

A Guide to Positions

2016

A Guide to Positions is designed to help League leaders use LWVKS public policy positions effectively at the state and local levels. In addition to the official statements of position for each program area, this guide briefly traces significant past actions and achievements, and indicates links among positions. This listing summarizes the official full statements of position, presented in bold type in the relevant sections of this guide. In applying LWVKS positions to local and regional issues, it is the responsibility of the appropriate League board—depending on the level of action—to determine whether member understanding and agreement exists and whether the action makes sense in terms of timing, need and effectiveness.

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STATEMENT OF POSITIONS

GOVERNMENT

COUNTY GOVERNMENT

BACKGROUND:

An evaluation of the structure and function of county government in Kansas was adopted as a state program in April 1965. Many local Leagues, after study and consensus on the need for change, found local officials unable to meet demands for change due to a lack of authority at the county level. This item was adopted by the state League for study and consensus to make possible state legislative action. This would then enable necessary or desirable changes in county government. A statement of position was first adopted in 1967.

STATEMENT OF POSITION:

The LWVK supports measures to increase the flexibility and efficiency of county government in Kansas. These include:

- a) Statutory rather than constitutional provisions for specifics on the organization and function of county government including optional forms of governmental structure.
- b) Continued measures to increase the effectiveness of county home rule including constitutional home rule and a county charter option.
- c) Statutory authority for the following local options:
 - a) An inter-local cooperation and/or consolidation of functions and services among units of local government.
 - b) Election of policy-making officials only.
 - c) Appointment of a county administrator; d. central purchasing;
 - d) City-county consolidation; multi-county consolidation
 - e) Flexibility in the investment of idle funds
 - f) Provision for metropolitan government

CRIMINAL JUSTICE - ADULT CORRECTIONS

BACKGROUND:

At State Council in April 1972, the statement of position from the Adult Corrections study was approved. An update of that position was requested by the State Board in June 1973 enabling the League to respond to state priorities. The updated position was completed in December 1976.

STATEMENT OF POSITION:

The LWVK supports all governmental units of the State of Kansas in their responsibility to provide a humane program of corrections for offenders. Such a program would

integrate offenders back into society as productive and successful citizens and thus protect the total community. The program would include rehabilitation through diagnosis and treatment; work opportunities that are meaningful; vocational training; and a full range of educational opportunities. It would require adequate funding as well as community acceptance of the offender upon re- entry

LWVK supports improvements in the present system such as:

- a) Proper training and salary scales commensurate with responsibilities for staff involved with corrections and after-care.
- b) Sufficient staffing of the Kansas Reception and Diagnostic Center, or, alternatively, contracting or services to permit post-sentence diagnosis and treatment for convicted felons.
- c) Full implementation of work-release programs and home visitation.
- d) Expansion of honor camp programs.
- e) Active recruitment and employment of a reasonable number of women and minority personnel for prison, probation, and parole staffs.
- f) Establishment of strong probation and parole systems and correctional programs with adequate staff and staff training.

The League supports the following changes in the present system:

- a) Mandatory pre-sentence investigation conducted by probation and parole staff, or by contract with local agencies, for all felons and misdemeanants.
- b) Elimination of discrimination against female convicted felons in regard to services and programs.
- c) Misdemeanants should not be incarcerated in state prisons. Develop alternative programs and facilities for women misdemeanants.
- d) Placement of most first time offenders on probation. Segregation of felons according to behavior, with severity of crime taken into consideration.
- e) Use of volunteer assistance to probationers, inmates, parolees, and their families.
- f) Establishment of flexible probation and parole guidelines.
- g) Establishment of community-based or regional services and facilities.
- h) Provision for an adequate number of counselors trained in the behavioral

science.

LWVK supports a "Bill of Rights" for offenders. These rights include:

- a) Human dignity
- b) Personal security
- c) Decent living conditions including nutritious meals
- d) Legal counsel
- e) Work
- f) Exercise
- g) Adequate medical care

LWVK supports the development of alternatives to incarceration. These include community-based corrections and rehabilitative programs within existing institutions before new prison construction is approved.

CRIMINAL JUSTICE - JUVENILE CORRECTIONS AND SERVICES

BACKGROUND:

The LWVK adopted a position on Juvenile Corrections and Services in 1973. In 1997, the Juvenile Justice Authority (JJA) was formed by state statute and the agency assumed responsibility for programs and funding associated with juveniles who came in contact with law enforcement and were identified as juvenile offenders. In 1997, as part of the Children at Risk position, it was stated that LWVK supports the transfer of responsibility for juvenile offenders to the JJA. The purpose of the 2003 - 2005 LWVK study was to determine if the JJA is meeting the needs of juveniles eight years after assuming responsibility. Delegates at Convention 2005 adopted the position.

STATEMENT OF POSITION:

The LWVK agrees with the primary goals of the JJA to promote public safety, hold juvenile offenders accountable for their behavior and improve their ability to live more productively and responsibly in the community. To accomplish these goals, juvenile justice policies should be designed to:

- a) Protect the public safety;
- b) Recognize that the ultimate solutions to juvenile crime lies in:
 - a. Strengthening families and education institutions, the involvement of the community, and the implementation of effective prevention and intervention programs with rehabilitation as the goal.
- c) Be community based to the greatest extent possible;
- d) Be family centered when appropriate;
- e) Facilitate efficient and effective cooperation, coordination and collaboration among agencies of local, state and federal government;
- f) Be outcome based, allowing for the effective and accurate assessment of

- program performance;
- g) Be cost-effectively implemented and administered to utilize resources wisely;
- h) Require recruitment and retention of well-qualified, highly trained professionals to staff all components of the system; and
- i) Encourage public and private partnerships to address community risk factors.

Goals should be achieved through the following objectives:

- a) Providing a steady and sufficient source of funding from federal, state and local governments to;
 - a. Have access to effective intake and assessment centers, implement prevention, intervention and
 - b. Aftercare in local communities, and recognize that there are different needs for funding and services between the rural and urban judicial districts.
- b) Allowing juvenile judges more flexibility in the use of both determinate and indeterminate sentencing;
- c) Providing institutions with the flexibility to use good time credits for offenders in state youth centers;
- d) Developing seamless state and local electronic systems to track juvenile offenders and to report outcomes and demographic information.

Such a system should be funded by the state.

CRIMINAL JUSTICE - COURT SYSTEM

BACKGROUND:

The LWVK began studying the Kansas courts in the early 1960's. A study of the Family Court was adopted by the 1963 State Convention. The position reached by consensus read, "The League of Women Voters of Kansas supports measures to establish a court, which has centralized jurisdiction over family matters". The delegates to the 1973 State Convention decided that it was timely to reevaluate the Family Court position as an extension of the Juvenile Corrections study just completed. Because of the possibility for unification of the courts in the near future, the evaluation was broadened to include the total court system again. The statement of position on the court system was first adopted in January 1975 and includes parts of the juvenile position as well as statement of previous positions on the court.

STATEMENT OF POSITION:

The LWVK supports:

The organization of all courts in Kansas into a unified court system. Such a system should:

- a) Be financed by the state.

