANICAL EQUI LENEXA	KS	COMBROLEK SOLLE HIMESTI
METRO-PLEX INFO LENEXA	KS	PIERCE UIL CO IIIM-OII
METRU-PLEX THEO CENERA	KS	MERITARI MODULATI INIVERI.
MID-LAND WRECKI LENEXA	KS	HASSMAN OIL COM MC PHERSON KS
MIDWEST SPRAY E LENEXA	KS	MCPHERSON CONCR MC PHERSON KE
NASHUA CORPORAT LENEXA	KS	ALBERTS PLUMBIN MCPHERSON KS
NORTHWESTERN BO LENEXA		RECKER TIRE OF MCPHERSON KS
OMNI CONSULTANT LENEXA	KS	CITY OF MCPHERS MCPHERSON K
PALMER JOHNSON LENEXA	KS	COPELAND SUPPLY MCPHERSON K
FUMP & POWER EQ LENEXA	KS	JANTZ-FEMCO MCPHERSON KS
REEVES-WIEDEMAN LENEXA	KS	MCPHERSON COUNT MCPHERSON KS
RENSENHOUSE ELE LENEXA	KS	MCPHERSON RED C MCPHERSON KS
RENSENHOUSE OF LENEXA	KS	MID KANSAS MACH MCPHERSON KS
RICHARD GREENE LENEXA	KS	MILLER AUTOMOTI MCPHERSON K
ROMAC INCORPORA LENEXA	KS	SUNFLOWER SAHIT MCPHERSON KS
ROMAC, INC LENEXA	KS	WALL-ROGALSKY M MCPHERSON KS
SHORE TIRE CO., LENEXA	KS	WALL-RUGHLSKY A MCPHERSON K
SHRINK PACKAGIN LENEXA	KS	MESTERM TOE DIS NOTES.
SKC COMMUNICATI LENEXA	KS	BARBER COUNTY N MEDICINE L K
SHAP-OH TOOLS C LENEXA	KS	BOYTER TIRES IN MEDICINE L K
SNAP-OH TOOLS C LENEXA	KS	CLARKE CORPORAT MEDICINE L K
SPECIAL-T METAL LENEXA	KS	HI-WAY SALES & MEDICINE L K
SPORTPRINTS, IN LENEXA	KS	JERRY'S SERV IN MEDICINE L K
STANLEY BOSTITC LENEXA	KS	K AND M AUTO PA MEDICINE L K
TAB PRODUCTS CO LENEXA	KS	MCNAMAR'S L P G MEDICINE L K
TEKTRONIX, INCO LENEXA	KS	CRIQUI CONSTRUC MELVERN K
TERRACON CONSUL LENEXA	KS	JERRY HENRY EXC MERIDEN K
THE GREEN COMPA LENEXA	KS	MERIDEN CO-OP E MERIDEN K
THE PACKAGING S LENEXA		REX D. CLOUGH MERIDEN K
		BUSINESS RESOUR MERRIAM K
W.W. GRAINGER I LENEXA WESTERN AIR MAP LENEXA		HEART OF AMERIC MEKRIAM K
		KANSAS BUILDERS MERRIAM K
ZIHK SAFETY EQU LENEXA		SHAWNEE STEEL & MERRIAM K
PITNEY BOWES LEXENA		THE TOTAL DOOR MERRIAM K
CENTEL ELECTRIC LIBERA		TRUE AUTO PARTS MERRIAM K
MID STATES DIES LIBERA		ZOTOZ, IHC. MERRIAM K
JEHSEN OIL CO LINCOL		FARMERS UNION C MILTONVALE K
LINCOLN COUNTY LINCOL		ABSHER SIGH AND MISSION K
QUARTZITE STONE LINCOL	n KS	אמסחבת סוטה הואה הונססים היי

