

Approved Ivan Sand
Date

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT

The meeting was called to order by REPRESENTATIVE IVAN SAND at
Chairperson

2:00 XX a.m./p.m. on MARCH 1, 1984 in room 521-S of the Capitol.

All members were present except: Representative Darrel M. Webb (Excused)
Representative Dorothy N. Nichols (Excused)

Committee staff present:

Mike Heim, Legislative Research Department
Theresa Kiernan, Revisor of Statutes Office
Gloria Leonhard, Secretary to the Committee

Conferees appearing before the committee:

Representative Robert G. Frey, HB 3077
Mr. John Dozier, Columbian National Title Ins. Co., HB 2914

Chairman, Ivan Sand, called for hearing on HB 3077:

HB 3077, concerning duties of certain county officers; -By Committee on
Judiciary

(See Staff's summary regarding bill -- Attachment I.)

Representative Robert G. Frey, sponsor of the bill, appeared to give background and intent of the bill. He pointed out that the bill would apply statewide.

When questioned, Frey stated that if there is a counselor and district attorney, then the counselor would have the responsibility; that there is often competition between the county attorney and county counselor.

Mr. Fred Allen, Kansas Association of Counties, appeared in support of HB 3077. Allen noted that sometimes the county attorney is slow to sign vouchers which can create a problem. Allen pointed out that this legislation applies to counties of less than 70,000 population.

Allen suggested that the bill might be better worded, 'The county counselor "may", ' rather than 'The county counselor "shall";' that it could be considered by the county governing board, if necessary.

Chairman Sand suggested leaving the bill intact for the present and let changes be effected by a later conference committee. Allen agreed.

Representative Steve Schweiker made a motion that HB 3077 be passed. Representative Mary Jane Johnson seconded the motion. Motion carried.

Chairman Sand called for possible action on the following House Bills:

HB 2966, concerning residency requirements for firemen. - By Rep. Francisco

Theresa Kiernan, Staff, provided the Committee with proposed amendment to HB 2966. (See Attachment II.)

Representative Kenneth D. Francisco made a motion that the amendment to HB 2966, submitted by Staff, be accepted; that the title of the bill regarding "firemen" be corrected; and that the bill be passed as amended. Motion carried.

HB 2957, concerning counties; relating to the issuance of bonds for construction of civic centers; By Rep. Smith

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room 521-S, Statehouse, at 2:00 ~~xxx~~ p.m. on MARCH 1, 1984.

Representative Clinton C. Acheson made a motion that HB 2957 be removed from the table. Representative Robert S. Wunsch seconded the motion. Motion carried.

Representative Clinton C. Acheson made the motion that HB 2957 be passed. Representative W. Edgar Moore seconded the motion. Motion carried.

HB 2914, concerning municipalities; relating to vacating streets and alleys; - By Rep. Acheson

Theresa Kiernan, Staff, provided the committee with proposed Report of Standing Committee setting out amendments to HB 2914. (See Attachment III.)

Representative Acheson reviewed that the bill allows the vacation of an alley by going through one governmental subdivision instead of two. Acheson informed the committee that the League and Staff had prepared proposed "clean-up" amendments.

Mr. John Dozier, Columbian National Title Ins. Co., appeared to explain amendments proposed for the bill. Dozier noted that the words "transfer" or "convey" had been considered and that "convey" had been used.

Mr. Chris McKenzie, League of Kansas Municipalities, pointed out that by changing the procedure in Section 2 of the bill, it is set up so that the city could act unilaterally but much of the power is still in the county. McKenzie stated that to make sure this bill won't cause any recording problems, he will check with the Attorney General before it gets to the Senate.

The question was raised of how the proposed bill will affect 3rd Class cities. Mr. Ernest Mosher, League of Kansas Municipalities, commented that in smaller cities, the problem will not often arise; that the attorney will handle for the city when a landowner requests.

Representative Clinton C. Acheson made a motion that HB 2914 be amended as proposed by Staff, and that the bill be passed as amended. Representative Robert S. Wunsch seconded the motion. Motion carried.

HB 2900, relating to zoning by cities outside of the corporate boundaries thereof; - By Rep. Matlack, et al

Theresa Kiernan, Staff, provided the Committee with proposed amendments to HB 2900 and explained said amendments. (See Attachment IV.)

Representative Kenneth D. Francisco pointed out that the new section regarding county commissioners makes the bill easier to understand.

Representative Robert D. Miller made a motion to amend HB 2900 and to localize it to Sedgwick County.

Discussion followed. Representative Francisco stated that in light of the A.G. Opinion, localization is unnecessary.

