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# LEAGUE NEWS



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## 1) Second Turnaround Deadline Passes

Except for bills exempt from the turnaround deadline, Wednesday, March 25 marked the last day for the Legislature to consider bills not in their house of origin. Most bills are now in conference committees, which will be held next week. Once a conference committee agrees to a bill, the bill goes back to the House and Senate for a vote. The chambers can vote on the conference committee report or on motions to concur or nonconcur with changes to the bill. While we will not see many stand-alone bills up for consideration, the content of bills begins to get slipped into other bills or in conference. The 2015 regular session ends on Friday, April 3.

## 2) Senate to Consider Changes to Annexation Bill

On Tuesday, the Senate Committee on Local Government amended [HB 2003](#) to require that boards of county commissioners approve practically all unilateral annexations by cities. The Committee passed the bill out favorably, and it will be considered by the full Senate. Although the League supported the underlying legislation, which amended the procedure for island annexations, we strongly oppose this amendment. The ability of cities to grow is inherent in the economic growth and development of the state, and this amendment would severely hinder that ability. The League will continue to monitor this bill and seek to have the amendment removed from the bill.

**ACTION REQUESTED:** Please contact your Senator and ask that he/she oppose [HB 2003](#) as amended by Senate Local Government, and support an amendment on the Senate floor that returns the bill to its original form.

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### 3) Action Requested: Please Contact Your Legislators on [SB 42](#) (Public Funds for Lobbying)

Last week, the Senate passed [SB 42](#). In its original form, [SB 42](#) would have required lobbyists to report the amount of public funds they receive from governmental entities. The League provided neutral testimony on the original bill.

The Senate, however, significantly amended the bill on the floor. Under the amended bill, all lobbyists – including lobbyists of associations – receiving public funds for lobbying will have to report the amount of public funds they receive. In addition, cities will have to publish an itemized list of all of the fees they pay:

- to employ or contract a lobbyist;
- for membership dues in an association that hires a lobbyist; and
- for membership dues in an association that has an affiliated organization that lobbies.

Cities will also be required to publish an itemized list of all lobbyists they hire or contract to lobby and all lobbyists that work for an association or affiliated association that receives public funds from the city.

The League does not support the bill for several reasons:

- First, none of the amendments to the bill had a hearing and cities were not able to provide input on them.
- Second, the bill is unmanageable. Cities would have to call every association they pay dues to and inquire if that association or an affiliate of that association lobbies. If so, the city would then have to report the membership dues of that association and the name of all the lobbyists employed by that association or an affiliated association, even if they do not pay dues to the association for lobbying purposes. For example, cities that give money to their local Chamber of Commerce would have to report the money they provide, along with the names of the lobbyists for that Chamber, and possibly the State and National Chambers.
- Third, the original bill was a good compromise. In the past, the League opposed public funds for lobbying bills because of the onerous reporting requirements placed on cities. The League, however, thought putting the reporting requirements on lobbyists was an appropriate compromise and removed our opposition from the base bill.

Because the bill passed the Senate, it will now likely be discussed in a conference committee. The League is working to remove the amendments. It is important, however, to start contacting your legislators to let them know this bill is burdensome and unmanageable.

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#### 4) House Delays Action on Moving Elections

The House did not debate Sub [SB 171](#) this week, which would move elections to the fall of even years. This was due in large part to the outreach by city officials across the state. Thank you for educating your representatives about the problems with this bill. Please continue to reach out to your [representative](#). [Here](#) are some of the League and our member cities' concerns with the bill.

On Wednesday, Sub [SB 171](#) was referred to the House Taxation Committee, which means the bill is now exempt from any legislative deadlines. The bill also may become part of a conference committee report, which means it could be bundled with other bills. We will continue to follow this issue and keep you informed about its progress.

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#### 5) New KPERS Bill Affecting Cities and Pre-1993 Employees

Late last week, [HB 2416](#) was introduced in House Appropriations. Under the bill, starting January 1, 2016, a pre-1993 employee's final average KPERS salary would no longer include accrued sick, vacation, or annual leave. In addition, the bill would cap accrued leave for all city employees at 240 hours and require cities to pay employees for any accrued vacation above that amount as of July 1, 2015. The bill does provide cities three years to pay this leave to employees.

On Wednesday of this week, the House discussed [HB 2095](#), which would allow the state to issue \$1.5 billion of pension bond obligations. During the discussion, there was an attempt to amend [HB 2416](#) into [HB 2095](#). The amendment, however, was ruled nongermane. [HB 2095](#) passed out of the House on a vote of 67 – 57, without the amendment.

At this time, the League anticipates there may be a hearing on [HB 2416](#) when the legislature returns for the veto session. If not, the bill will be alive next year. The League opposes this bill and will keep you updated with its progress.

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#### 6) Hearing Scheduled for Working after Retirement

On Tuesday and Wednesday of next week, the Senate Select Committee on KPERS will conduct hearings on working after retirement. At this time, a bill has not been assigned to the hearings. The League believes, however, that the committee will likely consider the changes the House Pensions and Benefits Committee made to the working after retirement rules in [HB 2253](#). [HB 2253](#) would prohibit most retired employees returning to work for a KPERS employer from collecting their KPERS' benefits while working. In addition, the employee would be required to contribute to the KPERS tier 3 cash

balance plan. This change would not affect current employees that have retired and already returned to work.

