# 2020 STATEMENT OF MUNICIPAL POLICY

THE LEAGUE OF KANSAS MUNICIPALITIES

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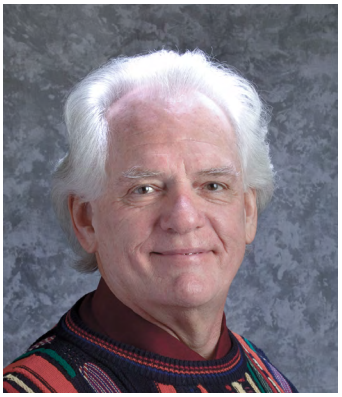
## Mission Statement

*The mission of the League shall be to strengthen and advocate for the interests of the cities of Kansas to advance the general welfare and promote the quality of life of the people who live within our cities.*

# Governing Body



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## Executive Director
Erik Sartorius

# About the League

## *Supporting Kansas Cities*

The League of Kansas Municipalities is a membership association that advocates on behalf of cities, offers training and guidance to city appointed and elected officials, and has a clear purpose of strengthening Kansas communities. Since 1910, the League has been a resource for cities across Kansas and has acted as a body to share ideas, facilitate communication between members and provide information on best practices in city operations.

# LEGISLATIVE PRIORITIES

The prosperity of the State of Kansas is absolutely dependent upon the prosperity of our cities. Over 82% of Kansans live in an incorporated city. In an effort to promote healthy and sustainable communities, the elected and appointed city officials of Kansas hereby establish the following as our legislative priorities for 2020:

**Home Rule.** Consistent with the Home Rule Amendment of the Kansas Constitution approved by voters in 1960, we support local elected officials making decisions for their communities, particularly local tax and revenue decisions.

**Tax Lid Repeal.** We support repeal of the property tax lid.

**Internet Sales Tax Collections.** The inability of governments to collect local option sales or compensating use tax on remote sales continues to erode a viable and fair revenue source. The League supports state legislation establishing a program to help the state collect state and local sales and compensating use taxes due from in-state purchasers. Remitted taxes should be distributed using existing methods/formulas for the state and local governments.

**Property Valuation.** We support appraisals based on fair-market value as historically used in Kansas. We oppose caps in property valuations as unconstitutional and inequitable.

**Budget Timeline.** The current statutory framework for the adoption of municipal budgets makes it difficult for cities to plan for budgets that must be presented to governing bodies five months before the start of the fiscal year. We support legislation to allow the adoption of city budgets by November 30 but keep the August 25 deadline for certification of the amount of ad valorem tax revenue needed.

**EMS/Hospital Funding.** Municipal hospitals and emergency medical services (EMS) are challenged in meeting their communities' needs. We support the expansion of Medicaid in Kansas to allow such entities access to federal funding, helping cities maintain and provide critical services for their citizens.

**Mental Health.** We support allocating additional resources for mental health programs. Funds should be allocated for community mental health centers and additional bed space for patients with mental health issues.

# FINANCE & TAXATION

An adequate source of revenue is necessary to fund the essential services of city government. Each city is unique in both services provided and the ability to pay for such services; maximum flexibility should be granted to local governing bodies to determine the amount and source of funding for city services.

**Tax/Spending Lid.** Local spending and taxing decisions are best left to the local officials representing the citizens that elected them. We strongly oppose any state-imposed limits on the taxing and spending authority of cities and support repeal of the property tax lid.

**Tax Lid.** We support repeal of the tax lid. If repeal of the tax lid does not occur, the cost of elections and timing of the budget approval process, in coordination with such an election, make the tax lid unfeasible. We support removing the election process under the tax lid and replacing with a protest petition. We support additional exemptions to make the law more workable.

**Property Valuation.** We support appraisals based on fair-market value as historically used in Kansas. We oppose caps in property valuations as unconstitutional and inequitable.

**Internet Sales Tax Collections.** The inability of governments to collect local option sales or compensating use tax on remote sales continues to erode a viable and fair revenue source. The League supports state legislation establishing a program to help the state collect state and local sales and compensating use taxes due from in-state purchasers. Remitted taxes should be distributed using existing methods/formulas for the state and local governments. The League further supports the adoption of the safe harbor provisions as used by South Dakota to ensure constitutional compliance with the recent U.S. Supreme Court decision in South *Dakota v. Wayfair, Inc et al.*, 138 S. Ct. 2080 (2018) in order to bring tax fairness to Kansas brick-and-mortar businesses.

**EMS/Hospital Funding.** Municipal hospitals and emergency medical services (EMS) are challenged in meeting their communities' needs. We support the expansion of Medicaid in Kansas to allow such entities access to federal funding, helping cities maintain and provide critical services for their citizens.

**Tax Policy.** The League supports the long-established philosophy of balancing revenue from income, sales, and property taxes to assure the fiscal ability of the state and local governments to provide the services citizens want and need. Changes to tax policies should not be undertaken without a full understanding of the overall impact upon all taxpayers, taxing entities, and the sources and amounts of tax revenues to be generated or eliminated by such policy changes.

**Budget Timeline.** The current statutory framework for the adoption of municipal budgets makes it difficult for cities to plan for budgets that must be presented to governing bodies five months before the start of the fiscal year. We support legislation to allow the adoption of City budgets by November 30 but keep the August 25 deadline for certification of the amount of ad valorem tax revenue needed.

**Finance Policies.** Cities should be allowed to set financial policies in-line with bond rating requirements and other generally accepted best practices for municipal management.

