Sedgwick County 2015



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October 10, 2014

A – Transportation

A1 - Affordable Airfares for Kansas. Low-cost airfares are vitally important to business travelers, and the absence of low-cost airfares is a significant impediment to economic growth. Since 2006, the legislature has appropriated \$5 million annually to be awarded on a competitive basis to local communities for use in obtaining low-cost commercial air service. An analysis conducted in 2011 by the Division of Legislative Post Audit concluded the state has received about \$2.32 for each \$1 allocated by the legislature. Sedgwick County supports the continued funding of the Affordable Airfares Program.

(Chris Chronis/CFO, 316-660-7130; Mike Pepoon/County Counselor, 316-660-9340)

A2 - Special City/County Highway Fund. Sedgwick County supports the continued funding of the Special City/County Highway fund. This fund was created more than 25 years ago to prevent the deterioration of city and county roads and streets. (Jim Weber and David Spears/Public Works, 316-660-1767)

B - Economic Development

B1 - KSA 58-2309a. This legislation pertains to proper public notification of assignments and releases and is being added to Sedgwick County's platform and sponsored by the Register of Deeds Association and the Kansas County Officials Association. This legislation simply makes it a requirement that a paper trail be maintained for assignments and releases, therefore protecting the homeowner and banks from confusion from who has the authority to assign or release. (William Meek/Register of Deeds, 316-660-9422)

C - Public Safety

Criminal Justice Coordinating Council (CJCC):

C1 - Bonding Process. Sedgwick County opposes any statutory changes that abridge judicial discretion, adds delays or requires additional hearings to the process of establishing own recognizance (OR) bonds. The bonding system assures defendants reliably show up in court; it is not designed to impose unwarranted financial or custody burdens on citizens. Sedgwick County believes that the current process effectively achieves these purposes in a timely manner without creating additional expense for taxpayer. (Marvin Duncan/Public Safety, 316-660-4955; Judge James Fleetwood, 316-660-5611)

C2 - Kansas State Judicial District Courts – Public Defender. To assure fair, equitable and timely due process and to avoid adding to jail overcrowding, Sedgwick County opposes reductions in Judicial District Court Public Defenders funding. (Judge James Fleetwood, 316-660-5611; Ellen House, Court Administrator, 316-660-5810)

C3 - Driving While Suspended Look-Back. Sedgwick County CJCC endorses the Wichita City Council efforts supporting a defined "look-back" period of five years for Driving While Suspended/Revoked cases prosecuted in Municipal Court. Current law provides for jail sentences on third offense convictions. However, there is no cut-off date for previous convictions. We propose legislation should establish a five-year cutoff period that is similar to current law regarding Proof of Insurance that provides a three-year "look-back." (Marvin Duncan/Public Safety, 316-660-4955)

C4 - Jail Population - Key Issues of State Prisoners in County Jails & All Felons, Including Driving Under the

Influence (DUI), Going to State Prisons. Sedgwick County has a significant jail population, resulting in a crowded local facility and wide use of contracting out-of-county beds. In order to promote a safe environment, provide positive incentives for good inmate behavior and safely and judiciously provide overcrowding relief, Sedgwick County will be proposing and seeking legislation to offer good time credit to inmates serving commitments in the County Jail. We would seek and support language that offers judges, at the time of sentencing, an opportunity to provide a reduced sentence opportunity contingent upon good behavior while in the custody of the jail. Such a program will be administered by the sheriff (or custodian of the jail) with appropriate transparent rules and reviews. Good-time credit award is statutorily available to the secretary of corrections in Kansas and is commonly available throughout the United States.

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In addition, historically felons served their sentences with the Kansas Department of Corrections; however, state laws have been modified in recent years to move convicted felons to county jails. We support state funding to reimburse counties for the entire cost of housing convicted felons. Further, the state should keep accurate records of the number of felons in county jails and make such information available to the public. (Marvin Duncan/Public Safety, 316-660-4955; Jeffrey Easter/Sheriff, 316-660-3900)

C5 - *Increased Funding for State-Mandated Community Corrections Adult Intensive Supervision.* We support the Kansas Department of Corrections' initiative to use evidence-based programming with appropriate risk-based assignment and supervision of felony offenders living in the community outside of state prisons. Additional funding is needed for supervision officers due to the sentencing of higher risk offenders to probation and current high rates of noncompliance and recidivism for new crime arrests while on probation. HB-2170 enacted in 2013 has provided policy changes in sentencing and new funding for behavioral health interventions. The state projects these changes will significantly increase probation caseloads in SFY 2015. If we are to protect public safety we must address this projected growth in caseloads as well as the local increase in recidivism by sustaining funding for behavioral interventions, SB-123 treatments for non-violent drug offenders and increasing funding for supervision officers to provide intensive monitoring to swiftly detect and address violations with appropriate sanctions.

