



City of Lawrence

2009 LEGISLATIVE POLICY STATEMENT

The Lawrence City Commission desires to express their appreciation for the dedication of legislators serving Lawrence and the Douglas County community. Because we serve and share the same constituents we desire to partner with you for the betterment of our citizens and community.

Challenging economic times require even greater cooperation among levels of government to ensure that tax dollars are spent wisely and resources are directed where priorities demand. A key priority for the upcoming session should be increased infrastructure spending, particularly focused on adoption of a new statewide transportation plan. This is not the time to reduce funding for this important priority. As evidenced by the recent Lawrence sales tax election, voters support increased taxation and spending targeted on critical transportation and infrastructure needs.

We have prepared a list of concerns and issues impacting the City of Lawrence that are likely to be addressed during the 2009 legislative session. Many of these items are frequent annual concerns – their redundancy speaks to their continuing importance not our lack of creativity. We will be particularly concerned about unfunded mandates and attempts to erode our local authority to determine local spending and taxing priorities.

RESPONSES TO CURRENT ECONOMIC CHALLENGES

The City encourages the Legislature to preserve funding for essential municipal services. The City urges the restoration of demand transfers and to continue the slider payments to local governments – the machinery and equipment tax reimbursements adopted in 2006. Revenue sharing programs between the state and municipalities are better tools for providing property tax relief than artificial remedies – like caps on local mil levy increases. The legislature should not prohibit local measures to raise revenue such as development excise taxes. Cities need flexibility in responding to local budgetary and fiscal needs.

PROTECTING SALES TAXES AS AN ESSENTIAL CITY REVENUE SOURCE TO FUND IMPORTANT CITY SERVICES

Lawrence voters in November of 2008, overwhelmingly approved three new local sales tax measures for public transportation and infrastructure improvements. Sales taxes are an increasingly important component of City budgets, funding essential municipal services and capital improvements which benefit our entire community. An important federal and state issue that must be addressed is the legal authority to impose state, city, and county sales taxes on electronic commerce and catalog sales. A sales tax on e-commerce and catalog sales protects an important revenue source for state and local governments and puts traditional land based businesses in our communities on an equal taxation footing with their electronic competitors. The Kansas Legislature should continue to pursue the “Stream-lined Sales Tax” efforts and other opportunities to include Internet and catalog sales tax collection.

LOCAL TAXING & SPENDING DECISIONS SHOULD BE MADE BY LOCALLY ELECTED OFFICIALS

The Lawrence City Commission strongly opposes the enactment of State imposed spending or taxation controls or lids. The so-called Taxpayer Bill of Rights (TABOR) proposals create an arbitrary and capricious procedure for what should be an essential function of representative democracy: elected officials determining the appropriate spending and taxing policies of their community. Local tax and spending decisions should be made by locally elected officials – not by artificial limits in the state statutes or constitution. The City desires to partner with the Legislature to find solutions which will ease the hardship of property tax burdens on low income, elderly homeowners while maintaining adequate funding sources for City services.

MUNICIPAL AUTHORITY TO ENACT EXCISE TAXES

The City of Lawrence supports the enactment of legislation to allow all Kansas cities the ability to enact development excise taxes. In 2006 the Legislature adopted legislation which allows certain cities to maintain existing excise taxes – but not cities such as Lawrence. This places cities such as Lawrence at a competitive disadvantage – essentially penalizing Lawrence taxpayers who must pay more for infrastructure than residents of cities with excise taxes. This is fundamentally unfair and the Legislature should enact legislation allowing all cities this financing option.

TELECOMMUNICATIONS LEGISLATION

Lawrence's ability to franchise utility companies and regulate its public rights-of-way must not be compromised. Private companies which use a public asset – such as locally owned right-of-way – should continue to be required to collect franchise fees. These utilities should also continue to be required to relocate in the right-of-way for public projects at their own expense – and not at the expense of local taxpayers.



Lawrence must be able to regulate utilities that use public right-of-way.

TOURISM

The City of Lawrence offers many destination places for travel and entertainment. The City encourages the State of Kansas to enact a comprehensive tourism plan and to increase state funding of tourism promotion and marketing.



The City of Lawrence is part of the federally designated Freedom Frontier's National Heritage Area

KPERS AND KP&F – COMMITMENTS TO OUR PUBLIC SERVANTS

KPERS and KP&F are very important benefits for the individuals who have chosen public service in the State of Kansas, including City of Lawrence employees. We do all Kansans a disservice by ignoring current and future funding obligations for this vital benefit system. Any proposals to change KPERS and KP&F should encourage – not discourage – public service.