ABERICAN FIRE S MISSION KS AMERICAN REPROD MISSION KS AMERICAN REPROD MISSION KS AMERICAN REPROD MISSION KS AMERICAN REPROD MISSION KS COLDINAL DEFICE MISSION KS CORDINAL DEFICE MISSION KS CORDINAL DEFICE MISSION KS CORDINAL DEFICE MISSION KS COLLULAR ONE MISSION KS COL					CITY	STAT
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ELECTROREP INCO SHAWNEE MI KS FLUID POUER SAL SHAWNEE MI KS FLUID POUER SAL SHAWNEE MI KS INDUSTRIAL SUPP SHAWNEE MI KS INDUST	DOKING 170			
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ELECTROREP INLO SHAWNEE II KS HEAVEN ENGINEER SAL SHAWNEE II KS HEAVEN ENGINEER SHAWNEE II KS HEAVEN ENGINEER SHAWNEE II KS J.L. GRADY COMP SHAWNEE II KS LAKELAND ENGINE SHAWNEE II KS LAKELAND ENGINE SHAWNEE II KS LAKELAND ENGINE SHAWNEE II KS JAHNEE BARNEE II KS LAKELAND ENGINE SHAWNEE II KS JAHNEE BARNEE II KS JAHNEE BARNEE II KS JAHNEE BARNEE II KS JODONNELL & SONS STANLEY MAX RIEKE & BRO SHAWNEE II KS JODONNELL & SONS STANLEY MAX RIEKE & BRO SHAWNEE II KS JODONNELL & SONS STANLEY MAX RIEKE & BRO SHAWNEE II KS JODONNELL & SONS STANLEY MAX RIEKE & BRO SHAWNEE II KS JODONNELL & SONS STANLEY MAX RIEKE & BRO SHAWNEE II KS JODONNELL & SONS STANLEY MAX RIEKE & BRO SHAWNEE II KS JODONNELL & SONS STANLEY MAX RIEKE & BRO SHAWNEE II KS JODONNELL & SONS STANLEY MAX RIEKE & BRO SHAWNEE II KS JUEKER OIL INCO STRONG CIT KS MISSION OFFICE SHAWNEE II KS JUEKER OIL INCO STRONG CIT KS MITCHELL SERVIC SHAWNEE II KS JIEKER OIL, INC STRONG CIT KS JEKER OIL INCO STRONG CIT KS JEKER OIL, INC STRONG CIT KS JEKER OIL INCO STRONG CIT KS JEKER OIL, INC STRONG CI	THE PUBLISHED HT VC	ST JOHN FARMERS	ST JOHN	
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K-MART SHAWNEE MI KS LAKELAND ENGINE SHAWNEE MI KS LAKELAND ASSO SHAWNEE MI KS MAR RIEKE & BRO SHAWNEE MI KS MAR RIEKE & BRO SHAWNEE MI KS MC ANANY CONSTR SHAWNEE MI KS MICROTRORIOS IN SHAWNEE MI KS MISSION OFFICE SHAWNEE MI KS MISSION OFFICE SHAWNEE MI KS MITCHELL SERVIC SHAWNEE MI KS MICROTRORIOS SHAWNEE MI KS MITCHELL SERVIC SHAWNEE MI KS MITCHEL SHAWNEE MI KS MITCHEL SERVIC SHAWNEE MI KS MITCHEL SHAWNEE MI KS MITCHEL SERVIC SHAWNEE MI KS MITCHEL SHAWNEE MI KS MITCHEL SERVIC SHAWNEE MI KS MITCHEL SHAWNEE MI KS MITCHEL SERVIC SHAWNEE MI KS MITCHEL SH	J.L. GRADY COMP SHAWNEE MI KS	CLICK ELECTRIC	STAFFORU	
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MAX RIEKE & BNO SHAWEE HI KS MIC ANANY CONSTR SHAWNEE HI KS MIC CONSTRUCTION SHAWEE HI KS MISSION OFFICE SHAWHEE HI KS MISSION OFFICE SHAWHEE HI KS MISSION OFFICE SHAWHEE HI KS MITCHELL SERVIC SHAWHEE HI KS MITCHELL SERVIC SHAWHEE HI KS MICHOLL SERVIC SHAWHEE HI KS PETERSON MACHIN SHAWHEE HI KS PROCESS MEASURE SHAWHEE HI KS SULVARD SALES CO SHAWHEE HI KS SCOTWOOD INDUST SHAWHEE HI KS SCOTWOOD INDUST SHAWHEE HI KS SHEET NETAL SER SHAWHEE HI KS SHEET NETAL SER SHAWHEE HI KS SHEET NETAL SER SHAWHEE HI KS TRIPLE—D AUTO P SYRACUSE KS MISTINGUS GALES AND SHAWHEE HI KS TRIPLE—D AUTO P SYRACUSE KS MITCHOLL SALES SHAWHEE HI KS TRIPLE—D AUTO P SYRACUSE KS MITCHOLL SALES SHAWHEE HI KS TRIPLE—D AUTO P SYRACUSE KS MITCHOLL SALES SHAWHEE HI KS TRIPLE—D AUTO P SYRACUSE KS MITCHOLL SALES SHAWHEE HI KS TRIPLE—D AUTO P SYRACUSE KS TRIPLE—T AUTO TOPERA TRIPLE—T AU	LEEVER AND ASSO SHAWNEE MI KS	ODONNELL & SONS	STANLEY	Kξ
MICROTRONICS IN SHAWNEE MI KS MISSION OFFICE MISSION OFFICE MITCHELL SERVIC MI	MAX RIEKE & BRO SHAWNEE MI KS	FARMERS COOPERA	STERLING	Κŧ
MIGOTONINGE AS ANAMEE HI KS MISSION OFFICE MITCHELL SERVIC MISSION OFFICE MITCHELL SERVIC SHAWNEE HI KS MALCO CHEMICAL SHAWNEE HI KS MICHAICAL SHAWNEE HI KS MIEKER OIL, INC STRONG CIT KS MICHAICAL SHAWNEE HI KS DIEKER OIL, INC STRONG CIT KS THE DIEKER OIL, INC STRONG CIT KS THE DIEKER OIL, INC STRONG CIT KS DIEKER OIL INC OIL KS DAND HOLLOSS SUBLETIE KS DAND HOLLOSS SUBLETIE KS D	MC ANANY CONSTR SHAWNEE MI KS	TURNRUU ADVERT	STOCKTON	Kξ
MISSION UFFLE SHAWRE HI KS MITCHELL SERVIC MALCO CHEMICAL MAMELY YOURS SHAWNEE HI KS MIEKER OIL, INC STRONG CIT KS MALCO CHEMICAL MAMELY YOURS SHAWNEE HI KS DIEKER OIL, INC STRONG CIT KS DIEKER OIL, INC STRONG CIT KS DIEKER STANDARD STRONG CIT KS DIEKER OIL, INC STRONG CIT KS DIEKER STANDARD STRONG CIT KS DIEKER OIL INCO STRONG CIT KS DIEKER OIL, INC STRONG CIT K	MICROTRONICS IN SHAWNEE MI KS	AUTO PARTS OF C	STRONG CIT	Κŧ
NALCO CHENICAL NAMELY YOURS SHAWNEE MI KS OFFICE ERUIPMEN SHAWNEE	MISSION OFFICE SHAWNEE MI KS	CLARK FARM AND	STRONG CIT	Κŧ
NAMELY YOURS SHAWNEE MI KS DIEKER STANDARD STRONG CIT KS DFFICE EQUIPMEN SHAWNEE MI KS DIEKER STANDARD STRONG CIT KS DETERSON MACHIN SHAWNEE MI KS DIEKER STANDARD STRONG CIT KS PETERSON MACHIN SHAWNEE MI KS LUCAS AND SONS SUBLETTE KS PROCESS HEASURE SHAWNEE MI KS PROCESS HEASURE SHAWNEE MI KS PROCESS HEASURE SHAWNEE MI KS SHELITE OIL COM SUN CITY KS PRYOR RESOURCES SHAWNEE MI KS SHELITE OIL COM SUN CITY KS PRYOR RESOURCES SHAWNEE MI KS SHAWNEE MI KS SHAWNEE MI KS SCOTUDOD INDUST SHAWNEE MI KS SCOTUDOD INDUST SHAWNEE MI KS SCOTUDOD INDUST SHAWNEE MI KS SHAWNEE MISSION SHAWNEE MI KS SHAWNEE MISSION SHAWNEE MI KS SHAWNEE MISSION SHAWNEE MI KS SHAWNEE PRESS, SHAWNEE MI KS SHAWNEE MISSION SHAWNEE MI KS SHAWNEE PRESS, SHAWNEE MI KS TRIPLE—D AUTO P SYRACUSE KS SHEET DETAL SER SHAWNEE MI KS CARDIE OIL INCO TAMPA KS SHEET DETAL SER SHAWNEE MI KS CARDIE OIL INCO TAMPA KS TRIBLE—D AUTO P SYRACUSE KS SHEET DETAL SER SHAWNEE MI KS CARDIE OIL INCO TAMPA KS SHAWNEE MI KS CARDIE OIL INCO TAMPA KS CARDIE OIL TAMPA KS CARDIE OIL TAMP	MITCHELL SERVIC SHAWNEE MI KS	DIEVER OIL INCO	STRONG CIT	K
PETERSON BUSINE PETERSON MACHIN SHAWNEE MI KS PETERSON MACHIN SHAWNEE MI KS PROCESS MEASURE SHAWNEE MI KS PROCESS MEASURE SHAWNEE MI KS PROCESS MEASURE SHAWNEE MI KS RIVARD & ASSOCI SHAWNEE MI KS RIVARD & ASSOCI SHAWNEE MI KS SOCTWOOD INDUST SHAWNEE MI KS SHAWNEE MISSION SHAWNEE MISSION SHAWNEE MI KS SHAWNEE MISSION SHAWNEE MI KS TOPEKA STEAK HO TECUMSEH KS TOPEKA STEAK HO TOPEKA THAYER WORD-TECH BUSIN TOPEKA SHAWNEE MI KS SHAWNEE MI KS TOPEKA STEAK HO TOPEKA THAYER WORD-TECH BUSIN TOPEKA THAYER WORD-TECH BUSIN TOPEKA THAYER THAYER THAYER KS TOPEKA THAYER THAYER KS TOPEKA THAYER THAYER KS TOPEKA THAYER THAYER KS TOPEKA THAYER THAYER THAYER KS TOPEKA THAYER TOPEKA THATE THATE TOPEKA THATE THATE TOPEKA THATE THATE TOPEKA THATE THATE THAT	NALCO CHEMICAL SHAWNEE MI KS	DIENER OIL INC	STRONG CIT	. K£