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## 7) Tort Claims Act Notice Bill Approved by the Full Senate

On Tuesday, the full Senate took final action and approved [HB 2246](#). [HB 2246](#) amends the Tort Claims Act to require that notice be given before a lawsuit can be filed against a public employee for acts done in the scope and course of their employment. The Kansas Supreme Court recently ruled, in *Whaley v. Sharp*, that a suit against a public employee in which the employer is not a party does not require any notice to the employer under the Tort Claims Act. [HB 2246](#), which was introduced by the League, now awaits the governor's signature.

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## 8) Conceal Carry Without a Permit is on its Way to the Governor

On Wednesday, the full House approved [SB 45](#), as amended, by a vote of 85 to 39. Later that day, the Senate concurred with the House amendments sending the bill to the governor for signing. [SB 45](#) would legalize the carrying of a concealed handgun without having to get a conceal carry permit. The only limitation would be that an individual must be at least 21-years-old and have no legal prohibition against possessing a firearm.

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## 9) Sign Ordinance Preemption

[HB 2183](#), regarding campaign finance, was amended on the Senate floor to prohibit cities and counties from regulating the placement and number of political signs on private property or the unpaved right-of-way during the 30-day period before an election and for 7 days following the election. The League opposes this amendment. The amendment does not address visual and sight-line concerns, and the hazards posed to vehicle and pedestrian traffic. The League also opposes the preemption of sign regulation, traditionally a local police power issue. [HB 2183](#) is now in the Elections conference committee. The League is working to have the sign amendment removed from [HB 2183](#).

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## 10) Registration for the Governing Body Institute is Now Open

Join us May 15 & 16 in Topeka for the 2015 Governing Body Institute and Kansas Mayors Conference. This training will provide elected and appointed city leaders an opportunity to gather and discuss the challenges facing our cities and will focus on how leadership at the local level can better address contemporary issues in local government.

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.

For more information and to register, click [here](#).

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## 11) Kansas Mayor of the Year Nominations Sought

The Kansas Mayors Association is soliciting nominations for the **Mayor of the Year Award** that will be presented at the Governing Body Institute and Kansas Mayors Conference May 15-16 in Topeka. Please take this opportunity to nominate a Mayor you feel has uniquely contributed to their community and to the Kansas Mayors Association.

[Kansas Mayor of the Year Award Nomination Form](#)

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## 12) Round 5 of the Kansas Hometown Showdown is Underway

Only 4 cities remain, and the last day to “like” your favorite photo is 11:59 p.m. CST, Sunday, March 29. Go to the Kansas Hometown Showdown – Round 5 photo album on [Facebook](#) to vote.

On Tuesday, March 31, Round 6 will start a new album with the final 2 cities. The “likes” will reset to zero for the new round.

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## 13) Other Bills & Upcoming Hearings

Firearms in Public Buildings - On Wednesday, the full House passed [HB 2074](#), which concerns firearm possession. Last session the conceal carry statutes were amended so that any person with a conceal carry license who carries a concealed handgun into a properly posted public building would not be subject to any criminal penalty. [HB 2074](#) simply resolves some conflicts in the law and clarifies that there is no criminal penalty associated with carrying a concealed handgun into a public building for an individual with a conceal carry license.

Firearms Dealers – On Wednesday, the House passed [HB 2087](#). [HB 2087](#) originally clarified that a municipal government could not regulate a firearms dealer any differently than other businesses. While being debated by the House Federal and State Affairs Committee, the bill was amended to prevent municipal governments from regulating firearms dealers. The League opposes [HB 2087](#) in its current form and will closely watch this bill as the session continues.

Alcohol in Commercial Districts - On Tuesday, the Senate Federal and State Affairs Committee began a hearing on [HB 2331](#). The League testified in support of one section of the bill because it would provide local governments flexibility concerning retail liquor business locations. Section 4, subparagraph d, of the bill would create a procedure for cities to allow alcohol-related small businesses in commercial districts

when they are within 200 feet of a church or school. The hearing is scheduled to be completed on Monday, March 30, in room 144-S at 10:30 a.m.

Alcohol in Grocery and Convenience Stores – On Tuesday, the Senate Federal and State Affairs Committee will hold a hearing on [SB 298](#). [SB 298](#) would enact the county option retailers act. Under the bill, individual counties could vote to determine if alcohol should be allowed to be sold in grocery and convenience stores. The League does not have a position on whether counties should be provided this option. The League is concerned, however, about losing sales tax from the decline in sale of cereal malt beverages. [SB 298](#) addresses this concern by establishing a local cereal malt beverages sales tax fund. Under the bill, three percent of the revenue from alcohol sales tax would be credited to a local cereal malt beverage fund to be provided to cities based on a weighted population average. The League will provide neutral testimony on this bill.

## Legislative Activities-March 30-April 3, 2015

### Monday, March 30

Time	Committee	Location	Bill No.	Topic	Activ
10:30	S, FSA	144-S	<a href="#">HB 2331</a>	Consumption of alcoholic liquor on public property at a catered event	Con hear Opp

### Tuesday, March 31

Time	Committee	Location	Bill No.	Topic	Activ
10:30	S, FSA	346-S	<a href="#">SB 298</a>	Alcoholic beverages; enacting the county option retailer's act	Hea
1:00	S, SCKPERS	118-N		Working after retirement	Hea

### Wednesday, April 1

Time	Committee	Location	Bill No.	Topic	Activ
1:00	S, SCKPERS	118-N		Working after retirement	Hea

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