



**JOHNSON**  
**COUNTY**  
**KANSAS**

**Federal Legislative Platform**

**2015**

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## **2015 Core Principles:**

The federal, state, and local governments have a partnership through which numerous governmental services are funded and made available to citizens. This partnership is dependent upon stable funding, decision-making at the appropriate level, and removing barriers to efficient and effective access to services. Johnson County strongly supports the following core principles as the means to an effective and improved partnership among each level of government.

### **Maintain Financial Stability for County Governmental Services**

Many critical county government services are financed by the federal and state governments and subsequently provided by local governments. As a key provider, Johnson County seeks federal and state appropriations at levels adequate to meet the needs of the recipients. Furthermore, Johnson County opposes reductions in funding for services that result from actual reductions, as well as, cuts in “real dollars” which result from a lack of inflationary adjustments.

### **Oppose Unfunded Mandates**

Johnson County supports minimizing the financial and staffing implications of “devolution,” the passing down of responsibilities to counties by the state and federal governments, by seeking funding for mandates and reasonable periods of time to phase in new funded responsibilities.

## **2015 Legislative Priorities:**

### **Taxation & Administration**

1. **Tax Exempt Status of Municipal Bonds:** Johnson County opposes any attempt to eliminate or limit the tax exemption for municipal bonds.

**Background:** Municipal bonds are the primary method used by states and local governments to finance public infrastructure projects. Any change to the taxation status of this debt impairs counties’ ability to develop local public works projects.

2. **Streamlined Sales and Use Tax (Collection of Sales and Use Tax from businesses that sell their products to customers in a state, using the Internet, mail order, or telephone, without having a physical presence in that state):** Johnson County supports federal legislation requiring sellers (with no physical presence in a state) to collect and remit sales tax, establishing uniformity among the states’ sales tax laws in regards to the collection of Sales and Use Tax on remote retail sales by mail order, telephone and the Internet based on destination-based sourcing rules, sourcing sales to the location where the purchaser receives the item. Retailers who ship or deliver sold items to their customers’ locations will be required to collect the local sales tax in effect where delivery is made.

**Background:** Passage of federal legislation would provide an estimated \$1.84 million of Sales Tax to Johnson County government in the first full year of full implementation, remitted as follows: Local \$352,653, Public Safety \$865,102, Stormwater \$275,510, and the Research Triangle \$344,388.

- 3. Employee Benefits:** Johnson County supports the continuation of tax-deferred status for employer provided retirement plans and employee spending accounts. Johnson County requests that retirement and employee spending account limits be increased.

**Background:** Current contribution limits to some individual retirement accounts have not increased in two years, creating disincentives for employees and employers to increase retirement savings contributions. Current tax incentives that encourage retirement savings should be protected and expanded upon.

Johnson County supports legislation to give employers greater flexibility in designing benefit plans that more appropriately meet the needs of their workforce. Limits and penalties placed on Flexible Spending Accounts, Dependent Care, Health Savings Accounts and Medical Reimbursement Accounts reduce employees' ability to actively manage their needs, causing them to utilize higher-cost plans to ensure coverage for high-cost years while their typical needs may be significantly less. Specifically, Johnson County urges consideration of increasing contribution and rollover limits and the removal or reduction of these healthcare cost management tools from future Employer Excise Tax calculations.

- 4. E-verify:** Johnson County supports continued efforts to provide employers with effective tools to ensure employee work eligibility.

**Background:** The current E-Verify system is difficult to navigate and prone to verification errors, causing employers who are attempting to adhere to the law to unintentionally hire ineligible workers, or worse, failing to hire highly qualified, eligible workers due to errors. Providing a reliable, easy-to-use system is necessary for employers to comply with the law. Further, "good-faith" exceptions should be granted to employers who make a reasonable effort to verify employment eligibility.