PETERSON BUSINE PETERSON MACHIN SHAWNEE MI KS PETERSON MACHIN SHAWNEE MI KS PROCESS MEASURE SHAWNEE MI KS PROCESS MEASURE SHAWNEE MI KS PROCESS MEASURE SHAWNEE MI KS RIVARD & ASSOCI SHAWNEE MI KS RIVARD & ASSOCI SHAWNEE MI KS SOCTWOOD INDUST SHAWNEE MI KS SHAWNEE MISSION SHAWNEE MISSION SHAWNEE MI KS SHAWNEE MISSION SHAWNEE MI KS TOPEKA STEAK HO TECUMSEH KS TOPEKA STEAK HO TOPEKA THAYER WORD-TECH BUSIN TOPEKA SHAWNEE MI KS SHAWNEE MI KS TOPEKA STEAK HO TOPEKA THAYER WORD-TECH BUSIN TOPEKA THAYER WORD-TECH BUSIN TOPEKA THAYER THAYER THAYER KS TOPEKA THAYER THAYER KS TOPEKA THAYER THAYER KS TOPEKA THAYER THAYER KS TOPEKA THAYER THAYER THAYER KS TOPEKA THAYER TOPEKA THATE THATE TOPEKA THATE THATE TOPEKA THATE THATE TOPEKA THATE THATE THAT	NAMELY YOURS SHAWNEE MI KS	NIEKER DIES AND	STRONG CIT	. K
PETERSON BUSINE SHAWNEE MI KS PETERSON MACHIN SHAWNEE MI KS PROCESS MEASURE SHAWNEE MI KS PRYOR RESOURCES SHAWNEE MI KS PROP SHAWNEE MI KS PROP SHAWNEE MI KS PRACUSE MISSOURD PRACUSE KS PRACUSE KS PRACUSE KS PRACUSE KS PRACUSE		OTHOCHUNEER PIL	STRONG CIT	. Kt
PETERSON MACHIN SHAWNEE MI KS PROCESS MEASURE SHAWNEE MI KS PROCESS MEASURE SHAWNEE MI KS RIVARD & ASSOCI SHAWNEE MI KS RIVARD & ASSOCI SHAWNEE MI KS RIVARD SALES CO SHAWNEE MI KS SCOTWOOD INDUST SHAWNEE MI KS SHAWNEE PRESS, SHAWNEE MI KS SHAWNEE MI KS SHAWNEE MI KS SHAWNEE MI KS SCARDIE OIL INCO TAMPA SCOUNTS HAWNEE MI KS SCOTWOOD SHAWNEE MI KS SCOTWOOD STARCUSE SCOUNTS HAWNEE MI KS SCOTWOOD SHAWNEE MI KS SCOUNTS HAWNEE MI KS SCOTWOOD SHAWNEE MI KS SCOON TAMPA SCOUNTS HAWNEE MI KS SCOTWOOD SHAWNEE MI KS SCOON TAMPA SCOUNTS HAWNEE MI KS SCOON TAMPA SCOUNTS HAWNEE MI KS SCOON TAMPA SCOON TAMPA SCOUNTS HAWNEE MI KS SCOON TAMPA SCOON	PETERSON BUSINE SHAWNEE MI KS	STOREMONIER TE	SUBLETTE	Kξ
PROCESS MEASURE SHAWNEE MI KS PRYOR RESOURCES SHAWNEE MI KS RIVARD & ASSOCI SHAWNEE MI KS RIVARD SALES CO SHAWNEE MI KS SCOTWOOD INDUST SHAWNEE MI KS SCOTWOOD INDUST SHAWNEE MI KS SCOTWOOD INDUST SHAWNEE MI KS SHAWNEE MISSION SHAWNEE MI KS SHAWNEE PRESS, SHAWNEE MI KS SHAWNEE PRESS, SHAWNEE MI KS SHAWNEE PRESS, SHAWNEE MI KS SHET METAL SER SHAWNEE MI KS SHET METAL SER SHAWNEE MI KS TARGET SPECIALT SHAWNEE MI KS TRIANGLE SALES SHAWNEE MI KS UNISYS CORPORAT SHAWNEE MI KS UNIDY WHEELER UNITEHOUSE GALL SHAWNEE MI KS UNION GALL SHAWNEE MI KS UNION GALL SHAWNEE MI KS UNION GALL SHAWNEE MI KS A & A CONCRETE UPEKA KS A A LONCRETE TOPEKA KS A A LOCK & KEY TOPEKA KS A LOCK & KEY TOPE		TUE CUE FTTE CO	SUBLETTE	Κŧ
RIVARD & ASSOCI SHAWRE MI KS RIVARD SALES CO SCOTHOOD INDUST SHAWRE MISSION SHAWRE MISSION SHAWRE MISSION SHAWRE MISSION SHAWRE MISSION SHAWRE MISSION SHAWRE MI KS SHAWRE MISSION SHAWRE MI KS TRIPLE-D AUTO P SYRACUSE KI CARDIE OIL INCO TAMPA KI TARGET SPECIALT THE DARLING SHV THE DARLING SHV SHAWRE MI KS UNISYS CORPORAT SHAWRE MI KS SHAWRE MI KS UNISYS CORPORAT SHAWRE MI KS UNISYS CORPORA SHAWRE MI KS UNISYS CORPORAT SHAWRE MI KS UNISYS CORPORA SHAWRE MI KS UNISYS CORPORA SHAWRE MI KS UNISYS CORPORAT SHAWRE MI KS UNISYS CORPORA SHAWRE MI KS UNISYS CORPORAT SHAWRE MI KS UNISYS CORPORAT SHAWRE MI KS UNISYS CORPORAT SHAWRE MI KS UNISYS CORP	PROCESS MEASURE SHAWNEE MI KS	THE SUBLETTE OF	SUN CITY	K!
RIVARD & ASSOCI SHAWREE MI KS RIVARD SALES CO SHAWREE MI KS SCOTWOOD INDUST SHAWREE MI KS SCOTWOOD INDUST SHAWREE MI KS SHAWREE MISSION SHAWREE MISSION SHAWREE MISSION SHAWREE MISSION SHAWREE MISSION SHAWREE MI KS CARDIE OIL INCO TAMPA KS TRIPLE-D AUTO P SYRACUSE KS CARDIE OIL INCO TAMPA KS TRIPLE-D AUTO P SYRACUSE KS CARDIE OIL INCO TAMPA KS TRIPLE-D AUTO P SYRACUSE KS CARDIE OIL INCO TAMPA KS TRIPLE-D AUTO P SYRACUSE KS CARDIE OIL INCO TAMPA KS TRIPLE-D AUTO P SYRACUSE KS CARDIE OIL NCO TAMPA KS TRIPLE-D AUTO P SYRACUSE KS CARDIE OIL NCO TAMPA KS TRIPLE-D AUTO P SYRACUSE KS CARDIE OIL AUTO P SYRACUSE KS CARDIE OIL NCO TAMPA KS TRIPLE-D AUTO P SYRACUSE KS CARDIE OIL NCO TAMPA KS TRIPLE-D AUTO P SYRACUSE KS CARDIE OIL NCO TAMPA KS TRIPLE-D AUTO P SYRACUSE KS CARDIE OIL NCO TAMPA KS TRIPLE-D AUTO P SYRACUSE KS CARDIE OIL NCO TAMPA KS TRIPLE-D AUTO P SYRACUSE KS CARDIE OIL NCO TAMPA KS TRIPLE-D AUTO P SYRACUSE KS CARDIE OIL NCO TAMPA KS TRIPLE-D AUTO P SYRACUSE KS CARDIE OIL NCO TAMPA KS TRIPLE-D AUTO P SYRACUSE KS CARDIE OIL NCO TAMPA KS TRIPLE-D AUTO P SYRACUSE KS TROPLES TOPEKA KS TAMBLE MI KS TRIPLE-D AUTO P SYRACUSE KS TROPLES TOPEKA KS TO	LKIOK NEGOCKOLO OM WATER TO THE TOTAL OF THE	CALLIF OIL OU	SYLUTA	K!
RIVARD SALES CO SHAWNEE MI KS DOC'S CLEAR ICE SYRACUSE KS SCOTWOOD INDUST SHAWNEE MISSION SHAWNEE MI KS HAMILE MI KS HAMILE PRESS, SHAWNEE MI KS SHAWNEE MI KS TRIPLE-D AUTO P SYRACUSE KS CARDIE OIL INCO TAMPA KS CARDIE OIL INCO TAMPA KS TRIPLE-D AUTO P SYRACUSE KS CARDIE OIL INCO TAMPA KS CARDI	RIVARD & ASSOCI SHAWNEE MI KS	D AND H OTL COL	SYRACUSE	
SCOTWOOD INDUST SHAWNEE MI KS SHAWNEE MISSION SHAWNEE MI KS SHAWNEE PRESS, SHAWNEE MI KS SHAWNEE PRESS, SHAWNEE MI KS SHEET METAL SER SHAWNEE MI KS TARGET SPECIALT SHAWNEE MI KS TARGET SPECIALT SHAWNEE MI KS TRIANGLE SALES UNISYS CORPORAT SHAWNEE MI KS UNISYS CORPORAT SHAWNEE MI KS WHITEHOUSE GALL SHAWNEE MI KS WHITEHOUSE GALL SHAWNEE MI KS WORD-TECH BUSIN STOPEKA WORD-TECH BUSIN STORE WITH BUSIN STOR	RIVARD SALES CO SHAWNEE MI KS	BOOKE CLEAD ICE	SYRACUSE	
SHAWNEE MISSION SHAWNEE MI KS SHAWNEE PRESS, SHAWNEE MI KS SHEET PETAL SER SHAWNEE MI KS SHEET PETAL SER SHAWNEE MI KS SHEET PETAL SER SHAWNEE MI KS SHAWNEE MI KS TARGET SPECIALT SHAWNEE MI KS TARGET SPECIALT SHAWNEE MI KS TARGET SPECIALT THE DARLING LAV TRIANGLE SALES UNISYS CORPORAT VALERON CORPORAT SHAWNEE MI KS A & A CONCREF TOPEKA SHAWNEE MI KS A & A CONCREF TOPEKA KS A TO Z RENTAL TOPEKA KS A TO Z		BUC'S CLEHR ICE	CABULICE	
SHAWNEE PRESS, SHAWNEE MI KS SHET NETAL SER SHAWNEE MI KS SHET NETAL SER SHAWNEE MI KS TARGET SPECIALT THE DARLING LNV TRIANGLE SALES UNISYS CORPORAT VALERON CORPORA WHITEHOUSE GALL WORD-TECH BUSIN YOUNG RADIATOR HAMILTON OIL CD ROBERSON LUMBER TEXACO, INCORPO UNIONGAS EVANS RENTAL SOUTH HAVE KS SOUTH HOTC KS ADMINISTRATIVE TOPEKA KS ADVANCE ELECTRO TOPEKA KS ADVANCE FORD REGROULTURAL S ST GEORGE KS AMERICAN PRE-SO TOPEKA KS AMERICAN PRE	CHAUNEE MISSION SHAWNEE MI KS			171
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FLU-CON INCORPO 1	TOPEKA	KS	J.F. MCGIVERN, TOPEKA	K?
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GRAPHIC PROMOTI	TUDENA	KS	KANSAS INDUSTRI TOPEKA	K
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RIGHT COOPERATI WRIGHT