- b) Provide that all trial courts be unified into a single court with general criminal as well as civil jurisdiction, with the exception of certain traffic violations.
- c) Provide that minor traffic violations be subject to administrative disposition.
- d) Provide that the State Supreme Court promulgate rules for the conduct of minor as well as major criminal prosecutions.
- e) Provide that full-time judges perform judicial functions in the trial courts, selected by the appointive- selective methods, and that all judges possess law degrees and be members of the bar.
 - a. Until this position is reached, the State Supreme Court should certify non-lawyers in the unified court system.
- f) Provide for transcription or other record of the pre-trial court proceedings and of the trial in all criminal cases.
- g) Provide those pre-trial release services, probation and rehabilitation services be made available in each judicial district.
- h) Provide a readily accessible avenue for review of legality and appropriateness of sentence by an appellate court.
- i) Provide for the selection of a Chief Justice of the Supreme Court on the basis of ability rather than basis of seniority.
- j) Provide that the term of office for judges be more than two years.

Establishment of a division of the trial court of general jurisdiction, which would deal with matters relating to the family. It should:

- a) Guarantee every child as well as every adult equal protection under the law.
- b) Include delinquency, neglect, support, adoption, child custody, paternity actions, divorce, annulment, and assault offenses in which both the victim and the alleged offender are members of the same family.
- c) Have access to resources to enable it to deal with family problems that may underlie the legal matters coming before it. An adequately staffed and supported intake unit should be authorized to identify and develop alternatives to formal processing of delinquent juveniles, and to determine which delinquents are appropriate subjects for these alternatives. Detention and shelter care decisions should be made only with direct judicial supervision.
- d) Order the institutionalization of a juvenile only upon a determination of delinquency and a finding that no alternative disposition would accomplish the desired result. A determination of delinquency should require a finding that the state has proved beyond a reasonable doubt that the juvenile has committed an act that if committed by an adult would constitute a criminal offense.
- e) Provide specialized training for all persons participating in the processing of cases through this division, including prosecutors, attorneys, and those judges who hear court cases related to family matters.

- f) Maintain confidentiality of records for juveniles and, to the maximum extent possible, for adults.
- g) Utilize community corrections programs and community services such as probation, counseling, and diagnostic services, but provides such service directly when necessary.

CRIMINAL JUSTICE - SENTENCING

BACKGROUND:

Delegates to the 1981 State Convention adopted a mini-study of Sentencing Alternatives in Kansas. A statement of position was announced in December 1982. This position is an addition to the position statements on Adult and Juvenile Corrections under Criminal Justice.

STATEMENT OF POSITION:

The LWVK supports a criminal code, which is a mix of indeterminate and mandatory minimum sentencing. However, the League believes that some changes are needed to make the system more effective, consistent, and fair in dealing with both offenders and victims of crime. Therefore, the League supports Uniform Sentencing Guidelines for the judiciary. These guidelines should provide:

- a) Better protection for society from violent behavior and repetition of criminal acts by requiring incarceration of repeat offenders.
- b) More structure and uniformity, yet some flexibility in individual cases.
- c) Less disparity in sentencing.
- d) Fewer incarcerations by providing more sentencing alternatives to judges, such as community corrections.

The LWVK supports sentencing guidelines as follows:

- a) The establishment of a commission, representative of the criminal justice system, the Legislature, and lay persons, to draft the guidelines for legislative approval.
- b) A requirement that judges provide written justification for appellate review when a sentence deviates from the guidelines.
- c) The use of community-based alternatives to incarceration that would allow for more restitution to victims and individualized treatment of offenders.

The LWVK opposes a death penalty for the following reasons:

- a) The death penalty is not a deterrent.
- b) A guilty person may be acquitted because juries may be less willing to return a guilty verdict if the penalty is death.
- c) An innocent person may be wrongfully convicted and the finality of death

- prevents correction of a mistake.
- d) The death penalty is too costly to the state in terms of legal fees and court time.

EDUCATION GOVERNANCE

BACKGROUND:

In 1985 the LWVK undertook a study of the governance of public education in Kansas. The composition, duties and responsibilities, authority and relationship of the State Board of Education, State Department of Education, Kansas Legislature, local Boards of Education and the Kansas Board of Regents were examined. The consensus statement was adopted in December 1986. A study of the State Board of Education was adopted at the LWVK Convention held in 1997. Changes in governance of the state's system of education were under discussion in the Legislature, and it was an appropriate time to add to the previous position on education. The new position was approved by the Board of Directors in September 1998, and has been incorporated with the 1986 statement of position.

STATEMENT OF POSITION:

Regarding the governance of education in the State of Kansas, the LWVK supports:

- a) An education governance structure that is accountable to the voters and provides opportunities for public input. The various components should work together to assure that the entire governance structure is efficient and that there is coordination on curriculum and administration. The League does not support a governing umbrella over all publicly funded education in Kansas, but does strongly favor better coordination of all publicly funded education. It is imperative that educational needs in Kansas be given higher visibility, perhaps through the designation of a Secretary of Education.
- b) Increased cooperation among boards and agencies. There should be enforcement of the open meetings law, availability of public documents, and dissemination of information about activities of various education boards and agencies by the media.
- c) Continued direct election of local USD boards and boards of trustees of community colleges.
- d) A State Board of Education composed of an odd number of members with a majority elected and the balance appointed by the Governor. They should serve four-year terms, which are staggered. Non-partisan elections are preferred.
- e) Governance of kindergarten through 12th grade education and adult basic education by a State Board of Education with self-executing powers.
- f) Governance of all public post-secondary education including Washburn University, by a separate board. Washburn University should become a state-regulated institution only if the change does not diminish funding for the current Regents institutions. (NOTE: Senate Bill 345, Restructuring of Higher Education, was enacted in the 2000 legislative session. It retained separate

boards for community colleges and Washburn University but placed them under the oversight of the Board of Regents)

LEGISLATIVE APPORTIONMENT

BACKGROUND:

The position of the LWVK on legislative apportionment is rooted in a long-standing national League position favoring legislative apportionment of both houses of state legislatures on the basis of population. The LWVK further refined this position by state studies of reapportionment procedures in 1959, 1965, and 1973. The current statement of position, a result of these studies, was first adopted by the 1975 State Convention.

STATEMENT OF POSITION:

The LWVK supports measures to achieve reapportionment of the Kansas Legislature at regular intervals of not more than ten years. Such reapportionment should include:

- a) The standard that the Legislature be based substantially on population, using United States Census figures.
- b) Responsibility vested in a commission as a step in the reapportionment process.
- c) A proportional relationship between the size of the House and the Senate with Senate districts being composed of an appropriate number of House districts, observing county lines where possible.
- d) Constitutional limits to the size of the House and Senate (maximum and minimum) with the legislature determining the size within these limits by statutory action.

STATE FINANCE

BACKGROUND:

State Finance has been of continuing interest and study since 1936 when attention was given to reform of tax systems to provide adequate revenue for essential governmental services through an equitable distribution of the tax burden. Additional studies have resulted in positions on school finance and on standards of a modern equitable tax system with specific positions on severance, sales and income taxes.

