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1) Local Government Day a Large Success

The League would like to thank our members for a wonderful Local Government Day! This year, the League and the Kansas Association of Counties co-presented Local Government Day on Wednesday for city and county officials. Over 130 city officials from across the state attended the informative day. Awards were presented to six 7th grade students for their "If I Were Mayor" essays. Then, League staff provided advocacy tips and a legislative briefing on hot issues being discussed at the Capitol. County commissioners and county staff joined us for a legislative update from Senate President Susan Wagle; Senator Anthony Hensley, Minority Leader; House Speaker Ray Merrick; and Representative Tom Burroughs, Minority Leader. City and county officials then spent the evening at a reception with a record number of legislators attending. Numerous positive compliments were shared from local and state elected officials to the new format. We thank you again for your participation.

2) Hearing Scheduled for Abandoned Property Bill

[SB 338](#) will be heard by the Senate Commerce Committee on Tuesday, February 1, at 8:30 a.m., in room 548-S. [SB 338](#) addresses the issue of abandoned housing. This is one of the League's action items for the 2016 session. [SB 338](#) gives cities an effective and efficient method for dealing with the procedural challenges that they face with abandoned properties where there are non-responsive owners or other interest holders, ownership is in question, or the city is not able to get an owner or interest holder to take responsibility for property maintenance.

The concept behind [SB 338](#) is not new. It is the most current in a line of bills on the subject dating back more than five years. [SB 338](#) is a rework of last year's [SB 84](#). The City of Topeka and a number of interested parties, including Kansas City, Wichita, the League, financial institutions, and the real estate industry have established what we believe is a very workable bill.

Mayor Larry Wolgast, League Governing Body President, will appear on behalf of the League to testify in support of [SB 338](#). The League will continue to monitor this matter. If you have questions, please contact [Larry Baer](#).

3) Insurance Proceeds Bill to Have Hearing

On Tuesday, February 2, the Senate Financial Institutions and Insurance Committee will hold a hearing on [SB 370](#) in room 546-S at 9:30 a.m. [SB 370](#) concerns the ability of municipalities to place a lien on insurance proceeds for damaged structures to assure the buildings are repaired or removed. The current law allows for such liens to be filed against claims for damage caused by fire, explosion, or windstorm. [SB 370](#), which was introduced by the League, would expand the process to include all covered claims for damage to a structure in excess of 75% of the face value of the insurance policy. By making this amendment, a municipality will be able to pursue liens against any loss regardless of the cause as long as the owner has insurance in place that covers the damage. As an example, this would include seismic and flood damage if the owner has the insurance coverage and the damage is in excess of 75% of the face value of those policies. Under current law a municipality would not be able to file a lien on proceeds from these types of losses.

If you have any questions concerning [SB 370](#) or if you would like to provide testimony concerning this bill, please contact [Eric B. Smith](#).

4) House Tax Reschedules Hearing on Property Tax Average Payment Plan

The House Taxation Committee rescheduled its hearing on [HB 2377](#) to Thursday, February 4. [HB 2377](#) would permit counties to opt into a program allowing owners of qualified homesteads to enter into a property tax average payment plan. Property tax payments under this plan would be calculated by averaging the property tax levied against the homestead in the current year and the preceding four years. If the payment is less than the amount assessed, a lien would be created. An owner would be required to pay the lien plus interest if he/she dies, sells the homestead, no longer claims the property as a homestead, or chooses to no longer participate in the program. The League will provide neutral testimony with some concerns. These concerns include: (1)

cities cannot opt into the program – they are dependent on the county’s decision; and (2) the five-year average may hurt budgets in the short term if a city loses a large business or other tax base. Please contact [Larry Baer](#) with any questions.

5) Bill Further Erodes the Property Tax Base

[HB 2264](#) is scheduled for a hearing in the House Tax Committee on Wednesday, February 3, at 3:30 PM, in room 218-N. [HB 2264](#) would classify certain equipment and material used in operating oil and gas wells and certain equipment and materials temporarily in use at oil and gas well sites as personal property. It would be assessed and taxed as commercial machinery and equipment, which would result in a decrease in property tax revenues. In addition, if the property was purchased after June 30, 2006, the machinery and equipment would fall under the existing commercial and industrial machinery and equipment (M & E) property tax exemption.

The League opposes [HB 2264](#). The bill continues the erosion on property taxes to be collected at the local level and it grants an exemption to a specific industry. Please talk to your legislators about the impact of this bill on your city. The League will continue to monitor this matter. If you have questions, please contact [Larry Baer](#).