Increase Funding for Community Corrections Adult Residential Center. Community residential programs exist in Johnson and Sedgwick counties to serve a target population of felony offenders needing 24-hour structure, supervision, and specialized programming to succeed on probation and reduce recidivism. These programs provide an important community-based alternative to prison. We support continued funding of these correctional programs and request increased funding for operations costs that have been flat for many years at the Sedgwick County program. (Mark Masterson/Corrections, 316-660-7014)

General:

C6 – Restoration and Reinvestment in Juvenile Justice Prevention Funding to Communities. The juvenile justice system is a state and local government partnership that shifts service delivery for certain juvenile offenders away from out-of-home placements and state institutions to communities. Sedgwick County invests in and supports this partnership to provide comprehensive community-based services as envisioned in the original Juvenile Justice Reform Act. Large reductions in state funding for prevention and early intervention have shifted costs to the county and resulted in closure and reductions in programs and services to address truancy and minor offending through diversion and community-based services. When designed, implemented, evaluated and monitored appropriately, prevention, early intervention and graduated sanctions programs provide less costly and effective interventions to youth and families and produce significant savings to the taxpayers. Sedgwick County supports implementation of a reinvestment strategy for additional funding to communities that have proven success of programs and reduced the numbers of youth in state custody. (Mark Masterson/Corrections, 316-660-7014)

C7 - *Advancing Juvenile Justice Reforms.* Sedgwick County recognizes the importance along with the State of Kansas in community-based services to promote public safety. We share the goal that youth in trouble with the law are best served in their home, school and community. It is also important to recognize that when serving a youth in their home, school and neighborhood is deemed too risky for the safety of the public, a state funded system of residential care with appropriate capacity to serve males and females close to home is the next best option. The public policy issues to advance best practices were introduced previously in HB 2540 but did not advance out of committee. The bill addressed state powers to establish new community based service alternatives to residential care; new residential service levels; establishment and reporting of performance measures; and revision of payment methodologies. Sedgwick County supports advancement of these public policy issues. (Mark Masterson/Corrections, 316-660-7014)

C8 - Offender Registration. Sedgwick County opposes legislation that expands offender registration without additional state funding. (Jeffrey Easter/Sheriff, 316-660-3900)

C9 - Consolidation of Correctional Field Services. Sedgwick County opposes any statewide mandate to consolidate correctional field services. Sedgwick County supports the current system that allows local communities to decide whether to consolidate court services, community corrections and/or parole services. (Mark Masterson/Corrections, 316-660-7014)

C10 - Conceal Carry in State and Local Buildings. Sedgwick County supports state legislation that creates a uniform set of rules for the state instead of a variety of laws from one location to another location. Concealed carry should be allowed in as many local government facilities as possible, as well as state government buildings. (Richard Ranzau/Commissioner, 316-660-9300)

D - General Government

General:

D1 - Eminent Domain. Sedgwick County supports the use of eminent domain for public use projects only, where all other means are not feasible. Sedgwick County supports the exceptions to transfer to private entities currently existing in K.S.A. 2011 Supp. 26-501b; however, it opposes the addition of further exceptions. Sedgwick County opposes any strengthening of eminent domain powers that is used for private economic development land acquisition purposes. (Richard Euson/County Counselor, 316-660-9340; David Spears/Public Works, 316-660-1767)

D2 - Annexation. In 2011, the legislature amended the annexation statutes to require cities to send a copy of the service plan for unilateral annexations to the county commission not less than 10 days before the city's public hearing. Sedgwick County would support requiring the city to provide the county commission more time to review and comment on the service plan by requiring the city to send the service plan to the county commission by certified mail not more than 10 days after the adoption of the resolution required by K.S.A. 12-520a setting the city's public hearing date, which must be not less than 60 nor more than 70 days after the adoption of the resolution. This change would be consistent with K.S.A. 12-520a(d)(1), which requires the city send the county commission a copy of the annexation resolution not more than 10 days following the adoption of the resolution. (Robert Parnacott/County Counselor, 316-660-9340; David Spears/Public Works, 316-660-1767)