Representative Robert D. Miller withdrew his motion to localize the bill.

Representative Robert D. Miller moved and Representative Arthur W. Douville seconded that HB 2900 be passed as amended. Motion carried.

HB 2866, concerning municipalities; relating to improvements therein and the payment and assessment of the cost of such improvements; - By Rep. Charlton

Theresa Kiernan, Staff, provided copies of balloon bill to Committee and explained proposed amendments to HB 2866. (See Attachment V.)

Representative Robert S. Wunsch briefly reviewed the intent of the bill and informed the Committee that Representative Charlton, who could not

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 room 521-S, Statehouse, at 2:00 ~~a.m.~~ p.m. on MARCH 1, 1984.

be present at the meeting, approves of the proposed amendments to the bill.

Representative Kenneth D. Francisco suggested clarifying the language relating to a petition filed a second time.

Representative Robert S. Wunsch made a motion that HB 2866 be amended as proposed by Staff and further clarified as suggested by Representative Francisco. Representative Kenneth D. Francisco seconded the motion. Motion carried.

Representative Robert S. Wunsch moved and Representative Clinton C. Acheson seconded that HB 2866 be passed as amended. Motion carried.

HB 2588, concerning programs for the elderly in cities and counties;
 - By Rep. Baker

Representative Kenneth D. Francisco made a motion that HB 2588 be not passed. Representative George R. Dean seconded the motion.

Discussion followed. Representative Baker stressed that the legislation does not damage anything; that it is the city's choice. Representative Francisco pointed out that according to his calculations, wealthier cities receive more money and poorer cities receive less money under the provisions of the bill.

(Dorothy Flottman - 3/13/84)
 Representative ~~Elizabeth Baker~~ made a substitute motion that HB 2588 be tabled. Representative Burt DeBaun seconded the motion. Motion carried.

HB 2748, concerning cities; relating to charges for utility services;
 - By Rep. Dillon, et al.

Theresa Kiernan, Staff, provided Committee with a Substitute for House Bill No. 2748 and pointed out that no sections of current law are amended in the bill; that the Substitute states that no municipality could impose a line on a landlord for a tenant's unpaid utility bills or charges.
(See Attachment VI.)

Discussion followed.

Representative George R. Dean moved that the Substitute for House Bill No. 2748 be amended by changing the word "such" to "any" in Section 1 (a) and the word "include" to "mean" in (c). Representative Kenneth D. Francisco seconded the motion. Motion carried.

Representative George R. Dean moved and Representative Mary Jane Johnson seconded that Substitute for House Bill No. 3748 be passed as amended. Motion carried.

HB 2315, concerning cities; relating to petitions for proposed ordinances;
 - By Rep. Charlton

Theresa Kiernan, Staff, provided Committee with Proposed Amendments to HB 2315. (See Attachment VII.)

Representative Elizabeth Baker briefly explained the intent of the bill.

Representative George R. Dean made a motion that HB 2315 be amended to include only 1st Class Cities. Representative L. V. Roper seconded the motion.

Discussion followed.

Mr. Chris McKenzie, League of Kansas Municipalities, questioned changing the proposed legislation to apply to 1st Class cities only. McKenzie also questioned changing the required 10% elector petition to 3%. He pointed out that 10% has been law for some time and this is a big policy change.

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Representative George R. Dean withdrew his motion.

Representative Elizabeth Baker made a conceptual motion to change the 10% to 5%. Representative Mary Jane Johnson seconded the motion. Motion carried.

Representative Elizabeth Baker moved that HB 2315 be passed as amended. Representative George R. Dean seconded the motion. Motion carried.

Meeting adjourned.

MEMORANDUM

March 1, 1984

TO: House Local Government Chairman
FROM: Kansas Legislative Research Department
RE: H.B. 3077

H.B. 3077 amends statutes dealing with duties of county counselors and county attorneys in counties of less than 70,000 population which do not have a county auditor but which have appointed a county counselor. The bill would shift responsibilities for reviewing a county's bills and accounts to the county counselor from the county attorney or an assistant county attorney.

MH

(ATTACHMENT I)

PROPOSED AMENDMENT TO HOUSE BILL NO. 2966

On page 1, by striking all in lines 19 through 34 and inserting the following:

"Section 1. The governing body of any municipality which adopts an ordinance, resolution, rule, regulation or order making residency a condition of employment by the municipality for the purpose of original employment, promotion or any other purpose shall exempt from the provisions thereof all person employed by the municipality at the time of adoption of such ordinance, resolution, rule, regulation or order.";

And the bill be passed as amended.