The statements of position on State Finance that have been adopted are: 1949, support of an Add-on severance tax; 1971, present wording for health services, highways, and welfare funds; 1972, school finance plan; December 1976, the present position on standards, additional revenue sources, income tax and sales tax. The 1979 State Convention adopted a program for further evaluation of the Kansas tax system with emphasis on appraisal, assessment and classification, which was approved by delegates to the 1981 State Convention. The 1993 State Convention adopted a position

on State Finance with emphasis on the tax mix, i.e. the income tax, the sales tax, and the property tax. In 2013 a restatement of State Finance was presented and approved at the State Convention.

STATEMENT OF POSITION:

The LWVK supports a broad-based state tax system that has diverse sources of revenue and that is equitable, provides adequate revenue, and is effectively and economically administered.

STANDARDS:

The state sales tax system, in the context of the total tax system, should meet the following standards. Individual taxes may fail to meet some of these standards, but it is essential for a state tax system to meet all the criteria to be acceptable.

- a) Equity: The ability to pay should be the primary basis for distributing the tax burden. Tax laws should be reexamined periodically to insure that equity is maintained.
- b) Adequacy: Adequate, stable revenues should be provided by the tax system in order to finance the quantity and quality of services required not only during stable economic times, but also in time of recession, inflation and unemployment. Diverse sources of revenue are needed to assure widespread sharing of the costs of government, and to help achieve a system that meets the other standards outlined here.
- c) Ease of administration: A good tax should be easy to compute and pay, difficult to evade, and inexpensive to collect. Administrative costs should be as low as possible. Adequate expenditures for enforcement are necessary to prevent evasion. Taxpayers should be able to understand clearly their responsibilities and be able to comply with requirements in a manner that is convenient and economical.

LWVK Recommendations

The state tax system, should meet the following standards. Individual taxes may fail to meet some of these standards, but it is essential for a state tax system as a whole to meet all the criteria to be acceptable.

- a) Kansas should seek additional revenue when needs for expanded and improved services from state and local governments require it. Revenue decisions should be accompanied by an evaluation of present programs, giving attention to efficiency in the use of state money and the effectiveness of state programs. When additional revenue is needed, LWVK supports an increase in income tax as preferable to an increase in sales tax.
- b) Kansas should rely more heavily upon a progressive income tax as a source of revenue. Tax brackets should adequately reflect the ability to pay. Personal

exemptions and standard deductions should correspond with the Federal system.

- c) Business taxes should be reviewed for impact on adequacy and equity of the entire tax system.
- d) The LWVK supports exemptions from state sales taxes that require an organization to report annually to the Department of Revenue the dollar value of purchases and activities affected by such exemptions. All sales tax exemptions should be subject to sunset within ten years of enactment. The Department of Revenue should be required to report to the Legislature the total dollar amount and trend for a 10-year interval prior to extension of each particular sales tax exemption. Each business wishing to utilize a sales tax exemption should be required to apply for the exemption. After 20 years a new application for exemption should be required. There should be no exceptions.
- e) The League accepts the necessity of the sales tax as a part of a broad-based tax system, but its regressive nature should be relieved by the exemption of food and drugs from the tax base. The base of the sales tax should be extended to include on-line retail purchases and on services other than medical services, as long as the tax on specific services conforms to LWVK standards of equity, adequacy, and ease of administration.
- f) To the extent that these are current policy of the classified property tax system, LWVK believes:
 - a. Constitutional provisions should contain a limited number of classes and should not give unlimited discretion to the Legislature, nor place all the detail in the Constitution.
 - b. Definitions of classes and assessment rates should meet the LWVK standards of equity, adequacy, and ease of administration. Uniformity (fair market value) should be established within each class of property.
 - c. The residential property class should include both owner-occupied and rental properties and should be made more progressive by exempting a fixed number of dollars of assessed valuation and/or by a continuation of circuit-breaker programs for home-owners and renters.
- g) The Kansas Estate (inheritance) Tax should be reinstated.
- h) An "add-on" severance tax should be applied to a wide range of natural

resources.

- i) The entire burden of financing education, health, social services and public safety and service should be equitably shared between the state and local units of government.
 - a. Health services should receive larger appropriations from the general revenue funds.
 - b. No change is needed in the method of financing highways, but dedicated highway funds should not be diverted to other uses.
 - c. Social service programs should be funded by the State and local governments in a manner that maximizes utilization of funds available from the federal government.

SCHOOL FINANCE

The State of Kansas should promote equity in educational opportunity for all through a school finance mechanism, which makes equivalent resources available to each pupil regardless of the wealth of any particular school district.

The League supports the following as a means of implementing this Position:

- a. Equalized expenditures per pupil should consist of revenues from each school district, based on district wealth, with the balance funded from state sources.
- b. The state should provide approximately two-thirds of the total operating costs of education in Kansas.
- c. Revenue to provide this support should be derived from one or more of these sources:
- d. Severance tax,
- e. A state levied and collected property tax on state assessed properties (e.g. utilities, pipelines, oil properties, railroads, etc.) with equalized distribution.
- f. Income taxes and
- g. Sales taxes (with sales of food exempt from the base)
- h. The revenue should be equalized in distribution.
- i. Statewide equalization of the assessment of property should be a necessary

condition for fair use of property tax.

- j. Equalized expenditures per pupil should incorporate a weighting system, which takes into account the education level of the pupil, the enrollment of the school system, and adjustments for special, compensatory and vocational education.
- k. Special provision should be made for the rapid correction of deficiencies of those school districts whose per pupil expenditures do not provide an adequate basic education.
- l. The following factors should be regulated by state guidelines. They should not be used as determinants in school funding:
 - 1. incentives for school district consolidation;
 - 2. Pupil-teacher ratios (maximum and minimum); and
 - 3. Teacher training and experience.

ELECTION ADMINISTRATION

BACKGROUND:

An evaluation of the Election Administration process in Kansas was adopted as a state study in April, 2001. A survey questionnaire, developed and used by the League of Women Voters U.S. following Election 2000, was distributed to the local election official in every Kansas County. Responses were received from 101 of 105 counties. The information provided the basis for consensus and developing a position statement. Implementation of the proposed changes in administration of statewide elections will require legislative action. The goal is to improve the voting process and enhance the voters' confidence in the process. This statement of position was adopted in 2003.

STATEMENT OF POSITION:

The League of Women Voters of Kansas supports:

- a. A statewide standard for training poll workers and supervisory judges who administer elections as well as a mandatory training requirement for all first time poll workers and all supervisory judges.
- b. Provision of training materials, mandatory training sessions for new poll workers, and abbreviated refresher training sessions for experienced workers in each county.
- c. Base compensation set by each county for poll workers and additional compensation for supervisory judges, to reflect increased training and increased responsibilities.

- d. Requiring supervisory judges to work the full day, with the option of a split shift for other poll workers. Inclusion in the training materials and sessions of sufficient information on the use of provisional ballots in order to ensure poll workers are able to explain their use to voters.
- e. A statewide effort conducted by the Secretary of State to educate voters on the use of the provisional ballot.
- f. The Secretary should make known the criteria for discarding a provisional ballot and release statistics for each county and for the state on the numbers of provisional ballots issued, the numbers discarded and the reason for discarding. The goal is to make the use of the provisional ballot in Kansas a fail-safe method of voting.
- g. Reminding all voters, in advance of elections, of the criteria for discarding a provisional ballot, and posting these criteria at each polling place.