KANSAS INDEPENDENT OIL & GAS ASSOCIATION

105 SOUTH BROADWAY • SUITE 500 • WICHITA, KANSAS 67202 • (316) 263-7297

May 4, 1990

TO: Members of the Senate Assessment & Taxation Committee

RE: SB 807 - Sales Tax

Our industry pays a lot of sales tax. It's been estimated that our industry pays in excess of \$100 million in sales tax each year. Unlike some, our industry does not pass the sales tax along to the consumer.

Our industry has relied on the existing tax code for years. It provides for exemptions in the area of original construction and consumables. Just last year the legislature corrected an inequity arising from a court decision. The legislature declared explosives and drill bits as consumables and should be exempt from the tax. The Revenue Department suggested they be placed in the Code rather than be handled as they do under the consumable definition. Hence, SB 807 would dip into a segment of consumables that are exempt. (See (RR) p.14).

The issue of explosives and drill bits is a minor item today - I think less than \$200,000 in sales tax. But the decision last year was deliberate and correct and it seems silly today to undo this after considerable study and thought.

You may remember a Special Interim Committee two years ago reviewed and approved the Department's clarification of its interpretation of some 105 distinct oil and gas services that are subject to sales tax or are exempt. This all fell under the sales tax code of "new construction". (p.3, line 19).

The clarification was to distinguish those services tied to drilling of new wells as contrasted to old well which are taxed. If you eliminate the "new construction" exemption, you add \$4,000 - \$5,000 to the drilling of a new well in Kansas.

Just talking about doing this sends a bad message to investors and individuals attempting to raise risk capital in Kansas to drill oil and gas wells! (SB 690 and now SB 807). Kansas, Inc. has just completed a report on a study, performed by Arthur D. Little, Inc., making recommendations as to what can be done to restore the viability of the Kansas oil and gas industry, the second largest industry in Kansas, outside of agriculture.

The Kansas, Inc. study concludes the taxes on the oil and gas industry in Kansas are exceptionally high - particularly when you consider the nature of the production. Kansas is the number one stripper well state in the nation!

SENATE ASSESSMENT AND TAXATION COMMITTEE FRIDAY, MAY 4, 1990 ATTACHMENT 12

Senate Assessment & Taxation Committee RE: SB 807
May 4, 1990
Page -2-

The recommendations of the Kansas, Inc. study will hopefully be the subject of an interim study and, hopefully, the 1991 legislature will seriously consider tax reform and tax reductions, not tax increases.

SB 807 increases taxes on our industry and send a very bad message to potential investors that we rely upon. We oppose SB 807 as a solution to bringing about tax relief in Kansas.

Donald P. Schnacke Executive Vice President

DPS:pp

STATEMENT

By The

KANSAS MOTOR CARRIERS ASSOCIATION

Submitted to the Senate Assessment & Taxation Committee, Senator Dan Thiessen, Chairman; Statehouse, Topeka, Friday, May 5, 1990.

In opposition to Senate Bill 807 which would indiscriminately eliminate sales tax exemptions now authorized by law.

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

I am Mary E. Turkington, Executive Director of the Kansas Motor Carriers Association with offices in Topeka. I appear here today with Tom Whitaker, KMCA Governmental Relations Director; to strongly oppose the provisions of Senate Bill 807.

Our industry's opposition is based specifically on the elimination of subsection (f) of Section 2 of the bill but also questions the impact the proposed changes would have on the amount of sales tax dollars which are to be earmarked and utilized to fund the expanded Kansas highway program.

It should be obvious to all concerned, that a proposed revision in tax policy of this magnitude, has come extremely late in this session for reasoned consideration of the consequences of such action.

Perhaps the sponsors of this legislation will make clear at some future moment, the basis for the indiscriminate selection of those who would retain sales tax exemptions while other exemptions would be denied.

Subsection (f) of Section 2 or the proposed legislation has provided a sales tax exemption for:

"tangible personal property purchased by a railroad or public utility for consumption or movement directly and immediately in interstate commerce."

Initially adopted to offer a sales tax exemption for rolling stock equipment purchases by railroads, this exemption also includes the same sales tax exemption for over-the-road equipment and related parts and supplies used directly and immediately in interstate commerce by public common carriers in highway transportation.

Labor services purchased by motor carriers are \underline{not} exempt from Kansas sales tax.

The highway transportation industry pays a substantial "excise tax" on all power units and trailer equipment at the federal level. Currently, this federal excise tax is paid at the rate of 12% of the retail price for all such equipment having been assessed an increase in this federal tax in 1982 from 8% of the wholesale price on all such equipment purchases to 12% of the retail price of such equipment. Our industry is paying substantial taxes on these equipment purchases.