**Property Tax Exemptions.** We support a broad tax base and believe the existing property tax base should be protected. We

encourage the Kansas Legislature to resist any proposal to further exempt any specific property classification from taxation, including industry-specific exemptions. We support the current statutory definition of machinery and equipment and the exemption should not be expanded. The Kansas Legislature should actively review existing exemptions to determine if they should continue or be repealed.

**Sales Tax Exemptions.** Given the current and future budget challenges facing state and local governments, we oppose the continued erosion of the state and local sales tax base by the passage of new exemptions. The Kansas Legislature should actively review existing exemptions to determine if they should continue or be repealed. We support the continuation of sales tax exemptions for municipal services.

**Sales Tax Holiday.** Should the state establish any sales tax holidays, the law should allow an opt-in for local governments.

**Sales Tax on Digital Goods.** In order to ensure a fair playing field between brick and mortar businesses and online businesses, sales tax should be levied on digital good transactions including print, audio, video, software, games, and streaming services that provide those digital goods.

**Unfunded Mandates.** We oppose unfunded mandates. If the state or federal governments seek to promote particular policy objectives, such mandates should be accompanied by an appropriate level of funding.

**LAVTR.** The Kansas Legislature, as required by Kansas statutes, should help to relieve the burden on property taxpayers by funding the Local Ad Valorem Tax Reduction (LAVTR) program. This should include keeping the promises made with reference to the machinery and equipment mitigation legislation, future gaming revenues, and the existing statutory formula.

**City and County Revenue Sharing.** The Kansas Legislature should fund existing city and county revenue sharing programs as required by Kansas statutes.

**Alternative Revenue Sources.** Cities should be authorized to approve alternative revenue sources in order to maintain appropriate levels of funding for the health, safety, and welfare of our citizens.

**Telecommunications Taxes.** We support cities' continued ability to impose and collect taxes and fees on telecommunications providers.

**Local Sales Taxes.** We support the existing statutory authority for all cities to impose local sales taxes and seat taxes and the existing statutory distribution for all sales taxes.

**Banking and Investment Restrictions.** We support maximum banking and investment choices for local government. At a minimum, all cities, counties, and school districts should have the same banking and investment authority the state has granted to itself.

**Federal Loan Programs.** We support changes to allow local governments to participate directly in federal loan programs.

**Tax Credits.** We support the continued availability of tax credits as a tool for economic development.

**Summary Publication of Resolutions.** We support legislation allowing cities to publish a summary of a resolution, with the full text of any resolution posted on the city's official website, in lieu of publication of the full resolution.

**Taxes Paid Under Protest.** Due to the effect that taxes paid under protest can have on cities, the state and the county where the city is located should be required to notify cities when taxes, including compensating use and ad valorem taxes, are paid under protest so that cities have accurate data when making budgetary decisions.

**Expanded Gaming.** If the Kansas Legislature authorizes expanded gaming, cities should receive funds to offset the impact, similar to agreements for other gaming that occurs in Kansas.

# PUBLIC SAFETY

Cities play a critical role in the protection of the health and safety of the citizens of Kansas. Because mandated programs are costlier and less efficient, government at all levels should cooperate in the development of health and safety programs.

**Asset Forfeiture.** We support the use of asset forfeiture as an important component in reducing financial gains from criminal acts while providing civil due process. All assets forfeited, or the proceeds of the sale of the same, should remain with the local government that seizes the property.

**Municipal Court.** Municipal courts serve a vital role protecting an individual's right to equal protection under the law following arrest or detainment. We support the local control of, and judicial authority of, municipal courts. All assessed court funds under a municipal court order, other than restitution collected and payable to a third party and state assessments paid under K.S.A. 12-4117, shall be retained by the local municipality. We support municipalities' ability to set appropriate fines and fees.

**Law Enforcement and Public Safety.** We believe cooperative efforts, rather than state and federal mandated requirements, are vital to the efficient and effective development of local law enforcement and public safety programs.

**Emergency 911 Services.** Cities and counties should maintain local control of the 911 system and the 911 tax should continue to include both wireline and wireless communications. We support legislation providing flexibility for local governments to utilize these funds to provide emergency services. 911 funds should not be diverted by the legislature for other uses.

**Emergency Management.** We request the Adjutant General and the State of Kansas review the role of cities in the state emergency management plan. Because cities play a crucial role in effective emergency management, implementation strategies must promote cooperative efforts between federal, state, and local governments.

**Medical Charges.** The cost of health care services for prisoners and individuals in custody is a growing concern for cities. We strongly believe the first person responsible for the payment of medical costs should be the individuals in custody. Another needed change, to begin addressing these costs, is to clarify that the entity charging for a crime is responsible in the event those costs cannot be recovered. We support the pooling of resources between all state and local law enforcement agencies.

**Law Enforcement Discretion.** We support local governments' discretion in establishing law enforcement vehicle pursuit policies and the ability of law enforcement officers to use discretion in determining when to make an arrest.

**Service Animal Fraud.** We recognize the important role service animals play for the disabled community. The use of such animals is being tainted, by service animal fraud. We support strengthening and redefining the crime of service animal fraud to disincentivize individuals from asserting their animal is a service animal in order avoid vicious animal, exotic, livestock, or breed-specific ordinances.

**Alcohol & CMB Regulation.** We support the authority of cities to license and regulate alcoholic liquor and cereal malt beverage retailers and establishments.

**Medical Marijuana.** The Kansas Legislature should carefully weigh the impact of medical marijuana on law enforcement and human resources. In addition, medical marijuana should be subject to existing state and local sales tax and cities should be able to levy their own excise fees and receive a portion of any state funds to offset the impact of medical marijuana. Also,

cities should have the ability to opt-in to allowing dispensaries in their city. Kansas should only allow the cultivation and processing of medical marijuana and THC in licensed facilities and should not allow residential grow operations of any sort. In addition, Kansas should delay implementation to give time to study any issues that might result from the passage of medical marijuana legislation.