STATE CENSUS

NOTE: The following background statement is retained as an historical reference to LWVK action in the past.

BACKGROUND:

An evaluation of state census-taking procedures was adopted by the 1975 State Convention. The statement of position was approved in April 1976 supporting standardized procedures and utilizing federal census data. LWVK objectives were attained by legislation passed in the 1978 session of the Kansas Legislature.

NATURAL RESOURCES

A. HAZARDOUS WASTE MANAGEMENT

BACKGROUND:

The LWVK adopted a study of hazardous waste management at the state convention in April, 1981. A statement of position was announced in February, 1983. The LWVUS had developed criteria for evaluating the suitability of storage and disposal sites for hazardous and nuclear wastes in April, 1980, but it seemed appropriate and timely to study the Kansas situation specifically and to investigate those aspects of hazardous waste management that were not addressed in the siting criteria. See IMPACT ON ISSUES 2002-2004.

STATEMENT OF POSITION:

The LWVK supports a program to reduce, detoxify and safely dispose of hazardous waste in order to protect the health of the people of Kansas and to prevent the degradation of the land, water and air of the state. The concerted efforts of all levels of government, the hazardous waste industry, the generators of waste and the general

public are essential to assure compliance with laws and regulations and to control hazardous wastes.

MANAGEMENT CONCEPTS:

The LWVK supports the concept of the state's participation in a hazardous waste interstate compact. This would enable Kansas and its neighboring states to share in the management of hazardous wastes and to assure that the most feasible and suitable procedures are utilized within each state.

The League advocates the following management options in order of preference:

- a) Elimination or reduction of waste.
- b) Recovery of materials and/or of energy.
- c) Treatment by chemical, biological, physical or thermal procedures.
- d) Separation and concentration of wastes for better reuses, treatment, or disposal.
- e) Exchange of wastes among industries for use as materials in production or manufacturing processes.
- f) Disposal of wastes by land burial.
- g) The LWVK does not view underground injection wells for disposal of hazardous wastes as acceptable.

RESPONSIBILITY OF GOVERNMENT:

All levels of government must encourage the reduction of hazardous wastes and safe management practices. The League holds state government principally accountable for ensuring that safe and proper procedures are followed by all entities that generate, transport, treat and/or dispose of hazardous wastes in Kansas.

The state government should:

- a) Increase monitoring and surveillance of on-site storage and processing facilities.
- b) Identify and cleanup abandoned disposal sites.
- c) Determine the presence of unexpected materials through random and surprise inspections of hazardous waste generators.
- d) Stringently enforce, through the Kansas Department of Health and Environment (KDHE), industry's compliance with hazardous waste management procedures.
- e) Develop computer capability to track hazardous waste transportation in the state and maintain data for the state management program.
- f) Develop a predictive procedure to evaluate a specific site for its waste-handling capabilities.
- g) Evaluate programs on an ongoing basis to ensure efficiency and best use of personnel and funds.

The federal government should:

- a) Develop alternatives to disposal of hazardous wastes by land burial.
- b) Provide information on recovery, recycling and reuse of materials to business and industries.
- c) Develop a defensible procedure to determine a "safe" quantity of a particular waste for on-site storage.
- d) Use agency publications and the print and electronic media to increase public awareness of hazardous waste management.

Local governments can promote the recycling of used motor oil and other lubricants through public information programs.

FACILITY SITING AND OPERATION.

The state may use the power of eminent domain to acquire land for an off-site facility only when other means of acquisition are unsuccessful. The League maintains that the private hazardous waste management industry should operate a hazardous waste processing or disposal facility. Both the state and the owner/operator of a hazardous waste facility should be responsible for the training and education of on-site and off-site personnel.

FACILITY SITING BOARD.

The powers and duties of the Kansas Hazardous Waste Disposal Facility Approval Board should be expanded to allow it to evaluate and identify potential sites for an off-site waste facility. The Board membership should be broadened to include persons from a local community when it is considering that location for such a facility.

CLEANUP OF ABANDONED SITES AND CONTAMINATION BY HAZARDOUS WASTES.

The company or persons responsible for contamination by accident or mismanagement should pay the costs of site cleanup. The state should establish a special cleanup fund in order to respond quickly to a contamination incident. User fees and/or fines collected from violators could be used to fund such an operation. The state should ultimately be able to recover costs from the company or persons responsible for the contamination.

B. SOLID WASTE MANAGEMENT

BACKGROUND:

The LWVK conducted a state study of Solid Waste Management and Resource Recovery concurrently with the LWVUS study, and a state position was first adopted in February 1973.

STATEMENT OF POSITION:

The LWVK supports:

- a) Government regulation of solid waste management in all areas of the state. State and local governments should meet or exceed any minimum standards set by the Federal government. Both state and local governments should implement and enforce such standards and may join in cooperative regional arrangements to do so.
- b) Consumer education by all levels of government targeted at reducing solid waste generation.
- c) Federal regulation for the safeguarding of natural resources.
- d) State recycling initiatives such as a ban on non-returnable containers, tax benefits for installing equipment to handle recyclable materials, government purchase of products made from recycled materials and the seeking of ways to limit the use of nonrenewable resources.
- e) State technical and financial assistance to local governments for the planning of solid waste management systems. Such aid could include low cost loans, grants, and matching funds. Local governments should be permitted flexibility and local option in financing.
- f) State incentives for industry to advance industrial solid waste systems. The kinds of assistance in order of preference are: low cost loans, tax credits and accelerated depreciation. Such incentives should be of limited scope and duration.

C. WATER RESOURCES MANAGEMENT

BACKGROUND:

The LWVK undertook a study of the supply, use and quality of water in Kansas in 1977. It announced a statement of position in December 1978, which was approved by convention delegates in 1979. The League again studied water issues in 1984 under the title of Water Resources Management in Kansas. This statement of position encompasses points of member agreement from both the 1977 and 1984 consensuses. Delegates to the 1993 State Convention voted to undertake a study of selected aspects of water resources in order to update the position and to reach agreement by concurrence. Delegates to the 1995 State Convention adopted this modified position. Delegates to the 2007 LWVK Convention adopted the Study of Water in the Production of Energy. 2009 Position approved by the LWVK Board on Oct. 25, 2008. The study was undertaken in light of current demands, supplies and the potential for future conflicts in meeting future energy needs.

STATEMENT OF POSITION:

The LWVK recognizes that water is a natural resource basic to the present and future well-being of Kansas citizens and to the economy of the State. A continuous supply of water must be maintained within Kansas through conservation and the use of the best available technology. Because of inequitable distribution, variable quality, and competition for water, there must be orderly planning for water supplies, various uses,

water quality, and strict enforcement of water laws, regulations, and management procedures.

PLANNING AND IMPLEMENTATION.

