



THE LEAGUE News

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CITY ATTORNEY'S CONFERENCE

Attention municipal attorneys!! Please join us on Friday, June 4, 2021, at the Hilton Garden Inn Manhattan for the Spring CLE.

The conference will cover issues affecting Kansas local governments and will provide timely perspectives on Legislative Issues, Caselaw, Abatement, Employment Law, Eminent Domain as well as Ethics. We will also offer a video replay option on June 9, 2021

Visit the [CAAK Conference website](#) for more information and to register. Cost to attend is \$65 for CAAK members and \$100 for non-members. Registration deadline is Tuesday, June 1, 2021.

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LEGISLATIVE UPDATES - ADJOURNED UNTIL MAY 3

The House and the Senate are adjourned until May 3 when they will return for the veto session. Here's a look at what happened over the last week in the legislature.

Countywide Sales Tax Formula - The Senate pushed aside its scheduled debate on [SB 87](#) after it became clear many members were uncomfortable with the bill's potential impacts. **Your contacts with your legislators absolutely made the difference in pushing off this legislation!** [SB 87](#) would allow counties to retain all proceeds of a general, countywide sales tax in the future. Currently, general sales taxes levied by a county are shared with cities in the county based on a formula enacted in 1978. The formula recognizes the vast majority of retail sales occur within city limits, and cities provide much of the infrastructure needed to support commerce.

The League opposes the sales tax changes allowed by [SB 87](#). Cities' shares of countywide sales taxes equaled \$265 million in 2019. The legislation would not require counties to reach agreement with their cities in order to put on the ballot a sales tax where they retained all revenues. This would put cities in the unenviable position of cutting services or raising property taxes. Further, we are concerned that if a county did look to negotiate with cities on a new sales tax, they might only feel the need to negotiate with the large city in the county and not include smaller cities.

Thank you to everyone who called or emailed their representative. The bill is still officially alive and could be worked when the legislature returns on May 3. Please continue to reach out to your legislators and encourage them to oppose [SB 87](#).

Tax Transparency/New Deadlines for SB 13 - The House passed [HB 2104](#) and sent the bill to Governor Kelly. [HB 2104](#) is the trailer bill to [SB 13](#) that has the new dates of July 20 to submit notice to exceed the tax neutral rate to the county clerk, August 20 to September 20 to have hearings, and October 1 deadline to submit it to the County Clerk.

Unemployment Mega Bill - The Conference Committee report for [HB 2196](#) was approved by both houses and sent to the Governor. The bill is a comprehensive review of the unemployment process in Kansas and will provide for a new unemployment computer system. The conference committee did add language from the Police Chief's Association that allows cities to opt-in to an ID verification process for people who are filing for unemployment and are unable to verify their ID through the system.

Covid Property Tax Relief/Government Competition - [HB 2313](#) is in the Senate Assessment and Taxation Committee, and it has been amended to retroactively forgive property taxes of businesses that were shut down because of COVID restrictions. In addition, the bill was conceptually amended

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

LAWRENCE
June 18-19
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LEADERSHIP SUMMIT & KANSAS MAYORS CONFERENCE

2021
More information about the Leadership Summit and Kansas Mayors Conference is available at:
www.lkm.org/LeadershipSummit

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in committee to require any business that competes with a government to have that government entities portion of their property tax dollars refunded. We will be working on sending out a survey to get the additional information on the potential impact of this amendment. This bill is still in committee; however, it could still move when legislators return for veto session.

Opioid Legislation - The Kansas Fights Addictions Act has been bundled in conference into [HB 2079](#) which is an Attorney General bundle. The bill contains the amendment proposed by cities for 25% of the funds to go into a Municipalities Fights Addiction Fund specifically for municipalities. The conference committee accepted the Senate's position to pay for a portion of K-Tracks from the State's 75% Kansas Fights Addiction Fund. The K-Tracks money will not come from the 25% municipality specific fund. The conference committee report will be taken up by both chambers in veto session.

Open Records - [HB 2390](#) is now known as the KORA Bundle. Included in it is the annual KORA exceptions renewal. One important renewal for cities is the body or vehicle camera extension. Also included in the bundle are the contents of SB 58 dealing with the filings of false liens against governmental employees, a new KORA exemption for cybersecurity, and an extension of additional protections for governmental employees' identities from public data bases. The conference committee report passed both chambers and is off to the Governor. It expected to be signed.

