

M I N U T E S

SPECIAL COMMITTEE ON LOCAL GOVERNMENT

October 22, 1975

Members Present

Senator Elwaine Pomeroy, Chairman
Representative Victor Kearns, Vice-Chairman
Senator Arden Booth
Senator William Mulich
Senator John Vermillion
Representative Robert Frey
Representative Clarence Love
Representative William Marshall
Representative Max Mize
Representative Pascal Roniger
Representative Francis Smith
Representative Francis Gordon

Staff Present

Mike Heim, Legislative Research Department
Myrta Anderson, Legislative Research Department
Alan Alderson, Revisor of Statutes Office

Conferees Present

Harold Riehm, Johnson County Charter Commission
Ernie Mosher, League of Kansas Municipalities
Leon Peterson, Downtown Topeka, Inc.
Sister M. Noel Walter, Kansas Catholic Conference
Merl Raine, Hutchinson
Fred Hollaman, House of Representatives Staff

Morning Session

The meeting was called to order by Chairman Pomeroy shortly after 10:00 a.m. After some discussion a motion was made to accept the minutes as corrected. The motion carried.

Proposal No. 40 - Urban
Redevelopment

Staff noted there had been some problems with the drafting of the bill for redevelopment of downtown areas which the Committee directed at the last meeting. It was noted that in order to draft the bill as recommended by Mr. John Martin, Assistant Attorney General, at the last meeting, that more than 200 statutes would have to be amended. It was pointed out that this would take a considerable amount of time and that the bill may not be drafted prior to the session. After some discussion on this problem the Committee then reviewed the proposed bill draft.

The motion was made to strike the word "majority" and change it to "substantial" on page 1 concerning factors that need to be found in order for an area to be blighted. The motion failed.

The motion was made to strike language on page 2 in subsection (b), "principal business districts." The motion carried.

The motion was made to insert language "and mixed commercial and industrial" in the same section. The motion failed.

The motion was made to add on page 2, subsection (b) the language "following the adoption of the plan". The motion carried.

The motion was made to add in subsection (e) on page 2 "in accordance with the provisions of Section 6." The motion carried.

The motion was made on page 3a, line 1, that the requirement be inserted in the bill for publication once a week for three consecutive weeks. The motion carried.

The Committee Chairman explained that Kansas Press Association had been conducting a study of the legal notice requirements contained in the Kansas statutes for the past year. The KPA will present their findings to a joint meeting of the House and Senate Local Government Committees prior to the session.

The motion was made to insert the language "and tenants" in subsection (c) of Section 3 on page 3. The motion carried.

The motion was then made to define legal publication as a newspaper of the largest general interest and general circulation in a city. This language was to be inserted on page 3. The motion failed.

The motion was made to strike the language "of low and moderate income" on page 7, New Section 8, subsection 2. The motion carried.

Ernie Mosher of the League of Kansas Municipalities discussed Section 9 briefly. He suggested that as an alternative to including in the bill amendments to more than 200 statutes, that the Committee consider introducing a second bill to supplement this original bill that would amend these statutes. After some further discussion the Committee adjourned for lunch.

Afternoon Session

The meeting was called to order shortly after 1:30 p.m. by the Chairman, Senator Pomeroy.

Proposal No. 38 - Local Law Enforcement

After some discussion the motion was made to raise the number of required hours at the law enforcement training center to 240 hours. The motion carried.

The motion was made that the Committee not recommend combination of the law enforcement training center and the highway patrol training program. The motion carried.

The motion was made that the Committee include in its report on this proposal that it recommend that a substantial amount of human relations training be included in the curriculum of the law enforcement training center. The motion carried.

The motion was made not to require reserve officers to attend the law enforcement training center. The motion carried.

The motion was made that the law enforcement training director be given the discretion to certify officers who had received equivalent training in other states or to recognize that they have met a part of their requirement for their certification in Kansas. The motion carried.

The motion was made that the Committee recommend to the appropriate Ways and Means Committees that the Law Enforcement Training Center receive appropriate funding and that the Local Government Committee endorse the concept of a state supported law enforcement training center program. The motion carried.

The motion was made to include in the report the recommendation that the state not support local training programs in cities who have their training programs certified by the Training Center. The motion carried.

The motion was made that the report be silent on the issue of recommending funds for new construction at the Law Enforcement Training Center. The motion carried.

The motion was made that there be no statement in the Committee report regarding a surtax on fines for the support of the Law Enforcement Training Center. The motion carried.

