

Key Legislative Initiatives

1 - 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)

2 - Kansas Threatened & Endangered Species List. Sedgwick County supports common sense changes to the Kansas Threatened and Endangered Species Act that would lessen the cost impact on counties. (Richard Ranzau/Commissioner, 316-660-9300; David Spears/Public Works, 316-660-1767)

3 – Unilateral Annexation. Sedgwick County Board of County Commissioners supports legislation that would significantly reduce or eliminate the ability of cities to unilaterally annex property in unincorporated areas. Kansas remains one of the last states that permit essentially unfettered unilateral annexation of land adjoining city limits. (Richard Ranzau/Commissioner, 316-660-9300)

4 - Appearance Bond Revocation Process. Sedgwick County proposes amending K.S.A. 22-2807 to allow statutory authority to Pretrial Services Intensive Supervision Officers to arrest and detain persons under their supervision for a violation of conditions of bond. While statutory authority (K.S.A. 22-3716) exists for the Community Corrections Intensive Supervision Officer to arrest and detain probation violators, there is no such authority for Pretrial Services Intensive Supervision Officers to do so at the pretrial stage. The statute governing appearance bonds (K.S.A. 22-2807) allows bond revocation (for violations of conditions of bond) only upon execution of a warrant for arrest for a violation of the bond condition. The change would expedite the process in addressing violations of bond conditions. (Mark Masterson/Corrections, 316-660-7014)

5 - Juvenile Detention Centers. Adopt a change in state statute clearly separating populations that may be housed in Secure Care Centers (*Children in Need of Care*) verses Juvenile Detention Centers (Juvenile Offenders). K.S.A. 38-2260 permits the use of juvenile detention for judicial sentencing of *Children in Need of Care* in the custody of the Department for Children and Families, with repeat runaway behavior from home (status offenders). *Children in Need of Care* may spend up to 180 days in juvenile detention without services to address their needs as status offenders. This practice shifts costs for medical care and housing from the state to the county and is harmful to youth by exposing non-delinquent youth to accused and adjudicated juvenile offenders that results in negative consequences for their futures. The Kansas Legislature acted in 2014 to prohibit placement of *Children in Need of Care* in Juvenile Detention Facilities (KSA 38-2288), except under a secure care order. (Mark Masterson/Corrections, 316-660-7014)

Position Statements

A – Transportation

A1 - 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 – Register of Deeds

B1 - KSA 58-2309a. This legislation pertains to proper public notification of assignments and releases, making 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

C1 - 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)

C2 - 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)

C3 - 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)

C4 - 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)

C5 - Offender Registration. Sedgwick County opposes legislation that expands offender registration without additional state funding. (Jeffrey Easter/Sheriff, 316-660-3900)

C6 - 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. 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)

C7 - Increased Funding for State-Mandated Community Corrections Adult Intensive Supervision. We support the Kansas Department of Corrections’ initiative to increase training and quality assurance activities to ensure client services are being delivered with fidelity to the evidence-based model proven to reduce recidivism. Using this model requires additional staff time working with clients and supervisors monitoring service delivery and coaching staff in using the techniques. Additional funding is needed for personnel to effectively deliver and sustain services with fidelity to the service model. (Mark Masterson/Corrections, 316-660-7014)

C8 - 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. (Mark Masterson/Corrections, 316-660-7014)

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 – Juvenile Justice Funding. Expand flexibility so that state funds now used for housing some of their youth in correctional facilities and residential placements may be spent on less costly community-based programs supported by research. Sedgwick County invests in and supports effective practices to intervene early and address delinquency in the community to prevent youth from moving more deeply into the justice system. (Mark Masterson/Corrections, 316-660-7014)

C11 - Juvenile Justice Reform. Sedgwick County supports the initiative underway by the executive, legislative and judicial branches of state government to review and align Kansas laws, policies and practices with recent research by the National Research Council of the National Academies recommending system reforms based on recent advances in knowledge of adolescent and brain development. Sedgwick County supports reforms that best harness the available scientific evidence to guide investments of taxpayer funds that leverage family and community strengths in

addressing non-violent youth behavior, and risk and needs assessment to ensure that youths who would be most successful in non-residential programs are not placed in costly lockups and residential facilities.
(Mark Masterson/Corrections, 316-660-7014)

D - General Government

General:

D1 - Eminent Domain. Sedgwick County opposes the use of eminent domain for private economic development land acquisition purposes. (Jim Howell/Commissioner, 316-660-9300)

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 - Zoning/Comprehensive Planning. Sedgwick County supports changes to the zoning and comprehensive planning statutes that would reduce mandates and increase protections for private property owners in the unincorporated areas. (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. (Eric Yost/County Counselor, 316-660-9340)

