



# THE LEAGUE *News*

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This week, the Kansas Department of Commerce announced they are awarding more than \$17 million in Community Development Block Grants (CDBG) to 39 Kansas communities.

A total of \$17,486,103 in federal funds is being made available through the CDBG program this year. Communities receiving grants have presented plans for projects to make improvements toward water and wastewater systems, streets, facilities, and housing.

CDBG funds are one of Commerce's primary tools in supporting the state's small, predominantly rural communities. Each community awarded has a population less than 50,000. View the complete list of awardees at the [KDOC website](#).

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## LEGISLATIVE UPDATES

Yesterday, *SB 294* was worked in the Senate Assessment and Taxation Committee. Four changes were made to the bill before it was voted out of committee, including sunsetting the tax lid effective July 1, 2021. The first amendment made several changes dealing with who calculates the tax rate for each taxing entity, changing it from the taxing entity and then review by the State, to requiring the County Clerk to calculate the revenue neutral tax rate. The amendment also gives the County Clerk the option to send a consolidated truth-in-taxation notices. The next amendment increased the exemption for small units of government from \$5,000 to \$20,000 in property tax collected. The third amendment sunsets the tax lid effect July 1, 2021. Then, the last change was a conceptual amendment that removes K-12 schools from having to comply with the provisions of *SB 294*.

At this point, the League still opposes *SB 294* because, unlike the model legislation from Utah, it does not have an exemption for new growth (new construction, annexation, and change in use). The bill also has several other flaws requiring a refund of any extra taxes collected, publication in the official county newspaper, still uses a complicated procedure to calculate the revenue neutral tax rate, and does not require the clerk to send a consolidated notice.

The Senate Assessment and Taxation Committee also worked a number of other bills dealing with appraiser and appraisals. The committee voted the following bills out of committee *SB 295*, *SB 266*, and *SB 272*.

The House Taxation Committee continued to work through collection of sales tax from out-of-state vendors. On Thursday, the Attorney General appeared before the committee to discuss the *Wayfair* safe harbor and other thresholds the committee could consider.

*HB 2529* will have a hearing Monday, February 17 in House Commerce, Labor and Economic Development at 1:30 p.m. This bill would amend the STAR Bond Act by adding rural development projects and major business and medical facilities, increasing certain project investments and sales requirements, adding a return on investment analysis, and other requirements and approvals by the Secretary of Commerce and finally, it would extend the Act's sunset date.

*HB 2424* and *HB 2667* will be heard in House Judiciary on Tuesday, February 18, at 3:30 p.m. Both of these bills make significant changes to how officer-involved death investigations are handled. If you would like to submit testimony on either of these bills, please email it to [Tami Martin](#) by 3:00 p.m. on Monday, February 17.

*HB 2583* will be heard in the House Local Government Committee at 9:00 a.m. on Wednesday, February 19. This bill was brought at the League's request to clean up the statutory language regarding when an owner petitions a city to vacate a street. The language in the statute is confusing and hard to understand. This leads to confusion on how the process is supposed to work. The intent of this bill is not to change the process, but rather, to update the language to make it easy to understand.

*HB 2625* will be heard in House Commerce on Thursday, February 20. This bill would preempt cities and counties from prohibiting or regulating paper or plastic carryout bags and other single-use plastic items. If you would like to submit testimony on this bill, please email it to [Tami Martin](#) by 8 a.m. on Wednesday, February 18.

[MORE LEGISLATIVE UPDATES ON PAGE 2...](#)



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## LEGISLATIVE UPDATES (CONTINUED)

**SB 380** was heard by the Senate Utilities Committee on Wednesday, February 12 and is expected to be debated by the committee next week. As drafted, the bill prohibits cities from requiring an application, charging a fee, or otherwise regulating “strand mounted” broadband facilities cable companies place on their wires between utility poles. The cable industry argues federal law already prohibits cities from doing this. We oppose this legislation and shared with the committee that the basis for cable’s claims is actually being considered by a federal court of appeals at this time.

Of even greater concern than the immediate “strand mounted” issue is the potential impact of this legislation on cable franchise fees. Should the cable/video services provided by carriers switch from cables to their wireless, “strand mounted” equipment, **SB 380** would prohibit the collection of franchise fees. This would have a statewide impact on cities of up to \$25 million a year. Please share with legislators your concerns about this legislation as we continue negotiations. Please contact *Erik Sartorius* with questions.

