

2008 Legislative Program



Unified Government of Wyandotte County/Kansas City, Kansas
701 North 7th Street
Kansas City, Kansas 66101

About This Legislative Program

This Legislative Program is based on the principle that Federal, State and Local Governments are all partners in the effort to make Kansas and its communities great places for people to live, work and play.

The Governor, State Legislature and other State officials must realize they represent the same constituents as locally elected leaders. And they should act like it. The Governor and Legislature should encourage local government officials to find innovative and cost effective ways to provide all public services, including development of alternative revenue sources. The Governor and Legislature should work with local governments in a cooperative partnership to attain economic success and quality communities.

Urban areas, suburban areas and rural areas are all partners and neighbors in this State called Kansas. Our common bonds are stronger than our differences. We can get through difficulty and reach the stars for the citizens of Kansas if we work together.

The Unified Government urges the Kansas Legislature to defend and protect the Home Rule Rights and authority guaranteed in the Kansas Constitution to citizens and their local governments.

This 2008 Legislative Program was approved by the Unified Government Board of Commissioners.

Lobbyist's Pledge

I pledge to be ethical, honest and sincere in my dealings with legislators, staff and citizens.

I will vigorously represent the interests of the Unified Government and its citizens, but my lobbying efforts will be guided by a standard of civility and professionalism.

I will always try to remember every viewpoint deserves a fair hearing and even in the heat of debate, will be reminded that we are all working for the same goal of making Kansas a better place for the citizens we represent.

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Priority Issues

Destination Casino Gaming and Slot Machine Gaming at The Woodlands

The Unified Government staunchly supports the decision of the Kansas Legislature and Wyandotte County voters to allow casino gaming in Wyandotte County and slot machine gaming at The Woodlands Race Track. The Unified Government opposes any attempts to repeal Senate Bill 66 or change it in any way which hinders the implementation of casino and slot machine gaming in Wyandotte County. The Unified Government also urges the Shawnee County District Court and Kansas Supreme Court to move swiftly in reviewing and settling the Constitutional questions surrounding the law.

Kansas City Board of Public Utilities

The Kansas City Board of Public Utilities is a municipal utility governed by a Board of Directors elected by the customers of the utility. The Kansas Legislature needs to respect this long-standing system of local governance by not meddling in the administration or operation of the BPU. Legislation ordering oversight of this public utility by the Kansas Corporation Commission is unnecessary and unwelcome.

Property Taxes

The best way for the Kansas Legislature to help create and maintain affordable property taxes in local communities is to fully fund the revenue sharing program known as the Local Ad Valorem Tax Reduction Fund (LAVTR). Under LAVTR, dollars sent from the State of Kansas to local governments are directly applied to lowering property tax levies. This time-tested partnership—started in 1937 and cancelled in 2003—provides dollar for dollar reductions in property tax bills. This partnership is a far better way to influence property tax rates than artificial and arbitrary controls such as caps on assessed valuations or tax and spending lids on local governments.

Property Tax Deferrals for Eligible Seniors

The Unified Government supports the concept of House Bill 2298 which would allow eligible senior citizens to defer payment of a portion of the property tax owed on their homes. With further review and adjustments, it could become an important tool in making all of our communities more affordable for all of our citizens.

Eminent Domain

The Unified Government supports the use of eminent domain for economic development projects which eliminate blight and allow revitalization and rebirth in urban areas. The Unified Government also believes the requirement that the Legislature approve every use of eminent domain for economic development projects is unworkable and will harm the Kansas economy. If the Legislature insists on retaining that authority, procedures and rules for handling such requests from local communities in an efficient and timely manner need to be established.

Juvenile Justice Authority Funding

The Unified Government supports increased funding for the Juvenile Justice Authority (JJA) by at least \$3.5-million in the FY 2009 budget. JJA has restructured the funding formula used to distribute funds between the 31 Judicial Districts. The new formula will result in a significant reduction in Wyandotte County's share of the funds distributed for Juvenile Justice programs. Without the budget increase, the Unified Government is expected to lose \$260,000 from the Juvenile Justice Block Grants.