Short-term and long-term planning for Kansas water resources should consider all waters of the State. Planning should address, but not be limited to, drinking water sources, water quality, agriculture, energy production, wildlife and ecosystem management, flood control and recreation. Coordinate Water Planning with a comprehensive State Energy Plan, which would include the full cost of water used in the production and transportation of energy. *(As approved at Convention 2015.)*

The LWVK recommends the following policies for water resources management:

- a) Development of research, data collection and information systems.
- b) Establishment of water management districts for aquifers and river basins or sub-basins.
- c) Regular testing of public drinking water supplies and ambient waters based on significant risks to public health, ecosystems and wildlife.
- d) Purchase of additional water storage capacity in federal reservoirs by the State to meet foreseeable needs.
- e) Transfer of water within the state to meet municipal needs.
- f) Protection of wetlands.
- g) Establishment and enforcement of Interstate Compacts.
- h) Inclusion of soil, economics and environmental considerations in environmental impact statements.
- i) Training and/or certification of operators of publicly owned water treatment and wastewater treatment facilities.
- j) Maintenance of small lakes for municipal water supplies or for periods of drought. Development of conservation plans and drought contingency plans by municipal, agricultural and industrial users.
- k) Strict enforcement of water statutes and regulations.
- l) Coordinate Water Planning with a comprehensive State Energy Plan which would include the full cost of water used in the production and transportation of energy.

WATER RIGHTS

The Kansas Water Appropriations Act should provide the State with sufficient flexibility to recover a vested or appropriated right when it becomes necessary to redistribute water according to a priority of greater need. The State should have and use the authority to review regularly both the purpose of and quantity of water used by water rights holders and to recover rights as needed by purchase or condemnation. Water rights holders should be permitted to hold their rights without using them when there is no pressing need for a higher priority use.

The LWVK questions the policy of giving all "beneficial uses" equal weight and ranks the priorities (preferences) of water use as 1) domestic and municipal, 2) livestock and general farm use, 3) minimum stream flow, 4) irrigation, 5) industry, oil or gas production and 7) recreation. Public health and safety should preempt all other rights when water is in short supply.

WATER SUPPLY

Long-term and short-term planning for adequate water supplies and the careful implementation of water programs and projects is essential. The State has some responsibility to develop and maintain water supplies for present and future uses by means of: 1) the construction and maintenance of dams and reservoirs in conjunction with the federal government, 2) the purchase of additional or excess water storage capacity in federal reservoirs, 3) the purchase of water rights, and 4) the promotion of sustainability of ground water resources.

The State and local governments should consider the use of small lakes, regionalization of water systems, and the transfer of water within the state in order to meet the water needs of municipalities. The LWVK supports the establishment of water management districts by aquifer, watershed, river basin or sub-basin to enhance water planning and program implementation and to facilitate participation of local users and suppliers. Water management districts should have broad citizen representation. Major water users should develop drought contingency plans to sustain water supplies and ensure that all users have access to a minimum supply of water.

STATE WATER PLAN

The LWVK supports a comprehensive State Water Plan with the goal of preserving and improving surface and groundwater supply, use and quality. This plan should be part of a Kansas Natural Resources Plan. The State water Plan should be implemented at the local level whenever possible. Funding for the State Water plan projects should be derived from multiple sources including but not limited to monies from the State General Fund and the Economic Development Initiative Fund.

WATER TRANSFERS

The LWVK supports the transfer of water within the state for municipal needs only and with the following considerations:

- a) Environmental impact study on place of water origin, route of transfer, and place of final use.
- b) Use of water conservation practices for one or more years in the place of origin and place of final use prior to the request for transfer.
- c) Compliance with long-term water goals and policies of each aquifer or watershed involved in a transfer.

- d) Ability of beneficiaries of the water transfer to initiate and maintain funding of the project.
- e) With interbasin transfers of water, negative environmental impacts should be minimized. Careful attention should be given to the long-term and short-term impact on the water source of origin and the receiving area. A request for the transfer of large quantities of water over extended periods of time should be an occasion to examine the adequacy of water conservation plans for both the transferring and receiving regions.
- f) Public interest or citizen groups should be allowed to participate in water transfer hearings, such participation should not be constrained by excessive costs placed on the individuals or groups appearing as interveners.

WATER QUALITY

The quality of Kansas surface and groundwater and the protection of potable water will be preserved by the following:

- a) Enforcement of enacted statutes and regulations by the federal, state and local governments.
- b) Standards for safe drinking water and ambient water quality based on the possibility of significant risks to the public's health.
- c) Standards of ambient water quality that protect animals, aquatic life, ecosystems and contact recreation.
- d) Water policies that address, but are not limited to: a) the establishment and implementation of soil and water conservation practices; b) the cleanup or improvement of water with naturally occurring pollution; and c) use of the best available technology to control non-point sources and point sources of pollution.
- e) Implementation of measures to control such non-point sources as urban runoff, agricultural runoff and irrigation runoff.
- f) Mandatory practices and penalties should be imposed on those who impair water quality.
- g) Monitoring the quality of Kansas' waters regularly and maintaining them at levels that will support the biota and wetlands of the state.

CONSERVATION OF WATER

The LWVK advocates the conservation of water as being important to the future management of the state's water resources. Conservation is necessary at all times, but especially during periods of drought. Education is only one measure to achieve conservation of water; it must be supplemented by other measures. These could include actions by the State of Kansas such as:

- a) Requiring conservation plans from existing major water users and new non-domestic applicants for water rights.
- b) Metering of water flow when irrigation is involved from either surface or groundwater using the most efficient methods and equipment available.
- c) Developing demonstration projects, conducting research on water-sparing crops, and providing the technical assistance in these areas.
- d) Recycling and reuse of water whenever economically feasible,
- e) Industry, municipalities and the State sharing the cost of technical assistance for such practices.
- f) A special assessment on consumptive users of water and on those who deplete water supplies.
- g) Securing the safe yield policy of an aquifer by withholding further water rights whenever feasible.
- h) Encourage energy development that utilizes water efficiency, water reuse, and Best Management Practices. The League views the conservation of water as critical in the protection of the wetlands of the state. The planned depletion of groundwater is not an acceptable policy for water conservation.

FINANCING WATER RESOURCES

Water users, beneficiaries and the State all have roles in financing water programs and projects. The users should pay for the treatment of a municipality's drinking water and wastewater. Users should be responsible for obtaining their own water sources. Beneficiaries should be responsible for funding a project to transfer water from the source to the community. Users and the State should pay for: 1) construction of local and regional storage dams or water projects, 2) improvement in the quality of water with naturally occurring pollution such as mineral intrusion, and 3) technical assistance in reusing and recycling industrial and municipal waters.

The State should pay for the storage of state-owned water in the nine federal reservoirs presently involved in the state water marketing program. Sale of this water would fund this storage. The State should pay the costs of research, data collection and information systems that undergird effective planning.

The League advocates a dedicated fund to finance the various projects and programs within the Annual State Water Plan. Funding could be provided from:

- a) The State General Fund
- b) The Economic Development Initiatives Fund
- c) Fees from municipal, industrial and stock water users
- d) An assessment on fertilizers and pesticides
- e) Fines for water pollution
- f) A surcharge on additional water withdrawn or used during drought or high-use periods

- g) An extra fee or higher rate for consumptive water users
- h) An extra fee or higher rate for users who deplete water quantity or impair water quality.

