



Kansas Legislative Policy Group

2023 LEGISLATIVE PLATFORM

Kansas Legislative Policy Group is a coalition of rural Kansas Counties with a common interest in the preservation of the counties' tax base and retention of local control.

Local government is uniquely and best positioned to support, serve, and respond to community and individual needs. However, legislative and regulatory policy and action is often needed to support local government and remove obstacles to delivering needed services. This Legislative Platform is a statement of the goals and priorities of Kansas Legislative Policy Group and establishes the basis for its advocacy efforts with the Executive and Legislative branches of the State of Kansas.

GOVERNANCE

County Home Rule and Self Determination

Kansas Legislative Policy Group supports counties ability to use individual home rule authority and opposes any state-imposed limitations on the taxing and spending authority restricting the jurisdiction of a board of county commissioners over their statutorily mandated or authorized functions within their borders. Removal of local discretion for locally elected officials in essence makes counties an extension of state government.

State Mandates

New laws or regulations that require additional expenditures by local government to provide or purchase services or equipment should be fully funded by the State. If sufficient funding is not provided, local governments should have the authority not to comply with the mandate.

COURTS AND PUBLIC SAFETY

Consolidation of Government and Courts

Kansas Legislative Policy Group opposes mandated consolidation of judicial districts and local government units.

County Jail Time

Kansas Legislative Policy Group supports return to the original law allowing only 30-days be spent in a county jail or state reimbursement to counties for actual costs of incarceration. We also support legislation requiring convicted felons to reimburse law enforcement agencies or counties for medical costs incurred while the inmate was in their custody.

Judicial Branch Budget

Kansas Legislative Policy Group supports full funding of the judicial branch's personnel (judges and clerks) and operating budgets. A fully funded and staffed court provides for better case management and more efficient services. Underfunded and understaffed courts generate delays for the system and add additional costs to the parties seeking access to the system.

Judicial Position Reassignment

Kansas Legislative Policy Group supports the concept of one judge for each county in Kansas. We oppose the Supreme Court's ability to reallocate judicial position if it means that counties would no longer have a judicial presence within the community.

Juvenile Justice Funding

Kansas Legislative Policy Group supports legislation that would reimburse counties for all costs incurred while incarcerated juveniles are in state custody.

ECONOMIC DEVELOPEMNT

Broadband Deployment

Kansas Legislative Policy Group supports efforts to address insufficient broadband connectivity in rural communities and encourages the Legislature to adopt policies to meet the needs of Kansas citizens and business and remove barriers to competition for deployment. The expansion of broadband coverage and capacity is vital to our local businesses and residents.

Tourism

Kansas Legislative Policy Group supports efforts for the establishment of a working relationship or structure by rural counties for the creation of tourism or tourist organizations.

EDUCATION

Education

School finance is extremely important to not only our state but also our individual counties. As a state, we need to sufficiently and equally fund our educational institutions, both K-12 and higher education, in order for students to compete in today's economy and society.

ENERGY AND ENVIRONMENT

Construction of Private Utility Facilities

Kansas Legislative Policy Group supports the authority of the Kansas Corporation Commission to oversee the coordination and notification of right of way construction activities to maintain the industry accepted standards and orderly construction requirements to protect the public safety of the citizens and businesses in our communities.

Natural Gas Storage

Kansas Legislative Policy Group supports legislation to close tax loopholes in the collection of ad valorem tax on stored natural gas. Currently, only Kansas Corporation Commission (KCC) regulated utilities are subject to county ad valorem tax on stored natural gas. Out-of-state non-KCC regulated utilities are exempt due to the unintended consequences of a change in federal regulation on natural gas pipelines and the Kansas Supreme Court.

Renewable and Alternative Energy Resources – Energy Storage Development

Kansas Legislative Policy Group supports the development of safe, reliable, environmentally sound and affordable energy sources and energy storage capabilities. Development of additional energy resources and energy storage technologies in Kansas should be encouraged. The expansion of commercial wind or solar power in Kansas continues to be a positive economic development issue for counties. Because of the transmission constraints, getting the electric generation from rural Kansas, the ongoing expansion of transmission capacity needs to be maintained in order for rural Kansas to benefit greatly from this opportunity. Kansas Legislative Policy Group strongly believes counties must continue to retain local control for approval of any commercial wind or solar power siting. We will oppose efforts by the state to impose statewide siting regulations that preempt local control.

Water Rights and Other Fees

Kansas Legislative Policy Group is opposed to the creation of new fees and increases in existing fees on irrigation, water usage, and chemical licensing and agricultural licensing.

HOUSING AND LAND USE

Eminent Domain

Kansas Legislative Policy Group opposes any legislative actions preventing counties from exercising their right of eminent domain.