D3 – Unilateral Annexation. Sedgwick County Board of County Commissioners supports an in-depth review of the unilateral annexation statutes by an interim legislative committee. Although cities have constitutional home rule power, the voters, in granting that power, reserved to the legislature the power to set, by general law, how city boundaries may be altered. The annexation act was last fully reviewed in 1986, and was subsequently the subject of a limited interim committee review in 2008. Since the last major revision of annexation laws in the late 1980s, a number of states have amended their annexation acts to balance the rights of landowners to be free from unreasonable annexation, with the ability of cities for reasonable and necessary growth. Kansas remains one of the last states that permit essentially unfettered unilateral annexation of land adjoining city limits. (Richard Ranzau/Commissioner, 316-660-9300)

D4 - County Home Rule. Sedgwick County strongly supports county home rule, which has been afforded to counties by state law since 1974. Local governments should be allowed the largest measure of self-governance based on the belief that government closest to the people is the government which governs best. Sedgwick County opposes legislation that would preempt a county's home rule authority and supports legislation broadening county home rule powers, including constitutional home rule. (Richard Euson/County Counselor, 316-660-9340)

D5 - Maintaining Open Government. Sedgwick County supports open government and open access to public records. Exceptions are needed and important, for a number of sound public policy reasons, including safeguarding the privacy of citizens conducting business with the county and allowing for the effective transaction of county business. (Richard Euson/County Counselor, 316-660-9340)

D6 - Maintaining Exemptions in Open Meeting Laws. Sedgwick County supports open government and access to public meetings equally among all levels of government in Kansas, but the current exceptions that allow for executive sessions should be maintained. Sedgwick County is opposed to requiring the taping of executive sessions. (Richard Euson/County Counselor, 316-660-9340)

D7 - Unfunded State Mandates. Sedgwick County opposes any action by the legislature that creates an unfunded mandate on counties and our citizens. If the state deems it necessary to control or manage how counties operate, then sufficient funds should be provided to meet the cost of imposing such requirements on counties. (Chris Chronis/CFO, 316-660-7130)

D8 - Restrictions on County Management of Right of Ways. Local government should not be restricted from managing public right of ways in its best interest and for the protection of its citizens. Sedgwick County opposes any attempt to restrict counties' authority in public right of ways, and expressly supports legislation allowing counties the ability to enter into franchise agreements with and collect franchise fees from all businesses that place infrastructure in county-owned right of ways. (Richard Euson/County Counselor, 316-660-9340)

D9 - Economic Impact of the Kansas Renewable Portfolio Standard (RPS). Sedgwick County supports efforts to repeal legislation enacted by the state to implement an RPS mandate. We believe the RPS mandate will lead to an increase in the cost of electricity and a reduction in disposable income. This will harm the Kansas economy and result in fewer jobs and a reduced ability to compete in the global economy. (Richard Ranzau/ Commissioner, 316-660-9300)

D10 – Emergency Management Performance Grant Funding (EMPG). EMPG funding originates within the Federal Emergency Management Agency (FEMA) and is passed through the Kansas Division of Emergency Management (KDEM) to reimburse a portion of the cost of County emergency management programs within the State of Kansas. In recent years, the amount of funding allocated to KDEM has either increased or remained the same while allocations to county governments in Kansas have remained flat or decreased. In the specific case of Sedgwick County, the effective allocation has decreased. Sedgwick County supports legislation to require the Kansas Division of Emergency Management to pass through not less than 60% of Emergency Management Performance Grant (EMPG) funds to county government emergency management programs in Kansas. (Randall Duncan/Sedgwick County Emergency Management, 316-660-5959)

D11 – Reducing the Cost and Regulatory Burden of Public Works Projects. Sedgwick County supports analysis and modifications of the Kansas Nongame and Endangered Species Conservation Act of 1975 that reduces cost and burden upon public works projects. (Richard Ranzau/Commissioner, 316-660-9300)

