

2025 Statement of Municipal Policy

State Issues

League of Kansas Municipalities

Legislative Priorities

The success of Kansas is dependent upon the prosperity of its cities. More than 84% of Kansans live in an incorporated city. To promote healthy and sustainable communities, the elected and appointed city officials of Kansas establish the following as 2025 legislative priorities:

Home Rule. Consistent with the Home Rule Amendment of the Kansas Constitution approved by voters, we support local elected officials making decisions for their communities, particularly tax and revenue decisions.

Government Competition. Local governments should retain local control over the services they provide to residents and businesses. Free markets are the best vehicle for allocating goods and services. However, there are circumstances where the free market does not efficiently allocate goods and services, creates externalities that endanger public safety and welfare, or simply does not provide a service. In these instances, it falls to local government to respond to the needs of the people. In addition, local governments provide services for the sole benefit of their residents and should continue to receive tax benefits to provide those services at a low cost.

Sales Tax & Exemptions. Cities should continue to retain voter-approved local sales tax allocations. The Legislature is granted authority to make decisions relating to statewide sales tax. Local voters vote on and are granted authority to make decisions regarding local sales taxes. Any sales tax exemptions considered by the Legislature should only apply to the state portion of sales tax and not eliminate voter-approved local sales taxes.

Mental Health. We support allocating additional resources for mental health programs. Funds should be allocated for community mental health centers and additional bed space for patients with mental health issues.

Housing. A lack of quality housing across the state creates an impediment to growth and economic development. The League supports programs that encourage access to quality housing.

Water. Access to water is paramount for the growth and viability of communities. Government at all levels should pursue the conservation, protection, and development of current and future water supplies to ensure access to clean, safe, and affordable water for all Kansans. We support state action, in consultation with municipal providers, to address surface and groundwater resources. We support the development of standards and an approval process for the re-use of wastewater effluent for consumer use.

KPERS: The state should consider a rollback from KPERS 3 to a model closer to KPERS 2 for municipal employees and public employees should be eligible for the DROP program.

Finance & Taxation

Each city is unique in services provided and ability to pay for such services; maximum flexibility should be granted to local governing bodies to determine the amount and source of funding for city services. The League supports the long-established policies of balancing revenue from income, sales, and property taxes to assure the fiscal ability of the state and local governments to provide services citizens need.

Tax Policy & Spending. Local spending and taxing decisions are best left to local officials representing the citizens that elected them. We oppose state-imposed limits on the taxing and spending authority of cities. Changes to tax policies should not be undertaken without a full understanding of the overall impact on all taxpayers, taxing entities, and the sources and amounts of revenues generated or eliminated by such policy changes.

Property Taxes. All property taxing authorities, including cities, counties, the state, school districts, special districts, and community colleges should be transparent, and abide by the same limitations, restrictions, and requirements. Any additional transparency measures should not be burdensome or costly. We encourage the state and local governments to make government more efficient and recognize the need to work together on innovative approaches to reduce property taxes.

Property Tax Exemptions. We encourage the legislature to resist any proposal to further exempt any specific property classification from taxation, including industry-specific exemptions. We support the current statutory definition of machinery and equipment, and the exemption should not be expanded. The legislature should review existing exemptions to determine if they should continue or be repealed.

Sales Tax & Exemptions. Cities should continue to be able to determine voter-approved local sales tax allocations. The Legislature is granted authority to make decisions relating to statewide sales tax. Local voters vote on and are granted authority to make decisions regarding local sales taxes. Any sales tax exemptions considered by the Legislature should only apply to the state portion of sales tax and not eliminate voter-approved local sales taxes.

Property Valuation. We support appraisals based on fair-market value as historically used in Kansas. We oppose caps in property valuations and limitations on valuation methods that shift the property tax burden, benefiting one category of property to the detriment of all others, as unconstitutional and inequitable.

Taxes Paid Under Protest. The state and county where a city is located should be required to notify cities when taxes, including compensating use and ad valorem taxes, are paid under protest or a large tax exemption is filed so cities have accurate data when making budget decisions.

Countywide Sales and Use Taxes. Since 1977, Kansas has successfully used a city-county revenue sharing formula for the benefit of all. The existing formula benefits city and county taxpayers and ensures there is a fair method to distribute funds generated primarily in cities and approved by voters. The Legislature should fund existing city and county revenue sharing programs as required by statutes.

Sales Tax Revenue in STAR Bond Districts. The reduction and elimination of the state food sales tax threatens the viability of existing STAR Bond project districts that include groceries by eliminating a source of revenue pledged to repay the bonds. We support the creation of a long-term funding mechanism to ensure state reimbursement of lost funds caused by reduction and elimination of the state share of food sales tax in impacted STAR Bond districts.