**Firearms and Weapons.** We support the local regulation of firearms and weapons.

**Homeland Security.** First responders at the local level serve as the front-line defense in the prevention and response to terrorism and other security risks. Local governments should be granted maximum flexibility and discretion over implementation of monies and strategies regarding homeland security.

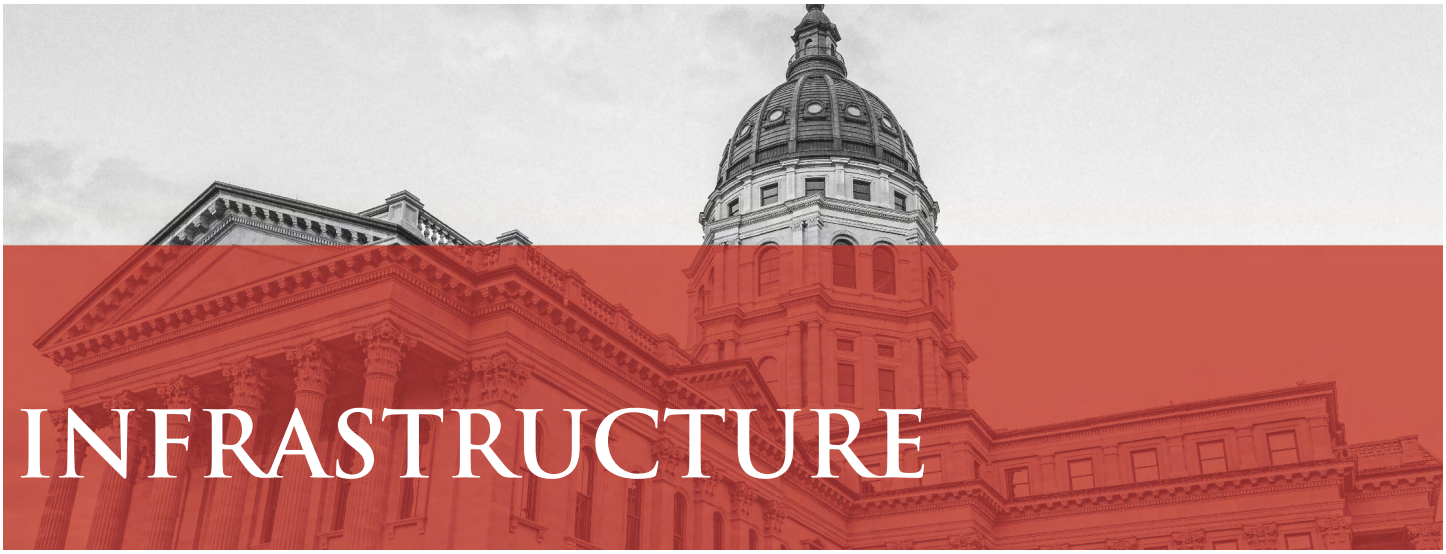
**Regulation.** Any regulation should balance the costs to the benefit of the regulation. Existing regulations that no longer pass this balancing test should be repealed.

**Driving Under the Influence.** We support legislation bringing the driving under the influence laws into compliance with recent court cases.

**Cybersecurity.** Organizations of every size constantly face cyber-related incidents. We encourage the State to provide collaborative discussions, training programs, and feasibility studies for the impact of cyber-attacks on cities. Cities will use information provided by the state government to determine best practices and policies for municipal implementation.

**Scrap Metal.** Cities are currently preempted from regulating scrap metal. We support a narrowing of this preemption so that cities can address issues at the local level.

**Mental Health.** We support allocating additional resources for mental health programs. Funds should be allocated for community mental health centers and additional bed space for patients with mental health issues.



# INFRASTRUCTURE

Cities construct, manage, operate, and maintain numerous infrastructure components that provide a high quality of life. Infrastructure involving transportation, municipal utilities, energy services, and water and environmental structures are all dependent on the ability of local officials to self-determine what's appropriate for their own communities. This self-governance relies on the expectation of cooperation from the state government and full funding as required by law under current statutory programs from both the state and federal government.

## Transportation

**Connecting Links.** The State should maintain KDOT's funding for connecting link programs at the FY 2020 level for cities to provide for the maintenance of state highways within city limits. We support full funding of the City Connecting Link Improvement Program (CCLIP).

**City-County Highway Fund.** The City-County Highway Fund is essential to maintaining local roads and bridges and should be fully funded and not be diverted for other purposes. Such funding should include the transfer of fees from the registration of out-of-state commercial vehicles, as directed by K.S.A. 9-3425i. The proceeds from any increases to the motor fuel tax rates should be allocated in accordance with current statutory provisions.

**Comprehensive Transportation Program.** We support full funding of the Kansas comprehensive transportation program. We oppose any use of these funds to balance the state's General Fund budget. Any reduction in funding jeopardizes existing programs.

**Federal Fund Exchange Program.** We support legislation to codify the Federal Fund Exchange Program, including allowing the banking of funds for a minimum of three years and a fixed exchange rate.

**Transportation Safety.** The State should work in cooperation with local governments to continue to provide safe roads and bridges within Kansas.

**Transportation Maintenance.** Because transportation infrastructure is critical to state and local development activities, we support the continued maintenance of the transportation infrastructure in Kansas.

**Airport Funding.** We support the continued use of state economic development dollars (EDIF funds) to enhance airport facilities and services.

**Transportation Development Districts.** We support the continued ability of cities to establish transportation development districts to meet the economic development and transportation infrastructure needs in the community.