Johnson County additionally urges congress to address the growing patchwork of state laws regarding employment eligibility verification through pre-emptive laws and by developing an integrated electronic verification system for the various verification requirements. Any solution should incorporate E-Verify systems, attestation systems, identity authentication and elimination of the paper Form I-9 in order to reduce the verification workload employers currently face. In addition, any changes to employee verification should not apply to existing employees, but should be limited to newly hired employees. The costs of work eligibility verification for existing employees would be overly burdensome and unrealistic for employers with a substantial number of employees.

Johnson County supports efforts to increase employer access to global talent pools through the use of trusted employer programs and an increase in the availability of visas and green cards. As local governments work to meet the changing demands of citizens in the 21st century competing for employees with some highly valuable skill sets has become more difficult. Access to the global talent will help Johnson County meet the new and emerging environment government is expected to operate within.

- 5. Sunflower Army Ammunition Redemption and Redevelopment:** Johnson County encourages the continued support of efforts for the full remediation and environmental clean-up of the Sunflower Army Ammunition Plant and return of that facility to productive local development and use.

**Background:** Discussion and progress continue between the property owners, the United States Army, and Johnson County. There is optimism that the discussion will continue to be positive and the facility will be a valuable part of Johnson County in the future.

### Public Safety

- 6. Support continued funding for state and local homeland security programs:** Johnson County supports restored funding for state and local homeland security programs.

**Background:** Congress has reduced funding for these programs, and as a result, many urban areas, including the Kansas City area has lost much of its grant funding. Over the past decade, Johnson County has directly benefited from the Kansas City Urban Area Security Initiative (UASI), a federal grant program designed to develop specialized capabilities, systems and programs to prevent, protect, mitigate, respond and recover from terrorism and other threats and hazards that affect the area. The Kansas City region has established an effective homeland security program, and the loss of UASI program funding will have critical impacts over time in reducing the ability of the region to prevent and respond to acts of terrorism and other man-made and natural disasters. Losing this funding source jeopardizes both mass casualty preparedness and homeland security. Loss of funding will impact the County's ability to prevent, protect, mitigate, respond and recover from all threats and hazards.

Legislative support for continued homeland security grant programs is recommended because of the threats and hazards, combined with the presence of critical infrastructure and multiple transportation corridors in the Kansas City area that make it a potential target, in addition to the risk posed due to population size within the city and region. The state, local, and federal government have invested significant time and money to develop the capabilities that currently exist. Restoration of some federal funding to larger

metropolitan areas would allow current critical capabilities and systems to be minimally sustained.

- 7. Violence Against Women Act:** Johnson County supports the ongoing funding of the S.T.O.P Violence Against Women Act (VAWA).

**Background:** Johnson County receives \$120,000 per year through VAWA, of which the District Court receives \$40,000 and SAFEHOME \$80,000. The funds are crucial in maintaining a specialized domestic violence court and providing advocacy services to victims of domestic violence involved in our court system. In 2014, almost 1,600 domestic violence cases were processed in Johnson County.

- 8. Justice Reinvestment Initiative (JRI) Local Support:** Johnson County urges Congress to fully support Justice Reinvestment, in particular assistance to local level governments.

**Background:** Johnson County was named a Justice Reinvestment site by the Department of Justice in 2011. In 2013, Johnson County was approved for Justice Reinvestment Phase II funding in an amount that has greatly assisted the County in making numerous improvements to the criminal justice system, including our most recent improvements in the area of pre-trial release, data reporting through digital dashboards, and cost-benefit analysis, while protecting public safety. Johnson County appreciates this opportunity to be a leader in this effort.

- 9. Justice and Mental Health Collaboration Act of 2013(JMHCA):** Johnson County supports the passage of JMHCA which reauthorizes and improves the Mentally Ill Offender Treatment and Crime Reduction Act (MIOTCRA) of 2004.

