

About This Legislative Program

Urban areas, suburban areas and rural areas are all partners in this State called Kansas. The differences are not nearly as great as the common bonds.

The Governor, State Legislature and other State officials must realize they represent the same constituents as City leaders. Economic woes and budget shortfalls mandate the Governor and Legislature work with cities, not against them, if economic success is the goal.

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.

Success is created by partnership and destroyed by parochial, partisan conflicts. We can get through difficulty and reach the stars if we work together.

This Legislative Program was approved by the Wichita City Council in November 2002.

Home Rule
The Kansas Constitution
Article 12, Section 5

“Cities are hereby empowered to determine their local affairs and government... including the levying of taxes, excises, fees, charges and other extractions....”

The Home Rule Amendment is the foundation of local government and the bedrock of our belief in independence.

In 1961, Kansas voters took control of their destiny, approving the Home Rule Amendment to the Kansas Constitution. In doing so, citizens reasserted the right to govern themselves within their own communities and rekindled the fiercely independent spirit they inherited from their pioneer ancestors.

As Home Rule moves into a new century, the independence and self determination granted in the State Constitution can not be taken for granted. It is being eroded.

Special interest groups, narrowly focused on their own causes, are aggressively attacking Home Rule. They readily seek legislative intervention to overrule decisions made at the local level.

Many legislators, elected to be stewards of state government, are also eager to be watchdogs over local governments. Efforts to pre-empt decisions made by local citizens in the best interests of their own communities are becoming more frequent in the halls of the Statehouse.

The Home Rule Amendment of the Kansas Constitution is the foundation of local government, the bedrock of our belief in independence and the benchmark of the right to determine our own destiny.

The City of Wichita urges the Kansas Legislature to defend and protect the Home Rule Rights and authority guaranteed in the Kansas Constitution.

Priority Issues

Transportation Funding

The 1999 Comprehensive Transportation Plan is crucial for public safety, quality of life and economic advancement in Wichita and Sedgwick County. The Legislature should honor the commitments to transportation improvements by fully funding the Comprehensive Transportation Plan.

Revenue Sharing

The Governor and Legislature should honor the longstanding financial partnership with local governments by funding all State-Local revenue sharing programs at the levels mandated by state law. The City opposes any reduction in funding and opposes arbitrary caps on the growth of these funds.

Municipal Courts

Municipal Courts play an important role in keeping the public safe and administering justice in Kansas. The City of Wichita supports local control of Municipal Courts, but seeks to work in partnership with the Legislature to make Municipal Courts as effective as possible for the benefit and fairness of all citizens.

The City of Wichita requests several changes in the Municipal Court Procedures Act regarding the authority of Municipal Courts to enforce the law:

- Municipal courts should be allowed the same authority as District Courts to convert fines to civil judgments when those fines have been declared uncollectable.
- Municipal Courts should be allowed the same authority for collecting unpaid fines as District Courts by requiring delinquent defendants to pay the cost of the collection fee as well as the fine owed.
- Annual vehicle registration should be denied for vehicles in which a traffic violation was committed and the court imposed penalty remains unpaid.

Principle Issues

Local Option Revenue and Fees

The City of Wichita and its citizens should be given the trust and responsibility to craft and adopt funding mechanisms for services and projects which best suit the community. The Legislature should remove the unwarranted and unnecessary control placed on local government taxing authority.

Tax and Spending Lids

The City of Wichita believes arbitrary, mandated taxing and spending controls on local government infringe on the rights of citizens to determine the appropriate level of government services for their community. The City of Wichita opposes re-establishment of the tax lid on local government and opposes spending limits on local government.

Property Appraisal and Valuation

The City of Wichita supports property appraisals based on fair market value and opposes caps on property valuations as unconstitutional and inequitable.

Public Land

Local government and the citizens they represent should be allowed to control and manage public lands and right-of-way as they see fit. This includes collecting franchise fees and other revenues from private companies and individuals which use public lands for personal benefit or profit.

Local Control and Police Powers

The City of Wichita opposes all legislation which restricts the regulatory authority of cities to protect the health, safety and welfare of the public.

Taxes and Finance

Banking Services

The City of Wichita should be allowed to use any federal or state chartered financial institution for banking and financial services. The current restriction on local government which forces active funds to be deposited only in state chartered banks is antiquated, anticompetitive, unworkable and does not allow for the most efficient use of tax dollars

Public Library Funding

The City of Wichita favors stronger state support of public libraries through the grant-in-aid program for local libraries. Because local libraries serve all Kansans, regardless of where they live or whether they pay local taxes to support the library they use, it is fair and equitable for the State to assume a greater responsibility for funding public library operations.

