

# ***City of Wichita***

## **Year 2000 Legislative Program**

*This Legislative Program is based on the principle that Federal, State, County and City governments are all partners in the effort to make Kansas a great place to live and work.*

*Elected leaders, City staff and most importantly, citizens from every neighborhood were asked to contribute their ideas in the drafting of this document.*

*This Legislative Program was approved by the Wichita City Council in October 1999.*

### **Lobbyist's Pledge**

*I pledge to be ethical, honest and sincere in my dealings with legislators, staff and citizens.*

*I will vigorously represent the interests of the City of Wichita and its citizens, but my lobbying efforts will be guided by a standard of civility and professionalism.*

*I will always try to remember every viewpoint deserves a fair hearing and even in the heat of debate, I will remind myself we are all trying to make Kansas a better place to work and live for the citizens we represent.*

**Mike Taylor  
Government Relations Director  
City of Wichita**

## City of Wichita

# Message from Mayor Bob Knight

From the urban business center of Johnson County, to the industrial metropolis of Wichita and South Central Kansas, to the oil and agricultural plains of western Kansas, our challenges as community leaders are not so different.

- We must keep our cities affordable. That doesn't just mean property tax rates, but also cost of living issues such as housing, food, trash disposal, electric bills and airfares.
- *We must continue creating opportunities. City leaders must work with citizens and business to create jobs, foster cultural activities and promote leisure activity.*
- We must meet the needs of citizens. Doing the basics well is the foundation for all else local government does. Citizens must feel safe in their homes and on their streets. And basic infrastructure such as streets, sewers and water supplies must be in good shape and ready to handle growth and demands of the population.
- We must maintain local control. Stopping mandates and meddling in local affairs is a cornerstone of success. We need to make sure federal and state government assists local government by giving it the tools to provide services for citizens, instead of just imposing mandates and rules upon local officials and citizens.
- And we must build partnerships and coalitions. Getting citizens and government working together and convincing different levels of government, federal, state, county, and city to work together is crucial.

It is easy to disagree and fight over issues. It is hard to find compromise and workable solutions. But taking the easy road doesn't improve our communities. The hard road, the road less traveled in today's slash and burn political atmosphere, is the one on which opponents can walk halfway to meet each other in the middle. The hard road is the one which leads to win-win solutions. And there are win-win solutions for every difficult and controversial issue out there. But it sometimes takes innovative and unpopular actions to bring people to the table and find those solutions...solutions which meet or exceed citizens' expectations for leadership and which leave our communities better overall.

In dealing with the day to day demands of our jobs as elected leaders and public servants, we sometimes need to be reminded, we are all Kansans. We are all neighbors who need each other. Our strength as a state comes in recognizing our common bonds and capitalizing on them. Our weakness comes in fostering contrived differences. We must continue to build coalitions and partnerships. If we fail at getting citizens and government to work together.... And if we fail at getting different levels of government to work together, we fail at everything else we try to accomplish.

**We may not always agree 100-percent on every issue.**

**Total agreement is not necessary for us to accomplish our goals.**

**A cooperative spirit and a realization that we are dependent on each other is what's important.**

**As public servants we must care about each other and the spirit of the community.**

**Mayor Bob Knight  
Excerpt from  
Keynote Address Delivered to  
League of Kansas Municipalities Annual Conference**

# **PRIORITY ISSUES**

## **Liquor Industry Regulation**

Local regulation and enforcement of liquor establishments is crucial to the public health, safety and welfare. The City of Wichita opposes any recodification of liquor statutes which would erode the existing home rule authority of cities. Any legislation to recodify liquor or cereal malt beverage statutes should explicitly preserve the authority of cities to locally license and regulate the sale of alcoholic liquor and cereal malt beverages. State laws should not prohibit cities from exercising their constitutional home rule powers to license, set license fees, business hours or otherwise regulate the sale of alcoholic liquor and cereal malt beverages.