**Background:** Johnson County was awarded a JMHCA Expansion Grant in 2013 in the amount of \$218,736 which has allowed Johnson County to expand a successful co-responder program. This effort pairs a trained mental health professional with law enforcement to respond to a call when mental illness has been identified. Johnson County's first JMHCA grant funded co-responder assisted with over 800 calls, with only ten resulting in an admission to our jail. In addition, the number of admissions to state hospital beds has also been reduced from 54% in the year prior to having a co-responder to 17% in the first year with a co-responder. Johnson County appreciates that Senator Roberts, Senator Moran and Representative Yoder have all signed on as supporting this important legislation.

**10. Juvenile Justice and Delinquency Prevention Act.** Johnson County supports the reauthorization of the Juvenile Justice and Delinquency Prevention Act (JJDP A).

**Background:** The JJDP A has caused many improvements in the approaches that states utilize to manage at-risk youth and those who are involved in the juvenile justice system. There is much more work to be done in all states in the nation based upon studies conducted in the last few years. Adequate funding of this act for making these improvements is critical to the future of our nation's youth.

### Infrastructure

**11. Wastewater Management Programs and Legislation:** Johnson County supports full funding of state revolving loan programs for water and wastewater infrastructure projects and a revised affordability evaluation system for compliance actions.

**12. Wet Weather Community Sustainability Act:** Johnson County supports the introduction and passage of the Wet Weather Community Sustainability Act.

**Background:** This Act would authorize the Environmental Protection Agency to modify secondary treatment standards to allow publicly owned treatment works (POTWs) and collection systems with an approved wet weather management plan to utilize alternative peak wet weather treatment technologies and management approaches in lieu of meeting secondary treatment requirements for peak wet weather flows. Current regulations require significantly higher costs for POTWs and collection systems for wet weather management that do not result in improved water quality over more efficient and cost effective methods. The adoption of this Act would help allow municipalities, including Johnson County, to manage peak wet weather events in a cost-effective manner that is protective of the environment and public health from a technology-based and water quality-based approach.

**13. Farm Bill:** Johnson County supports provisions in the farm bill passed in 2014 that include plans to strengthen conservation programs that encourage reduced sedimentation runoff. We also support the continued funding for federal nutrition programs.

**Background:**

- **Sedimentation runoff:** Agriculture land management plays a significant role in water quality as well as wildlife habitat, outdoor recreation opportunities and utility infrastructure and operating costs. Provisions included in the farm bill that support

conservation programs to help protect water quality by addressing nutrient and sediment pollution are important to reducing the cost impact to publicly owned treatment works (POTWs). Nutrient removal from wastewater requires POTWs to invest significant funds for treatment. Although discharges of nutrients from wastewater treatment plants account for a portion of nutrient pollution in our waterways, the cost of removing nutrients from wastewater treatment facilities can be several times greater than the cost to remove the same amount of nutrients from agricultural land. Funding for conservation programs would protect water quality from nutrient pollution and require recipients to refrain from farming highly erodible soils.

- **Nutrition Assistance Program:** Johnson County supports this federal nutrition program and opposes future cuts to the program. In Johnson County, about 20,000 individuals, half of them children, rely on the Supplemental Nutrition Assistance Program (SNAP) every month. SNAP is this nation's most effective anti-hunger program. The program enables low-income households to afford adequate, nutritious foods. Fruits and vegetables, grain products, meats and dairy products comprise almost 90 percent of the food that SNAP households buy.

**14. Land and Water Conservation Fund (LWCF):** Johnson County urges Congress to fully support H.R.2727, to amend the Land and Water Conservation Fund Act of 1965 to provide that not less than 40% of amounts available from the fund under that Act shall be allocated to the LWCF State Assistance Program. Johnson County also urges Congress to fully support S.338 - Land and Water Conservation Authorization and Funding Act of 2013, amending the Land and Water Conservation Fund Act of 1965 to provide for permanent authorization and full funding of the Land and Water Conservation Fund.