Chairperson

PROPOSED REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

Your Committee on Local Government

Recommends that House Bill No. 2914

"AN ACT concerning municipalities; relating to vacating streets and alleys; amending K.S.A. 12-406, 12-504 and 12-505 and repealing the existing sections."

Be amended:

On page 1, in line 22, before "Such" by inserting "(a)";

On page 2, following line 71, by inserting the following:

"On the effective date of this act, the fee to any parcel of land intended for public use in cities which is held in trust by the county is hereby conveyed to the city in which such property is located.";

On page 3, in line 107, by striking "such board; and thereupon" and inserting "the governing body. Thereupon"; following line 116, by inserting the following:

"Sec. 4. K.S.A. 13-443 is hereby amended to read as follows: 13-443. The governing body of the city shall have the power to open, widen, extend or otherwise improve any street, avenue, alley or lane, and also to vacate and close any street, avenue, alley or lane or portion thereof;~~Provided,~~That. Before the governing body ~~shall open, widen or extend~~ opens, widens or extends any street, avenue, alley or lane it shall proceed to condemn or acquire by purchase or gift the necessary lands as provided by law.

When any street, avenue, alley or lane is vacated it shall revert to the owners of land thereto adjoining on each side, in proportion to the frontage of such land, except in cases where such street, avenue, alley or lane may have been taken for public use in a different proportion, in which case it shall revert to

the adjoining land in the same proportion as it was taken from it: ~~Provided, That when in the opinion of the governing body it is necessary to reopen such street, avenue, alley or lane, it shall be reopened without expense to the city, except in cases where permanent improvements may have been erected thereon, and in such cases the city shall pay to the owner of such improvements the value thereof, as shall be agreed upon by the city and such owner and, if they are unable to agree, the city may bring a proceeding to condemn such permanent improvements which condemnation shall be governed by the provisions of K.S.A. 26-501 to 26-516, inclusive. The city shall pay to the owner of such improvements the value thereof before such street, avenue, alley or lane shall be reopened.~~

Immediately after an ordinance opening, widening, extending or vacating any street, avenue, alley or lane shall become becomes effective, the clerk of the city shall file a copy thereof which has been certified by him or her the city clerk as a true and correct copy in the office of the county clerk and in the office of the register of deeds and. The county clerk shall enter the same in the transfer records of his or her county clerk's office and the register of deeds shall record the same in the deed records of the county and no fee shall be charged by the county clerk or register of deeds for such entering or recording.

Sec. 5. K.S.A. 14-423 is hereby amended to read as follows:
14-423. The governing body of any city of the second class shall have power to open, widen, extend or otherwise improve any street, avenue, alley, or lane, and also to vacate or discontinue the same and also to vacate or cancel any lot, block, townsite, part of townsite, addition or part of addition whenever deemed necessary or expedient: ~~Provided, That.~~ Before the governing body shall open, widen or extend any street, avenue, alley, or lane, it shall proceed to condemn or acquire by purchase or gift the necessary lands as provided by law: ~~And provided further, That.~~ Whenever any street, avenue, alley, or lane shall be vacated, the same shall revert to the owners of real estate thereto adjacent

on each side in proportion to the frontage of such real estate, except in cases where such street, avenue, alley or lane shall have been taken and appropriated to public use in different proportions, in which case it shall revert to adjacent lots of real estate in proportion as it was taken from them, and whenever any lot, block, townsite, part of townsite, addition or part of addition shall be vacated, all of the streets, avenues, alleys, and lanes therein shall revert as above provided:--And--provided further,--That--when--in--the--opinion--of--the--governing--body--it--is--necessary--to--reopen--any--such--street,--avenue,--alley--or--lane,--it shall--be--reopened--without--expense--to--the--city,--except--in--cases where--permanent--improvements--may--have--been--erected--thereon,--and in--such--cases--the--city--shall--pay--to--the--owner--of--such improvements--the--value--thereof,--which--value--shall--be--ascertained by--three--disinterested--appraisers,--one--of--whom--shall--be--selected by--the--city--and--one--by--the--owner--of--the--improvements,--and--the--two thus--selected--shall--select--the--third,--and--the--award--of--said appraisers--shall--be--binding--on--both--parties,--and--the--city--shall pay--to--the--owner--of--such--improvements--the--value--thereof--before such--street,--avenue,--alley--or--lane--shall--be--reopened.