Revenues & Spending. We oppose any law requiring a city to spend a certain threshold to receive and maintain state dollars. All spending decisions should remain at the local level. Cities should be authorized to approve alternative revenue sources to maintain appropriate levels of funding for the health, safety, and welfare of citizens. Cities should be allowed to set financial policies in-line with bond rating requirements and other accepted best practices for municipal management.

EMS/Hospital Funding. We support the expansion of Medicaid to allow hospitals and emergency medical services (EMS) access to federal funding, helping cities maintain and provide critical services for citizens. Absent Medicaid expansion, additional state funding needs to be made available to rural hospitals to retain businesses and employees and sustain the health and lives of Kansans.

Unfunded Mandates & Loan Programs. We oppose unfunded mandates. If the state or federal governments seek to promote particular policy objectives, such mandates must be accompanied by an appropriate level of funding. We support changes to allow local governments to participate directly in federal loan programs.

Local Authority. We support cities' ability to impose and collect taxes and fees on telecommunications providers. All cities should have the same banking and investment authority the state grants itself. We support Kansas statutes being modernized to reflect revenue neutral rate requirements when determining a public library's eligibility for state funding.

Public Safety

Cities play a critical role in the protection of the health and safety of citizens. Government at all levels should cooperate in the development of health and safety programs.

Homeless/Unsheltered: Unsheltered individuals are living in cities across Kansas in growing numbers, putting strains on local budgets, law enforcement agencies, and mental health professionals. The state should enhance local initiatives by providing resources, coordination, and strategic guidance.

Asset Forfeiture. All assets forfeited, or proceeds of the sale of the same, should remain with the local government that seizes the property.

Municipal Court. All assessed court funds under a municipal court order, other than restitution collected and payable to a third party and state assessments paid under K.S.A. 12-4117, should be retained by the local municipality. We support municipalities' ability to set appropriate fines and fees.

Emergency 911 Services. Cities and counties should maintain local control of the 911 system. The 911 tax should continue to include wireline and wireless communications. We support legislation providing flexibility for local governments to utilize these funds to provide emergency services. 911 funds should not be diverted by the legislature for other uses.

Emergency Management. Implementation strategies must promote cooperative efforts between federal, state, and local governments. Changes to the Emergency Management Act should consider the role of a city in responding to disasters.

Medical Charges. The first person responsible for payment of medical costs should be the individual in custody. Clarification is needed that the entity charging for a crime is responsible in the event those costs cannot be recovered. We support the pooling of resources between state and local law enforcement agencies.

Law Enforcement Discretion. We support local governments' discretion in establishing law enforcement vehicle pursuit policies and the ability of law enforcement officers to use discretion in determining when to make an arrest.

Service Animal Fraud. We support strengthening and redefining the crime of service animal fraud to disincentivize individuals from asserting an animal is a service animal to avoid vicious animals, exotic, livestock, or breed-specific ordinances.

Alcohol & CMB Regulation. We support the authority of cities to license and regulate alcoholic liquor and cereal malt beverage retailers and establishments.

Medical Marijuana. Medical marijuana should be subject to existing state and local sales tax and cities should be able to levy their own excise fees and receive a portion of any state funds to offset the impact of medical marijuana. Cities should have the ability to opt-in to allowing dispensaries in their city. Kansas should only allow the cultivation and processing of medical marijuana and THC in licensed facilities and not allow residential grow operations.

Homeland Security. Local first responders are the front-line defense in the prevention and response to terrorism and security risks. Local governments should be granted maximum flexibility over implementation of monies and strategies regarding homeland security.

Cybersecurity. We encourage the State to provide collaborative discussions, training programs, and feasibility studies for the impact of cyber- attacks on cities. Cities will use information provided by the state to determine best practices and policies for municipal implementation.

Mental Health. We support allocating additional resources for mental health programs. Funds should be allocated for community mental health centers and additional bed space for patients with mental health issues.

Medical Workforce Initiative. Hospitals and Health Care Facilities are facing an alarming shortage of licensed medical and clinical staff who specialize in the medical and mental health treatment of individuals. We support additional state resources being put toward programs to recruit and retain Health Care Professionals. We support the development of a behavioral health tech certificate program at community or technical colleges. We also support the establishment of a rural psychiatric residency program.

Infrastructure

Cities construct, manage, operate, and maintain numerous infrastructure components that provide a high quality of life. Infrastructure involving transportation, municipal utilities, energy services, and water and environmental structures are dependent on the ability of local officials to self-determine what is appropriate for their communities. This relies on cooperation from state government and full funding as required by law under statutory programs from the state and federal governments.

