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Headlines (Click on the story title to go directly to that story)

- 1) [Elections](#)
- 2) [Bill to End KDOT Revolving Loan Fund](#)
- 3) [Two Firearm Related Bills to Have Hearings](#)
- 4) [Island Annexation Bill to Have Hearing](#)
- 5) [Deadline Extended: League's 2015 Kansas Hometown Showdown!](#)
- 6) [Other Bills & Upcoming Hearings](#)

1) Elections

This Wednesday and Thursday the Senate Committee on Ethics and Elections held a hearing on [SB 171](#), which would move city elections to the fall of even years and make them partisan. We appreciate those who submitted testimony and contacted the committee this week. The bill will likely be worked next week, and we are hopeful the committee will adopt amendments to keep city elections in odd years and allow them to remain nonpartisan. If you are interested in contacting members of the Committee, their contact information is below:

Senate Ethics and Elections Committee:

Sen. Mitch Holmes (R-33), Chair, Mitch.Holmes@senate.ks.gov, (785) 296-7667
 Sen. Michael O'Donnell (R-25), Michael.ODonnell@senate.ks.gov, (785) 296-7391
 Sen. Oletha Faust-Goudeau (D-29), Ranking Minority Member, Oletha.Faust-Goudeau@senate.ks.gov, (785) 296-7387
 Sen. Steve Fitzgerald (R-5), Vice Chair, Steve.Fitzgerald@senate.ks.gov, (785) 296-7357
 Sen. David Haley (D-4), David.Haley@senate.ks.gov, (785) 296-7376
 Sen. Garrett Love (R-38), Garrett.Love@senate.ks.gov, (785) 296-7359
 Sen. Tom Arpke (R-24), Tom.Arpke@senate.ks.gov, (785) 296-7369
 Sen. Susan Wagle (R-30), Susan.Wagle@senate.ks.gov, (785) 296-2419
 Sen. Kay Wolf (R-7), Kay.Wolf@senate.ks.gov, (785) 296-7390

2) Bill to End KDOT Revolving Loan Fund

HB 2255 is scheduled for hearing in the House Transportation Committee on Tuesday, February 17, at 1:30, in Room 582-N. HB 2255 would effectively end the current highway department revolving loan funds that are now available to cities and counties. The bill prohibits the secretary of transportation from entering into agreements or issuing bonds after December 31, 2014, for the transportation revolving fund and the communication systems revolving fund and would also repeal the intermodal transportation revolving fund.

The League opposes this bill. We know that many cities have used the Communications fund and revolving loans to help with street, road and bridge projects. Also, many cities are planning on future assistance from the fund. If your city opposes this bill, please consider speaking at the hearing or submitting written testimony. Testimony for HB 2255 (House Transportation) is due Monday, February 16. Send 30 copies, and a PDF copy to betty.boaz@house.ks.gov.

For additional information, contact Larry Baer at 785-354-9565.

3) Two Firearm Related Bills to Have Hearings

The Senate Federal and State Affairs Committee will hold a hearing on Tuesday, February 17, on SB 153 at 10:30 room 144-S. SB 153 would exempt public libraries from K.S.A. 2014 Supp. 75-7c20, which is the statute governing the process of prohibiting a conceal carry licensee from carrying a concealed handgun into a public building. Under current law, a public library must meet the adequate security requirements or, in the alternative, the building could be exempted for four years from the adequate security requirements, if a governing body wished to prohibit conceal carry license holders from carrying into a public library. SB 153 would remove public library buildings from any of these requirements and the building could simply be posted with the proper signage to prohibit a conceal carry license holder from carrying into the building. The League will support this bill as an expansion of local control. The League has long taken the position that decisions concerning local public buildings should be made by local governing bodies.

On Thursday February 19, at 10:30 in room 144-S, the Senate Federal and State Affairs Committee will hold a hearing on SB 65. This bill would prohibit public employers from preventing an employee with a conceal carry license from carrying a concealed handgun outside of a public building while working for the municipality. Under current law municipalities can, with a written personnel policy, prohibit an employee from carrying a firearm while in the course and scope of their job even if they have a conceal carry license. The League will oppose this bill because it is another attack on local control.