Housing Program Funding

Kansas Legislative Policy Group supports affordable housing programs for communities and urge maintained funding for such initiatives and additional grant opportunities to support safe, decent and affordable housing construction projects.

Nuisance Abatement

Issues that deal with dust and dirt erosion should be treated under local nuisance abatement policies and should be left to the determination of county commissioners.

PUBLIC HEALTH

County Hospital Liabilities

Kansas Legislative Policy Group supports legislation to clarify in K.S.A. 19-4625 that a county shall not be liable for county hospital debts upon termination of operations, other than those obligations specifically agreed to by the county.

Emergency Management

Local governments serve a vital role in effective emergency management and natural disaster responses. These roles should be considered in amendments to the Emergency Management Act and any emergency/disaster funding allocations.

Expansion of Medical Services

Kansas Legislative Policy Group supports efforts to expand Kansas' Medicaid Program. Survival of rural hospitals is a concern and monetary savings generated by Medicaid expansion could lower costs for financially struggling facilities within rural communities.

Mental Health Funding

Since the state has shifted responsibility and funding for mental health and public health to counties, increased costs of providing services to the most vulnerable populations have challenged counties. For rural communities, psychiatric beds for children are especially in need. Kansas Legislative Policy Group supports increased state aid to community mental health centers, local health departments, developmental disability service providers and adult and juvenile community corrections.

TAXATION AND FINANCE

Demand Transfers

The sharing of state sales and compensating use tax revenues through the Local Ad Valorem Tax Reduction Fund (LAVTRF) and City and County Revenue Sharing Fund (CCRS) and the full allocation of motor carrier property taxes to the Special City and County Highway Fund (SCCHF) all recognize a historic partnership in service provision between the State and counties. In the past, the State has "capped" or reduced the amount of these demand transfers so that counties and other units of local government have not realized the proportionate growth in revenues afforded the state. The artificial "capping" and actual reductions in demand transfers have shifted a burden of financing county services to other sources, including local property taxes. Kansas Legislative Policy Group strongly urges full, statutory funding of all three-demand transfer programs in the State Budget.

Property Tax Reliance

The property tax is the single largest source of revenue financing county government services in Kansas. Kansas Legislative Policy Group supports local control and opposes any state mandates which prohibit or impose limitations on the utilization of property tax revenue by local governments to fund services for their citizens and communities they represent.

Property Tax Valuations and Appeals

Kansas Legislative Policy Group encourages a fair and consistent approach to determining the fair market valuation of property, to support the services furnished and funded by counties. Any procedural changes to the tax appeals process should be equally balanced and sensible for both the taxpayer and taxing entity.

Kansas Legislative Policy Group supports statutory authority requiring local entities with property taxing authority to set aside funds necessary to pay judgments on valuation appeals. Currently counties pay the refunds/judgments to taxpayers when the assessed valuation of property is overturned or reduced and recover the funds other taxing entities. Local property taxing units should be required to set aside funds to pay their proportional share of any valuation appeals.

Repeal Oil and Gas Severance Tax

Kansas Legislative Policy Group supports the repeal of the severance tax on oil and natural gas.

Sales and Use Taxes

All revenue collected should be distributed to local governments according to the statutory requirements. City-County revenue sharing formulas used to distribute funds should not be changed.

Tax Base and Tax Exemptions

Kansas Legislative Policy Group supports a broad tax base for both sales and property taxes to provide needed revenue to fund the cost of services provided by local governments. The existing property tax base should be protected and the Legislature is encouraged to resist any expansion of exemptions from taxation. Kansas Legislative Policy Group is opposed to legislative

actions shifting the tax burden to residential property owners and removes local control, thereby restricting local government's ability to best serve their residents.

TRANSPORTATION

Moratorium on Rural Rail Abandonment

Rural Kansas counties are adversely impacted when rail lines are abandoned, thereby forcing commodities and freight to be shipped by truck over county roads and bridges under-built for such heavy loads. For Kansas's agriculture to remain competitive in the global marketplace, transportation of agricultural products from farm to market must be accomplished as efficiently as possible. The Kansas Legislative Policy Group urges the federal Surface Transportation Board to declare a moratorium on all rural rail abandonment in Kansas until the State of Kansas and local communities have an opportunity to develop a rural transportation policy and determine the feasibility of a port authority(s) to purchase abandoned and existing rail operations.

Transportation Program

Kansas Legislative Policy Group supports full funding of the Eisenhower Legacy Transportation Program. The State should work together with local governments to provide a safe multimodal transportation system, including reliable infrastructure, throughout Kansas. Legislative Policy Group supports increased funding for the state's rural airport system and the development of a Strategic Aviation Plan.

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