Transportation

Connecting Links. The State should maintain KDOT's funding for connecting link programs at a minimum of the FY 2020 level for cities to provide for the maintenance of state highways within city limits. We support full funding of the City Connecting Link Improvement Program (CCLIP).

City-County Highway Fund. The City-County Highway Fund should be fully funded and not diverted for other purposes. Such funding should include the transfer of fees from the registration of out-of-state commercial vehicles, as directed by K.S.A. 9-3425i. Proceeds from increases to the motor fuel tax rates should be allocated in accordance with current statutory provisions.

Comprehensive Transportation Program. We support a comprehensive transportation system that is safe, efficient, and accessible. The state should fully fund the Eisenhower Legacy Transportation Program (IKE) and cooperate with local governments to maintain and improve the state's transportation infrastructure. We support continued development of multimodal transportation networks and local transportation districts that enable cities to develop transportation initiatives to advance these objectives.

Modern Transportation Development. We support a modern and sustainable transportation system that meets the needs of all Kansans. The state should invest in expanding electric charging station infrastructure, enhancing airport facilities and services, developing recreational trails, and improving passenger and freight rail service. We also support changes to state law that make it easier and more affordable to develop these projects.

Electric Charging Stations. Any fees or taxes imposed on charging stations remitted to the state should be put into the Special Highway Fund, not the general fund. The state should study the impacts of assessing a tax or fee on users of EV charging stations, to offset declines in motor vehicle gas taxes.

Uniform Traffic Code. We support a comprehensive review and recodification of the Uniform Traffic Code.

Matching Funds. We support allocating surplus state fund revenues to cities to maximize federal discretionary grant funds.

Utilities

Broadband. Access to reliable broadband service is essential to the economic health of cities. We support the establishment of Broadband grants to facilitate expansion. Guidance for the grant program and broadband-related statutes must recognize the significant role local governments play in such expansion and not remove planning and right of way authority from local governments.

Service Territory. Municipalities must retain authority to purchase, construct, or extend infrastructure necessary to supply cities and their inhabitants with public utilities, including electric services. Cities should have the freedom and flexibility to grow and expand service territories.

Municipal Operation. We support the ability of cities to operate municipal gas, water, electric, sewer, telecommunications, broadband, solid waste, stormwater, or other utility services. We further support the ability of cities to set and control rates for locally owned and operated utilities.

Right of First Refusal. We support municipal utilities having the ability to invest in new electric/transmission projects to provide reliable, affordable service to customers. We oppose efforts prohibiting competition for transmission projects.

Franchise Authority. We oppose any legislation restricting the current franchise authority for cities, including limits on franchise fees.

Mandates. Any mandates passed down to cities by the state or federal government on utility services should not be imposed without a cost-benefit analysis and accompanied by appropriate funding. Regulations should be reasonable in overall scope and timing of implementation.

Right-of-Way. Cities must maintain the ability to regulate public right-of-way and recover reasonable compensation for use of the right-of-way. Kansas policy should not be dictated by federal mandates. We oppose efforts to codify at the state level federal directives limiting cities' powers.

Energy

Electric Utility Deregulation. Community-owned and operated municipal electric utilities make long-term power supply decisions and investments to benefit the overall community. We support continued local control over power supply decisions.

Statewide Energy Policy. We support development of a coordinated and comprehensive Energy Plan. Further, we support creative and cooperative implementation of renewable energy and energy efficient technologies that are environmentally sustainable and economically successful. We support public and private incentives to encourage energy efficiency and renewable energy.

Building Codes. Cities should continue to be allowed to shape local codes to incentivize net zero or net-zero ready building requirements.

Propane. We support cities' authority to protect public safety by regulating the capacity of propane units/facilities for residential or commercial purposes. State laws restricting the municipality's ability to put in place local regulations, particularly inspections, should be repealed.

Water and Environment

Water Quality. We support a clean and safe public water supply and the protection of public health and aquatic life. We endorse regional and cooperative solutions to water quality challenges that address point and non-point source pollution while balancing municipal cost concerns.

Water Quantity. We support efforts to extend the life of reservoirs and expand reservoir storage for use by municipal water suppliers. We support immediate state action, in consultation with municipal providers, to address surface and groundwater resources while respecting priority of water rights. Water rights management tools that have been developed in recent years should be modified or expanded so they provide the same type of flexibility and authority to any water rights holder regardless of class.

Water Re-use: We support the development of standards and an approval process for the re-use of wastewater effluent for consumer use.

