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# LEAGUE NEWS



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From time to time, the Kansas Legislature website may be experiencing technical difficulties. Links to bills may or may not be accessible.

## 1) Participate in LKM's Strategic Planning Process

City officials will have an opportunity to participate in the LKM Strategic Planning process by participating in one of the upcoming regional meetings.

Tuesday, March 26 - Dodge City

Wednesday, March 27 - Oberlin

Thursday, March 28 - Concordia

Thursday, April 4 - Kansas City

Wednesday, April 10 - Sedgwick

Thursday, April 11 - Iola

Registration is now available for these six regional meetings taking place in March and April. Please join us to voice your thoughts and weigh in on the vision, mission, and critical issues LKM will be facing in the future.

For registration and more information about these meetings, please visit:

[www.lkm.org/strategic-planning](http://www.lkm.org/strategic-planning)

The Strategic Planning Meetings will be held from 6:00 p.m. to 7:30 p.m. and dinner is included. In addition, the Mayors Association will be meeting from 4:30 p.m. – 6:00 p.m. to discuss other important business. We encourage you to attend a regional meeting in your area!

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## 2) Possible Tax Lid Language Removed from Bill

**HB 2047**, the bill containing some language that could have been interpreted as a tax lid, was debated on the House Floor Wednesday and was passed by a narrow margin on final action Thursday. The bill was amended on the Floor to include two key provisions: 1) The LKM amendment to add a statement clarifying that this is in no way a tax lid bill; 2) An amendment requested by the City of Wichita to allow a local government to increase their budget up to the amount of the CPI without having to jump through the vote and publication. While LKM believes that this bill is unnecessary, in its current form, it does not represent a tax lid or a limitation on local governments establishing budgets.

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## 3) Public Funds For Lobbying

Thursday morning, the Senate Ethics, Elections, and Local Government Committee did a second gut-n-go on a House bill and added language with a new reporting requirement for public funds used for lobbying. The new language can be found at <http://www.lkm.org/legislative/testimony/d/2013/03/19/HB%202141.pdf>

This represents a major accomplishment in that it now appears that **SB 109**, the bill that would have prohibited the use of public funds for lobbying, is likely dead for the session. Comments from city officials have been instrumental in keeping **SB 109** from passing to date and you are to be commended to your engagement in the process.

While the new bill is being sold as a simple "reporting" bill, there are some concerns:

- **No Hearing on This Bill.** This is the second gut-n-go on this House bill. The substance of this bill has not had a hearing. And, because it has been put in a House bill, that all but guarantees that the bill will not have a hearing in either chamber. Should this bill pass the Senate, it will go straight to a conference committee unless the Speaker of the House rules the bill "materially altered" and sends it to a committee for hearing (which is unlikely).
- **Duplicative.** All of the information that is being requested is already an open record pursuant to the Kansas Open Records Act.
- **Applies to ALL Municipalities.** All municipalities (cities, counties, townships, and all other political subdivisions) would be required to file an annual report. Further, it would be very difficult for some of these entities to know whether or not various associations to which they belong are engaged in lobbying.
- **Misplaced Mandate.** If the proponents of this legislation would like for this

information to be kept in a central repository instead of asking each public entity, then it would be most appropriate to have the lobbyists for these entities file that information. Requiring literally thousands of small entities to produce this information is inefficient and duplicative. Had there been a hearing on this language, we would have been able to make that suggestion.

- **Association Dues.** While LKM and other public entities would be happy to provide the list of cities and the dues that they pay to the organization, it is misleading to report all membership dues as a lobbying expense. The reality is that a very small portion of most association dues are for lobbying purposes and reporting the total amount of dues on a "lobbying" form results in a misleading total.

**Action Requested:** Contact your Senator and ask them to vote no on this legislation.

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## 4) Gun Bills Continue to be Debated

On Thursday the House Federal and State Affairs Committee held a hearing on **HB 2111** which is an attempt to preempt local governments from regulating firearms. LKM testified in opposition to this bill arguing that it is a continuing erosion of local control. Today the Committee worked the bill and passed it out favorably for passage with two amendments. We will continue to monitor this bill and keep you informed of any action.