6) Several Hearings on KOMA/KORA Bills This Week

- *Body-worn cameras*

On Thursday, February 4, the House Judiciary Committee will hold a hearing on [Substitute for Senate Bill 18](#) at 3:30 p.m. in room 112-N. This bill was passed by the Senate during the 2015 session and was then the subject of an interim study by the Judicial Council. Our understanding is that the intent is to incorporate the suggested changes made by the Judicial Council. If passed, portions of the Kansas Open Records Act would be modified so that every audio and video recording made and retained by law enforcement using a body camera or vehicle camera would be considered a criminal investigation record under the Act. The League supports the bill. If you have any questions concerning this bill, please contact [Eric B. Smith](#).

- On Tuesday, Senate Judiciary will hold hearings on [SB 360](#) and [SB 361](#). [SB 360](#) would amend the process for going into executive session. Under this bill, a governing body’s motion would have to include: (1) a statement of the particular subject to be discussed; (2) the justification for closing the meeting; and (3) the time and place when the open meeting will resume. Meanwhile, [SB 361](#) would change the definition of public record under the Kansas Open Records Act to include any records maintained by a public employee on their private e-mail account or computer relating to the transaction of public business. The League will keep you updated with the progress of these bills.
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7) Committee to Discuss Increase in Municipal Court Fees

The House Judiciary Committee will hold a hearing on [HB 2553](#) on Thursday, February 4, at 3:30 p.m., in room 112-N. [HB 2553](#) would amend K.S.A. 2015 Supp. 12-4117 by increasing the assessment for the Kansas commission on peace officers from \$2.50 to

\$5.00 per case. This fee is assessed as a court cost in most municipal court cases and is paid by the defendant, not the municipality. The League does not oppose this bill, but will follow the bill and keep our members informed if there are any changes.

8) Hearings to Start on Juvenile Justice System Changes

Hearings will be held all next week by the Senate Corrections and Juvenile Justice Committee on [SB 367](#). The bill would make several changes to the current juvenile justice system based on the recommendations of the Kansas Juvenile Justice Workgroup. The League is currently reviewing this bill and will be monitoring its progress to assure that municipality budgets are not impacted.

9) Hearing to be Held in Immigration “Sanctuary” bill

On Wednesday, February 3, the House Judiciary Committee will hold a hearing on [HB 2466](#). The League opposes [HB 2466](#) as a clear obstruction of local control. The bill would prohibit any municipality from passing any ordinance, resolution, policy, or procedure that limits or restricts the enforcement of federal immigration laws. The League agrees that no municipality should restrict the enforcement of any federal law, but our concern is that this is a local issue. Several municipalities across the United States have been found to have violated the rights of individuals by complying with immigration detainer requests. Local municipalities who will need to make the decision on how they deal with such requests and have policies in place based on an informed liability analysis.

10) Kansas Hometown Showdown Kickoff

We are excited to announce the second annual Kansas Hometown Showdown! The entry deadline for the League’s Kansas Hometown Showdown is February 17, or once we have received 64 submissions, whichever comes first.

The first 64 cities to submit a photo will be eligible to participate in the contest. Each city photo will go head-to-head with another 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 our Facebook page.

The contest winner will have their photo placed on the cover of a future issue of the *Kansas Government Journal* and, of course, also earn bragging rights.

To submit your photo and for more rules go to <http://lkm.org/showdown/>

11) League Videos

The League has free videos for cities to download and use! These videos focus on city pride, community, and home rule. To see and download the videos, click [here](#).

12) Upcoming Hearings

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Legislative Activities-February 1-5, 2016

Monday, February 1

| Time | Committee | Location | Bill No. | Topic | Activi |
|------|-----------|----------|-------------------------|---|--------|
| 9:00 | H, App | 112-N | | Kansas Public Employees Retirement System - Alan Conroy, Executive Director | Upde |
| 9:30 | S, CJJ | 144-S | SB 367 | Amendments to the juvenile justice system | Hear |
| 1:30 | H, CJJ | 152-S | HB 2545 | Release of information in support of arrest warrants and search warrants | Hear |
| | H, CJJ | 152-S | HB 2018 | Images of children in a state of nudity | Hear |