The State should establish a revolving trust fund to lend money at low interest rates to aid communities or districts in the construction of water treatment and wastewater treatment facilities. Payback to the State should occur within the useful life of the facility.

D. LAND USE

BACKGROUND:

The League of Women Voters of the United States adopted a statement of position on Land Use in 1972. In 1973 the State Convention of the LWVK approved a study on the state level. A statement of position supporting state land use planning was adopted in December 1974.

STATEMENT OF POSITION:

In order to protect the state's natural resources and to assure their wise use, the LWVK supports a system of land management which integrates our ecological needs with our social and economic needs. The League recognizes land is a resource to be preserved and protected. Therefore it urges the State to assume a more active role in land use planning.

E. PRAIRIE PARK

BACKGROUND:

As part of the evaluation of land management adopted for study at the 1973 Convention of the LWVK, special attention was given to the establishment of a National Tallgrass Prairie Park in Kansas. After reaching consensus on Land Use, a Prairie Park position was approved by concurrence in December 1974. Subsequently, The National Park Trust purchased the 10,894 -acre remnant of tallgrass prairie known as the Z Bar/Spring Hill Ranch in 1994. The Tallgrass National Prairie Preserve of 180 acres was established in 1996 as a unit of the National Park System. The remainder of the property continues to be owned by the private National Park Trust.

STATEMENT OF POSITION:

The LWVK continues to support the conservation of tallgrass prairies in the Flint Hills of Kansas. To preserve tallgrass communities for posterity and to assure healthy development, the League urges the establishment of scenic and conservation easements in the vicinity of the Tallgrass National Prairie Preserve. It supports planning

at both the state and county levels to assure these ends.

F. ENERGY

BACKGROUND

The League believes that the future of Kansas should include diverse energy production methods. Planning for long-term economic, social and environmental sustainability should include promotion of energy efficiency and conservation, support of renewable energy sources, and adaptations to deal with climate change and associated water shortages and water quality concerns, including appropriate changes in the agricultural sector. It is crucial that all Kansans should also have access to clean and affordable drinking water.

ETHANOL PRODUCTION

Background - Delegates to the 2007 LWVK Convention adopted the study of “Water in the Production of Energy.” The study was undertaken in light of current demands, supplies of water and the potential for future conflicts in meeting future energy needs, specifically the production of ethanol from corn.

FRACKING

Background – Concerns about consumption and contamination of a limited supply of water in Kansas for energy production by hydraulic fracturing prompted delegates to LWVK Convention in April, 2013, to approve a study on “Fracking, Water and our Future.” Since LWVK already has strong positions on water planning, water conservation and water quality protection, the positions on fracking related to water were drawn largely from existing statements. A new Natural Resources section on “Energy” was created to incorporate old and new positions related to energy production and related activities such as transportation, storage and waste disposal.

The scope of work approved for the study included oil and gas fracking activities in Kansas that are water-related, involving both water quantity and quality. “Fracking” was assumed to mean not only the physical breaking of rock strata below the surface, but also fracking-associated activities, including horizontal and vertical well drilling; well construction and integrity; hydraulic fluid transport, mixing, storage, use and disposal; disposal of well cuttings and well closure. Since elimination of liquid wastes (flowback of fracking fluids and produced waters) in deep wells effectively removes water from the water cycle and has been associated with induced seismicity (earthquake generation), deep well disposal was determined to be water-related and included in the study. The study committee interpreted the phrase “and our Future” as the long term

sustainability of water resources and energy production activities in Kansas.

STATEMENT OF POSITION:

a) PUBLIC PARTICIPATION:

LWVK supports on-going public participation in fracking-related regulatory processes, including but not limited to transparency; citizen education; appropriate and timely notification; public hearing accessibility; availability of monitoring data; public input opportunities and meaningful participation in local decision-making.

b) CONSERVATION OF WATER:

LWVK supports measures to encourage reduction of overall potable water usage for fracking, including but not limited to, restricting conversion of water rights and/or use of “temporary permits” for oil/gas production; metering/monitoring/reporting of water use and water disposal; exploring and promoting methods to reduce, re-use, and recycle water (flowback and produced waters) and use of non-potable sources.

c) PROTECTION OF WATER QUALITY:

LWVK supports measures to ensure protection of water quality from drilling, fracking and waste disposal activities to include, but not limited to, baseline and ongoing monitoring of local surface water and groundwater quality; full disclosure of fracking fluid contents; use of “tracer” technologies to identify fracking fluid sources; protective closure conditions in new permits; plugging of abandoned wells; ongoing monitoring for well pressure and casing integrity and safe storage, transport and disposal of product and wastes.

d) WASTE DISPOSAL:

LWVK supports measures to protect waters and soils from contamination from disposal of solid and liquid drilling-associated wastes, including but not limited to collection, containment, transportation, illegal dumping, land application, holding tanks, evaporation pits, deep-well disposal and migration of wastes to water sources.

e) INDUCED SEISMICITY:

LWVK supports measures to protect public and private interests from induced seismicity (earthquakes) through activities including but not limited to improved subsurface mapping; an enhanced seismic monitoring and geologic data gathering system in Kansas; limits on and monitoring of volumes of water injected into disposal wells and increased public accessibility to the data.

f) FUNDING:

LWVK supports the setting of designated industry fees, bonding and/or taxes restricted to funding adequately the regulatory oversight of fracking-related activities, including but not limited to, agency staffing, permitting, monitoring,

enforcement, citizen education, public participation and representation and development of an appropriate financial mechanism to assist communities with damages from drilling-related and waste disposal activities.

g) MORATORIUM:

LWVK would consider a limited ban or moratorium on fracking when drilling and/or associated waste disposal activities negatively impact local public health/safety, including but not limited to demonstrable threats to water quality, impacts on availability of potable water for higher priority uses and/or damage from induced earthquakes from fracking or wastewater disposal

The League of Women Voters of Kansas (LWVK) supports the establishment of a centralized agency, such as a Department of Natural Resources, to research, plan, execute and enforce policies that will preserve the air and water quality and soil conservation while allowing for economic growth. LWVK recommends that such an agency utilize representatives of the general public, business, industry, and agriculture as consultants and advisors. The goal would be the development and implementation of a Natural Resources Plan for Kansas that would integrate the various management practices and technologies of federal, state and local government to preserve the natural resources of the State.

ENVIRONMENTAL QUALITY

The LWVK has extended certain aspects of the LWVUS Natural Resources positions to deal specifically with Kansas' problems. These extended statements will be found above under A) Hazardous Waste Management, B) Solid Waste Management, C) Water Resources Management, D) Land Use, E) Prairie Park and F) Fracking.

SOCIAL POLICY

EQUALITY OF OPPORTUNITY

BACKGROUND:

The support of equal rights for all has long been one of the guiding principles of the League of Women Voters. The LWVUS began its study of these concerns in 1964. A statement of position was announced by the National Board in January 1969, and adopted by the 1972 National Convention. Delegates to this convention gave overwhelming support to the newly proposed Equal Rights Amendment. The LWVUS expanded its position at the 1980 National Convention, which is reflected in our Position in Brief. The LWVK believes that many aspects of the LWVUS position are applicable for action at the state level. Delegates to the 1981 State Convention added "access to

policy-making government meetings."