**Cooperative Initiative with**  
**Sedgwick County**  
**League of Kansas Municipalities**  
**Kansas Association of Counties**

## **Protection of Sensitive Groundwater**

The City of Wichita recognizes its responsibility to be a good steward of the natural resources its citizens use. The City of Wichita accepts its duty and obligation to preserve and protect those natural resources. Protection of the Equus Beds Groundwater Aquifer, which is the primary source of quality water for 500,000 citizens, is crucial for the future of Wichita and South Central Kansas. State laws and administrative procedures should provide for vigorous protection of the Equus Beds from contamination and waste. The City of Wichita supports enhanced water protection measures in sensitive groundwater areas such as the Equus Beds. Those regulations, whether imposed statutorily by the Legislature or administratively by the Kansas Department of Health and Environment should be scientifically based, subject to cost/benefit analysis and not unduly restrictive. *New Issue for 2000.*

**Cooperative Initiative with**  
**Sedgwick County**  
**Regional Economic Area Partnership**  
**League of Kansas Municipalities**  
**Kansas Association of Counties**  
**Equus Beds Groundwater Management District**  
**Wichita Area Chamber of Commerce**

## **Full Funding of Revenue Sharing**

The City of Wichita strongly supports the progress and partnership shown by the Legislature in restoring full statutory funding of the Local Ad Valorem Tax Reduction Fund. The City of Wichita urges the Legislature to continue this trend of cooperation and fiscal responsibility by also restoring full statutory funding of the City-County Revenue Sharing Fund and Special City-County Highway Fund. The City opposes any reduction in funding and opposes arbitrary caps on the growth of the three demand transfer funds.

**Cooperative Initiative with**  
**Sedgwick County**  
**League of Kansas Municipalities**  
**Kansas Association of Counties**

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**PRIORITY ISSUES**

**Tax and Spending Lids**

The City of Wichita believes the citizens and the City Council members they elect are capable and responsible to determine local tax and spending policies without mandated limitations imposed by the State Legislature. The City of Wichita believes an arbitrary tax lid infringes on the rights of citizens and their elected City Council members to determine the appropriate level of government services for the community. The City of Wichita opposes re-establishment of the tax lid on local government and opposes spending lids on local government.

**Cooperative Initiative with  
Sedgwick County  
League of Kansas Municipalities  
Kansas Association of Counties**

**Comprehensive Transportation Program**

The City of Wichita supports full implementation of the 1999 Comprehensive Transportation Program. The Legislature should continue the funding commitment to the program as it is vital to the continued growth and development of the state and it's individual communities and to the safety of all motorists.

**Cooperative Initiative with  
Sedgwick County  
Wichita Area Chamber of Commerce  
League of Kansas Municipalities  
Kansas Association of Counties**

**Electric Rates**

The City of Wichita is committed to ending the electric rate disparity imposed by Western Resources and believes there are benefits in allowing a competitive market for electric service. The Kansas Legislature, especially those Senators and Representatives elected by citizens forced to pay the higher rates, the Governor, the Kansas Corporation Commission and executives of Western Resources should make ending the rate disparity a top priority. Competitive electric rates are crucial to the City's economic well being. Western Resources operates as one integrated company, but divides its customers into different service areas, charging its customers in the KGE service area of the company more for electricity than it charges customers in the KPL service area of the company. The rate disparity is unfair because the Wolf Creek Nuclear Generating Station, which is blamed for the higher KGE rates, benefits all Western Resources customers and stockholders and is used to provide electricity to the entire Western Resources system. Charging one set of customers higher rates for something which benefits all customers is unfair and penalizes South Central Kansas.

The City of Wichita strongly urges approval and implementation of deregulation and competition in electric service, known as retail wheeling.

