

## PRAIRIE VILLAGE 2019 LEGISLATIVE PLATFORM



PRAIRIE VILLAGE, KANSAS

*State and local government are partners providing numerous governmental services that are funded and made available to citizens. Local units of government are closest to the citizens and therefore, are extremely well-positioned to represent the interests of citizens in the communities in which they live. The partnership depends upon stable funding, efficient use of citizens' resources, and responsiveness at the city and county level. We support respect and preservation of local authority, maintenance of local control of local revenue and spending, and oppose the devolution of State duties to local units of government without planning, time and resources.*

### **REPEAL OF THE PROPERTY TAX LID**

We strongly oppose any state-imposed limits on the taxing and spending authority of cities and counties and urge the repeal of the property tax lid legislation passed during the 2015 session and revised in the 2016 session of the Kansas Legislature. We believe those elected to manage the affairs of cities and counties can be most responsive to the local taxpayers and make budget and tax decisions that are most reflective of the community's needs and financial interests. We note that these same taxing and spending limits on cities and counties were not placed on state government. State government should abide by the same taxing and spending decisions as they impose upon cities and counties.

Absent repeal, the state-imposed tax lid on local governments should be modified to require a public vote based on a protest petition provision. Additionally, the Kansas Legislature should review and consider including appropriate exemptions that existed largely under the prior tax lid but were not included in the current law, such as human resources costs, KPERS, intellectual and developmental disabilities costs, transit equipment, and mental health services, among other items. Further, the Kansas Legislature should review and consider amending the current statute to include a "hold harmless" provision that would allow local governments to lower property tax rates and, within the subsequent five years, return the property tax rate to prior level if necessary.

### **STATE FUNDING OF PUBLIC EDUCATION**

We strongly support constitutionally adequate, equitable, and responsible funding for the public school system to a level that places Kansas among the leading states in support of a "world class" education. We oppose any further reduction in school funding, including any constitutional amendment releasing the legislature from this important duty.

### **NON-PARTISAN ELECTIONS**

We support continuing local elections on a non-partisan basis. We are opposed to any legislation that would require local elections to be conducted with partisan identification. We also support the return of local control for timing of local elections.

### **LOCAL GUN CONTROL**

We strongly believe the ability to govern how firearms are possessed and transported throughout our community is a matter of local control. Local government should have the ability to regulate and enforce the possession and use of weapons within City-owned facilities, public parks, municipal pools, and City-owned vehicles. We urge state legislators to repeal House Bill No. 2578 that restricts local government from enacting important gun safety measures in their communities.

### **MAINTAIN LOCAL CONTROL OF REVENUE AND SPENDING**

Our local communities across the state are best served and citizens' values and standards are best reflected when local taxing and spending are determined by local voters and taxpayers. We support the retention and strengthening of local home rule authority to allow locally elected officials to conduct the business of their jurisdiction in a manner that best reflects the desires of their constituents and results in maximum benefit to that community.

## **LIMITS ON APPRAISED VALUATION GROWTH**

We strongly support the continuation of the Kansas Legislature's decision not to implement artificial limits on appraised valuation growth by the state. Such limitations prevent local officials from making decisions the public expects of them and reduce bond ratings, resulting in more expensive debt service payments on needed capital projects. This ultimately has a negative effect on local taxpayers by reducing the services they receive for their tax dollars.

## **TAX POLICY**

We support stable revenue sources and urge the Kansas Legislature to avoid applying any further exemptions to the ad valorem property tax base, including exceptions for specific business entities or the state/local sales tax base, as well as industry-specific special tax treatment through exemptions or property classification. The local tax burden has shifted too far to residential property taxes due to state policy changes. We do not support changes in State taxation policy that would narrow the tax base or significantly reduce available funding for key programs. These changes put Kansas counties and cities at a competitive sales tax disadvantage with Missouri.

## **INTERNET SALES TAX COLLECTIONS**

We encourage the Kansas Legislature to pass legislation facilitating the collection of compensating use tax from purchases made from sellers (with no physical presence in a state) based on the U.S. Supreme Court decision in *South Dakota v. Wayfair*. Sales tax collected should be distributed using existing methods/formulas for the state and local governments.

## **SALES TAX EXEMPTION**

We support the current law that exempts local government and public construction projects from sales tax. State-imposed sales tax on government purchases and projects will have only one effect: increased local property taxes. Purchases have to be made and construction must occur; imposition of a sales tax would increase the local tax burden to cover those added costs. This sales tax revenue does not help local government, but, in fact, hurts our local economy and our residents who have to pay much higher property taxes. Increased property and sales taxes ultimately reflect negatively on the state, given our proximity to Missouri.

## **OPPOSE UNFUNDED MANDATES**

We support minimizing the financial and staffing implications of "devolution," the passing down of responsibilities to counties by the state and federal governments, by seeking funding for mandates and reasonable periods of time to phase in new funding responsibilities. Any budget reductions or changes in state taxation that reduce state resources with an impact on government services should be evaluated closely by the state and based on a cost benefit analysis of how such reductions would increase cost demands at either the local or state level. If the State reduces funding for government services, the State should provide greater flexibility and increased local ability to raise revenue beyond primarily sales and property tax sources.