Environmental Tax Increment Financing

Tax increment financing is an important tool in the major groundwater pollution cleanup in downtown and south central Wichita. The City of Wichita needs an extension of the 20 year time limit now placed on environmental TIF districts in order to complete this crucial environmental project. While the project is proceeding successfully, lengthy and costly approvals from the Kansas Department of Health and Environment have taken longer than anticipated, so the actual pollution remediation did not start as soon expected. Because the cleanup will be extended beyond the originally scheduled 20 years, the tax increment financing needs to be extended as well.

Local Environmental Protection Program

The City of Wichita encourages continued funding of the Local Environmental Protection Program. State officials are urged to re-evaluate the way funds are distributed to ensure communities are getting a proportionate and equitable share of what their citizens have paid in and demand of services.

Community Development

Economic Development Initiative Funds

The City of Wichita supports continuation of economic development funding and will work for increased investment in Wichita and South Central Kansas through the Economic Development Initiative Fund.

Tourism

The City of Wichita and South Central Kansas offer tourism attractions which can draw thousands of visitors to Kansas. The State of Kansas should be an active and aggressive partner in financing the promotion and marketing of Wichita and South Central Kansas as a visitor and convention destination.

Public Art

Arts and cultural opportunities are important to the citizens of Wichita. The City of Wichita supports the inclusion of public art in capital improvement projects and believes public funding of arts and cultural activities are appropriate and beneficial to the overall quality of life and economic advancement of the City.

Transportation Options

The City of Wichita supports transportation options for South Central Kansas residents, including passenger rail service and affordable air fares out of Wichita Mid-Continent Airport. The City encourages the Governor, Legislature and State agencies to work in partnership with Wichita and other South Central Kansas communities to accomplish these goals.

Annexation

The continued growth of the City of Wichita is beneficial to all residents of South Central Kansas and the State as a whole. The City of Wichita's ability to annex is not only necessary for the economic well being of the region, it is a simple matter of equity and fairness in financing the cost of services used by thousands of residents living on the fringes of the urban city.

Health and Environment - Public Safety

Methamphetamine

The production and sale of the illegal drug, methamphetamine, is costing taxpayers, retail businesses and the agricultural industry in Kansas millions of dollars a year. The City of Wichita supports law enforcement efforts to stop the production and sale of meth. The City of Wichita urges the Legislature to approve measures which will reduce the number of meth labs and the amount of meth produced in Kansas, including restrictions on the availability of ephedrine and pseudoephedrine products.

Abandoned Vehicles

The increasing number of aging and abandoned vehicles is a major problem for many Wichita neighborhoods. The City of Wichita supports changes in State law which eliminate the costly, administrative burdens associated with regulating and disposing of abandoned vehicles.

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.

Protection of Arkansas River Water Quality

The City of Wichita is committed to protecting the Arkansas River as a vital natural resource and community asset. The City of Wichita encourages partnerships with the Kansas Department of Health and Environment, agricultural industry, environmental organizations, businesses and citizens to cleanup and protect water quality in the Arkansas River. State funding assistance is also urged.

Solid Waste Management and Disposal

The home rule powers of cities to dispose of and manage municipal solid waste should be restored and not be restricted.

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.

Alcohol Regulation

Local regulation and enforcement of liquor establishments is crucial to the public health, safety and welfare. The City of Wichita supports the authority of cities to license and regulate alcoholic liquor and cereal malt beverage retailers and establishments.

Open Meetings and Records

The City of Wichita believes all levels of government should be subject to the same open meetings and open records requirements. Open records laws should balance the public's right to know with the necessity of protecting private individuals and the ability of public agencies to conduct essential business.

Public Employee Employer Relations Act

The City of Wichita has long recognized public employee unions and collective bargaining, but believes the decision should be left to local governing bodies and not mandated by the state Legislature.

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.

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. Any federal Internet tax legislation should not preempt state and local sales tax authority. Local sales tax should be included in any formula developed to collect sales tax on Internet, mail order and other remote sales.

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.

Homeland Security

The City of Wichita encourages government at all levels to work in partnership to develop and adequately fund homeland security. As the frontline providers of public safety and emergency response, local governments should be active participants in the decision making process and implementation of all homeland security measures and should directly receive the funding needed to implement those measures.