Red-Light Running Cameras

Red light running is a serious problem which jeopardizes the safety and lives of Kansas City residents on a daily basis. Red light camera technology, a proven method of increasing red light safety, is one of the solutions to the dangers of red light runners. The Unified Government joins other Kansas communities in support of legislation allowing cities to establish cameras at intersections in order to enforce red-light running laws.

Municipal Finance

Machinery and Equipment Tax

The Unified Government will monitor the effects and impacts of the recent changes exempting property taxes on machinery and equipment to determine if the expected economic development benefits of increased jobs and investment occur and to ensure the remediation formula to reimburse local governments for lost revenues is accurate and adequate.

Delinquent Real Estate Taxes

The problem of delinquent real estate taxes is serious and growing. Methods now in place to collect delinquent real estate taxes are cumbersome and often ineffective. Cities and counties should have authority to collect delinquent taxes and liens using methods similar to the ones businesses use for collecting debts. The Unified Government urges the Legislature to expand the ability of local government to collect delinquent taxes, including enactment of a law designating real estate taxes as debts and enforceable by a civil action against the property owner; a change allowing foreclosure on delinquent properties sooner than three years; and the authority to sell tax liens to investors.

Earnings Tax

Locally elected officials should be able to enact local option taxes. The Unified Government supports legislation allowing a 1% local earnings tax.

Countywide Local Sales Tax Authority.

The Unified Government supports a change in the current statutory authorization for countywide sales tax from the current 1.0% general purpose cap to 2.0%, with an additional 1.0% authority for dedicated countywide purposes as defined by the Board of Commissioners. Any new countywide general purpose sales tax revenue would continue to be shared with cities within the county, and all countywide sales taxes would continue to require voter approval.

Credit Card Fees

The Unified Government supports legislation allowing cities the same flexibilities as counties and the State to pass service fees for credit card and debit card payments on the consumer.

Development Excise Taxes

The Unified Government supports removal of the unfair and unreasonable prohibition on the use of development excise taxes. All cities should be allowed the option of implementing development excise taxes to pay for infrastructure. It is unfair to allow only a handful of cities such authority while prohibiting the rest.

Streamlined Sales Tax

The Unified Government believes sales taxes should be applied equally and fairly regardless how a product is sold. Exempting products sold over the Internet, by catalog or over the telephone from sales tax is unfair. The Unified Government supports the Streamlined Sales Tax Project including the local compensating use tax component.

Property Appraisal and Valuation

The Unified Government supports property appraisals based on fair market value and opposes caps on property valuations as inequitable and unconstitutional.

TABOR

The Unified Government opposes any state-imposed limits on the taxing and spending authority of cities, including the application of the Taxpayer Bill of Rights (TABOR). The Unified Government believes arbitrary, mandated taxing and spending controls on local government infringe on the rights of citizens to determine the appropriate level of government services for their community.

Community and Economic Development

Eminent Domain

The Unified Government supports the use of eminent domain for economic development projects which eliminate blight and allow revitalization and rebirth in urban areas. The Unified Government also believes the requirement that the Legislature approve every use of eminent domain for economic development projects is unworkable and will harm the Kansas economy. If the Legislature insists on retaining that authority, procedures and rules for handling such requests from local communities in an efficient and timely manner need to be established.

Transportation Funding

The State of Kansas is encouraged to work with local governments and private partners to develop a new 10-year comprehensive transportation program. The 1999 Comprehensive Transportation Plan is crucial for public safety, quality of life and economic advancement in Wyandotte County and all of Kansas. The Legislature should begin laying the foundation for development and approval of a new Comprehensive Transportation Program in 2009.

Public Transit

The Unified Government supports increased state funding of public transit. Funding formulas should be based on ridership levels, not population. The Unified Government also supports regional partnerships to improve and expand public transit options for Kansas City area residents. The Kansas Legislature should help, not hinder, efforts to fund regional public transit in the metropolitan Kansas City area.