## **STATUTORY PASS-THROUGH FUNDING**

We call for the preservation of local government revenues that pass through the State of Kansas' treasury. These funds come from a longstanding partnership between local governments and the State and are generated via economic activity at the local level. Both alcoholic liquor tax funds and the local portion of motor fuel taxes should not be withheld from local governments and siphoned into the State General Fund. Seizure of these local funding sources may benefit the State, but it will increase the local property tax burden to replace lost revenue. Local governments, in recent years, have had to cope with the Kansas Legislature not funding Local Ad Valorem Tax Reduction (LAVTRF), County City Revenue Sharing (CCRS) demand transfers, and the machinery & equipment property tax "slider." Local governments should not be forced to further aid in balancing the State's budget. Since 1997, more than \$2.2B in formula demand transfers from the state to local governments have not been made. LAVTR dates back to the 1930s, with the existing statutory framework being established in 1965. LAVTR represents the local share of certain cigarette revenue, stamp taxes, and cereal malt beverage taxes that the state removed in exchange for commitment to fund the LAVTR. CCRS was established in 1978 as part of an agreement between the state and local governments regarding a number of different taxes related to cigarette and liquor enforcement.

## **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.

## **COMPREHENSIVE TRANSPORTATION PLAN**

The current funding level is far from adequate to address ongoing statewide infrastructure funding needs; therefore, it is critical for our state highway funds to be used for the purpose for which they are collected. To ensure the critical well-being of Kansas infrastructure, funds should be allocated strategically to ensure there is an identifiable long-term return on investment for the entire state. Investing in growth areas is vital to creating a sustainable revenue stream that will address statewide infrastructure needs to support private sector job growth and public safety.

## **KPERS FUNDING**

We support achieving a fully-funded public employee's retirement system within a reasonable period of time. Kansas state government should fully fund its portion of the employer contributions, and the local government KPERS should be separated from the state and school retirement system. The system should accumulate sufficient assets during members' working lifetimes to pay all promised benefits when members retire. Additionally, we support current provisions as they relate to accumulated leave and other human resources policies to determine a retiree's benefit. Possible policy changes could have a negative impact on local government employee recruitment and retention, particularly in the competitive Johnson County employment market.

## **KANSAS OPEN RECORDS AND OPEN MEETINGS ACT**

We believe that an open government is essential to building public confidence. We support the retention of the limited exceptions in the Kansas Open Records Act (KORA) and the permitted subject matters for executive sessions contained in KORA currently found in the law. Additionally, we support the existing allowances for cost recovery for open records included under current law.

We also support amendments to update the Kansas Open Meetings Act (KOMA) and KORA to provide better guidance about the application of KOMA and KORA to all forms of electronic communication, including but not limited to social media. Further, we encourage legislative clarification in regard to the application of KOMA and KORA to subcommittees and working groups formed by local governmental bodies.

## **LEGISLATIVE PARTICIPATION**

We support local officials and their representatives' ability to freely participate in the legislative process through advocacy and education on issues affecting local governments. Local officials, representing their citizens and taxpayers, must retain the authority to make decisions regarding membership in organizations and to participate in the legislative process through advocacy without cumbersome reporting requirements.

## **LOCAL CONTROL OF RIGHT OF WAY**

2016 legislation granting placement of cell towers in city and county owned right of way, with little oversight, should be revised. Regulation of the placement of cell towers should be subject to reasonable local zoning processes, which review important community values such as safety and neighborhood concerns.

## **STATEWIDE ENERGY POLICY**

We support a statewide energy policy standard to financially incentivize energy sources that protect air quality and reduce the dependency on oil. We support the development of a coordinated and comprehensive energy policy, including the use of renewables including wind and solar power, developed with strong input from municipalities.

## **MEDICAL MARIJUANA**

We support the legalization of the exploration of the use of medical marijuana and its derivatives for the purpose of improving the quality of life of individuals with medical conditions that can benefit from its use.

## **STATEWIDE EXPANSION OF MEDICAID**

We support Medicaid expansion through KanCare in Johnson County and throughout Kansas. Providing Medicaid is the responsibility of the state and federal government. The decision to limit Medicaid expansion has an impact on our citizens. Absent the State's participation in Medicaid expansion, taxpayers are required to pay for these services that would otherwise be covered by Medicaid.

**RETURN STATE FUNDING LEVELS FOR SOCIAL SAFETY NET**

We support the restoration of funding to social services programs. These programs are critical for our most at-risk and vulnerable residents including child welfare, mental health, and our senior citizens.

**NON-DISCRIMINATION**

We strongly believe all people should be treated fairly and equally under the law. However, in Kansas, a gap currently exists in the applicable state and federal discrimination laws leaving LGBTQ people without protection from discrimination in housing, employment, and public accommodations. While the City of Prairie Village has passed a local non-discrimination ordinance to fill this gap, we urge the State to pass legislation to extend these protections state-wide.

**DEVELOPMENT OF A COMPREHENSIVE BUDGETING PLAN**

We strongly encourage the State of Kansas to develop a comprehensive budgeting plan to foster and enhance the State's struggling economy. We are in opposition to any financial practices that divert money from the Highway Fund or KPERS, or negatively impact the State's future financial position.