Tuesday, February 2

| Time | Committee | Location | Bill No. | Topic | Activi |
|-------|-----------|----------|-------------------------|--|------------|
| 8:30 | S, Com | 548-S | SB 338 | Rehabilitation of abandoned property by cities | Hear |
| 9:30 | S, CJJ | 144-S | SB 367 | Amendments to the juvenile justice system | Hear conti |
| | S, Fil | 546-S | SB 370 | Expanding the types of claims for payment of proceeds statutes | Hear |
| 10:30 | S, FSA | 144-S | SB 225 | Interstate compact for recognition of emergency personnel licensure | Hear |
| | S, Ju | 346-S | SB 360 | Open meetings; justification for closing meetings | Hear |
| | S, Ju | 346-S | SB 361 | Open records act; definitions, public agency and public record | Hear |
| 1:30 | H, CLED | 346-S | HB 2325 | Enacting the public employee bargaining transparency act | Hear |
| 3:30 | H, ANR | 346-S | HB 2491 | Creating a penalty for failure to report annual water use | Hear |
| | H, Ju | 112-N | HB 2147 | Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act | Briefi |

Wednesday, February 3

| Time | Committee | Location | Bill No. | Topic | Activi |
|-------|-----------|----------|-------------------------|---|------------|
| 9:00 | H, PB | 152-S | HB 2541 | Sharing of account information, tax treatment and local governmental unit plan option under Kansas public employees deferred compensation act | Hear |
| 9:30 | S, CJJ | 144-S | | Analytics by the SAS Institute | Briefi |
| | S, CJJ | 144-S | SB 367 | Amendments to the juvenile justice system | Hear conti |
| 10:30 | S, Ju | 346-S | SB 377 | Amending grounds for law enforcement officer to request preliminary screening test for drugs and alcohol | Hear |
| 1:30 | H, CJJ | 152-S | HB 2501 | Clarifying the definition of crime committed with an electronic device | Hear |
| | H, CLED | 346-S | HB 2356 | Providing for public safety with regard to elevators | Hear |
| | S, Ut | 548-S | SB 346 | Telecommunications and universal services support | Hear |
| 3:30 | H, Ju | 112-N | HB 2466 | Prohibiting the adoption of sanctuary ordinances and resolutions by municipalities | Hear |
| | H, Tax | 582-N | HB 2264 | Valuation and taxation of certain oil and gas equipment and materials | Hear |
| | H, TPSB | 142-S | | UnManned Aerial Systems and the economic impact in Kansas | Presc |

Thursday, February 4

| Time | Committee | Location | Bill No. | Topic | Activi |
|------|-----------|----------|-------------------------|--|------------|
| 9:00 | H, FSA | 346-S | HB 2538 | Concerning firearms; relating to the minimum age requirement for concealed carry licensees | Hear |
| 9:30 | S, CJJ | 144-S | SB 367 | Amendments to the juvenile justice system | Hear conti |
| 1:30 | H, CJJ | 152-S | HB 2540 | Adding and amending substances included in schedules I, III, and IV of the uniform controlled substances act | Hear |
| | H, Tr | 582-N | HB 2521 | Providing for an annual emergency response permit for certain | Hear |

| | | | vehicles | |
|------|---------------|-------|--------------------------------|---|
| | S, Ut | 548-S | <u>SB 346</u> | Telecommunications and universal services support |
| 3:30 | H, Ju | 112-N | <u>HB 2555</u> | Amending the definition of 'conviction' for applicant qualification under the Kansas law enforcement training act |
| | H, Ju | 112-N | <u>SB 18</u> | Substitute for <u>SB 18</u> by Committee on Corrections and Juvenile Justice - Making certain law enforcement audio and video recordings confidential and exempt from the open records act |
| | H, Ju | 112-N | <u>SB 159</u> | Enacting the safe families act; power of attorney for care and custody of a child; also requiring a law enforcement officer to take a child into custody when there is a drug crime occurring in the child's residence and such crime threatens the safety of the child |
| | H, Ju | 112-N | <u>HB 2550</u> | Creating an exemption to the Kansas open records act for the central registry of Kansas police and law enforcement officers |
| | H, Ju | 112-N | <u>HB 2553</u> | Increasing municipal court assessments and directing to the commission on peace officers' standards and training |
| | H, Tax | 582-N | <u>HB 2377</u> | Providing for a property tax averaging payment plan and a property tax installment plan |
| | H, Tax | 582-N | <u>HB 2496</u> | Property tax; providing a method for the county treasurer to calculate taxes on personal property when such taxes are due immediately but mill levy has not been certified |

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