Payday Loan Companies

The Unified Government joins the Mid-America Regional Council and many other local government officials in their concern over the operations of short-term loan businesses. A number of states have passed legislation restricting the maximum loan amounts, terms of loans including fees and loan rates and information disclosed to loan applicants. The Kansas Legislature is urged to consider legislation to protect the interests of citizens who require short-term loans by ensuring there is full disclosure of the terms and that citizens have easy access to that information.

Infrastructure Funding

The Unified Government support increased federal and state funding to assist local communities with their water, wastewater, dam and levee infrastructure and associated security needs.

STAR Bonds

Sales Tax Revenue Bonds are important for the continued economic development and success of Kansas communities. STAR Bond laws should continue to allow local communities maximum flexibility to fund approved projects.

Neighborhood Renovation and Rehabilitation

The Unified Government encourages the Legislature and state agencies to adopt laws and rules which do not hinder local governments in their efforts to stop the spread of blight in neighborhoods. Allowing rundown properties to be secured and repaired sooner and when necessary, demolished without delay, make communities safer and more livable.

Community and Economic Development

University of Kansas Medical Center and Hospital

Wyandotte County is home to a world-class medical center and academic hospital. The Unified Government recognizes the unique and vital role played by the University of Kansas Medical Center and University of Kansas Hospital and strongly supports efforts to create and promote the region as a nationally recognized center for life sciences and cancer research and treatment. The Unified Government supports actions and efforts which will increase the presence and impact of both institutions in Wyandotte County.

Economic Development Initiative Funds

The Unified Government supports continuation of economic development funding and will work for increased investment in Wyandotte County through the Economic Development Initiative Fund.

One Call Utility Program

The Unified Government opposes mandatory participation in the state one-call program for municipal water and sewer departments. It is an unfunded mandate which could cost the users of Unified Government waste water and storm water sewers tens of thousands of additional dollars each year.

Tourism

Wyandotte County offers destination attractions which draw millions of visitors a year to Kansas. The Unified Government urges the State of Kansas to enact a comprehensive tourism plan and increase funding of tourism promotion and marketing.

Public Art

Arts and cultural opportunities are important to the quality of life in communities. The Unified Government believes public funding of arts and cultural activities is appropriate and beneficial to the overall quality of life and economic advancement of the region.

Public Safety

Juvenile Justice Authority Funding

The Unified Government supports increased funding for the Juvenile Justice Authority (JJA) by at least \$3.3-million in the FY 2009 budget. JJA has restructured the funding formula for dividing money between the 31 Judicial Districts. The new formula will result in a significant reduction in Wyandotte County's share of the funds distributed for Juvenile Justice programs. Without the budget increase, the Unified Government is expected to lose \$260,000 from the Juvenile Justice Block Grants.

Adult Community Corrections

Citizens are threatened when offenders living in their communities cannot receive minimal services and supervision is inadequate to meet public safety issues. The Unified Government urges full state funding to local communities for mandated Community Corrections Act programs. For state aid to be adequate and consistent to cover the actual costs for services, a formula is recommended which would multiply the projected average daily population by a unit cost that is adjusted annually for inflation.

Safe Communities

The State of Kansas is requiring county governments to assume more and more responsibility for basic human services while the Legislature provides less and less funding. The Unified Government encourages the State of Kansas to assume its share of the financial responsibility for these services.

Incarceration of juveniles in state custody. The reimbursement rate paid by the state is less than the actual expenses incurred by the detention center.

The housing of state prisoners in county jails continues to escalate and the Legislature continues to shift the costs to local county government. Reimbursement is inadequate and not sent in a timely manner. State aid for basic community-based supervision and programs has deteriorated over several years. As alternatives to more costly institutions, these programs are necessary to promote public safety and hold offenders accountable. State funding needs to be restored with annual inflationary.

Alcohol Regulation

Local regulation and enforcement of liquor establishments is crucial to the public health, safety and welfare. The Unified Government supports the authority of cities to license and regulate alcoholic liquor and cereal malt beverage retailers and establishments.