**Recreational Trails.** We support the development of recreational trails, including rails to trails, aquatic trails, and hike-and-bike on levee trails projects, and oppose any legislation that would make such development more burdensome or costly.

**Cooperation with KDOT.** We support the continued efforts of the Kansas Department of Transportation to work with cities on cooperative programs, including the transportation revolving loan fund and various economic development projects.

**Rail Service.** We support existing and enhanced passenger and freight rail service in Kansas and seek a strong partnership with the state and federal government to achieve meaningful improvements.

# Utilities

**Broadband.** Access to reliable broadband service, as defined by the FCC minimums for "served areas" is increasingly important to the economic health of Kansas cities. We support the work of the Statewide Broadband Expansion Planning Task Force as a means for identifying ways the state can best facilitate broadband expansion in Kansas. Recommendations from the Task Force must recognize the important role local governments play in such expansion and they must not remove important planning and right of way authority from local governments. Further, we support legislation that promotes full disclosure of transport and connection fees by internet providers.

**Service Territory.** Municipalities must retain the authority to purchase, construct, or extend the infrastructure necessary to supply the cities and their inhabitants with public utilities, including electric services. We believe in the current statutory framework which allows cities' jurisdictional limits to change over time, due to the annexation of land, including land located within the service territory of another utility provider.

**Municipal Operation.** We support the ability of cities to operate municipal gas, water, electric, sewer, telecommunications, broadband, solid waste, stormwater, or other utility services. We further support the ability of cities to set and control the rates for locally owned and operated utilities, and support the current defined service territory statutes.

**Right of First Refusal.** We support municipal utilities having the ability to invest in new electric/transmission projects in order to provide reliable, affordable service to local customers. We oppose efforts prohibiting competition for transmission projects in Kansas.

**Franchise Authority.** We oppose any legislation restricting the current franchise authority for cities, including limits on franchise fees.

**Mandates.** We oppose unfunded federal and state mandates regulating the operation of municipal gas, water, electric, sewer, telecommunications, solid waste, stormwater utilities, or other utility services. Any mandates passed down to cities should not be imposed without a cost-benefit analysis and should be accompanied by appropriate funding. In addition, regulations should provide for a reasonable implementation schedule.

**Public Water Supply Supervision Program.** We support changes to the statutory language increasing the funding stability for the Kansas Department of Health and Environment's Public Water Supply Supervision program. These changes must balance municipal cost concerns and recognize the state has a responsibility to contribute to these important public health matters. In addition, we recognize a need to update standards to meet federal clean drinking water standards.

**Right-of-Way.** Cities must maintain their ability to regulate the public right-of-way and recover reasonable compensation at for use of the right-of-way. Kansas policy should not be dictated by overreaching federal mandates. We oppose efforts to codify at the state level federal directives limiting cities' powers.

# Energy

**Electric Utility Deregulation.** Community-owned and operated municipal electric utilities make long-term power supply decisions and investments with the goal of benefiting their overall community. We support continued local control over power supply decisions.

**Statewide Energy Policy.** We support the development of a coordinated and comprehensive Energy Plan. Further, we support creative implementation of renewable energy and energy efficient technologies that are environmentally sustainable and economically prosperous.

**Energy Efficiency.** We support public and private incentives to encourage energy efficiency by local governments and citizens.

# Water and Environment

**Water Quality.** We support a clean and safe public water supply and the protection of public health and aquatic life. We endorse regional and cooperative solutions to water quality challenges that address point and non-point source pollution while balancing municipal cost concerns.

**Water Quantity.** Government at all levels should aggressively pursue the conservation, protection, and development of current and future municipal water supplies. We support cost-effective efforts to extend the life of reservoirs and to expand reservoir storage for use by municipal water suppliers. We support immediate state action, in consultation with municipal providers, to address over-appropriated surface and groundwater resources while respecting priority of water rights. The water rights management tools that have been developed in recent years should be modified or expanded so that they provide the same type of flexibility and authority to any water rights holder regardless of class.

**Water Planning.** We support increased municipal representation on the Kansas Water Authority; broad-based revenue sources and distribution for the state Water Plan Fund; and a re-evaluation of the process for adopting the annual state Water Plan Fund budget.

**Infrastructure Funding.** We support increased federal and state funding to assist local communities with their water, wastewater, stormwater, levee and dam infrastructure, and associated security needs.

**Stormwater Management.** We endorse regional and cooperative solutions to stormwater quality and quantity challenges that address point and non-point source pollution.

**Solid Waste.** The Home Rule powers of cities to dispose of and manage municipal solid waste should not be restricted.

**Hazardous Waste.** We support a comprehensive state-local approach to provide assistance in identifying hazardous wastes and to develop programs to monitor and dispose of such wastes. We encourage state agencies to work cooperatively with local governments in the development and approval of programs to identify, monitor and dispose of hazardous waste. Further, appropriate education and training should be provided prior to the implementation of such programs.

**Clean Air.** We support air quality controls and a state-developed air quality plan that protects the health and safety of Kansans while balancing municipal cost concerns.

**Water and Wastewater Certification.** We support improved certification programs that better align the necessary skillsets for real world water and wastewater system operation with the content of the corresponding exams. We support review of water and wastewater certification to ensure validity and reliability. These certifications need to continue to be protective of the public health and environment. We encourage contracting and collaboration to help utilities acquire the knowledge, skills, abilities, and certifications needed to effectively and efficiently serve Kansas rate payers.

# Human Resources

City employees are the foundation of effective city government. City governing bodies must have the authority to develop local personnel policies to attract and maintain a high-quality public workforce.