**The Goal of Lower Electric Rates is a**

**Cooperative Initiative with  
Sedgwick County  
Wichita Area Chamber of Commerce  
Regional Economic Area Partnership**

**City of Wichita  
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**TAXES AND FINANCES**

**Bond Certificates**

The City of Wichita is requesting changes in the way cancelled bond certificates are handled. Current law requires cancelled bond certificates be returned to the clerk, then retained for five years, after which they can be destroyed if one certificate is permanently preserved or offered to the State Historical Society. These requirements do not represent modern and now established general practices. The City of Wichita requests changing the statutes to allow cancelled coupons and certificates to be immediately destroyed by the trustee or paying agent without return to the city clerk, providing the trustee or paying agent furnishes the City with a certificate of destruction.

***New Issue for 2000.***

**Bond Sales and Auctions**

Technology is changing the way business is conducted. The City of Wichita is requesting the chance to take advantage of technological improvements on two fronts. The first is in the way bond sales and auctions are conducted. The City usually sells bonds on a semi-annual basis. State law requires that interested purchasers submit sealed bids. More and more cities are accepting bids by fax or internet. This can be done with security devices which serve the purpose intended by the current sealed bid requirement. The City of Wichita's bond counsel is of the view that KSA 10-106 does not allow fax or internet submissions. The City requests changes in the statute to allow fax and internet bids.

The second change involves use of electronic "virtual auctions." Electronic bidding creates more competition than sealed bid submissions and offers the potential for saving taxpayers money by gaining more favorable interest rates. Over the next several years electronic bidding is expected to become the norm. Kansas law (KSA 10-106) however, poses some obstacles. The City of Wichita is asking for changes to allow electronic bidding as allowed in other states. ***New Issue for 2000.***

**Water Utility Sales Taxes**

Traditionally, City governments do not pay sales taxes to State government for providing municipal services. That is not true when it comes to municipal water utilities. In recent years, the Department of Revenue has moved to impose sales tax on many basic municipal services related to the water utility, including fire protection, street repairs, telephones and computers. The City of Wichita urges the Legislature to acknowledge the public service function of municipal water utilities by treating them the same as other municipal departments and exempt them from paying sales tax on purchases. In 1999, House Bill 2111, which exempts water utility and water district purchases from sales tax, passed the Kansas House by a vote of 124-0. The bill is still alive, but stalled in the Senate Assessment and Tax Committee, which has already held hearings. The City of Wichita urges the Senate to consider and pass this bill in 2000.

**Cooperative Initiative with  
League of Kansas Municipalities**

**Groundwater Management District Funding**

Present land and water assessment rate limits will not generate sufficient revenue to fund the Equus Beds Groundwater Management District 2 water management programs and public services beyond the year 2000. To meet the Equus Beds Groundwater Management District's financial needs into the next decade, the City of Wichita supports updating of the land and water assessment rate limits and creating a two-tiered assessment structure.

**Cooperative Initiative with  
Equus Beds Groundwater Management District  
Lower Arkansas Basin Advisory Committee**

**City of Wichita**  
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**TAXES AND FINANCES**

**Public Library Funding**

The City of Wichita supports increased funding for public libraries. In 1999, the Kansas Legislature approved the first step toward increasing support for public libraries to 10% of the annual local library operations budgets. The grants-in-aid program helps local libraries offset costs of serving customers who don't pay local taxes, as well as the costs of sharing resources with other libraries around the state. The Wichita Public Library uses state grants-in-aid funds to pay the salaries of a volunteer coordinator, a local history librarian, one neighborhood branch manager, one employee for the Central Library Children's Center, and two clerks for the Business & Technology Section's directory service. The library also uses this funding to help provide Internet access to branch libraries, to fund courier service to and from other libraries, to pay for our subscription to the Information Network of Kansas and to purchase additional copies of bestsellers and books on cassette.

**Cooperative Initiative with**  
**Kansas Library Association**

**Children's Online Education Databases**

The City of Wichita supports state funding of online research databases. Research databases are an online education resource that most public and school libraries cannot afford. The State Library can contract for a statewide license on behalf of K-12 and public libraries for a cost that is much lower than individual subscriptions. The availability of carefully developed research databases is a child-safe alternative to the controversial resources of the Internet. \$480,000 would provide all schools and libraries in the state with access to *Electric Library* and *SIRS*, two of the most highly rated databases for students. The Wichita Public Library currently makes four electronic databases available through the Dynix Online Catalog, all of which are made possible through similar contracts the State Library has been able to negotiate. These databases designed especially for K-12 students will add depth and age-appropriate resources for students to the mix of resources our library is currently able to provide.

