

MINUTES OF THE HOUSE LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairperson Steve Huebert at 1:30 pm on Tuesday, January 20, 2015, 281-N of the Capitol.

All members were present except:

Representative Pam Curtis – Excused

Committee staff present:

Cindy Lash, Legislative Research Department

Martha Dorsey, Legislative Research Department

Maureen Stinson, Kansas Legislative Committee Assistant

Daniel Yoza, Office of Revisor of Statutes

Mike Heim, Office of Revisor of Statutes

Conferees appearing before the Committee:

Michael Houser, State Representative; Richard Hildebrand, Cherokee County Commissioner;

Tonny Bailey; Danny Weaver; Royce Cantrell; Randy French; Susan Drennan; Richard

Mallatt; Eric Smith, League of Kansas Municipalities

Others in attendance:

[See Attached List](#)

Chair Huebert called the meeting to order.

Members of the Committee and Staff introduced themselves.

Committee Rules for the 2015 Session were distributed to Committee Members and Staff. ([Attachment 1](#))

There were no requests for committee bills in today's meeting.

Hearing on: HB2003 — Cities; annexation of non-adjointing land.

Chair Huebert opened the hearing on **HB 2003**.

Mike Heim, Senior Assistant Revisor, presented an overview of the bill.

Representative Michael Houser appeared as a proponent of the bill. He testified that under the current existing statutes there are no checks, no balances, no mechanisms; nothing at all to stand in the way of a city annexing land within the county and using it for any purpose. He explained that the proposed legislation is not designed to eliminate island annexation. He requested that the committee support the legislation and recommend it pass favorable to the House floor. ([Attachment 2](#))

Richard Hildebrand, County Commissioner, appeared as a proponent of the bill. He explained that the proposed legislation provides protection of legislative intent behind statutes safeguarding review and approval of non-adjointing land by boards of county commissioners. He requested that the Kansas

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Legislature make clear that any island annexation requires a review for manifest injury and impacts on the affected area without regard to whether the subject land is owned by the city.[\(Attachment 3\)](#)

Tonny Bailey appeared as a proponent of the bill. He explained that in a community the size of Cherokee County with a population of less than 25,000, a decision for island annexation should not be decided by seven people on a city council (actually four could carry the vote).[\(Attachment 4\)](#)

Danny Weaver appeared as a proponent of the bill. He explained that local residents of Kansas can lose land in their community and have absolutely no input on what happens with that land. He testified that this creates a loss of agriculture, loss of tax money, possibility of pollution, decreasing property values, declines in school enrollment, and many other problems.[\(Attachment 5\)](#)

Royce Cantrell appeared as a proponent of the bill. He testified that the modification of statute brought forth in the proposed legislation is reasonable and necessary to protect communities from undue intrusion by cities without a fair and procedural means of "checks and balances."[\(Attachment 6\)](#)

Randy French appeared as a proponent of the bill. He testified that island annexation prevents those who are impacted most from having adequate representation and say in the matter.[\(Attachment 7\)](#)

Susan Drennan was scheduled to appear as a proponent of the bill. She acknowledged that the conferees presenting earlier testimonies already covered what she would say and so she did not actually testify before the committee. Her written testimony is submitted.[\(Attachment 8\)](#)

Richard Mallatt appeared as a proponent of the bill. He stated that he firmly believes that the Committee needs to take a very strong look at the island annexation statute and enact some checks and balances so a minority cannot dominate the majority.[\(Attachment 9\)](#)

Written testimony in support of the bill was submitted by:

Audie Tash [\(Attachment 10\)](#)

Bobbie Martin [\(Attachment 11\)](#)

Carrie Rago-Kernel [\(Attachment 12\)](#)

Casey Mayfield [\(Attachment 13\)](#)

Charla North [\(Attachment 14\)](#)

Christina Holmes [\(Attachment 15\)](#)

Dan Imming [\(Attachment 16\)](#)

Fred Marquardt [\(Attachment 17\)](#)

Glenna Wells [\(Attachment 18\)](#)

Jared North [\(Attachment 19\)](#)

Jill Fichtner [\(Attachment 20\)](#)

Janet and Mike Hunley [\(Attachment 21\)](#)

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

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Johnny North ([Attachment 22](#))
Joseph Maghe ([Attachment 23](#))
Margaret Jo Bailey ([Attachment 24](#))
Marla Larison ([Attachment 25](#))
Matthew and Angela Feldkamp ([Attachment 26](#))
Melissa Sanders ([Attachment 27](#))
Dr. and Mrs. Michael Shepard ([Attachment 28](#))
Michelle (Shelly) Barnett ([Attachment 29](#))
Patricia Richards ([Attachment 30](#))
Patricia Street ([Attachment 31](#))
Richard Swaim ([Attachment 32](#))
Robert Watkins ([Attachment 33](#))
Russ Ferguson ([Attachment 34](#))
Shelly Wall ([Attachment 35](#))
Tim Pennock ([Attachment 36](#))
Todd Berry ([Attachment 37](#))
Tom Wimmer ([Attachment 38](#))
Verna Cossairt ([Attachment 39](#))
Wendy Garner ([Attachment 40](#))
Will Mallatt ([Attachment 41](#))

Eric Smith, League of Kansas Municipalities, appeared as an opponent of the bill. He testified that the League of Kansas Municipalities is concerned that the proposed amendments to the current statute would greatly restrict the ability to annex any land that does not adjoin a city. ([Attachment 42](#))

Richard Ranzau, Sedgwick County Commission, submitted written neutral testimony. ([Attachment 43](#))

Senator Jacob LaTurner was in attendance at the hearing and gave a few brief remarks in support of the bill. He explained that he is looking forward to the bill coming to the Senate side.

Chair Huebert closed the hearing on **HB 2003**.

Presentation on: Abandoned Property Issues Considered by 2014 Interim Committee - Martha Dorsey, Principal Analyst, KLRD

The presentation was not presented in today's meeting due to the length of the hearing on **HB 2003**. It will be put on the Agenda for the January 27th meeting.

Presentation on: Review of Local Government Bills from the 2013-2014 Biennium - Cindy Lash, Principal Analyst, KLRD

The presentation was not presented in today's meeting due to the length of the hearing on **HB 2003**. It will be put on the Agenda for the January 27th meeting.

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Chair Huebert adjourned the meeting.

The meeting for Thursday, January 22, 2015 is "On Call of the Chair." The Committee will be meeting again on Tuesday, January 27, 2015.