**Workers' Compensation.** We support reasonable and just benefits for employees injured within the course and scope of their public employment, and effective enforcement of the Workers' Compensation Act.

**KPERS & KP&F.** We support the full funding of the Kansas Public Employees Retirement System (KPERS) and Kansas Police & Fire (KP&F) retirement systems and honoring all commitments that have been made by KPERS and KP&F. The local KPERS system should remain separate from the state and school retirement system. Changes to the KPERS system should not impact a city's ability to hire and retain qualified public employees, including any undue burden on hiring KPERS retirees, or reduce benefits promised to employees.

**Public Employer-Employee Relations Act (PEERA)/Collective Bargaining.** We oppose any federal or state mandate requiring collective bargaining at the local level.

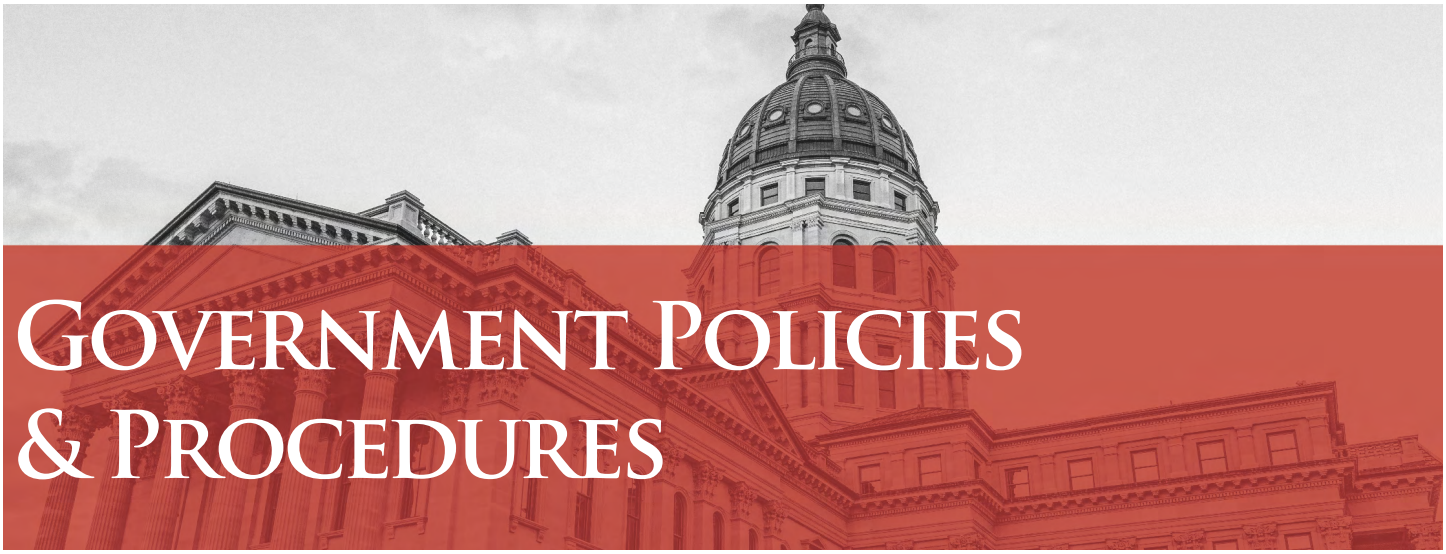
**Personnel Mandates.** We oppose state and federal mandates involving public personnel.

**Weapons and Firearms.** We support the ability of local governments to set policies regarding the carrying of weapons and firearms by municipal employees while they are engaged in their work.

**Prevailing Wage.** We oppose federal and state mandates requiring or prohibiting the payment of prevailing wage.

**Health Care & Other Benefits.** We support cooperation and active study of ways to relieve the financial burden of securing employee health care coverage, including the continued option for cities to participate in the state health care program.

**Unemployment.** We support reasonable and just benefits for employees who are qualified individuals under the Kansas Employment Security Law. We oppose the finding that volunteers, who are paid a nominal stipend, are considered a qualified individual. We support legislation to define "volunteer" in Kansas employment law such that it is consistent with federal law.



# Government Policies & Procedures

Abiding by the long-standing constitutional Home Rule authority of Kansas cities, there is a need to ensure local governments maintain autonomy and the authority of self-governance to create a safe and sustainable quality of life for residents. In an effort to construct appropriate policies for their community, such as economic and community development initiatives, cities should be committed to implementing procedures which ensure ethical and transparent governance from their officials.

**Home Rule.** Consistent with the Home Rule Amendment of the Kansas Constitution approved by voters in 1960, we support local elected officials making decisions for their communities, particularly local tax and revenue decisions.

**Protection of the First Amendment.** The right of the people through their democratically elected and appointed officials to petition and speak to their government officials shall not be abridged. We support cities' First Amendment right of freedom of association to work together to accomplish common goals.

**City Elections.** City elections should remain non-partisan and separate from state and national elections.

**Filing for Office.** In order to encourage a higher number of candidates to file for office, the filing location for city elections should return to the city clerk's office.

**Filling of Vacancies.** The current statutes for filling vacancies have served the state well for over fifty years. Vacancy filling should remain the responsibility of local governing bodies made up of duly elected officials.

**Annexation.** The ability of cities to grow is inherent in the economic growth and development of the state. Therefore, we support local jurisdictions' ability to make their own decisions regarding orderly growth through annexation.

**Non-Discrimination.** We oppose any discrimination against persons, by reason of their race, religion, color, sex, disability, national origin, ancestry, sexual orientation, or gender identity.