The motion was made that the Law Enforcement Training Center continue under the supervision of the University of Kansas. The motion carried.

The motion was made to shift the Law Enforcement Training Center from under the Institute of Social and Environmental Studies to the Continuing Education Department at the University of Kansas. The motion carried.

The motion was made that there be no penalty provisions added to the law for failure to send officers to the Law Enforcement Training Center. The motion carried.

The motion was made that the three consolidated law enforcement statutes be combined into one statute to be made optional to all counties. The motion was later withdrawn.

The motion was then made to pass over this particular question on consolidation of the three law enforcement consolidation statutes. The motion carried.

It was then the consensus of the Committee that no recommendation be made in regard to the holdover bills involving law enforcement.

Proposal No. 41 - Agricultural Municipalities

The motion was made to approve the final report on agricultural municipalities with the changes agreed to by the Committee. The motion carried.

Proposal No. 39 - County Home Rule and Government

Staff reviewed the draft of the final report for County Home Rule and Government. It was pointed out that there were records in the Secretary of State's Office and in the League of Kansas Municipalities that show that a total of 37 counties had enacted charter resolutions. Of this figure, 28 counties had passed resolutions dealing with salaries of county officials and 18 of these counties have passed charter resolutions which had provided for a salary change for the clerk of the district court.

It was noted that this was apparently in violation of the home rule statute which prohibited counties from altering or affecting the courts in any manner. It was suggested that language be inserted in the final report which would note that a total of 28 counties had passed charter resolutions dealing with salaries.

Staff then passed out to the Committee proposed amendments to S.B. 166 relating to salaries and implementing their recommendations made at the prior meeting when the Committee recommended repeal of salaries for various county officials with the exception of county commissioners. It was the consensus of the Committee that they adopt the proposed amendments to S.B. 166 and recommend these amendments to the appropriate standing committees for favorable action and favorable action on the bill.

Staff then passed out proposed amendments to H.B. 2252 concerning four-year terms of office for elected county officials. It was the consensus of the Committee to recommend these amendments to the appropriate standing committee and recommend that the bill be passed favorably as amended.

There was then some discussion of the bill requested concerning referendum petitions. The Committee agreed that the bill needed to be broadened to insure that it would cover all initiative petitions. The motion was made to include in the bill all initiative petitions and petitions regarding charter resolutions. The motion carried.

The motion was then made to approve the bill dealing with filing charter resolutions. The motion carried.

The Committee Chairman noted that the Coordinating Council had the final say as to which house a particular interim committee bill would be introduced into. He noted however that the Committee could recommend to the Coordinating Council which chamber they wished the bill to be introduced into.

The Committee then discussed a bill draft providing for three, five and seven-member county commissions. The Committee agreed that the bill needed to be amended to provide for a staggering of terms of office to insure that no more than a simple majority of commissioners be elected at any one time in any county which had voted to increase the size of its commission. The motion was then made to include in the bill a provision for an initiative referendum for increasing the size of the commission. The motion carried.

The motion was made for the initiative to require 10% of the registered voters. A substitute motion was made to reduce that figure to 5%. The substitute motion passed.

The Committee then discussed a proposed bill authorizing all counties to establish charter commissions. Mr. Harold Riehm, Executive Director, Johnson County Charter Commission, pointed out several inconsistencies in the bill. He noted that inconsistencies also existed in the legislation which authorized the establishment of a Johnson County Charter Commission. Mr. Riehm was asked to contact the Revisor of Statutes Office with suggested alternative language.

Proposal No. 40 - Urban
Redevelopment

The motion was made not to recommend any legislation concerning downtown urban redevelopment. A substitute motion was made to recommend the bill to the legislature noting in the report that the bill was incomplete and that the legislature should complete the bill. The substitute motion was ruled out of order by the Chairman. The original motion failed.

The motion was then made that the Committee report indicate that further consideration is needed by the legislature of this bill and to describe in the report the positions of Mr. Kane and Mr. Martin on this issue. The motion carried.

Staff was asked to do research on the State of Utah where a similar bill was passed. Utah contains a similar constitutional provision as the State of Kansas.

The motion was made that the report reflect that there had been no appearances before the interim Committee by consumer groups or private citizens endorsing the downtown redevelopment proposal. The motion failed. The Committee then agreed that the report contain several paragraphs indicating concerns that some Committee members had concerning the proposed redevelopment legislation.

Committee then adjourned.

Prepared by Mike Heim

Approved by Committee on:

Nov. 11, 1975
(Date)