Local Control and Police Powers

The Unified Government opposes all legislation which restricts the regulatory authority of cities to protect the health, safety and welfare of the public.

Public Health and Environment

Low Birth Weight Infants

The Unified Government supports increased funding to reduce the alarming number of Kansas infants who die before reaching their first birthdays. These infants are born with low birth weights to high risk mothers. Increased funding of at least \$1.5-million would allow improved first trimester care and an increased number of Healthy Start Home Visitors.

Local Health Department Funding

County health departments have many mandated, but unfunded duties which compete for limited resources. Increased funding for public health, especially for the purchase of vaccines, would help ease the demand on public health dollars and allow better protection of citizens.

Serving Senior Populations and Area Agency on Aging Issues

The Unified Government supports legislation to provide improved support for aging populations in local communities, including full funding of Home and Community Based Services for the Frail Elderly waiver; \$1.5-million to fund Access to Core Services; and legislation to allow unused prescription drugs from nursing homes, hospice and other health care agencies to be distributed for use by medically indigent seniors.

Local Environmental Protection Program

The Unified Government supports continued funding of the Local Environmental Protection Program from the Kansas Water Office in order to continue support established for local public health and county water quality programs. State officials are urged to re-evaluate the way funds are distributed to ensure communities are getting a proportionate and equitable share of what their citizens have paid in and demand of services.

Energy Efficiency

The Unified Government supports energy efficiency and the development of a statewide energy policy which enables local governments to act individually or in cooperation with others to address energy efficiency, including allowing local government access to energy-efficient and renewable products through state purchasing programs.

Energy and Environmental Mandates

The Unified Government opposes federal and state mandates which regulate the operations of municipal electric, water, solid waste, storm water and telecommunications utility services. Any mandates imposed on cities should come with adequate funding to address the mandate.

Storm water Management

The Unified Government encourages the Kansas Department of Health and Environment and the Environmental Protection Agency to work with cities and provide technical support in the implementation of reasonable regulations related to storm water management. We endorse cooperative solutions to storm water quality and quantity challenges.

Local Government Operations

Home Rule and Local Control

The Home Rule Amendment of the Kansas Constitution is the foundation of local government, the bedrock of our belief in independence and the benchmark of the right to determine our own destiny. The Unified Government urges the Kansas Legislature to defend and protect the Home Rule Rights and authority guaranteed in the Kansas Constitution to citizens and their local governments.

Public Land

Local government and the citizens they represent should be allowed to control and manage public lands and right-of-way as they see fit. This includes collecting franchise fees and other revenues from private companies and individuals which use public lands for personal benefit or profit.

Open Meetings

The Unified Government believes openness in government is essential to building public confidence. But, there are times when privacy or other legitimate reasons require executive sessions. Requiring executive sessions to be tape recorded would impose unreasonable demands on elected and appointed officials and raise questions as to the custody of tapes. All levels of government should be subject to the same open meetings requirements. These laws should not be unduly burdensome.

Open Records

Open records laws should balance the public's right to know with the necessity of protecting private individuals and the ability of public agencies to conduct the essential business of the public. The statutorily required sunset for all exemptions to the Kansas Open Records Act is impractical and should be removed.

Publications and Notices

The undeniable right of the public to be informed about the actions of its government should not be compromised. At the same time, government officials have a responsibility to ensure the tax money required to keep citizens informed through legal notices and publications is spent in an effective and efficient way.

The Legislature should encourage local governments to find innovative and cost effective ways to provide all public services, including the vital mission of keeping the public informed, including:

Allow publication of legal notices on the Internet where there is an increased opportunity for citizens to locate and read them, while at the same significantly reducing the costly publication burden imposed on taxpayers by local newspapers.

Allow publication of delinquent property taxes one time instead of the required three.

Allow publication of candidate lists one time rather than the three times now required.

Unfunded Mandates

The Unified Government believes the State Legislature should not impose mandated functions, activities, or regulations on local governments without providing financial resources to meet the costs of carrying out those mandates.