

MINUTES OF THE HOUSE LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairperson Steve Huebert at 1:30pm on Thursday, February 05, 2015, 281-N of the Capitol.

All members were present

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:

John Doll, State Representative; Sharon Schwartz, State Representative; Eric Smith, League of Kansas Municipalities; Jacob Cunningham, City of Garden City; Larry McAuley, Johnson County Board of County Commissioners; Mark Tallman, Kansas Association of School Boards

Others in attendance:

[See Attached List](#)

Chair Huebert called the meeting to order.

Representative Phillips requested a committee bill concerning elections and relating to petitions.

Hearing on: HB2162 — Alcoholic beverages; licensee location restrictions; exemption in core commercial districts.

Chair Huebert opened the hearing on the bill.

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

Representative John Doll appeared as a proponent of the bill. He testified that the proposed legislation provides local governing bodies the authority to allow for schools, churches and colleges to exist in "core commercial districts" while also creating opportunities for small businesses to be attracted to "core commercial districts" without any fear of violating Kansas law. He explained that the proposed legislation allows for often run-down area of cities to be rejuvenated with new development without causing any readily apparent adverse impact. He stated that the proposed legislation is drafted in a manner that provides each city of this state with the option to adopt the exemption or keep it intact. [\(Attachment 1\)](#)

Representative Sharon Schwartz appeared as a proponent of the bill. She testified that the proposed legislation allows a retailer, microbrewery, micro distillery, or farm winery to be located within a core commercial district. She explained that the downtown business district of Washington, Kansas, her

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hometown, is definitely becoming a destination point. She stated that it is important that cities be allowed the flexibility to pass an ordinance to allow future growth. ([Attachment 2](#))

Eric Smith, League of Kansas Municipalities, appeared as a proponent of the bill. He testified that current law prohibits liquor retailers, micro-breweries, and farm wineries to be within 200 feet of churches, schools, or colleges. He explained that the proposed legislation would allow city governments to pass an ordinance exempting alcohol-related businesses if those businesses are located within a commercial district. ([Attachment 3](#))

Jacob Cunningham, Assistant City Attorney, City of Garden City, appeared as a proponent of the bill. He testified that the proposed legislation is intended to provide "core commercial districts" with a greater pool of business opportunities. He explained that the bill has been drafted to allow a local governing body the option to exempt themselves by an ordinary ordinance. ([Attachment 4](#))

Chair Huebert, at the request of committee member, Representative Carmichael, will allow written testimony to be submitted up until the bill is worked in committee.

Chair Huebert closed the hearing on the bill.

Hearing on: HB2163 — Municipalities; contracts with other municipalities.

Chair Huebert opened the hearing on the bill.

Larry McAuley, Assistant County Counselor, appeared on behalf of the Johnson County Board of County Commissioners as a proponent of the bill. He explained that the proposed legislation would expand the definition of "municipality" in the current law to include school districts, library districts, road districts, drainage districts, sewer districts, and fire districts. He stated that the change would create more opportunities for cooperative efforts by local governmental entities and also lead to enhanced efficiencies, dedicated expertise and cost savings. ([Attachment 5](#))

Mark Tallman, Associate Executive Director/Advocacy for the Kansas Association of School Boards appeared as a proponent of the bill. He testified that the proposed legislation clarifies who else can use inter-local agreements. He stated that they believe that the bill can help clear up the process of inter-local cooperation and take away some of the potential barriers. ([Attachment 6](#))

Written testimony was submitted by Erik Sartorius, League of Kansas Municipalities. ([Attachment 7](#))

Chair Huebert closed the hearing on the bill.

Chair Huebert called for Final Action on HB2165 - Certain improvement districts; procedure for filling vacancies.

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Written testimony from Jason Watkins, on behalf of the Board of Commissioners of Sedgwick County, was distributed to the Committee. He had appeared as a conferee at the February 3, 2015 hearing and later submitted his written testimony. ([Attachment 8](#))

Representative Phillips made a motion that the bill be passed out favorably and that the bill be amended to include a change requested by the Board of Commissioners of Sedgwick County to more clearly define Sedgwick County's right to approve or disapprove Sumner County's appointment of a director. The motion was seconded by Representative Francis.

Representative Carmichael made a substitute motion to include provisions that further specify the appointment process in addition to the change requested by the Board of Commissioners of Sedgwick County. Representative Whitmer seconded the motion.

Chair Huebert called for no further action on the bill at today's meeting. Chair Huebert stated the bill would be brought up for action at a future meeting once a balloon amendment reflecting the desired changes was completed by Mike Heim, Senior Assistant Revisor.

HB 2237 - Municipalities; use of internet as official publication.

Chair Huebert appointed a Sub Committee for **HB 2237**. Representative Virgil Peck will serve as the Sub Committee Chair. Members of the Sub Committee will be Representatives Carmichael, Whitmer, and Campbell. Chair Huebert stated that the Sub Committee would be having an informational hearing on the bill.

Chair Huebert adjourned the meeting. The next meeting is scheduled for Tuesday, February 10th, 2015.