**Cooperative Initiative with**  
**Kansas Library Association**

**Municipal Budgeting Timetable**

The City of Wichita supports changing the timetables for preparation and certification of city budgets. The statutory timetable for budget preparation, publication, hearing, adoption and certification should be extended by one to two months. The current statutes, which require city budgets to be set and adopted in August, long before assessed valuation figures are known, were written long before computers and no longer serve the best interests of citizens. Changing the statutory timetables will allow more accurate budgeting.

**Retirement Fund Amortization**

The City of Wichita sees a need to change the requirement by the Kansas Public Employees' Retirement System regarding unfunded liabilities by amending the fixed 40 year amortization period to a rolling 20 year amortization period for those plans outside of the KPERs and KP&F systems. All accrued unfunded liabilities of retirement plans outside of KPERs must be amortized over a period of not more than 40 years from January 1, 1978. This requirement puts a serious financial burden on the Wichita Employees' and Police & Fire Retirement Systems because the Wichita plans will have to amortize any actuarial liabilities over a over a period of 18 years. As the amortization period decreases, the annual cost to the Wichita plans dramatically increases because of the shorter period in which to write off any unfunded liability.

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**Public Safety**

**Domestic Violence**

The City of Wichita supports changes in the domestic violence statutes in an effort to make the law more effective and workable. The City of Wichita supports narrowing the definition of domestic battery to family members or those involved in intimate relationships. Deleting the reference to “*persons who are presently living together or have resided together in the past*” will strengthen enforcement efforts. Limiting the definition to people with intimate relationships and family members will allow law enforcement and court resources to concentrate on the most prevalent and troublesome cases of domestic violence.

The City of Wichita also supports increasing the penalty for domestic violence to eliminate a disparity in state sentencing laws. Under current law, the maximum penalty for domestic battery is less than the maximum penalty for regular battery. This disparity in sentencing sends a confusing signal and could lead people to believe that domestic violence is considered a less serious crime than regular battery. The City proposes increasing the maximum penalty for domestic battery to a one year sentence and \$1,000 fine, making it consistent with the maximum penalty for regular battery. ***New Issue for 2000***

**Cooperative Initiative with  
Wichita Domestic Violence Coalition**

**911 Emergency Tax**

The City of Wichita supports extending the 911 Emergency Tax to all telephone customers. All telephone customers use 911 services, but current law exempts wireless phone users from paying the local 911 tax which supports these services. The 911 tax supports a vital public safety interest and should be funded equitably by all users. The City supports formation of a statewide task force to investigate issues concerning local government 911 systems.

**Cooperative Initiative with  
Sedgwick County  
League of Kansas Municipalities  
Kansas Association of Counties**

**Juvenile Justice**

The City of Wichita supports a cooperative approach to juvenile justice issues which involves all levels of local government. State laws governing juvenile justice should promote community-based programs, but should not result in unfunded mandates. The City of Wichita urges adequate and consistent funding for local programs and services to address juvenile crime and delinquency.

**Cooperative Initiative with  
Sedgwick County  
League of Kansas Municipalities  
Kansas Association of Counties**

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**Health and Environment**

**Water Management Agencies**

The City of Wichita supports consolidation of all aspects of the state's involvement in water issues into one entity that is autonomous of political pressures. The existing structure for the regulation of the state's most precious resource creates confusion and duplication.

The City of Wichita also supports strong representation of cities on the Basin Advisory Committees.

**Cooperative Initiative with  
Kansas League of Municipalities**

**Solid Waste Disposal Tipping Fees**

The City of Wichita opposes any increase in the per ton tipping fee imposed on local landfills unless the allocation formula is changed to distribute the money more fairly. The City also opposes any proposal to add a special fee on transfer stations which ship trash to out-of-state landfills.