On Thursday the Senate Federal and State Affairs Committee also held a hearing on **HB 2052** which concerns discharging a firearm inside or into a city. The intent of the bill is to assure that if a person discharges a firearm in a lawful defense of themselves or others they could not be charged with the crime of illegal discharge of a firearm. This would still allow cities to control the discharge of a firearm but limit the reach so that those who are using a firearm for a legal purpose could not be charged.

Today the Senate Federal and State Affairs Committee met and worked HB 2052 by creating Senate Substitute for HB 2052 and adding into the bill portions of several bills. The bill now contains language from **SB 186**, **HB 2055**, **SB 157** and **SB 158**. The bill was passed out favorable for passage as amended so you will need to watch for **S Sub HB 2052** to follow this matter. LKM continues to object to these bills due to the removal of local control. The new combined bill does contain the exemption language from **SB 186** that would allow local government to continue to ban concealed carry if a security plan is made and filed. We will continue to watch this bill as it advances and keep you informed of any changes.

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## 5) KPERS Bill Heard

The House Pensions and Benefits Committee held hearings this week to discuss moving new hires to a hybrid cash balance/defined contribution plan. LKM testified against this bill. Our testimony can be found [here](#). After hearing from all conferees, the committee decided to table the bill until January 2014, so that it could have more time to properly vet the bill. LKM fully expects this issue will be brought up again next legislative session, but for now the bill is dead.

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## 6) Comprehensive Transportation Program Funding

As previously reported, the funding of T-WORKS, the current comprehensive transportation program (CTP), has been a road filled with many twists and turns and a few pot holes. The biggest of these has been the House's off again, on again funding of the program. The original House tax bill, as reported out of the House Tax Committee, would have retained the 4/10th of a cent sales tax designated in current law but split it between the CTP and the State General Fund. This would have diverted about \$380 million from the CTP over the next two years. During floor debate of the House bill (**now H. Sub. SB 84**), it was amended to restore the full 4/10ths of a cent to the CTP.

The Senate, in contrast to the House, has been steady in its approach to funding the CTP. It's current tax bill (now **HB 2059**) retains the full one cent of additional sales tax. Under current law 4/10ths of a cent of this shifts on July 1, 2013 to the department of transportation for funding of CTP.

The net result of all of the twists and turns in the financing road of the CTP is that both chambers presently have the additional 4/10ths of a cent of sales tax revenue in their tax bills. Each bill designates the money for the department of transportation. But, there are a number of other differences in the respective bills. Thus, the fate of CTP funding remains in the hands of the Tax Conference Committee. At this time, no meeting dates have been scheduled.

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## 7) HB 2227 Apparently Dead in House Committee

The House Committee on Elections earlier today considered **HB 2227**, which would move nonpartisan city and school elections to the fall of odd-numbered years. The committee initially voted 5-5, with the Chair voting yes to break the tie, to amend the bill with some technical amendments. Prior to the initial vote, the Chair had noted that as **HB 2227** wasn't technically alive, due to having not met the turnaround deadline, that the committee would have to do a gut and go into another bill to send the language contained in **HB 2227** out to the House floor. After the initial 5-5 vote on the amendment, the Chair chose not to vote on the gut and go because he did not want to send the bill to the House floor with the committee so evenly divided on the issue.

The League opposed this bill as an unnecessary interference in local elections. Stay alert as this, or some other elections bill, could appear on the floor of the House or Senate as an amendment, or by action of a committee late in the session.

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## 8) Upcoming Hearings

### Legislative Activities-March 25-29, 2013

Monday, March 25

Time	Committee	Location	Bill No.	Topic	Activ
12:30	S, FSA	144-S	<b>SB 215</b>	Kansas expanded lottery act; racetrack gaming, amendments	Hea

Tuesday, March 26

Time	Committee	Location	Bill No.	Topic	Activ
1:00	S, FSA	144-S	<u>HB 2199</u>	Second amendment protection act	Hea

## 9) Register for *Municipal Finance* MLAs

Registration is available for April MLAs, *Municipal Finance*. This core course is designed to provide participants with an overview of municipal finance issues in Kansas. It will help city officials address the responsibility of fiscal operations at the local level to ensure effective service to your community.

The class will be offered at the following locations:

Friday, April 12-Ellis

Saturday, April 13-Marysville

Saturday, April 27-Louisburg

Registration is available online at <http://www.lkm.org/register/mla/apr13mla.php>. You can also download the brochure by clicking [here](#).

League News PDF



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