It should be pointed out that such equipment purchases of rolling stock used in interstate commerce are sales tax exempt in our surrounding states. Colorado, Nebraska, Iowa, Missouri and Oklahoma all join Kansas in offering this sales tax exemption on such rolling stock. Oklahoma does require a \$10 tax on the purchase of any new truck with a combined laden weight of 54,001 pounds or more and on any trailer designed to carry cargo over highways of that state.

Without reviewing the litany of registration, fuel, excise tax on tires, Federal Heavy Vehicle Use Tax, Federal excise tax on new equipment -- and substantial ad valorem taxes paid by both Kansas and out-of-state vehicles -- let me assure the members of this committee that the Kansas trucking industry does not need any further SHIFT of tax responsibilities on our resources.

We want to be able to continue to make equipment purchases of rolling stock and related supplies from Kansas firms. We want our Kansas-based interstate carriers to continue to do business from Kansas communities and not be penalized for it.

We are, for the most part, a large component of that Kansas small business commercial property taxpayer group whom I thought you were trying to help.

We also truly are concerned with the consequences of the sales tax dollars so urgently needed to fund the highway program approved only this past year. Senate Bill 807 as proposed, creates any number of questions for which we cannot see clear answers. We honestly believe its introduction raises false expectations of a "revenue stream" which will need to be appropriately addressed by this Legislature for general fund revenues in 1991.

For these reasons, Mr. Chairman and Members of the Committee, we strongly oppose the provisions of Senate Bill 807.

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THE KANSAS CONTRACTORS ASSOCIATION, INC.



HOWARD SHERWOOD, President Wichita, Kansas

STAN SCUDDER, Vice President Newton, Kansas

CHARLES STRYKER, Treasurer Topeka, Kansas

STAFF

GLENN R. COULTER, Manager DANIEL W. RAMLOW, Assistant Manager EDWARD R. DESOIGNIE, Public Affairs Director CRIS MILLARD, Office Manager CARRIE KRUSOR, Bulletin Editor



316 S.W. 33RD ST. P.O. BOX 5061 TOPEKA, KANSAS 66605 PHONE (913) 266-4152 FAX (913) 266-6191

TESTIMONY

BY THE

KANSAS CONTRACTORS ASSOCIATION
Before the Senate Taxation Committee
Regarding Senate Bill 807
May 4, 1990

DIRECTORS

DICK BROWN
Salina, Kansas
W. CHARLES GAGNON
Salina, Kansas
R. H. KISTNER
Marysville, Kansas
BILL KLAVER, JR.
Kingman, Kansas
DON POPEJOY
Ulysses, Kansas
TOM RITCHIE
Wichita, Kansas
ORVILLE SPRAY, JR.
Great Bend, Kansas
WAYNE VAN METER
Kansas City, Missouri
ROBERT WALSHIRE
Topeka, Kansas

My name is Ed DeSoignie. I am the Public Affairs Director of the Kansas Contractors Association. Thank you for the opportunity to appear before you to provide some brief comments on Senate Bill 807.

I appear before you this morning to express the Association's concerns with Senate Bill 807. After reviewing this bill, it is our belief that enactment of Senate Bill 807 into law would produce significant disruptions in all sectors of the construction industry for many years to come. We base these observations on two significant policy changes made by the bill:

Taxing Construction Services. Presently, construction services on original construction are not subject to tax. The exclusion appears in K.S.A. 79-3603(p). Senate Bill 807 strikes these provisions. The impact of this policy change would be to increase construction costs for public and private buildings and facilities leading we believe, to a slow down of construction activity throughout the state. We further believe that a policy of taxing construction services will increase construction costs of highway projects under the Comprehensive Highway Program enacted last session. Similar effects would also be felt by cities and counties on their public projects as well as private individuals constructing homes and business facilities. Please bear in mind that one of the indicies used to measure economic health is construction starts, i.e. new construction permits issued by governmental entities.

Should the Committee elect to recommend Senate Bill 807 to the Senate we would respectfully request restoration of the striken language in K.S.A. 79-3603 (p). If the stiken language is retained we would request inclusion of the attached amendment (see Exhibit 1) which would "grandfather" existing construction contracts. This amendment would at least ensure that existing construction contracts would not be disrupted by unforseen costs arising from a policy change to tax construction services on original construction.

SENATE ASSESSMENT AND TAXATION COMMITTEE FRIDAY, MAY 4, 1990 ATTACHMENT 14

TESTIMONY
Senate Taxation Committee
May 4, 1990
Page Two

Materials and Services Used to Construct Schools, Hospitals, etc.
K.S.A. 79-3606 (d) provides for an exemption from taxation for construction materials and services purchased by a contractor used exclusively to construct, reconstruct, repair, etc. hospitals, schools and educational institutions. The statute allows the project owner to provide the contractor with an exemption certificate, issued by the State, to make materials purchases. Contractors are required to retain invoices of such purchases for 5 years thereafter. Senate Bill 807 removes these provisions. Many of the previous observations are also applicable to this proposed policy change, primarily that taxation of materials and services used in these projects will drive up costs to school districts, hospitals, and universities.

We would request restoration of the striken language. Should the Committee retain the striken language, we would request inclusion of new language (see Exhibit 2) to protect existing contracts by "grandfathering"

provisions.

Thank you for the opportunity to provide these comments. This concludes my prepared remarks.

EXHIBIT ONE

Amend K.S.A. 79-3603(p) to read:

"If any contractor has entered into a written binding contract prior to September 15, 1990 for the original construction of a building or facility or the construction reconstruction, restoration, replacement or repair of a bridge or highway, the service of installing or applying tangible personal property in connection with such original contruction or reconstruction, restoration, replacement or repair shall be exempt from the tax imposed by this act, but this provision shall not apply unless the contractor shall give notice and proof to the director of taxation on or before October 12, 1990, in such form and of sufficiency as the director of taxation shall prescribe;

EXHIBIT TWO

Amend K.S.A. 79-3606(d) to read:

"If any contractor has entered into a written binding contract prior to September 15, 1990 for the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling of facilities for any public or private nonprofit hospital, public or private elementary or secondary school or a public or private nonprofit educational institution previously exempted from the tax imposed by this act, such contract for constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing, or remodeling shall be exempt from the tax imposed by this act, but this provision shall not apply unless the contractor shall give notice and proof to the director of taxation on or before October 12, 1990, in such form and of sufficiency as the director of taxation shall prescribe;

TESTIMONY ON SB 807 MAY 4, 1990 BERNIE KOCH WICHITA AREA CHAMBER OF COMMERCE

Mr. Chairman, members of the committee. I'm Bernie Koch with the Wichita Area Chamber of Commerce. Thank you for the opportunity to comment on Senate Bill 807.

To be brief, we do not support removal of the sales tax exemption for machinery and equipment. We believe it's been a strong incentive for Kansas manufacturers, particularly those in the Sedgwick County area, to purchase modern equipment which makes them more competitive.

This exemption helps retain present jobs and create new ones and we urge that it not be repealed.

Thank you for the opportunity to comment.



Association for Small Business

532 No. Broadway Wichita, KS 67214 316 267-9984

SENATE TAXATION COMMITTEE

May 4, 1990

RE: SB 807 - Broadening the Tax Base Through the Elimination of Sales Tax Exemptions

I am Mary Ellen Conlee representing the Kansas Association for Small Business. Our members are the owners and managers of approximately 200 manufacturing or manufacturing-related businesses. The Kansas Association for Small Business opposes the reimposition of the sales tax on machinery and equipment both in general and within the enterprise zone statutes.

I have explained to the Kansas Association for Small Business membership that many in the legislature believe that an exemption of sales or property tax for machinery and equipment is a "big business, special interest exemption." The men and women I represent have a hard time believing that. Many of them began their businesses in their garages. Some of those businesses now employ 50 or 100 people. Others are run by "Mom and Pop" a couple of sons, a couple of daughters and two or three other employees. They are living the American dream. They are building a business to pass on to their children.