**Sign Regulation.** We support the authority of local government to regulate signs in compliance with federal law.

**Public Property & Rights-of-Way.** We support the ability of cities to control and manage public property and rights-of-way and to impose franchise or use fees on those entities that utilize the rights-of-way.

**Eminent Domain.** Eminent domain is a fundamental municipal power. The authority to acquire property through condemnation proceedings is critical for public improvement projects. We support increased flexibility for local governments to use eminent domain for economic development purposes, including blight remediation, without seeking legislative approval.

**Interlocal Cooperation.** We support the principle of voluntary cooperation among all levels of government.

**Governmental Immunity.** We support continued immunity for cities from tort liability and legislation strengthening the Kansas Torts Claims Act.

**Police Powers.** We support the authority of cities to regulate in order to protect the health, safety, and welfare of the public.

**City/County Consolidation.** We support processes for local consolidation without undue statutory barriers. We further believe the issue of consolidation is an inherently local one and the voters should be allowed to determine whether consolidation with another unit of government occurs.

**Special District Consolidation.** The current statutory framework requires separate legislation every time a special district of government consolidates into a city. We support statutory changes creating a uniform process for smaller units of government to consolidate into cities when it is in the best interest of the city.

# Community Development

**Abandoned and Blighted Housing.** We support legislation that streamlines and expedites the process for local governments, neighborhood organizations and private businesses to deal with the blight of abandoned, nuisance, foreclosed housing, and commercial structures to protect the rights and property values of surrounding property owners.

**Economic Development Partnerships.** State and regional partnerships are vital to the sustained growth of the state and should be supported by policy and with adequate funding.

**Tax Abatements.** We support the authority of cities to offer tax abatements to encourage business investment in their communities.

**Tax Increment Financing (TIF).** We support the continued use of TIF to promote economic development. TIF laws should allow maximum flexibility and allow for efficient use by communities.

**Revitalization Tools.** We support the continued use of the Neighborhood Revitalization Act, the Downtown Redevelopment Act, the Transportation Development District Act and the Community Improvement District Act to promote local neighborhood development.

**Tourism.** We support cooperative ventures between the state and local government in Kansas to promote tourism as an industry that is vital to growth and development all across the state.

**STAR Bonds.** We support the ability of cities to utilize STAR bonds to promote economic development in their communities.

**Land Use and Zoning.** We support the ability of local officials to make land use and zoning decisions within their community, including decisions about the location, placement, size, appearance, and siting of transmission and receiving facilities and any other communications facilities.

**Housing.** The lack of quality housing across the state creates an impediment to growth and economic development. The Legislature should support programs that encourage access to quality housing, such as the Moderate Income Housing Program.

**Exports.** We support the Kansas Department of Commerce providing assistance to Kansas businesses who may become Kansas exporters, whether by direct provision of services or through outsourcing.

**Housing-Rental Inspections.** We support giving cities the authority to require inspections of rental housing for the safety of tenants and to protect the rights and property values of surrounding property owners.

# Transparency in Government

**Open Meetings.** All levels of government should be subject to the same open meetings requirements. These laws should not be unduly burdensome.

**Open Records.** All levels of government should be subject to the same open records requirements. State laws governing open records should balance the public's right of access, with the necessity of protecting the privacy of individual citizens, and the ability of public agencies to conduct their essential business functions. We support a city's ability to recoup reasonable costs associated with open records requests.

**Intergovernmental Dialogue.** Communication between all levels of government is critical to the successful delivery of public services to the citizens of Kansas. Representatives from cities provide facts and information crucial to intergovernmental relations, and as such, should have the same rights and responsibilities as private interest lobbyists. We support current law regarding the use of state and local public moneys to provide information and advocate on behalf of our cities and citizens. Any reporting system should not increase the administrative burden on local governments.

**Body Cameras.** We support the ability of local governments to determine when and how body cameras will be used by law enforcement officers. We support the establishment of reasonable regulations concerning public access to recordings, balancing the needs of law enforcement and the individuals whose images are captured in the recordings.

# The Effects of Blighted Property

Abandoned and blighted property is not just a big-city issue. It is a statewide issue. This issue impacts public safety, the values of adjoining properties, and discourages improvements to adjoining property.

**89%**

***of member cities identify abandoned or blighted property as a significant or very significant concern in their communities.****

**4+ years**

The median length of time a property was reported as abandoned was ***four years***. One-third of responding cities noted some of the properties had been ***abandoned for 10 or more years***.*

Abandoned property affects the health, safety, and welfare of the entire community - taxpayers, property owners, and residents. Other concerns associated with abandoned property include ***increased police calls*** for theft, prowlers, drug issues, and squatting. Additionally, cities reported an ***increase in fire calls*** responding to accidental fires and arson.*

Code enforcement issues related to abandoned property include ***overgrown vegetation, dilapidated structures, wildlife, illegal dumping, and additional demand for sanitation services***.* Abandoned properties have a strong potential to become dangerous structures as they continue to deteriorate.

***Unpaid property taxes*** on abandoned properties ***creates a higher tax burden*** on others to provide necessary city services. As these properties fall further into disrepair, the neglect can cause a blighting effect and result in ***loss of property values of surrounding properties***.*

Abandoned property and blight is a welcoming ***environment for pests and vermin*** as well as a potentially ***dangerous nuisance*** for a neighborhood.

** The League completed several member surveys about the impact of blighted and abandoned property. The median population of responding cities was 2,500.*

# Federal Issues

Local officials welcome the opportunity to work together with federal and state officials on policies impacting local communities. Federal agencies should research and understand the fiscal impact on local units of government when implementing new guidelines or laws. Cities manage their finances, infrastructure, and personnel more effectively without unfunded federal mandates.