**Background:** The LWCF is intended for state and local conservation as well as for the protection of national treasures, including parks, forest and wildlife areas. Since the inception of the LWCF in the 1960's, a total of 60 projects (totaling \$6.5 million) have been funded throughout Johnson County. Johnson County Park and Recreation District has completed 13 projects using LWCF funds, but none since 1992. Continuing and/or increasing this funding source will allow JCPRD and local municipalities to leverage existing local tax revenues for park improvements (as LWCF projects are at least 50/50 matching funds).

**15. Reauthorization of the Federal Transportation Program (MAP-21):** Johnson County recognizes the importance of our nation's transportation infrastructure and supports the reauthorization and full funding of the federal transportation program (MAP-21, the

Moving Ahead for Progress in the 21<sup>st</sup> Century Act). Johnson County also supports the components of the transportation program that provide funding in a dependable and strategic manner for investment in multi-modal transportation infrastructure and operations.

**Background:** MAP-21 not only provides funding for our nation's road and bridges but it also establishes a program to provide for a variety of alternative transportation projects, including many that were previously eligible activities under separately funded programs. The Transportation Alternatives Program (TAP) within MAP-21 replaces the funding from pre-MAP-21 programs including Transportation Enhancements, Recreational Trails, Safe Routes to School, and several other discretionary programs, wrapping them into a single funding source. Johnson County has benefited from several bicycle/pedestrian trail projects awarded to Johnson County Park and Recreation District, and to several county municipalities. Continued funding of this program will assist Johnson County's improvement and expansion of the very popular bicycle and pedestrian trail system.

**16. Congestion Mitigation and Air Quality Improvement (CMAQ) funding:** Johnson County supports efforts to maintain or expand the Federal Highway Administration's Congestion Mitigation/Air Quality (CMAQ) program to fund transportation projects that improve air quality and protect public health.

**Background:** Over the last 10 years, Johnson County Transit has received approximately \$13.5 million in CMAQ funds. The funds have been used for bus purchases, a Compressed Natural Gas (CNG) fueling facility at Public Works, service start-up (e.g. K-10 Connector and Connex) and technology equipment.

## Health & Human Services

**17. Reauthorization of the Older Americans Act:** Johnson County supports the reauthorization of the Older Americans Act (OAA) in order to meet the needs of senior citizens. Priority should be given to strengthening the aging network's role and capacity in the coordination and provision of long-term services.

**Background:** The OAA reauthorization will ensure the aging network can meet the needs of the current and future populations of older adults and their caregivers. OAA program budgets have yielded a three-to-one return on investment in money leveraged into local service delivery. The total federal funding provided to the Johnson County Area Aging Agency is \$1.5 million which pays for nutrition programs, aging information and

assistance, senior publications, Geriatric Case Management, homemaker/chore programs, legal services, medication management, personal care, and respite care. The potential for federal sequestration cuts will continue to erode available revenues as federal funding rates have already decreased in recent years. A larger federal investment in core OAA services and supports is needed to ensure the aging network has the necessary resources in the years ahead to adequately serve the projected numbers of older adults.

**18. CDBG and HOME Funds:** Johnson County supports the restoration of HOME Investment Partnership funds and maintaining Community Development Block Grant (CDBG) funding.

**Background:** These funds have provided important services to our local communities and have been instrumental in building much needed infrastructure for cities throughout Johnson County. The HOME program has been critical to stabilizing neighborhoods and we encourage restoration of those funds, and maintenance of the CDBG funding at current levels. Current HOME funding levels for Johnson County Housing Services stands at \$757,532. This is down from a program high of \$1.5 million in 2009, with a steady decrease each year since then.

**19. Weatherization Assistance Program:** Johnson County supports the maintenance of current program funding levels with consideration for increased program administration funding.

**Background:** Johnson County's Weatherization program is instrumental in providing energy efficiency measures to homes in Johnson County which reduce the overall consumption usage and utility bills by approximately 25%. This program serves those households whose incomes are 130% to 200% of poverty. This largely impacts our seniors and persons with disabilities, who have fixed incomes with replacement of furnaces, insulation of the home and in some case window replacement. We encourage the continuation of program funding at current levels, and consideration for an increase in administrative funds to cover the program costs. Current funding for Johnson County stands at \$727,630, which has remained stagnant and does not keep pace with program cost increases.