D5 - Maintaining Open Government. Sedgwick County supports open government and open access to public records. We support a reduction in the current exemptions to the Kansas Open Records Act. All taxpayer funded organizations should be subject to the Kansas Open Records Act. (Jim Howell/Commissioner, 316-660-9300)

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. (Eric Yost/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 - 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)

D9 - Driver's Permits for Illegal Aliens. Sedgwick County opposes legislation that would provide driver's permits to illegal aliens. (Karl Peterjohn/Commissioner; Jim Howell/Commissioner, 316-660-9300)

D10 - Municipal Elections. Sedgwick County supports legislation that would move municipal elections to the fall in even or odd numbered years. To encourage voting on local offices, the state should consider reversing the order of the offices on the ballot. (Karl Peterjohn/Commissioner, 316-660-9300)

D11 – Auditing Elections. Sedgwick County supports the passage of legislation that permits, under certain circumstances, the audits of election results. The purpose of such an audit would be to verify that the reported election results are consistent with the ballots that were actually cast. Currently, the State of Kansas does not have any auditing mechanism which permits a review of ballots except as it relates to specific election challenges. Sedgwick County is deferring to the wisdom of the legislature as to the details of such ballot auditing, i.e. the manner in which such audits would be conducted, how they could be ordered, by whom, and under what circumstances. (Jim Howell/Commissioner, 316-660-9300)

D12 – Extension Council Elections. Sedgwick County supports legislation that will encourage transparency and participation in county extension council elections. (Karl Peterjohn/Commissioner, 316-660-9300)

D13 - 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)

D14 - 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 and result in fewer jobs and a reduced ability to compete in the global economy. (Richard Ranzau/ Commissioner, 316-660-9300)

D15 - 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. (Eric Yost/County Counselor, 316-660-9340)

D16 - 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 - Taxes:

E1- County Sales Tax. Sedgwick County needs to be able to eliminate its property tax mill levy and replace this levy with a sales tax. Kansas law prevents Sedgwick County from being able to take this action. Current Kansas law limits the amount of sales tax that can be levied and also requires counties to distribute local sales tax revenues to municipalities. Sedgwick County only receives about 27 cents for every \$1 raised by the current one cent local sales tax in this county; municipalities receive about 73 cents for every \$1 of the current sales tax. All Kansas counties need to have a wider range of fiscal tools that can reduce reliance on the property tax in a revenue neutral manner by utilizing local sales taxes. (Chris Chronis/CFO, 316-660-7130)

E2- 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; Eric Yost/County Counselor, 316-660-9340)

E3- 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; Eric Yost/County Counselor, 316-660-9340)

E4– 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)

E5- 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)

E6 - 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)

E7 – 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)

E8 - 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)

E9 - 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)

E10 - Tax Equity – Part 2. All local sales tax increases must be approved by voters under Kansas law. Sedgwick County supports legislation that would require voter approval for mill levy increases.
(Karl Peterjohn/Commissioner, 316-660-9300)

E11 - 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)

E-12 – Adopting Mill Levies to Fund Budgets. Kansas law requires local governing bodies to specify the amount of property tax revenue required to fund their annual budgets, and requires county clerks to compute the mill levies that will produce the required tax revenue. Sedgwick County supports legislation requiring local governing bodies to adopt the mill levies that will fund their budgets. (Karl Peterjohn/Commissioner, 316-660-9300).

E13 – Education Choice: Economic Development and Public Safety. A quality education is important to prepare students for life and is an important driver for economic development. A quality education decreases the chances that a student will live in poverty or become incarcerated. Unfortunately, low-income students in Kansas continue to experience an achievement gap. Sedgwick County supports solutions that honestly address this achievement gap, including meaningful school choice and charter school options. (Richard Ranzau/Commissioner, 316-660-9300).

F –Health and Human Services

Behavioral Health:

F1 - 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 and there has been a moratorium on some admissions during 2015. 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 sustained 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)

Developmental Disabilities:

F2 - 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)

Aging:

F3 - 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 and avoid Medicaid funded services. (Annette Graham/Aging, 316-660-5221; Tim Kaufman/Human Services, 316-660-7674)

Health:

F4 – 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)

F5 - Sedgwick County Health Department. Local health department responsibilities should be focused on the education and management of communicable diseases and disaster preparedness and response. We oppose federal intervention in local health departments via "health department accreditation" and strongly support legislation that prohibits state and local health departments from relinquishing control of their standards to anyone but the state legislature. (Richard Ranzau/ Commissioner, 316-660-9300)