4) Island Annexation Bill to Have Hearing

HB 2003, which was amended and then passed by the full House last week, will have a hearing in the Senate Federal and State Affairs Committee on Tuesday, February 17. As we reported last week, in its original form, HB 2003 would have required a county commission to unanimously approve all annexations of land that did not adjoin the city, including city-owned property. The original bill also required the county commission to make a finding that the annexation would not cause manifest injury to the owners of the land surrounding the property to be annexed. League staff worked with the proponent of the bill. The amended version, as approved by the House, now requires only a 2/3 vote of the county commission instead of a unanimous vote. In addition, the bill no longer requires the county

commission to make a finding that the annexation would not cause manifest injury to the owners of the land surrounding the property to be annexed.

An amendment on the House floor added highway right-of-way language to the bill. It does not appear to make any major changes.

At this time the League anticipates being neutral on this bill, but will monitor it closely in case there are unwanted amendments.

5) Deadline Extended: League's 2015 Kansas Hometown Showdown!

By request, we have extended the deadline for entry to February 20.

Cities are eligible to go head to head in our photo contest to see whose photo receives the most "likes"! Winners from each round will be chosen based on the number of "likes" your city's photo receives on the League's Facebook page.

Only the first 64 cities entered will be able to participate. The winner will get their photo placed on the cover of the *Kansas Government Journal*. Voting for the round of the first half of 64 will begin the week of February 24, and we will announce the winner on the day of the Men's Basketball Championship, April 7.

To register and upload your photo click [here](#).

6) Other Bills & Upcoming Hearings

TIF Bill - [HB 2248](#), a bill to expand the definition of "eligible area" to include a building or buildings which are 65 years of age or older and any adjacent vacant or condemned lots under the tax increment financing act, is set for hearing in the House Commerce, Labor and Economic Development Committee on Tuesday, February 17th, at 1:30 in Room 346-S. [HB 2248](#) will give additional flexibility to cities to use TIF financing. The League will be testifying in support of [HB 2248](#). For additional information, contact Larry Baer at 785-354-9565 or lbaer@lkm.org.

Alcohol in Grocery Stores - This week the House Commerce, Labor and Economic Development Committee heard three days of testimony on [HB 2200](#), which would allow grocery stores to sell alcohol. The Committee plans to work the bill on Thursday and Friday of next week. The League does not have a position on whether the state should allow grocery stores to sell alcohol. The League is concerned, however, about losing sales tax from the decline in sale of cereal malt beverages. [HB 2200](#) 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 provided neutral testimony on this bill.

Massage Therapy Licenses - Earlier this week, the House Health and Humans Services Committee held a hearing on [HB 2123](#). [HB 2123](#) establishes a state licensure process for massage therapists. Currently, only cities regulate massage therapists. The League does not have a position on whether the state should license massage therapists. We testified in opposition to the bill, however, because it preempts a city's ability to maintain professional

licensing requirements for massage therapists. The Committee plans to discuss the bill on Wednesday.

Land Bank Bills - Earlier this week the Senate Assessment and Taxation Committee worked [SB 63](#). [SB 63](#) was amended to include Wyandotte County and was passed out favorably. This bill would allow cities and counties to defer or reamortize part or all of special assessments on properties subject to special assessments and acquired by a land bank. Current law provides that land bank properties are subject to the special taxes that have been assessed against them, which means the city must abate the accrued specials or the sale/transfer is subject to the accrued special taxes. [SB 63](#) would give the city and county and the land bank another option when dealing with properties subject to the special assessments. Under this bill, cities can defer the collection of the tax accrual during the time the property is held by the land bank and, upon its transfer, reamortize the special taxes over an agreed upon period.

HB 2197, a bill identical to [SB 63](#), will be heard in the House Local Government Committee on Tuesday, February 17th, at 1:30 P.M. in Room 281-N. It is anticipated that an amendment to add Wyandotte County to [HB 2197](#) will be offered at the time of the hearing. The League supports both [SB 63](#) and [HB 2197](#). For additional information, contact Larry Baer at 785-354-9565 or lbaer@lkm.org.

Tort Claims Act notice bill to have hearing - The House Local Government Committee will hold a hearing on [HB 2246](#) Thursday, February 19. [HB 2246](#) is a bill that amends the Tort Claims Act to require that notice be given before a law suit 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. The League introduced this bill and will be testifying in support.

KORA Bill Exempts Certain Records - This week the Senate Corrections and Juvenile Justice held a hearing on [SB 128](#). This bill exempts online public agency records that identify the home address or home ownership of a municipal judge, city attorney, or assistant city attorney from the Kansas open records act, when an individual in one of these positions requests it. The League submitted written testimony in support of the bill. The Committee plans to take final action on the bill on Thursday.