D12 – Internal Service Information Technology (IT) Fund. Sedgwick County supports legislation that enables the creation of an internal service IT fund. This would allow County IT departments to individually charge other county departments for the delivery of IT services. The state possesses similar authority for its own internal operations as established through K.S.A. 75-4715. This fund would operate similarly to the current Fleet Service Fund. (David Miller/Information and Operations, 316-660-9951)

D13 – Establishing Accounting Funds. Sedgwick County supports legislation that will authorize county commissioners to establish the accounting fund structure that best serves local needs. Current law allows counties to segregate accounts into unique accounting funds only if a specific statute authorizes the desired fund. This restriction diminishes the ability of county commissions to assure transparency in financial reports and accountability for operational activity. For example, counties may wish to account for support activities such as building maintenance or technology services as internal businesses funded with fees paid by the users of their services, but they cannot. The restriction does not apply to cities, so they are better able to account for their financial activities in the manner that best serves local interests. (Chris Chronis/CFO, 316-660-7130)

Taxes:

D14 - County Sales Tax. Sedgwick County supports legislation that gives counties the same sales tax options as cities. (Chris Chronis/CFO, 316-660-7130)

D15 - Delinquent Tax Recovery (personal property). Sedgwick County supports legislative action that would allow for additional options to collect personal property delinquent taxes. Sedgwick County supports legislation that gives the county the authority to hire attorneys or other persons to assist the county in collection of personal property taxes remaining unpaid from and after the date the same became a judgment. The fees and charges of said attorney or other person shall be in addition to the taxes collected and the personal property owner shall be solely liable for the payment of such fees and charges; but in no event shall the fees and charges for such collection exceed the sum of 50 percent of the amount collected. Any taxes collected shall be credited ratably to the funds for which such taxes were levied. In addition, the county would also support legislation that whenever the aggregate amount of tax owed upon tangible personal property by any taxpayer is less than \$10.00, such tax shall be cancelled and no personal property tax statement shall be issued. (Linda Kizzire/County Treasurer, 316-660-9127; Richard Euson/County Counselor, 316-660-9340)

D16 - Delinquent Tax Recovery (real property). Sedgwick County supports legislative action that would allow for additional options to collect real property delinquent taxes. In addition, the county would also support legislation that whenever the aggregate amount of tax owed upon real personal property by any taxpayer is less than \$10.00, such tax shall be cancelled and no personal property tax statement shall be issued. (Linda Kizzire/County Treasurer, 316-660-9127; Richard Euson/County Counselor, 316-660-9340)

D17 – Use of County Property Tax By Cities. Authority for decisions about the use of county property taxes to support economic and community development projects should be vested exclusively in the Board of County Commissioners. Current laws allow city governing bodies to approve the abatement or exemption of county property taxes on businesses and the diversion of county property taxes to municipal projects in tax increment or tax decrement districts. In the case of tax increment and decrement districts, the laws give counties veto authority over the creation of the districts, but counties must exercise this authority without knowing how much county property tax will be diverted, or for what purpose. Sedgwick County supports legislation that will allow cities to pursue their economic and community development projects using city property taxes, but will give county elected officials the ability to control the use of property taxes they levy, and give them the ability to determine the percentage of county property taxes that may be diverted to city redevelopment districts. (Chris Chronis/CFO, 316-660-7130)

D18 - Economic Development Exemption. County governing bodies should have the sole authority to recommend exemption or abatement of county property taxes for businesses. The authority of cities reaches beyond tax levies of the city, and extends to property taxes levied by counties to fund their operations. (Chris Chronis/CFO, 316-660-7130)

D19 - Kansas Taxes Are Too High. Sedgwick County strongly supports improving the tax climate in Kansas and approves of legislation for tax reform that will limit tax growth. We believe high taxes are an impediment to economic growth that destroys jobs in our state. (Karl Peterjohn/Commissioner, 316-660-9300)

Environmental:

D20 - Solid Waste Management. Sedgwick County opposes any restrictions to a county's authority to manage its solid waste through an effective planning and management system.
(Susan Erlenwein/Environmental Resources, 316-660-7205)

E-Health and Human Services

Behavioral Health:

E1 - Sufficient Number of State Hospital Beds. The state hospital (Osawatomie State Hospital) has been consistently over census over the past few years for mental health admissions. Sedgwick County encourages the state to define the future role of the state hospital system, develop a system of regional state-operated inpatient units and insure adequate reimbursement for inpatient units. In addition, Kansas Department for Aging and Disability Services (KDADS) should provide support and funding for local crisis stabilization services that can serve as alternatives to inpatient stays for some individuals. Sedgwick County also proposes that the Kansas Department of Aging and Disabilities evaluate and fund safe transportation for mental health consumers to state psychiatric facilities to ease the staff and financial burden now placed on counties.