HEALTH: MEDICAL INDIGENCE

BACKGROUND:

The LWVK State Convention of 1987 adopted a state study of Medical Indigence in recognition of the serious need for basic health care availability. Details of the LWVUS position, "Access to Health Care," may be found in IMPACT ON ISSUES 2000-2002.

STATEMENT OF POSITION:

The LWVK supports:

- a) Basic health care that should be available for all citizens of Kansas.
- b) Individual responsibility for health care to the degree feasible and affordable.
- c) State responsibility for devising a medical care plan for the medically indigent in Kansas.
- d) State responsibility for at least minimum insurance for basic health care and health education and county responsibility for the delivery of services.
- e) Employer responsibility for providing at least minimum insurance for basic health care for all employees and their families through methods such as business group insurance and/or risk pool.

HEALTH: MENTAL HEALTH CARE IN KANSAS

BACKGROUND:

Over the past 30 years, and especially since the passage of the Mental Health Reform Act of 1991, Kansas has worked toward deinstitutionalization of people with serious mental illness, as state funding has been increasingly shifted from state hospitals to community mental health centers (CMHCs) and resources for independent living.

While integration of individuals into mainstream society is an admirable goal, service providers are failing to meet many significant needs. Community hospitals are closing inpatient psychiatric units, and the three remaining state hospitals are currently at or near capacity. The number of beds at state mental hospitals has decreased by 456 since 1991, while the state's population grew 10.6% between 1990 and 2005. Even persons admitted for psychiatric care in community hospitals are limited to stays of three to five days, with 45 days per year being the maximum paid by insurance companies.

Nationwide, individuals with serious mental illness experience high levels of unemployment, criminal incarceration and homelessness. In Kansas, the state continues to cut back on the safety net of totally state-funded programs, which are

the only hope some persons have for survival.

In 2005, the League of Women Voters of Kansas (LWVK) adopted a study of mental health care in Kansas to evaluate the significant shifting of care from state mental hospitals to community based mental health centers. This study confirms that the inadequacy of the current system has contributed to an increase in the population of the homeless mentally ill, to the incarceration of adult and juvenile offenders with mental illness, to preventable deaths among individuals with mental illness, and to the inability of service providers both to deal appropriately with individuals in crisis and to treat the physical and mental problems of individuals with severe and persistent mental illness. The following statement of position was approved by the LWVK Board in March, 2007 and was adopted by delegates at Convention 2007.

STATEMENT OF POSITION

The LWVK endorses a mental health system, which decreases dependency on costly emergency services, reduces poverty and homelessness among people with mental illness, reduces rates of incarceration, supports healthy recovery, and strengthens families.

To address the inadequacies found by this study, the LWVK recommends the following improvements in the existing continuum of care:

- a) Services provided along this continuum should be based on consumers' needs.
- b) The number of hospitals with psychiatric units and the overall number of beds for acute voluntary and involuntary psychiatric care must keep pace with needs statewide. The total bed count comprises the budgeted capacity of the state mental health hospitals and the bed capacity of community hospital psychiatric units.
- c) Stable funding should be ensured for providers in the public mental health care system.
- d) CMHCs should provide services that are more accessible and available by:
 - e) allowing multiple points of entry,
 - f) increasing preventive and early intervention services to the general and target populations,
 - g) strengthening crisis intervention,
 - h) collaborating with other agencies,
 - i) using technology creatively, and
 - j) offering treatments which demonstrate a measurable outcome
- k) A seamless transition must be provided for the consumer from primary care in CMHCs to intermediate care in state-operated regional inpatient units, and on to more acute care in state mental health hospitals that also function as centers of excellence for research and education.

To fund these programs, the League recommends that Kansas should:

- a) maximize use of state and federal dollars,
- b) implement full insurance parity for mental health care,
- c) distribute funds in a manner that more directly links money with services provided,
- d) develop new and innovative sources of revenue from both public and private sectors, and
- e) develop a public awareness campaign to educate citizens about the critical needs of the mentally ill and the obligation of all citizens to respond.-

To improve mental health care services, consumers must have:

- a) a wide range of transitional and long-term housing options, from fully structured to fully independent,
- b) wrap-around services including physical health care, dual-diagnosis treatment, geriatric treatment and
- c) employment/education assistance,
- d) an outreach program for individuals experiencing homelessness and individuals resistant to treatment,
- e) effective crisis intervention,
- f) humane and quality mental health policies/services within law enforcement and justice systems, and quality mental health services offered in correctional systems at every level.

Finally, the League supports the goals and recommendations of the President's New Freedom Commission on Mental Health (New Freedom Commission on Mental Health, Achieving the Promise: Transforming Mental Health Care in America. Final Report; DHHS Pub. No. SMA-03-3832 Rockville, MD: 2003).

MEETING BASIC HUMAN NEEDS - DEPT. OF SOCIAL A. REHABILITATION SERVICES

BACKGROUND:

The LWVUS' statement on Meeting Basic Human Needs supports policies that promote self-sufficiency for individuals and families by preventing and reducing poverty. The LWVK at Convention 1993 adopted a study of the Kansas Department of Social & Rehabilitation Services to better understand what services and programs are available in Kansas. State Convention delegates adopted the position in 1995.

STATEMENT OF POSITION:

The LWVK encourages cooperation and continuity among agencies and programs that affect children and families in order to assure that the basic needs of low-income families are met.

The LWVK recommends the following:

- a) Establish goals with objectives and expected outcomes.
- b) Conduct regular external audits of individual programs within agencies with the goal of eliminating those that are NOT effective.
- c) Replicate successful programs statewide, such as teenage pregnancy prevention.
- d) Establish a statewide computerized network accessible to all agencies that work with children and families.
- e) Reduce caseloads such that each client and/or family unit has all services coordinated by a single worker within a case management system at the local level.
- f) Create a more flexible time limit for education, job skills and job acquisition for clients.

The League further supports:

- a) Inclusion of qualifications such as administrative experience and communications skills in statutes establishing the office of the Secretary of SRS and its responsibilities.
- b) An umbrella agency such as SRS to assure continuity and cooperation among providers.
- c) Contracts or grants from SRS to other agencies, including private agencies as appropriate, provided they are regularly monitored and audited.
- d) Coordination of all child support enforcement programs and data in one agency, with courts having the responsibility of enforcing compliance.

The League believes the following needs are not being adequately met at this time for:

- a) Housing, due to availability and cost differences across the state.
- b) Medical care for Medicaid patients where doctors are not accepting such patients.
- c) Public transportation, which is unavailable in most areas.
- d) Quality day care, particularly at hours sometimes needed by recipients.
- e) Budget allowances that should vary across the state based on actual cost of living.

BACKGROUND:

Delegates to the 1995 State Convention adopted a state study on children at risk to identify and evaluate state and local services designed to meet the educational, psychosocial and physical needs of children and youths. Delegates to the 1997 State Convention adopted the position.