TRANSPORTATION PLANNING & FUNDING

We support the current State highway program and the necessary funding to achieve the goals of the program. We support efforts to renew the State of Kansas Comprehensive Transportation Program beyond 2009 and provide additional resources for our transportation needs, including streets, transit, pedestrian and bicycle facilities, and airport improvements.



The City of Lawrence recommends revision of the formula used to allocate federal funds to municipal transit providers. The current system is inequitable in its allocation methodology.



KDOT funded mill and overlay projects are vital to preserving the City's infrastructure.

HOMELAND SECURITY

The City of Lawrence urges an active partnership between state and local governments regarding issues of homeland security. The City's police department and

our City/County fire and medical department are essential resources in providing security and safety to our community. These departments rely on funding resources that should be protected by our State legislature.



State Motor Fuel Tax Revenue provides an important funding source for infrastructure maintenance.

STATE LIMITS ON ANNEXATION POWERS

In the 2008 session, legislation was introduced that would have severely limited the authority of the City to annex new property. The City of Lawrence opposes efforts to limit the ability of cities to annex. We oppose changes to the current state annexation statutes. Annexation provides a key tool for municipal ability to manage and plan for growth.



CITY AUTHORITY FOR REGULATION OF DRINKING ESTABLISHMENTS

Some drinking establishments negatively impact the public's health and safety because of the manner in which they are organized or managed. Currently, Kansas statutes do not grant cities any measure of direct control over liquor licensing decisions related to such drinking establishments located within their boundaries, and this limits the ability of the cities to move to timely address these negative secondary effects. We urge that cities be granted the power to deny drinking establishment licenses for these establishments when the evidence clearly establishes such harms.

STATE ALCOHOL TAX FUNDS IMPORTANT CITY & COMMUNITY SERVICES

The City of Lawrence and many community groups rely heavily on monies received from State taxes levied on alcohol purchases. Pursuant to State law, one-third of the fund revenues are allocated to the City's General Fund, one-third to the Special Recreation Fund and one-third goes in the City's Special Alcohol Fund. Resources in the City's general fund provide support for a number of City services, while monies deposited in the City's Recreation Fund provides resources for a number of park

and recreation activities. A number of not-for-profit Lawrence organizations and our school resource officers rely on the funds from the City's Special Alcohol Fund for their programs. These programs and services are vital to the health of the Lawrence community. The City of Lawrence opposes any efforts to divert or diminish the distribution of local alcohol tax fund dollars to the state.



HOUSING TRUST FUND SUPPORT

The City urges the Legislature to favorably consider funding options for local housing trust funds, including the ability to locally increase mortgage registration fees to provide a revenue source to fund city sponsored housing trust funds enhancing housing opportunities for residents

UNFUNDED MANDATES

The City of Lawrence opposes unfunded mandates from the State of Kansas as they drain limited resources from needed City programs and activities. State legislators know how federal mandates hamper the State's ability to respond to problems and issues, similarly the State should not impose unfunded mandates on local units of government. The City supports state and federal financial assistance for mandated public works improvements, such as the current levee recertification requirements.

RESPONDING TO OUR ENVIRONMENTAL RESPONSIBILITIES

We continue to support State efforts to encourage resource conservation and recycling. The City also encourages the legislature to adopt measures to reduce greenhouse gas emissions and to adopt measures to encourage energy conservation and use of public transportation. Incentives should be created for the use of alternative fuels and transportation, retrofitting of existing structures for energy efficient technology, and increased use of solar, wind and other environmentally friendly energy resources.

ENSURING ADEQUATE WATER SUPPLIES FOR OUR FUTURE

Because a good water supply is essential to the welfare and growth of the Lawrence community, the City Commission has taken steps to assure continued quality water resources. The City opposes federal and state regulatory changes to quality standards that are not demonstrably related to public health unless adequate state and federal financial assistance is provided to meet such new treatment requirements. We oppose water transfers that will negatively affect Lawrence's current and future water supplies.

The City of Lawrence supports continued study and implementation of appropriate plans to respond to the sedimentation issues of Kansas Reservoirs. Clinton Reservoir is a vital water supply source for the Lawrence community. The City of Lawrence supports increases in the municipal water fees funding the State Water Plan if such increases fund water project beneficial to preserving the quantity and quality of or vital water resources. Municipal water fees should only increase in proportion to increases on other water plan fees for industrial and agricultural users.



Clinton Reservoir is vital to Lawrence's water supply

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The City of Lawrence is committed to providing excellent city services that enhance the quality of life for the Lawrence community.