Public Water Supply Supervision Program. We support changes to the statutory language increasing the funding stability for the Kansas Department of Health and Environment's Public Water Supply Supervision program. These changes must balance municipal concerns while recognizing the state has a responsibility to contribute to these public health matters.

Water Planning. We support increased municipal representation on the Kansas Water Authority; broad-based revenue sources and distribution for the state Water Plan Fund; and a re-evaluation of the process for adopting the annual state Water Plan Fund budget.

Infrastructure Funding. We support increased federal and state funding to assist local communities with water, wastewater, stormwater, levee and dam infrastructure and associated security needs. We call for loan terms of up to 40 years when the usable lifespan of an improvement will exceed the term of the loan.

Stormwater Management. We endorse regional and cooperative solutions to stormwater quality and quantity challenges that address point and non-point source pollution. We further endorse state measures to incentivize and enable investment in green infrastructure to support sustainable communities.

Solid Waste. Home rule powers of cities to dispose of and manage municipal solid waste should not be restricted. This includes recycling, electronic waste and composting programs.

Hazardous Waste. We support a comprehensive state and local cooperative approach to aid in identifying hazardous waste and to develop programs to monitor and dispose of such waste. Appropriate education and training should be provided prior to implementation of such programs.

Clean Air. We support a state-developed air quality plan that protects the health and safety of Kansans while balancing municipal cost concerns.

Water and Wastewater Certification. We support improved certification programs that align necessary skillsets for real-world water and wastewater system operation with the content of the corresponding exams. We support review of water and wastewater certification to ensure validity and reliability. We encourage contracting and collaboration to help utilities acquire the knowledge, skills, abilities, and certifications needed to effectively serve rate payers.

Human Resources

City employees are the foundation of city government. City governing bodies must have authority to develop local personnel policies to attract and maintain a high-quality workforce.

Workers' Compensation. We support reasonable and just benefits for employees injured within the course and scope of their public employment, and effective enforcement of the Workers' Compensation Act.

KPERS & KP&F. We support full funding of the Kansas Public Employees Retirement System (KPERS) and Kansas Police & Fire (KP&F) retirement systems and honor all commitments made by KPERS and KP&F. The local KPERS system should remain separate from the state and school retirement system. Changes to the KPERS system should support a city's ability to hire and retain qualified public employees, including any undue burden on hiring KPERS retirees, or reduce benefits promised to employees. The state should consider a rollback from KPERS 3 to a model closer to KPERS 2 for municipal employees and public employees should be eligible for the DROP program.

Public Employer-Employee Relations Act (PEERA)/Collective Bargaining. We oppose any federal or state mandate requiring collective bargaining at the local level.

Mandates. We oppose state and federal mandates involving public personnel. We oppose federal and state mandates requiring or prohibiting the payment of prevailing wages.

Weapons and Firearms. We support the ability of local governments to set policies regarding the carrying of weapons and firearms by municipal employees while engaged in their work.

Health Care & Other Benefits. We support cooperation and the study of ways to relieve the financial burden of securing employee health care coverage, including the continued option for cities to participate in the state health care program. The League also supports the repeal of the mandatory requirement to cover post-retirement health care costs. Federal law provides an

avenue for retired employees to retain health care coverage without burdening property taxpayers with these prohibitive costs.

Unemployment. We support reasonable and just benefits for employees who are qualified individuals under the Kansas Employment Security Law. We oppose the finding that volunteers, who are paid a nominal stipend, are considered qualified individuals. We support legislation to define “volunteer” in Kansas employment law that is consistent with federal law.

Government Policies & Procedures

Abiding by constitutional Home Rule, there is a need to ensure local governments maintain autonomy and the authority of self-governance to create a safe and sustainable quality of life for residents.

Home Rule. Consistent with the Home Rule Amendment of the Kansas Constitution approved by voters, we support local elected city officials making decisions for their communities, particularly tax and revenue decisions.

Government Competition. Local governments should retain local control over the services they provide to their residents and businesses. Free markets are the best vehicle for allocating goods and services. However, there are circumstances where the free market does not efficiently allocate goods and services, creates externalities that endanger public safety and welfare, or simply does not provide a service. In these instances, it falls to local government to respond to the needs of the people to provide the good or service. In addition, local governments provide services for the sole benefit of their residents and should continue to receive tax benefits to provide those services at a low cost.

Protection of the First Amendment. The right of the people through democratically elected and appointed officials to petition and speak to government officials shall not be abridged. We support cities’ First Amendment right of freedom of association to work together to accomplish common goals.