Legislative Activities-February 16-20, 2015

Monday, February 16

Time	Committee	Location	Bill No.	Topic	Action
8:30	S, Com	548-S	SB 154	Amending unemployment insurance benefits determination; employer classification and contribution rates	He co
9:00	H, EE	582-N	HB 2193	Solid and hazardous waste and the risk management program act	He
	H, PB	152-S		Working after retirement	Di
	H, V2020	218-N		State Water Plan Fund - Elmer Ronnebaum, General Manager, Kansas Rural Water Association; Michael Koss, Legal Counsel and Member Services Manager, League of Kansas Municipalities; Josh Roe, Assistant Secretary, Kansas Department of Agriculture; Aaron Popelka, Vice-President, Legal and Governmental Affairs	Pr
10:30	S, Ju	346-S	SB 183	Collection of debts owed to courts	He
1:30	H, CLED	346-S	HB 2261	Amending unemployment insurance benefits determination; employer classification and contribution rates	He
3:30	H, ANR	346-S	HB 2227	Creating water conservation areas	Di

	H, Tax	582-N	HB 2070	Property exempt from taxation; allowing counties to exempt certain property	He
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Tuesday, February 17

Time	Committee	Location	Bill No.	Topic	Act
8:30	S, Com	548-S	SB 167	Workers compensation use of American medical association guides to the evaluation of permanent impairment	He
	S, Com	548-S	SB 107	Public entities expenditures for energy projects intended to reduce energy costs	He
9:00	H, App	112-N		Kansas Department of Transportation - Budget Committee report	
9:30	S, AT	548-S	SB 187	Extending the student loan payment program and income tax credit for rural opportunity zones for six years	He
	S, CJJ	118-N	SB 147	Creating the community defense act; regulation of sexually oriented businesses	He
	S, LG	159-S	HB 2003	Cities; annexation of non-adjointing land	He po
10:30	S, FSA	144-S	SB 153	Exempting public libraries from certain provisions of the personal and family protection act	He
	S, Ju	346-S	SB 159	Requiring a law enforcement officer to take a child into custody when the officer reasonably believes that there is a drug crime occurring in the child's residence that threatens the safety of the child	He
1:30	H, CLED	346-S	HB 2254	Exempting certain general contractors from the roofing contractor registration act	He
	H, CLED	346-S	HB 2248	Tax increment financing eligibility for projects involving very old buildings and adjacent vacant or condemned rates	He
	H, LG	281-N	HB 2197	Cities; land banks; municipalities may defer or reamortize special assessments	He
	H, LG	281-N	HB 2273	Allowing certain counties to require incident management tow permits and operator licenses	He
	H, Tr	582-N	HB 2188	Driver's license; requiring entering into a payment plan for certain individuals to receive restricted driving privileges when license has expired while on suspension	Fir
	H, Tr	582-N	HB 2255	Prohibiting the secretary of transportation from entering agreements or issuing bonds after December 31, 2014, for the transportation revolving fund and the communication systems revolving fund; repealing the intermodal transportation revolving fund	He
3:30	H, Tax	582-N	HB 2167	Increasing interest rate on delinquent real property taxes	He

Wednesday, February 18

Time	Committee	Location	Bill No.	Topic	Act
9:00	H, FSA	346-S	HB 2331	Consumption of alcoholic liquor on public property at a catered event	He
10:30	S, Ju	346-S	SB 206	Enforcement of open records and meetings; attorney general; fund	He
1:30	H, CLED	346-S	HB 2267	Alternative project delivery; notice requirements and selection procedures	He
	H, HHS	546-S	HB 2123	Massage therapists licensure act	Di po
3:30	H, Ju	112-N	SB 23	Authorized restrictions of driving privileges; ignition interlock device	He

Thursday, February 19

Time	Committee	Location	Bill No.	Topic	Act
9:30	S, CJJ	118-N	SB 129	Reports of abuse or neglect concerning children and certain adults	He
	S, CJJ	118-N	SB 128	Creating an exception to the Kansas open records act for municipal judges and city attorneys	Fir
10:30	S, FSA	144-S	SB 65	Carrying of concealed handguns by public employees while engaged in employment	He
1:30	H, CLED	346-S	HB 2200	Alcoholic beverages; expansion of retailers licenses and the transfer thereof	Di po
	H, LG	281-N	HB 2246	Municipalities; payment of claims, notice of claims procedures; employees added	He

Friday, February 20

Time	Committee	Location	Bill No.	Topic	Action
1:30	H, CLED	346-S	<u>HB 2200</u>	Alcoholic beverages; expansion of retailers licenses and the transfer thereof	Di po

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