These businesses may be different from a grocery store, a restaurant, a bowling alley or a day care center because as they grow they must compete nationally for business. In addition they are machinery intensive, with the machinery and equipment component generally valued 4 or 5 times higher than the land and building. The cost of doing business in Kansas impacts the competitiveness of their bids for work.

In spite of this difference there are a lot of similarities. The owners have invested their life's savings. They have signed their name on loans to purchase equipment and to provide working capital.

In 1988 when one of these men or women invested \$100,000 in new machinery and equipment their tax bill was 300% higher than their tax bill would have been if they invested \$100,000 in a commercial building. When reappraisal and classification passed the legislature, these men and women believed that the state of Kansas took a step toward supporting the expansion of manufacturing in Kansas. They were looking for a level playing field with businesses from other states with whom they must compete. In the 1980's the Kansas Legislature provided that competitive arena. You did your part. They did theirs.

Together We Can Make A Difference.

SENATE ASSESSMENT AND TAXATION COMMITTEE FRIDAY, MAY 4, 1990 ATTACHMENT 16

When the state exempted sales taxes on machinery and equipment they saw still another sign of support. Now as they read in the newspaper that many feel these tax changes were unfair benefits for the wealthy, they don't understand. They question the wisdom of their investments.

The economic development tax changes that were enacted by previous Kansas legislatures gave men and women in small manufacturing businesses a sense of confidence that Kansas wanted a strong and expanding industrial base. They made investments based on that confidence. Proposed changes in that development strategy that say, "tax machinery and equipment at the highest rates," direct business growth elsewhere.

A strong Boeing, Beech, Cessna, Learjet and now Piaggio; a strong Case Manufacturing, IFR and Chance Manufacturing mean work for several hundred of these small subcontract manufacturers in Kansas. This is what we understood economic development to be all about. Jobs with good wages. People with purchasing power to support the Main Street businesses.

Thank you.

SENATE ASSESSMENT AND TAXATION COMMITTEE MAY 4, 1990

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

MY NAME IS JANET STUBBS, EXECUTIVE DIRECTOR OF THE HOME BUILDERS ASSOCIATION OF KANSAS.

ONCE AGAIN WE APPEAR IN OPPOSITION TO REMOVING THE SALES TAX EXEMPTION FOR NEW CONSTRUCTION LABOR AS CONTAINED IN SB 807. AS WE STATED IN OUR PREVIOUS APPEARANCE ON THIS ISSUE, APPROXIMATELY 40% OF THE COST OF CONSTRUCTING A RESIDENTIAL STRUCTURE OF \$60,000 TO \$70,000 IS LABOR AND CURRENTLY EXEMPT FROM SALES TAX. TO ADD ANOTHER \$1,120 WOULD HAVE A DEPARTMENTAL EFFECT ON THE ABILITY OF PROSPECTIVE PURCHASERS TO QUALIFY FOR A LOAN.

ALTHOUGH \$1,120 DOES NOT SOUND LIKE A LARGE SUM OF MONEY, I CAN ASSURE YOU IT WILL CAUSE SOME PEOPLE NOT TO QUALIFY. IN ADDITION, THE ADDITIONAL SALES TAX WILL INCREASE THE AMOUNT OF MORTGAGE REGISTRATION TAX, ETC.

IT WOULD APPEAR THERE ARE UNANSWERED QUESTIONS WHICH WOULD BE SETTLED THROUGH RULES AND REGS. FOR EXAMPLE, WOULD THE BUILDER BE CHARGED ON JUST MATERIAL AND LABOR ONLY OR WOULD IT BE ON THE SALE PRICE OF THE HOME WHICH WOULD INCLUDE OVERHEAD AND PROFIT AND THE COST OF THE LOT. IN THE LATTER SITUATION, EVEN THOUGH SALES TAX ON THE COMMISSION OF REAL ESTATE AGENTS IS NOT INCLUDED IN THIS PROPOSAL, IF TAX IS CHARGED ON THE SALE PRICE OF THE HOME IT WOULD INCLUDE THIS ITEM PLUS LANDSCAPING AND LAND.

MEMBERS OF THE COMMITTEE, TO ADD TO THE COST OF HOUSING IN ORDER TO REDUCE REAL PROPERTY TAXES SEEMS CONTRADICTORY TO THE LEGISLATIVE ACTION TAKEN EARLIER THIS SESSION DUE TO THE EXPRESSED CONCERN FOR AFFORDABLE HOUSING FOR ALL KANSAS CITIZENS.

WE URGE YOU TO OPPOSE REMOVING THE SALES TAX EXEMPTION ON NEW CONSTRUCTION LABOR.

SENATE ASSESSMENT AND TAXATION COMMITTEE FRIDAY, MAY 4, 1990 ATTACHMENT 17

T.L.GREEN Attorney at Law

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May 4, 1990

Senator Dan Thiessen Chairman, Senate Tax Committee Statehouse Topeka, Kansas 66612

Re: Senate Bill 807

Dear Senator Thiessen:

I am the general counsel for the Mid States Port Authority. I have held that position since 1981. It is my understanding that the Senate is once again looking at the sales tax exemptions contained in K.S.A. 79-3006. Section (bb) of that statute relates to Mid States. Mid States is the only port authority which this section applies to.

Since its acquisition of part of the old Rock Island railroad, Mid States has only used the exemption contained in (bb) once. That occasion in conjunction \$13,000,000 was with а rehabilitation project commenced acquisition. upon exemption saved Mid States approximately \$350,000, which was used to further improve the property to guarantee continued rail service in northwest and northcentral Kansas. The sales tax exemption on this project allowed the authority to install approximately 15,000 additional ties. Or assuring continued rail service on 20 miles of railroad.

As was disclosed at the committee meeting concerning SB 794 the elimination of this particular exemption would have no immediate fiscal impact. Mid State's long range plans are to do certain rehabilitation work on the railroad to insure that the operating carrier can continue to provide economical rail service to northwest and northcentral Kansas into the next century.

Mid States encourages your committee to preserve section (bb) in 3606 for the future economic benefit of northwest and northcentral Kansas.

If I can be of further assistance on this matter, please advise.

Sincerely,

T.L. Green

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Ronald R. Hein William F. Ebert 4 90 5-4-90

SENATE ASSESSMENT AND TAXATION COMMITTEE TESTIMONY RE: SB 807

PRESENTED BY RONALD R. HEIN ON BEHALF OF AMERICAN ADVERTISING FEDERATION AND

AMERICAN ASSOCIATION OF ADVERTISING AGENCIES May 4, 1990

Mr. Chairman, members of the committee:

My name is Ron Hein, and I am legislative counsel for the American Advertising Federation (AAF) and the American Association of Advertising Agencies (AAAA), composed of individuals and businesses engaged in the advertising agency industry.

I appear today on behalf of the AAF and AAAA to share our thoughts on SB 807.

We oppose SB 807 to the extent that it makes the professional services conducted by advertising agencies subject to the sales tax. Historically the sales tax has been a tax imposed on the consumer and collected by the retailer. The tax is not intended to be a tax upon the business that collects the tax, but is to be a tax which is passed on to the consumer.

With regards to most purchases of tangible personal property or with regards to certain services where the location of the service is crucial, the tax is passed on as it is intended to be.

However, when this "consumer tax" is placed upon advertising agencies for professional services, the consequences are exceedingly different. Advertising is a highly mobile industry, and is very innerstate in character. In addition, contracts are oftentimes for relatively large amounts of money. Therefore, a 5% tax, which increases the cost to the so-called consumer, in this case a business which is paying for the advertising services, the sales tax will serve as a disincentive to do business in this state.