**SB 362**, mentioned in last weeks League News, had its hearing this week. This bill would allow for the year-round sale of fireworks if the retailer is granted a license by the State Fire Marshal. It would also repeal the state-wide ban on bottle rockets. At the hearing, the League offered neutral testimony to the bill, but focused largely on our support of the section of the bill that reserved a city's ability to prohibit year-round sales as well as seasonal sales, if the city so desired. At the hearing, an amendment to the bill was mentioned that would ensure the bottle rocket ban remains in state law. We expect this bill, with the aforementioned amendment, to be recommended favorably for passage by the Senate Federal and State Affairs Committee.

**HB 2434** will have a hearing in House Judiciary Tuesday, February 18 at 3:30 p.m. This bill would eliminate the ability to suspend a persons driver’s license for the non-payment of fines or court costs from traffic citations. Current law already provides for dismissal of fines and fees when the person demonstrates an inability to pay. The League will stand opposed to this bill because we believe that if there is no recourse to be had when a person refuses to pay their fines, then a system of continued violation is created.

**HB 2568** spells out cities’ authority over maximum speed limits in business districts (not provided for as the legislation is now written, whereas urban, residential and school districts are). The hearing was scheduled for this week but was canceled, and has not yet been rescheduled. The bill would allow cities to lower the maximum speed in the specified districts to as low as 5 mph. **HB 2568** would also give cities the same authority over highways in their jurisdictions that townships and counties have to lower maximum speed limits without having to do a traffic or engineering study.

**SB 320** was heard this week. This bill would change the definition of “infectious disease” so that a wider range of diseases could be tested for. Under present legislation, a judge can order an arrested person to undergo testing for HIV, AIDS, and Hepatitis B when it appears that there may have been transmission of body fluids from the arrested person to others, including law enforcement officers and other first responders. When the test is positive, the judge can inform those people whose safety has been compromised.

For a review of next week's legislative activities that may be of interest to municipal governments, please review our *Legislative Calendar*.

# MARCH



# 2020

**5 Municipal Finance, McPherson**

**6 Municipal Finance, Fort Scott**

**27 Personnel Management, De Soto**

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## REGISTER NOW FOR GBI & KANSAS MAYORS CONFERENCE

The Governing Body Institute and Kansas Mayors Conference provides elected and appointed city leaders an opportunity to gather and discuss the challenges facing our cities and how leadership at the local level can better address contemporary issues in local government.

The 2020 Governing Body Institute will be held on **April 24 & 25** in Manhattan. Additional information will be posted at a later date.

Attending GBI is the first step new officials should take toward success in public office. Re-elected officials or longer-term appointed officials will also value the up-to-date information on municipal operations and networking opportunities this conference offers.

Cost to attend is \$175 for both days, and includes a newly revised copy of the *Governing Body Handbook* for each registrant.

Mayors sessions will take place Friday afternoon 1:30 p.m. - 3:45 p.m.; the Governing Body Institute for all elected or appointed officials will kick off at 3:00 p.m. with a Q&A session for newly elected officials. Saturday's agenda applies to all elected or appointed officials.

Conference events will take place in Manhattan at the Hilton Garden Inn & Manhattan Conference Center. Hotel reservations may be made at the *Hilton Garden Inn Manhattan* - or by calling the hotel directly at 785.532.9116; please make sure you identify yourself as part of the League's block when you call. The rate is \$119, plus tax and is only available until March 25, 2020 or until the block sells out.

*Register by April 14, 2020*; any registrations after this date will incur a \$35 additional fee. Thank you for your commitment to your city and its citizens. For additional information about League conferences or the Municipal Training Institute, please contact *Kate Cooley*, Conference & Marketing Coordinator, at (785) 354-9565.



## MAYOR OF THE YEAR NOMINATIONS OPEN NOW

The Mayor of the Year Award was first established in 2001 to recognize outstanding mayors who have made significant contributions to their community as well as their profession through personal growth and involvement. It is again time to *nominate a deserving mayor for this award*. Has your community's mayor done selfless hours of community service? Has he/she showed countless constituents how dedicated he/she is to their community? Please take the time to complete the *nomination form* and write a short one-page letter listing their accomplishments.

Nominations will be accepted until Friday, March 6, 2020. Get all the information on how to submit *on our website*. The winner will be announced at Governing Body Institute & Mayors Conference April 24-25 in Manhattan. Contact *Tami Martin* with any questions concerning the Mayor of the Year Nomination.

Also, KMA invites you to submit nominations for the KMA Board of Directors. You may nominate yourself or another KMA member to any eligible seat (eligibility rules are listed for each Board position). Voting will take place at the Governing Body Institute & Kansas Mayors Conference on Friday, April 24st, at 3:00 p.m. in Manhattan. Each position serves a term of one year. For more information contact *Tami Martin*.