Wholesale Natural Gas Legislation - [SB 86](#) passed both chambers and is off to the Governor. This bill started out as a bill to deal with KPERS. It was gutted in conference and replaced with a bill creating the Kansas Extraordinary Utility Costs Loan Deposit Program which is designed to help wholesale natural gas customers. Also included in the bill was some clean up language requested by the State Treasurer for [SB 88](#) the City Utility Loan Program. The technical cleanup included language allowing more frequent payment plans, making clear the loans were an exception to cash basis, etc.

Notaries - [SB 106](#) enacting the revised uniform law on notarial act passed both chambers and is off to the Governor. This will create new rules for notaries and is important for city clerks who are notaries.

Crime Bill - [SB 60](#) is now the Crime Bill bundle. In conference it was agreed to bundle several different criminal offenses. Included in the bill is the contents of [HB 2093](#) increasing the penalties for fleeing or attempting to elude a police officer when operating a stolen vehicle.

Temporary Employment Vacancies - [HB 2090](#) was added into [HB 2332](#). For cities, it establishes a process for handling temporary vacancies which are due to military service carried out by any officer or employee of political subdivisions of the state, i.e. including cities and counties. Those affected would submit a form at the start of military service, and on return. A temporary appointment would be made, with the person on military service returning to the position at the end of the military service. The legislation expands the definition of military service to include active service in the Air Force, Coast Guard, Kansas Air National Guard, Kansas Army National Guard, Space Force, or any branch of the U.S. Military Reserves. (Army, Navy and Marine Corps are already included). Parent bill [HB 2332](#) also contains various election related provisions, some of which are controversial. It is pending enrollment, that is, it has been through both houses but has not yet been signed by the Governor. It is subject to veto, as it did not pass by two thirds in the house, so may not make it through.

Funeral Processions - Also awaiting enrollment and passed by two thirds majority, are a two bills which were inserted into [SB 67](#). One is a funeral procession bill, regulating funeral procession traffic through intersections and permitting funeral escorts to direct traffic (originally [SB 131](#)). The bill draws attention to city/county's ability to require prior notice of the funeral procession and to make other requirements, not in conflict with the bill, that must be complied with via ordinance. The other piece of legislation is a "move over" bill to protect utility and telecommunication workers. This legislation requires drivers to yield the right of way, and to move over for authorized utility (including city utility vehicles) or telecommunication vehicles when they are stationary, working on a highway on repairs needed to restore necessary services or to ensure public safety and displaying amber flashing lights (originally [SB 167](#)).

ATVs - Also pending enrollment is legislation that defines all-terrain vehicles (ATV) and recreational off-highway vehicles (originally in [SB 67](#), now in [SB 95](#)). This legislation provides larger dimensions in line with the latest models. Once this is on the statute book, it will enable cities to permit these vehicles if they so choose.

Motor Graders - [HB 2295](#) exempts municipal motor grader vehicles from requirements of the Kansas Uniform Commercial Drivers' License Act. Of course, cities will need to ensure that operators are properly trained for grading and snow removal, but training for commercial license does not routinely cover these tasks and employees carrying out this work will not be required to hold a commercial license. This legislation has been enrolled and presented to the Governor.



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MAYOR OF THE YEAR

Nominations are now being accepted for the Mayor of the Year Award! The Mayor of the Year award was first established in 2001 and serves to honor mayors who have served their communities and contributed to the well-being of cities. It is now time to nominate a deserving mayor for this award. If your community has a mayor that has done selfless hours of community service. If your mayor has showed countless constituents how dedicated they are to their community, then please take the time to complete the nomination form and write a short one-page letter listing their accomplishments.

Nominations will be accepted until May 4, 2021. Get all the information on how to submit on our website. The winner will be announced at Leadership Summit & Mayors Conference June 18-19 in Lawrence. Contact Tami Martin with any questions concerning the Mayor of the Year Nomination.

Also, the Kansas Mayors Association (KMA) is seeking nominations for their Board of Directors. Current mayors can self-nominate or be nominated by another KMA member to any eligible seat. Voting will take place at the Leadership Summit & Kansas Mayors Conference on Friday, June 18th, in Lawrence. Each position serves a term of one year. For more information please visit www.lkm.org/ksmayors.



Check out the League's NEWLY REVISED 7th Grade Essay Contest! Open to All 7th Graders in Kansas!

THE LEAGUE INVITES ALL KANSAS 7TH GRADERS TO JOIN OUR ESSAY CONTEST!

TELL US WHAT MAKES YOUR CITY YOUR 'HOME.'

7TH GRADE ESSAY CONTEST

MY CITY, MY HOME

LEAGUE OF KANSAS MUNICIPALITIES

DEADLINE FOR SUBMISSIONS IS APRIL 30, 2021.

CONTEST RULES & INSTRUCTIONS: WWW.LKM.ORG/ESSAYCONTEST