(Marilyn Cook/COMCARE, 316-660-7665; Tim Kaufman/Human Services, 316-660-7674)

E2 - Restoration of Cuts to Mental Health Reform Funding. The Mental Health Reform grants allow the Community Mental Health Center (CMHC) to serve the uninsured and underinsured who don't qualify for Medicaid or who don't have resources to pay for the mental health services they receive. Without appropriate treatment, many could end up in contact with law enforcement, in jails or hospital emergency rooms. The state budget decisions affecting mental health reform funding are putting the state CMHC system at a breaking point. (Marilyn Cook/COMCARE, 316-660-7665; Tim Kaufman/Human Services, 316-660-7674)

E3 - Suspension of Medicaid During Incarceration. In Kansas, when a Medicaid beneficiary is incarcerated in the county jail and/or state prison, they are automatically terminated from eligibility for their Medicaid healthcare benefits. However, once they are released from incarceration, they must reapply for Medicaid healthcare benefits which can take weeks to months. In the meantime, there is no coverage for the physical and behavioral health services that they access upon release. Many of these individuals need medication upon release to remain stable enough to seek and obtain employment and to avoid hospitalization. At this time, Kansas law does not allow the suspension of Medicaid eligibility to be reinstated upon release from incarceration. (Marilyn Cook/COMCARE, 316-660-7665; Tim Kaufman/Human Services, 316-660-7674)

Developmental Disabilities:

E4 - State Funding for Intellectually and/or Developmentally Disabled Citizens with Challenging Behaviors. More than 2,400 people in Sedgwick County are currently eligible to receive support and services through the developmental disabilities service system. While the vast majority of those individuals can be supported with typical community programs, perhaps as many as 5 percent engage in severe violent and destructive behaviors that place them and others around them at risk of harm. There continues to be a need for specialized support for individuals whose behavior makes it difficult or impossible to serve them safely in traditional community programs. (Dee Staudt/CDDO, 316-660-7648; Tim Kaufman/Human Services, 316-660-7674)

Aging:

E5 - Full Funding of the Senior Care Act. This program provides in-home services for seniors age 60 and older who meet the qualifications for nursing home level of care but choose to remain in the community. This service assists seniors to remain in the community and delay or prevent premature institutionalization. (Annette Graham/Aging, 316-660-5221; Tim Kaufman/Human Services, 316-660-7674)

Health:

E6 – Protecting Patient Health Data and Empowering Patients. Sedgwick County supports legislation that modifies the Kansas Health Information Technology and Exchange Act. Patients should have absolute control over the sharing of their health care information and no health care data should be collected, stored, or shared without the expressed written consent of the patient. Use of personal health care information for anything other than providing direct patient care should be prohibited. (Richard Ranzau/Commissioner, 316-660-9300)

F - Core Principles

Core principles are policy statements and philosophical positions that the county takes to address a variety of issues that may or may not be raised in the 2014 Legislative Session. Legislation regarding some of these policy statements or issues may become a priority issue for Sedgwick County. Following are core principles for Sedgwick County:

F1 – State Funding for Essential County Services. Each year, the state of Kansas provides funding for essential county services and programs. In many cases this comes as the result of the county taking over services previously managed by the state. For the most part, this partnership between local and state government has worked very well. Unfortunately, because of the state's continuing budget problems, state funding for these programs has become more uncertain from year to year, putting counties in the unenviable position of either cutting back on needed services or raising property taxes. Sedgwick County supports efforts by the Kansas Legislature to fully fund these programs at existing levels, and supports eliminating duplicate or modifying overlapping programs. (Chris Chronis/CFO, 316-660-7130)