When you tax a plumbing service performed at a home, the tax is passed on to the consumer, and the consumer has no option as to where the repair is going to occur. It will occur at the consumer's home. He cannot go "out of state" to avoid the tax. With taxes on advertising agencies and their professional services, a business which is going to absorb that additional 5% cost for advertising services can easily cross over the border to have the services performed by somebody not subject to the tax. The result will be lost income taxes, lost property taxes, and lost economic development for the state of (SENATE) Kansas.

FRIDAY, MAY 4, 1990 ATTACHMENT 19

We understand that SB 807 does provide for deletion of language specifically exempting advertising servcies. That language was inserted by the Legislature in a previous year when the Department of Revenue alleged that advertising agency professional services were subject to the retailers' sales tax act. Previously, it had been the interpretation of the Department, and we believe the intent of the Legislature, that such professional services were not covered by the retail sales tax act under the current language. However, in order to send a message to the Department of Revenue, and to make legislative intent clear, the Legislature enacted the exemption at Subsection (pp).

We are prefectly content to have that language stricken, because it is not necessary. The Department of Revenue takes the position that the general retail sales tax act as currently worded does not allow the taxation of advertising agency services. DOR testifed to that effect to the House Taxation Subcommittee studying HB 2858. Thus, deleting that provision will only have the effect of deleting unnecessary language and will not, in the opinion of the DOR, make any change in current tax policy. Reps. Aylward and Wagnon, I believe, can confirm the Department's statement to that effect.

If there is any doubt at all, we would ask that the exemption be left in so that this Department of Revenue or any future Department of Revenue will not interpret the action by this committee, if SB 807 should pass, as legislative intent that advertising agencies should be taxable by virtue of the deletion of the exemption.

Thank you very much for permitting me to testify today.

TESTIMONY

Before the S ite Committee on Assessmer and Taxation May 4, 1990

Ву

Harriet J. Lange, Executive Director Kansas Association of Broadcasters

RE: SB 807

Mr. Chairman, Members of the Committee, I am Harriet Lange, executive director of the Kansas Association of Broadcasters (KAB). The KAB represents a membership of 120 radio stations and 20 television stations in Kansas.

We appreciate the opportunity to appear before you to present our concerns with SB 807.

Our interest in SB 807 relates to the proposed removal of the exemption language found in K.S.A. 79-3606 (pp) concerning the services provided by advertising agencies and broadcast stations.

That language was added in 1988, in response to a Department of Revenue regulation that would have assessed a sales tax on advertising agency services and on the production of broadcast commercials. The language was needed to maintain the status quo and was revenue neutral, in that these services had never been taxed in the past, and for good reason.

Broadcast stations do pay sales tax on all of their equipment and supplies that are used to broadcast and in the production of commercials.

Tax measures, such as SB 807, which raise the cost of advertising will hurt our economy. Every dollar spent on advertising generates significantly more than a dollar in sales. If ad budgets decrease in proportion to the tax, the end result will be less advertising, therefore fewer sales. An advertising services tax is counter-productive; and because it impedes advertising, it also will result in decreasing the flow of information to consumers.

Such a tax would place Kansas businesses which provide advertising services at a competitive disadvantage with their competitors in other states; and it would send a negative message about our business climate to firms considering Kansas. Advertising is a cost of doing business which is reflected in the retail price of a product and on which a sales tax is SENATE ASSESSMENT AND TAXATION COMMITTEE

co__cted. And an ad services tax would place a disproportionate burden on small and emerging firms, many of which operate with a marginal profit or at a loss, and whose advertising comprises a larger portion of their total operating budget.

The advertising process is complex. It many times includes interstate activities and numerous entities. The most talented of Department of Revenue personnel would have difficulty in determining who pays how much on what transactions, not to mention the burden it would place on small businesses in making the same determination.

To summarize, a tax on advertising services would be counter-productive; it would pose administrative problems because of the complexity of the advertising process; and it could do economic harm to the state and its businesses.

Attached are letters from two of our members located on the Kansas-Missouri line, about their concerns should their services become taxable.

Thank you for your consideration.



P.O. 80x 5555 KANSAS CITY, MISSOURI 64109 0155 919/677-5555 FAX 19131 677 7284

JOHN C. ROSE Vice President & Ceneral Manager

February 23, 1990

Ms. Harriet J. Lange Executive Director Kansas Association of Broadcasters 818 Merchants National Bank Topeka, Kansas 66612

Dear Harriet:

I understand that there is talk of introducing a Senate bill (I believe S.B. 656) which would put a tax of 4.25% on the sale of advertising time and production. I hope you are doing everything possible to keep this from getting off of the ground as it would be a disaster for us.

We compete with four other commercial television stations in the greater Kansas City marketing area and such a tax would give them a four and a quarter percent advantage over us. All of this simply because we are located several blocks on the Kansas side of the state line.

As you may recall, Kansas City, Missouri was very unhappy when our station moved over to the Kansas side leaving our transmitter and tower on the Missouri side but bringing our one hundred twenty plus employees to Kansas. At times this is still an issue and a problem for us. We certainly don't want any more penalties or problems associated with a Kansas location and frankly, a tax of that magnitude would provide an incentive to move back.

We certainly have no desire to do that but I want you to fully understand the magnitude of the problem that this tax could cause for us. Kansas City has not been a good advertising market for several years and this would significantly hurt our station.

Sincerely, John Rose

John C. Rose

JCR:gr

cc: File





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February 26, 1990

Ms. Harriet Lange Executive Director Kansas Association of Broadcasters 818 Merchants National Bank Topeka, Kansas 66612

Dear Harriet:

I am very concerned regarding the proposed taxation of time sales as well as production by the State of Kansas.

As you are aware we are located on the state line and compete against two stations located in Missouri. Any tax on my service would result in my being placed in a position of competitive disadvantage relative to these Missouri stations. Anticipated revenue shortfalls from this disadvantage would in the short term necessitate cut backs in the service we now provide Southeast Kansas and in the long term would most likely lead to our moving our company from Kansas to Missouri to seek remedy from this unlevel competitive environment.

Harriet, approximately 70% of our total local billing originates out of Missouri, as Joplin is the retail trade center for this market. There is simply no way we could effectively compete if we were required to collect Kansas sales tax in Missouri. Therefore, we strongly oppose, as a matter of survival, the imposition of any tax on our services.

Best regards,

Donald J. Hicks General Manager

Donaed//fick

DJH:ss

TESTIMONY OF THE KANSAS MOTOR CAR DEALERS ASSOCIATION

BEFORE THE

SENATE COMMITTEE ON ASSESSMENT AND TAXATION

Re: Senate Bill 807 - Sales tax exemptions

MR. CHAIRMAN and members of the committee, I appear before you today to advise you of the concerns the Kansas Motor Car Dealers Association regarding the proposed elimination of certain sales tax exemptions historically secured for those selling automobiles and trucks. Due to the restrictions on time I will outline our concerns and highlight the rationale behind those concerns.

Those exemptions targeted for elimination which would detrimentally affect our members, particularly those selling heavy duty trucks and tractors, follow.