**20. Federal Housing Assistance:** Johnson County urges Congress to maintain or increase federal housing assistance to support low-income families, the elderly and persons with disabilities.

**Background:** The State of Kansas provides rental assistance for over 18,091 households (6% fewer than in 2013), 64% of which have incomes less than 30% of the median income. The average annual income per household for a Kansas resident receiving rental assistance is \$12,488. Sixty-two percent (62%) of families receiving assistance are those whose income source is Supplemental Security Income/Social

Security/Pension. The Johnson County Housing Authority provides services to nearly 1,500 households, with a waiting list currently of approximately 211 elder/disabled households which may be waiting as long as two years for service. An average of \$727,033 in monthly rental assistance is disbursed in Johnson County. Reducing these funds would increase household rent amounts and potentially increase homelessness; the loss of funds for local businesses providing housing would also negatively impact the economy.

**21. Excellence in Mental Health Act (S. 264):** Johnson County supports adoption of the Excellence in Mental Health Act.

**Background:** This Act will strengthen our nation's community mental health and addictions system by establishing federal status for qualifying provider organizations and granting them access to payment structures that support the cost of doing business. This legislation will create a new, voluntary pathway for community mental health and addictions organizations to become Certified Community Behavioral Health Centers (CCBHCs). Organizations will be required to deliver specified services and meet requirements with respect to reporting, standards of care, and oversight. In return, CCBHC status would offer a foundation for a whole-person approach to health that recognizes community behavioral healthcare organizations' experience and potential in treating complex patients with difficult healthcare needs.

**22. Mental Health First Aid Act of 2013 (S. 153/H.R. 274):** Johnson County supports the adoption of the Mental Health First Aid Act of 2013, which would authorize \$20 million in grant funding for Mental Health First Aid training programs around the country.

**Background:** Participants would be trained in recognizing the symptoms of common mental illnesses and addiction disorders, de-escalating crisis situations safely and initiating timely referral to mental health and substance abuse resources available in the community. Training programs under this demonstration project would be offered to emergency services personnel, police officers, teachers/school administrators, primary care professionals, students, and others with the goal of improving Americans' mental health, reducing stigma around mental illness and helping people who may be at risk of suicide or self-harm and referring them to appropriate treatment.

**23. Behavioral Health Information Technology Act (S. 539/H.R. 6043 in the 112<sup>th</sup> Congress):** Johnson County supports the adoption of the Behavioral Health Information Technology Act, which would extend financial incentives for the meaningful use of electronic health records (EHR) to specified mental health and addiction treatment providers and facilities.

**Background:** A recent study by the Substance Abuse and Mental Health Services Administration points to a strikingly high incidence of cancer, heart disease, diabetes, and asthma among the more than 6 million Americans served by the public mental health and addiction treatment system. Mental health and addiction providers face significant financial challenges in trying to adopt comprehensive EHR systems, and fewer than 30% have been able to implement full or partial EHR systems. If behavioral health providers cannot adopt health information technology at a rate comparable with primary care facilities, hospitals, and physicians, it will soon become impossible to provide clinical care coordination.

**24.** Changes to the Medicaid Home and Community Based Services (HCBS) for those with Intellectual and Developmental Disabilities (I/DD) rules should be applied in a manner that best meets the needs of the individuals served. Two primary areas of concern are the settings services are provided in and conflict of interest issues regarding Targeted Case Management (TCM) services.

**Background:** Recent changes to the rules governing HCBS have set the occasion for states to interpret these new rules in a manner that may result in the unintended consequence of undesirable or fewer living and work options being available for individuals being served. The settings HCBS are provided in should be determined by the choice of the person. Also, the current system of providing TCM services in Kansas has functioned successfully with firewalls for conflict of interest and should be maintained.