STATEMENT OF POSITION:

The LWVK recognizes the need for all children to live within a healthful and nurturing environment. Consequently, the League is especially concerned about those children identified by child-oriented community and/or government agencies and programs as children at risk.

The League supports the organization of comprehensive collaborative alliances using a statewide-computerized central referral service that communicates the existence and availability of services for children and their families. In addition, the League endorses the development and implementation of policies and programs that address the physical, psychosocial and educational needs of children at risk

Specifically, the LWVK supports the following:

- a) Health services available within the city or county that include prevention and early intervention programs for all children from birth to age six, and programs that include prenatal and infant care with follow-up services for high-risk mothers, particularly teen age parents.
- b) Educational programs in the schools for the prevention of teen pregnancies and sexually transmitted diseases.
- c) Available nutritional information for all agencies serving children.
- d) Psychosocial services to prevent and relieve conditions of child abuse and neglect, through education and intervention, and emergency services for violence prevention.
- e) Community programs, both public and private, that provide attractive, safe, growth-promoting settings for children during the out of school hours when parental supervision is not available.
- f) Substance abuse education, prevention, and treatment services to reduce the multiple problems related to alcohol, tobacco, and other drugs.
- g) Education services for infants and toddlers with developmental, physical, and/or emotional delays, and availability of preschool education for all children beginning at age three.
- h) Affordable child care services that are readily accessible and held accountable for their quality.
- i) Funding for strong alternative and vocational education programs so that every child reaches high school graduation or its equivalent.
- j) Sufficient public school funding to provide programs for at-risk children.

- k) Child welfare services for foster children who are at risk because they cannot live in their own homes.
- l) Adequate services for foster children to include:
 - a. Keeping children with their families or sibling groups if possible, or adoption placement if this is not possible.
 - b. Serving foster children in their own community with a minimum of placements unless this is not in the best interest of a particular child
 - c. Keeping education, health and psychological records current and following the child when placements are necessary.
 - d. Assuring that all agencies serving foster children meet statewide standards, qualifications, and definition of best practice for their service.

The LWVK, recognizing that some of the programs and services suggested above are already in existence in Kansas communities, endorses funding for their continuation. The LWVK supports ongoing monitoring and evaluation of current programs and initiatives including:

- a) Welfare reform
- b) SRS programs for foster care, adoption and preservation of families
- c) Transfer of responsibility for juvenile offenders to the Kansas Youth Authority
- d) Future changes in Medicaid and mental health services

LIVING WAGE

BACKGROUND:

The LWVK adopted a study of a "Living wage policy for government and private enterprises that receive public funds" at State Convention in April 1999. A statement of position was adopted on September 23, 2000.

STATEMENT OF POSITION:

It is reasonable to expect government and for-profit businesses that receive tax incentives and/or other public funds to pay a living wage in order to prevent or reduce poverty and to promote self-sufficiency. Other businesses should be encouraged to do likewise.

A living wage should provide sufficient income without government assistance, for food, clothing, housing, energy, transportation, health care, education, childcare, and a small amount of discretionary income.

The state should set minimum standards for a living wage for state employees. Additionally, laws should be enacted that enable communities to establish living wage ordinances for local government employees and private enterprises that receive public tax money. The LWVK opposes legislation that prohibits such local action.

The state should establish a minimum wage for all workers that adequately reflects the actual cost of living in the state, at least to the minimum level established by the federal government.

Implementation of a living wage will take time and until that goal is achieved the LWVK continues to support government assistance to the working poor. Assistance programs may include but not be limited to:

- a) Refundable state earned income tax credits,
- b) Fair unemployment insurance,
- c) Tax credits for child care expenses,
- d) Health insurance, and
- e) Elimination of sales tax on food.

PRIVATIZATION OF CHILD WELFARE SERVICES BY THE KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES.

BACKGROUND:

In 1996, the state of Kansas, through its Department of Social and Rehabilitation Services (SRS), embarked on an unprecedented initiative by totally privatizing its child welfare programs, family preservation, foster care and adoptions. Historical baseline data have not been made available by SRS for comparison between the old and new systems. Furthermore, SRS has neither developed a convincing rationale for privatizing child welfare programs nor established a set of criteria for its decision.

Four local Leagues (Lawrence-Douglas County, Manhattan-Riley County, Salina, and Topeka-Shawnee County) spent two years (1996 and 1997) monitoring the new delivery system in their communities and all local Leagues were involved in a two-year study (1998 and 1999) of the new system. The material that follows discusses privatization in general and presents a set of principles by which to judge the privatization of the Kansas child welfare system.

The more common reasons given for privatizing a public service include:

- a) the public desires less government,
- b) the government is not able to provide the service,
- c) the private sector has the competence to provide the service at the same cost or less, and
- d) the quality of the service will remain the same or be improved. To date, none of these reasons has been shown to support the 1996 move by SRS to privatize child welfare services in Kansas. Privatization has cost more money than anticipated, requiring supplementary funding by the Legislature. It has increased the number of bureaucracies with which communities and individuals have to deal. SRS is now into its fifth year of privatization and has issued new four-year

contracts. During the first four years of privatization, Kansas has recorded an increase in the number of families with problems requiring child welfare services. The LWVK believes that the child welfare system is a partial response, not the entire solution, to the problems of dysfunctional families.

STATEMENT OF POSITION:

OBJECTIVES:

Whether the services are state-run or privatized, the Kansas Department of SRS is ultimately responsible for the care, custody and control of the children in the state's child welfare system. Services should be carefully monitored. The plan for each child must be guided by best practices, not only by cost. Where there are deficiencies, it is the responsibility of SRS to correct them.

The goals of the Kansas child welfare system are the safety, permanency and functional development for all children for whom it is responsible. Health, education and psychological records should always be current and follow the child. All major stakeholders should be involved in the planning, implementation, monitoring and evaluation of the system.

PROCESS:

- a) SRS must have in place a functional baseline data for comparative purposes and state-of-the-art Management Information System (MIS) which interfaces with those of major contractors.
- b) A new and untried system may have variable effects in different communities. These effects should be dealt with through pilot projects or other means before a new system is introduced statewide.
- c) State officials should consider whether enabling legislation is appropriate before making any far-reaching changes in child welfare services.

CONTRACTS:

Prime contractors must have:

- a. A record of experience and success in providing quality services in a timely manner for the designated population.
- b. A demonstrated ability and experience to handle government contracts.
- c. Professional staff with appropriate academic degrees and a record of successful experience, and
- d. Supervisors with advanced degrees, a state license and appropriate experience in the child welfare field.

Privatization requires a competitive environment. Such an environment may lead to instability. Letting contracts for an extended period, with annual renewals, enables contractors to function in a more predictable environment and assures that children are not subjected to unnecessary upheavals. Guidelines for awarding contracts should be public information.

SRS should have annual external and internal financial and contract compliance audits of all contractors and subcontractors in the state's child welfare system. Penalties should be imposed for non-fulfillment of their contracts. The state should have a contingency plan in the event of contract failure.



LEAGUE OF WOMEN
VOTERS
of
KANSAS