**Local Environmental Protection Program**

The City of Wichita supports removal of the funding cap placed on the Local Environmental Protection Program. Under this program, each County receives a per capita allotment from the Kansas Department of Health and Environment. However, in the case of large counties, the funding amount is capped. This arbitrary cap unfairly penalizes citizens who live in large, urban counties.

**Waste Reduction and Recycling**

The City of Wichita supports statewide efforts to develop markets for recyclable materials and the promotion of waste reduction efforts. The City of Wichita urges the Legislature and Department of Health and Environment to encourage cooperative recycling and waste reduction efforts between the state, cities and counties.

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**Home Rule and Local Control**

**Home Rule**

The City of Wichita believes the governing of public affairs should be as close to the people as possible and that home rule is essential to vigorous, effective and responsive local government. Home Rule is crucial to the continued ability of locally elected officials to solve local problems in ways most appropriate to the needs and conditions of the city they represent.

**Cooperative Initiative with  
Sedgwick County  
League of Kansas Municipalities  
Kansas Association of Counties**

**Local Control**

The City of Wichita believes the State Legislature and State agencies should avoid intervention in matters of local affairs and government. The Legislature should encourage local officials and citizens to solve local problems. Laws passed by the Legislature should foster local responsibility and assist City leaders and the citizens they represent in addressing problems in ways which best serve their community.

The City of Wichita will generally oppose any attempts to pre-empt local control in favor of uniform statewide regulations or restrictions.

**Cooperative Initiative with  
Sedgwick County  
League of Kansas Municipalities  
Kansas Association of Counties**

**Unfunded Mandates**

The City of Wichita believes the State Legislature should not impose mandated functions, activities, or regulations on local governments without providing financial resources to meet the costs of carrying out those mandates.

**Cooperative Initiative with  
League of Kansas Municipalities**

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**Federal Issues**

**e-Commerce Internet Taxation**

The City of Wichita supports development and growth of electronic commerce over the Internet, but not at the expense of Main Street businesses and local government revenues. Continued exemption of all Internet transactions from the sales tax will have a dramatic impact on state and local sales tax structures. State and local sales taxes should apply to Internet sales the same as they do to traditional business transactions. In the meantime, all Internet sales taxes collected by the federal government should be distributed back to state and local governments to compensate for lost state and local sales tax revenues. Any federal Internet tax legislation should not preempt state and local sales tax authority. Only Congress can change federal laws to provide authority for states to require out-of-state mail order and electronic vendors to collect and remit state and local sales taxes.

**Preemption**

For the nation's municipal leaders, preemption has become the successor to unfunded federal mandates. The City of Wichita supports a simpler, more rational, and more flexible intergovernmental system to let city leaders develop more innovative and cost effective methods of delivering programs, infrastructure, and services to citizens, and to enhance public involvement and restore public confidence in government. From telecommunications to Internet taxation to takings to electric deregulation, preserving the ability of local governments to manage the public rights-of-way and receive fair and reasonable compensation for their use, and to protect municipal zoning and taxing authority from federal intrusion is crucial.

**Federal Mandates**

The City of Wichita opposes the imposition of additional federally-mandated functions or activities on local governments which are not accompanied by financial resources adequate to meet the costs. Cost impact studies should be required for all proposed federal legislation, rules and regulations prior to their enactment or promulgation. The cost of compliance with all federally mandated functions should be exempt from any future property tax lid.

**Local Participation**

Effective use of the federal system requires the involvement of local government officials in the planning and implementation of federally assisted programs, which may be legally controlled by the state but which vitally affect cities and their residents. In addition, the largest amount of federal aid possible should be "passed through" to local governments, with state administrative costs financed from state funds and not "skimmed off" from grant moneys apportionable to local units.

**Air Quality Standards**

The City of Wichita supports legislation that delays more stringent standards for ozone and particulate matter until there is a scientific consensus that such limits will actually protect human health and the environment, and until EPA adequately evaluates the costs and benefits of the standards.