Police Powers. We support the authority of cities to regulate to protect the health, safety, and welfare of the public.

Non-Discrimination. We oppose discrimination against any person by reason of their race, color, religion, sex (including pregnancy, gender identity, or sexual orientation), age, national origin, ancestry, disability, military/veteran status, or genetic information.

City Elections. We oppose any actions by the state government to impose partisan elections on cities. All cities have the authority to make this decision for their community, and each city, in consultation with its citizens, should make that determination.

Filing for Office. To encourage a higher number of candidates to file for office, we support the filing location for city elections being available in the city clerk's office. The state should evaluate remote filing options.

Filling of Vacancies. Vacancy filling should remain the responsibility of local governing bodies made up of duly elected officials.

Annexation. We support local jurisdictions' ability to make their own decisions regarding orderly growth through annexation.

Sign Regulation. We support the authority of local government to regulate signs in compliance with federal law.

Public Property & Rights-of-Way. We support the right of cities to control and manage public property and rights-of-way and to impose franchise or use fees on entities that utilize rights-of-way.

Eminent Domain. We support flexibility for local governments to use eminent domain for economic development purposes, including blight remediation, without seeking legislative approval.

Governmental Immunity. We support continued immunity for cities from tort liability and legislation strengthening the Kansas Torts Claims Act.

Interlocal Cooperation. We support the principle of voluntary cooperation among all levels of government.

City/County Consolidation. We support processes for local consolidation without undue statutory barriers. Voters should be allowed to determine whether consolidation with another unit of government occurs.

Private Cemetery Liability. We support removing the requirement for cities to care for and maintain formerly private cemeteries that have been dissolved.

Community Development

Child Care: Recognizing the critical role childcare plays in the well-being of children and economic stability of families, the state should assist cities with the growing shortage of access to childcare. The state should provide funding to cities to support development and expansion of childcare centers, including assisting with training programs for professional development and technical assistance.

Housing. The League supports programs that encourage access to quality housing, including but not limited to, the Housing Investor Tax Credit Act, the Kansas Affordable Housing Tax Credit Act, the Kansas Rural Home Loan Guarantee Act, guaranteeing appraisals in rural counties, the Historic Kansas Act, and the Kansas Rural Housing Incentive District Act.

Rural Housing Incentive Loan Fund. We support the creation of a State low interest revolving loan fund to finance development in Reinvestment Housing Incentive Districts.

Abandoned and Blighted Housing. We support streamlining and expediting the process for local governments, neighborhood organizations and private businesses to deal with the blight of abandoned, nuisance, foreclosed housing, and commercial structures to protect the rights and property values of surrounding property owners. Cities should continue to retain the ability to manage vacant property registry programs to counter blight.

Housing-Rental Inspections. We support giving cities authority to require inspections of rental housing for the safety of tenants and to protect the rights and property values of surrounding property owners.

Revitalization Tools. We support continued use of the Neighborhood Revitalization Act, Downtown Redevelopment Act, Transportation Development District Act and Community Improvement District Act to promote local neighborhood development.

Tax Abatements. We support the authority of cities to offer tax abatements to encourage business investment in communities.

Tax Increment Financing (TIF). We support the continued use of TIF to promote economic development. TIF laws should allow maximum flexibility for efficient use by communities.

STAR Bonds. We support the ability of cities to utilize STAR bonds to promote economic development in communities.

Land Use and Zoning. We support the ability of local officials to make land use and zoning decisions within their community, including decisions about location, placement, size, appearance, and siting of transmission and receiving facilities and any other communications facilities.

Building Codes. We oppose any measures to preempt local building codes.

Tourism. We support cooperative ventures between state and local government to promote tourism as an industry vital to growth and development.

Tax credits. We support the continued availability of tax credits as a tool for economic development.

Transparency in Government

Open Meetings. All levels of government should be subject to the same open meetings requirements. These laws should not be unduly burdensome.

Open Records. All levels of government should be subject to the same open records requirements. State laws governing open records should balance the public's right of access, with the necessity of protecting the privacy of individual citizens, and the ability of public agencies to conduct essential business functions. We support a city's ability to recoup reasonable costs associated with requests.

Intergovernmental Dialogue. We support current law regarding the use of state and local public moneys to provide information and advocate on behalf of our cities and citizens. No reporting system should increase the administrative burden on local governments.

Audio/Visual Recordings: We support the ability of local governments to determine when and how audio/visual recordings will be used by law enforcement officers, including the regulations concerning public access to those recordings, balancing the needs of law enforcement and the individuals whose images and sounds are captured in the recordings.

SMP Approved by the LKM Membership on October 12, 2024.