- (A) Motor vehicles or trailers exchanged for stock (79-3603(o)).
 - (1) This would tax equal value exchanges of inventory where no actual sale or barter is taking place.
 - (2) Vehicle dealers often exchange a vehicle they can't sell in their market area for one another dealer in another area has in stock and can't sell or is otherwise agreeable in exchanging.
 - (3) This drives up the cost to the ultimate consumer and could drive the buyer elsewhere, particularly in border areas such as the Kansas City metro area and southeast Kansas.
- *(B) Property purchased by railroad or public utility for use or movement in interstate commerce. (79-3606(f))
 - (1) Eliminates the ability of Kansas truck dealers to compete nationwide, especially in fleet sales, due to:
 - (a) double taxation possible in the buyer's home state and state of use;
 - (b) could trigger other state's retaliatory sales and compensating use tax measures;
 - (c) fleet sales will become more expensive for railroads and utilities to purchase in Kansas which will cause out of state companies, especially interstate trucking firms, to shop elsewhere;
 - (d) Kansas dealers will not be able to underbid competing firms who do not have to allow for tax in these instances;
 - (e) term 'utility" and 'railroad' does include regulated interstate trucking companies by virtue of the nature of such trucking businesses or, in the case of railroads, trucking enterprises

 SENATE ASSESSMENT AND TAXATION COMMITTEE

operated in the normal course of business. It also includes their company vehicles as that term is normally understood.

(2) Eliminating this exemption while retaining like protections for others is violative of the Equal Protection Clause of the U.S. Constitution when the sole motivation is revenue shopping.

(3) The fiscal impact of this measure is actually illusory in that revenue can't be expected to increase when the sales are reduced or eliminated due some of the concerns noted above.

(C) Trade fixtures and equipment already installed in business when sold. (79-3606(p))

(1) Essentially requires taxation of business sold, eg., due to insolvency retirement, or other reason;

- (2) Increases tax load on such sale due to possible state and federal income tax treatment of such sales;
- (3) We don't tax similar fixtures in any other type of sale for sales tax purposes on real property;

(4) Character of such items as part of real property;

(5) Other problems:

(a) How do you value such fixtures?

- (b) How do you figure the allocation of the purchase price between the building, real estate, good will and other considerations which may have variable value and impact?
- (D) Advertising and broadcast services (79-3606(pp)).

(1) Heaps on one more tax to the cost of doing business.

(2) Effects affordability of such services in business climate where such entities may already be struggling to remain in business and deters the use of such services.

This concludes the highlights of our objections to eliminating exemptions of the nature outlined above. Keep in mind that many of the exemptions facilitate the creation of other jobs and income which in turn generates revenue and fisccal health for the state. I would be happy to answer any questions you may have of me.

KANSAS NOTOR CAR DEALERS ASSOCIATION

By: JAT FARMES 21-2

400 CROIX / P.O. BOX 5654 / TOPEKA, KANSAS 66605-0654 / 913-267-6460

FOUNDED OCTOBER 17, 1932

Testimony on SB 807

Prepared for the

Senate Committee on Assessment and Taxation

Ъу

T. C. Anderson

Executive Director

Kansas Society of CPAs

May 4, 1990

SENATE ASSESSMENT AND TAXATION COMMITTEE FRIDAY, MAY 4, 1990 ATTACHMENT 22

I appreciate the opportunity to appear before you today to address that portion of SB 807 which would impose a tax on the gross receipts received from the rendering or furnishing of services at retail in the state by certified public accountants. In particular we are concerned with the language which would impose the tax on accounting, auditing and bookkeeping

When Steven Gold of NCSL addressed an interim Kansas Tax Committee in 1987 he reported 45 states have a sales tax and that about half imposed the levy on some services. In 1987 only five states — Hawaii, Delaware, South Dakota, New Mexico and Florida taxed professional services.

My latest count indicates 46 states now have a sales tax and of those 43 now impose the levy on some services. In 1990 only four states - Hawaii, Delaware, South Dakota and New Mexico - tax professional services.

Hawaii, Delaware and New Mexico implemented their broad-based sales tax legislation in the 1930's. South Dakota implemented its in 1968. Of course, Florida both implemented and repealed its tax on services in 1987.

While state legislatures across the nation have studied and continue to study expanding their services tax, they continue to stop short of taxing professional services. And with good reason.

The major purchasers of professional services are other businesses.

Generally, small and emerging businesses must purchase professional services that larger business provide internally. These include accounting, tax, legal, pension planning and management and consulting services.

Mr. Chairman, Members of the Committee:

On behalf of the Kansas Lottery, I appear in opposition to SB807.

Under the contract with the Multi-State Lottery Association, the price of the Lotto*America ticket must be \$1.00 (one dollar) including all applicable state and local taxes.

Further, 45 per cent of the sale price (45 cents) is allocated to the "prize fund."

Should a 5 per cent sales tax be levied on

Lotto*America tickets, the actual sale price of the ticket

would effectively be 95 cents. The calculations of the

distribution of this 95 cents would be as follows:

Lotto*America:

Prize fund 45% of 95 cents = (This is less than contract provides - would cause Kansas to dip into operating funds to cover 2.25 cents needed to con- tribute 45 cents to prize fund as all other lotteries.)	42.750	cents
State share 30% of 95 cents =	28.500	cents
Retailer commission 5% of 95 cents =	4.750	cents
<pre>Vendor commission 6.7% of 95 cents = (less than contract provides)</pre>	6.365	cents
Sales Tax	5.000	cents
This totals	87.365	cents

If, however, the contractual portions are adhered to, the total distribution would amount to 91.7 cents, leaving just 8.3 cents for Lottery operations.

Based on \$21,000,000 in Lotto*America sales, 8.3 cents = \$1,743,000 for Lottery operations. Without sales tax \$21,000,000 X 13.3% = \$2,793,000. The sales tax would reduce Lottery operating funds by \$1,050,000.

Sales impact for other games: Adding the 5 cent tax to the dollar would result in a price of \$1.05 for Kansas Lotto and instant tickets. In addition, in those municipalities and counties where additional fractional taxes are levied, the price would be \$1.06 for a lottery ticket. This raises the legal questions of discriminatory pricing, i.e., \$1.00 (including sales tax for Lotto*America) - \$1.05 for all other tickets across the state where no additional local tax applies and \$1.06 where a local tax applies.

Experience in the Saskatchewan, Canada, Lottery, resulted in a 13% drop in sales in four-and-a-half months last year when a tax was imposed on lottery tickets. The tax was repealed because it resulted in a net loss to the province. (See attached memo from Saskatchewan Lottery.)

May 2, 1990

MEMO TO:

SAM GIAIMO

G TECH CORPORATION

TOPEKA KANSAS

FROM:

PAUL BARNBY

SASKATCHEWAN LOTTERIES

RE:

HOSPITAL TAX - TAX ON LOTTERIES

On July 1, 1989, the Government of Saskatchewan implemented a 10% tax on Lotteries to raise additional monies for hospitals in the Province of Saskatchewan.

This was not a popular tax with the purchasing public or the lottery retailers and was subsequently withdrawn on November 17, 1989.

During the time the tax was in place, sales at some locations were down as much as 35%. The fiscal year for Saskatchewan Lotteries runs from April 1st to March 31st. For fiscal 1988/89 sales in Saskatchewan totalled \$107 million. For fiscal 1989/90 with the tax on for 4 1/2 months sales totalled approximately \$92 million, a drop of approximately 13%. Profit lost on these sales amounted to about (\$15 million x .35%) \$5.25 million. The government collected approximately \$2.9 million while the tax was on.

Sales after the tax was removed have recovered somewhat but are still considerably down from revenues achieved in the past. Current forecasts for fiscal 1990/91 are \$95.7 million. It would appear it will take several years to restore consumers purchasing habits to the levels achieved in fiscal 1989/90.

By way of comparison, Saskatchewan is in partnership with two neighbouring provinces, Manitoba and Alberta. Neither one of these provinces imposed the 10% tax on their Lottery operations. All three provinces offer the same line-up of lottery games and utilize a common advertising program. This is done through the Western Canada Lottery Corporation. Sales in Manitoba and Albert were virtually the same as fiscal 1988/89, while Saskatchewan was down 13%.

If you need further information give me a call.