F2 - Sedgwick County Health Department. The Sedgwick County Health Department relies upon funding administered through the Kansas Department of Health and Environment to support critical public health infrastructure to improve the health of Sedgwick County's residents by preventing disease, promoting wellness and protecting the public from health threats. (JVonnah Maryman/Health, 316-660-7183)

F3 - Developmental Disability Services. Currently, over 900 Sedgwick County residents are waiting for access to developmental disability services. Sufficient funding to meet the needs of waiting individuals continues to be a primary concern for Sedgwick County. The number of people waiting for needed services continues to grow. Reimbursement rates to community service providers also need to be evaluated as they must be sufficient enough to provide appropriate support. (Dee Staudt/CDDO, 316-660-7648; Tim Kaufman/Human Services, 316-660-7674)

F4 - Community Mental Health Services. Sedgwick County supports providing adequate funding for mental health services in Sedgwick County. Priorities for 2015 session:

- Ensuring access to state and local psychiatric inpatient resources to meet the demand for the mentally ill in Kansas. This can be done by developing a system of regional state operated inpatient units and crisis stabilization alternatives to inpatient care that can be provided close to the consumer's home community.
- Suspending rather than terminating medical card coverage for individuals who are incarcerated. (Marilyn Cook/COMCARE, 316-660-7665; Tim Kaufman/Human Services, 316-660-7674)

F5 - Aging Services. Programs are funded by state money that provides services to older adults in their homes. These include: home and community based services, frail elderly waiver program and the Senior Care Act program. These programs result in considerable cost savings to the taxpayers of the state of Kansas by keeping older Kansans out of nursing homes and allowing them to remain in their homes. Sedgwick County Department on Aging provides the administrative support for the Central Plains Area Agency on Aging. This agency provides vital services for the senior citizens of Sedgwick, Butler and Harvey Counties — the largest population of older citizens in the state of Kansas.

(Annette Graham/Aging, 316-660-5221; Tim Kaufman/Human Services, 316-660-7674)

F6 - Local Authority and Accountability vs. State Authority and Accountability. As the public officials closest to the voters, local governing bodies are in the best position to respond to changing conditions that may dictate new or different public services and funding strategies. The state's one-size-fits-all approach to defining local responsibilities and funding models has not recognized differences that exist among local communities in the needs for service and the ability to pay for them with the existing narrow range of authorized local funding sources. Local elected officials are willing to be held accountable for their actions, but the current state governance model dictates that many if not most of their actions are non-discretionary: either the service is dictated by the state or the available funding sources are limited by the state. At the same time, too often the state has required local governments to provide specified services without providing the resources with which to do so. Sedgwick County supports a governance model that provides authority and accountability appropriately. Local officials should be empowered to determine what services their jurisdiction will provide, but should be responsible for funding those services locally in the manner that is most acceptable to their constituents. State officials should restrict their local mandates to those items truly of state-wide uniform importance, and should fully fund those mandates with statewide resources. (Chris Chronis/CFO, 316-660-7130)

F7 - Tax Equity. Sedgwick County supports an objective, equitable revision of the ad valorem, sales and use tax systems that will ensure all who benefit from public services pay a fair share of taxes that fund those services. (Chris Chronis/CFO, 316-660-7130)

F8 - Tax Equity – Part 2. All local sales tax increases must be approved by voters under Kansas law. All property tax increases that raise the mill levy should also be required to receive voter approval. (Karl Peterjohn/Commissioner, 316-660-9300)

F9 - Support Veterans and Their Families. Sedgwick County is supportive of positive endeavors that support veterans and their families, including the Sedgwick County for Veterans Coalition, and employment of veterans.
(Tom Pletcher/Human Services, 316-660-7627; Valarie Florio/Human Services, 316-660-7693)

F10 - Support of Free-Market Capitalism. Sedgwick County supports free-market capitalism as the proper mechanism for job and wealth creation. We support a low tax and market friendly regulatory environment for everyone. (Richard Ranzau/Commissioner, 316-660-9300)

F11 - Opposition to Affordable Health Care Act. Sedgwick County supports the state's efforts to fight the implementation of the Affordable Health Care Act. We recognize the significant cost to businesses and the negative impact this legislation has on job creation. We encourage the state to utilize all options and available resources to oppose implementation of this law. (Richard Ranzau/Commissioner, 316-660-9300)