**Local Control.** We support local elected officials making decisions for their communities. Though the Home Rule powers granted cities in the Kansas Constitution do not affect federal powers, we call on our representatives and federal agencies to look at federal legislation and regulations with local control in mind.

**Community Development Block Grants (CDBG)** – We support continued funding for Community Development Block Grants, Community Service Block Grants, and HOME Grants. These programs' funding is an essential component of cities' strategies to fund critical community services and infrastructure needs.

**Municipal Bonds.** We support the removal or modification of overly burdensome and costly restrictions affecting the issuance of municipal bonds. Further, we support the continued tax-exempt status for municipal bonds.

**Broadband Deployment & Municipal Oversight.** Access to reliable broadband service is increasingly important to the economic health of Kansas cities. However, federal action via legislation or orders from federal agencies must recognize the key role local governments play in such expansion, and it must not remove important planning and right-of-way authority from local governments. Cities must be afforded the continued right to address safety, health, and welfare for both their citizens and other entities with valuable infrastructure in the right-of-way. In addition, the right-of-way serves as an important resource for citizens, and the right to offset costs of management and levy taxes should not be limited.

**Overtime Rule.** We support modernizing rules for overtime, but have concerns about the fiscal impact of the changes, particularly if they include automatic increases in the overtime threshold. As employers, absorbing the impact of sharp increases would have a significant negative impact on municipal budgets.

**Immigration Reform.** We support a federal solution to immigration reform. Any immigration policy should not negatively impact local governments with additional law enforcement or administrative burdens. We support Congress continuing assistance to under-served areas with large immigrant populations, who are attempting to remain in compliance with the United States Citizenship and Immigration Services.

**Transportation.** We support consistent federal funding and timely renewal of the Fixing America's Surface Transportation Act (FAST ACT) by Congress with increased support to critical regional infrastructure priorities.

**Stormwater.** We support simple and flexible federal regulations of municipal stormwater run-off that allow for orderly and cost-effective development. The federal government should appropriate funds for research and for the development of pilot projects on stormwater management.

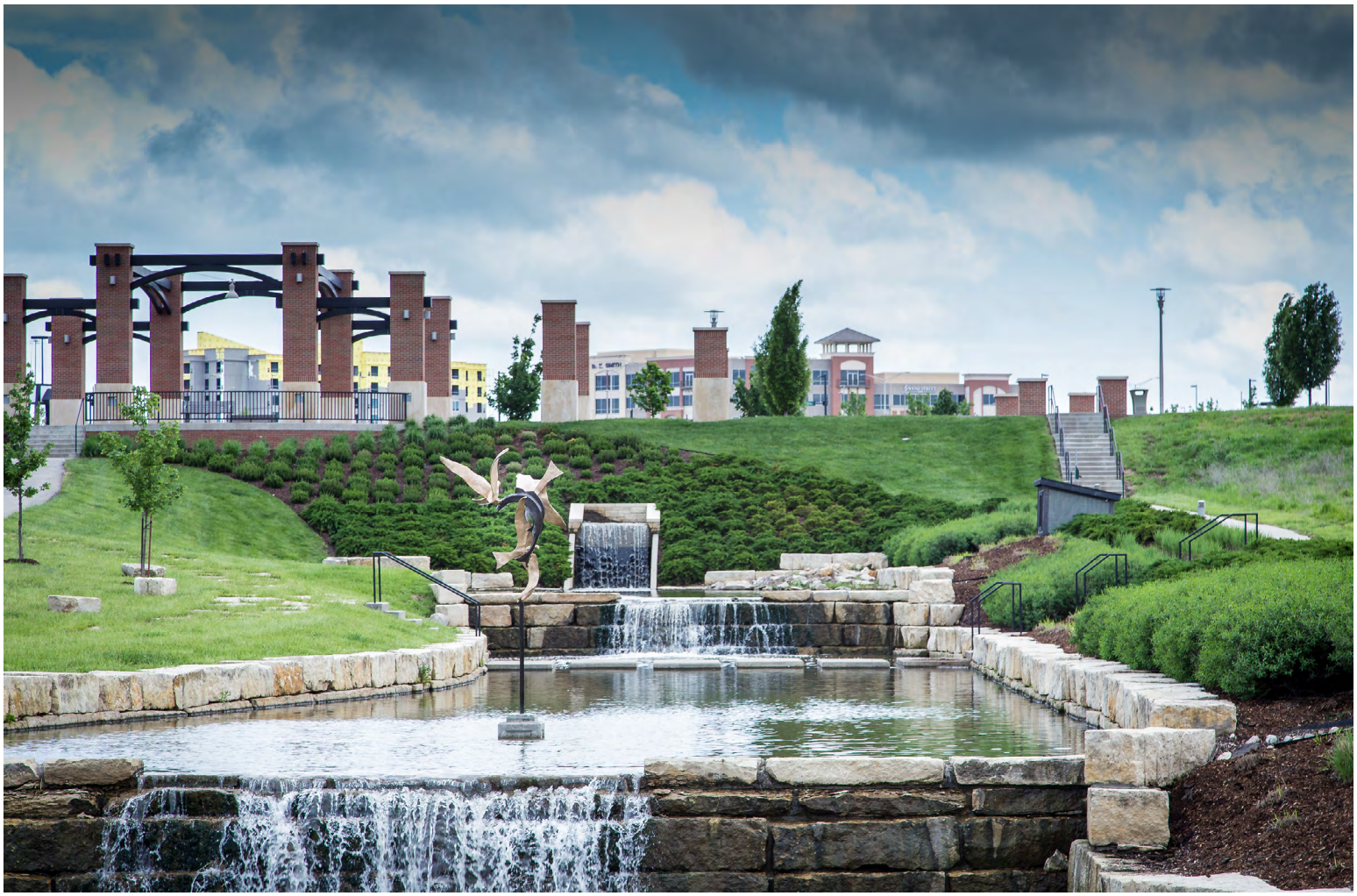
**Water Quality.** We support a clean and safe public water supply and the protection of public health and aquatic life. We endorse federal investments and cooperative solutions that address water quality challenges and take into account municipal cost concerns.

**Hazardous Waste.** We urge federal agencies to work cooperatively with state and local governments in the development and approval of programs to identify, monitor and dispose of hazardous waste. Appropriate education and training should be provided prior to the implementation of such programs.

**Telecommunications Data.** We support the continued ability of public safety officials to access data from telecommunications companies in times of emergencies to assist investigations.

**Rail Service.** We support existing and enhanced passenger and freight rail service in Kansas. In many cases, this service is the only affordable alternative to highway transportation in communities. Changes to Amtrak service should not sacrifice this alternative nor the investments in the service by cities.

**Railroad Quiet Zones.** We urge Congress to reexamine the Train Horn Rule with the Federal Railroad Administration. Rules for implementing quiet zones should be less burdensome and allow for differences in community circumstances while continuing to protect public safety. We also request Congress provide federal funds for the purpose of establishing quiet zones and consider new technology which may enhance the safety of quiet zones while minimizing or eliminating train horn noise.



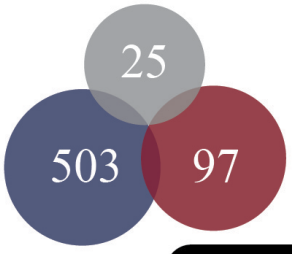
# City Facts

Total Number of Incorporated Cities = 625

Total Population of the State = 2,913,123

Total City Population = 2,416,195

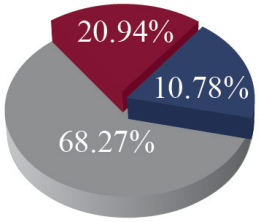
Number of Cities




Class of City

- Cities of the First Class
- Cities of the Second Class
- Cities of the Third Class

% of Total City Population




Over 82.94% of the state's population resides in an incorporated city.

| Population Group | Number of Cities |
|---|---|
| 25,000 and over | 15 |
| 10,000 - 24,999 | 20 |
| 5,000 - 9,999 | 26 |
| 2,000 - 4,999 | 59 |
| 1,000 - 1,999 | 75 |
| 500 - 999 | 92 |
| 400 - 499 | 30 |
| 300 - 399 | 34 |
| 200 - 299 | 61 |
| 100 - 199 | 101 |
| Under 100 | 112 |

| Form of Govenment | Number of Cities |
|---|---|
| Mayor-Council | 555 |
| Commission | 10 |
| Commission-Manager | 37 |
| Mayor-Council-Manager | 19 |
| Modified Mayor-Council | 2 |
| Consolidated City-County | 2 |

# League Legislative Staff

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## Policy Development

This *Statement of Municipal Policy* defines the core principles of the organization. It was developed by city officials through the League's policy committees. There are three policy committees that are focused in specific areas: Finance & Taxation, Public Officers & Employees, and Utilities & Environment. The fourth committee, the Legislative Policy Committee, reviews the entire *Statement* and the recommendations of the three specific committees. The *Statement* is then submitted to the Governing Body and is ultimately adopted by the Convention of Voting Delegates at the League's Annual Conference. For more information about the League policy committees or process, check out the League website at *www.lkm.org* or contact us at (785) 354-9565.

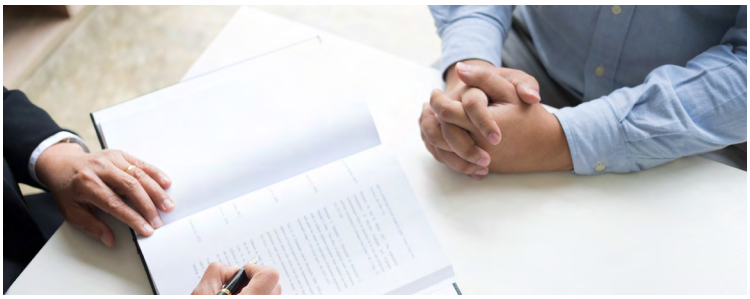
# About The League

## The League Advocates for Cities

The League advocates on our members' behalf to sponsor and encourage beneficial legislation for cities and oppose legislation that would be detrimental to our members' interest.

## The League Offers Guidance

Member cities can contact the League with a legal inquiry or question. Additionally, we provide sample ordinances and guidance on legislation and rulemaking from both the state and federal level.



## Communications & Outreach

Since 1914, the League has published the *Kansas Government Journal*, a publication for city, county and state government officials that is printed ten times a year. The League publishes a weekly e-newsletter, researches municipal issues affecting Kansas communities and develops programs for cities to use to engage their residents and reinforce the importance of civic engagement.

## Municipal Training & Education

The League offers members a variety of education and training opportunities throughout the year. Our annual conference brings together leaders in municipal government to offer innovative ideas for cities. Throughout the year, the League works with professionals in the field to train, inspire and solve problems facing municipal leaders at all levels. The League offers over 30 manuals and publications on municipal issues ranging from finance and budgeting, personnel, planning, economic development, open meetings and open records to traffic ordinances.

## Contract Services

The League offers members a competitive rate to have the League engage in contract services, which include codification services, executive personnel search program (LEAPS) and personnel policies.

THE
LEAGUE
OF KANSAS MUNICIPALITIES

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