Immediately after an ordinance opening, widening, extending, or vacating any street, avenue, alley or lane or vacating any lot, block, townsite, part of townsite, addition or part of addition shall--become becomes effective, the clerk of the city shall file a copy thereof which has been certified by him--or--her the clerk as a true and correct copy in the office of the county clerk and in the office of the register of deeds and. The county clerk shall enter the same in the transfer records of his--or--her the county clerk's office and. The register of deeds shall record the same in the deed records of the county and no fee shall be charged by the county clerk or register of deeds for such entering or recording:--Provided--further,--That. No reversion provided for herein shall be so applied as to divest any person of possession who is in actual or constructive possession of such property:--Provided--further,--That. The ordinance so vacating,

discontinuing, or canceling shall provide that the same shall become effective ~~thirty--(30)~~ 30 days after the publication thereof unless one or more interested parties file a written protest before the expiration of such time.

In the event such a protest is filed in the office of the city clerk of ~~said~~ the city within ~~said~~ such time the governing body shall set the same for hearing ~~ten-(10)~~ 10 days after the end of the ~~thirty-(30)~~ 30 day period above mentioned. ~~Said~~ The hearing may be continued from time to time, and at the conclusion thereof the governing body shall ~~either~~ adopt a resolution confirming ~~said~~ the vacation ordinance and the same shall then be filed with the county clerk and register of deeds as provided above, or in the event such resolution is not adopted, ~~said~~ the vacation ordinance shall be void and of no effect.";

Also on page 4, in line 117, by striking "Sec. 4." and inserting "Sec. 6."; also in line 117, by striking "and 12-505" and inserting ", 12-505, 13-443 and 14-423"; in line 119, by striking "Sec. 5." and inserting "Sec. 7.";

On page 1, in the title, in line 17, by striking "vacating"; in line 18, by striking "and 12-505" and inserting ", 12-505, 13-443 and 14-423";

And the bill be passed as amended.

Chairperson

PROPOSED AMENDMENT TO HOUSE BILL No. 2900

On page 2, by striking all in line 72; in line 73, by striking all before "shall"; by striking all of lines 79 through 82;

On page 3, by striking all of lines 83 and 84 and inserting the following:

"Sec. 4. K.S.A. 19-2919 is hereby amended to read as follows: 19-2919. (a) For the purpose of promoting health, safety, morals, comfort or the general welfare, and conserving and protecting property values throughout the county or portions thereof, the board of county commissioners of any county may by resolution at a regular meeting of the board, may provide for the adoption, or amendment, of zoning regulations in the manner provided by this act. Such regulations may restrict and regulate the height, number of stories, and size of buildings, the percentage of lots that may be occupied, the size of yards, courts and other open spaces, the density of population, the location and use of buildings, structures and land for industry, business, trade, residence, the use of land located in areas designated as floodplains and other uses and including the distance of any buildings from the road or street. Such resolution shall define the boundaries of zoning districts by description contained therein or by setting out such boundaries upon a map incorporated and published as a part of such resolution, or by providing for the incorporation by reference in such resolution of an official map upon which such boundaries shall be fixed. Such map shall be marked "official copy incorporated by resolution of the board of county commissioners the _____ day of _____, 19____," and filed in the office of the county clerk or such other public office as may be designated by the board of county commissioners to be open to inspection and available to the public at all reasonable business hours. A copy of such map shall be filed in the office of the county engineer. Such resolution shall define the area to be

governed by such zoning regulations and may include: (1) All of the unincorporated area of the county, or the unincorporated area of any township containing or adjoining a city which has adopted a zoning ordinance, or which may adopt a zoning ordinance; (2) any lands within any township of any county which lie outside the limits of any incorporated city, upon recommendation and approval of the township board of the township; (3) the unincorporated area lying within three miles of any city having adopted a zoning ordinance; or (4) the unincorporated area lying within three miles of the conservation pool waterline of any existing or proposed artificial impoundment of water exceeding 100 surface acres at conservation pool level as determined by the board of county commissioners.

(b) The township board of any township may request that the county establish zoning districts for such township in areas which lie outside the limits of any incorporated city within the township to carry out the purposes of this act. The township may make recommendations to the board of county commissioners concerning any proposed zoning districts to be established by the board of county commissioners.";

Also on page 3, in line 85, by striking "and" and inserting a comma; also in line 85, after "12-715d", by inserting "and 19-2919";

In the title, in line 18, by striking "and" and inserting a comma; in line 19, following "12-715d", by inserting "and 19-2919";

And the bill be passed as amended.

Chairperson

HOUSE BILL No. 2866

By Representative Charlton

2-7

0017 AN ACT concerning municipalities; relating to improvements
0018 therein and the payment and assessment of the cost of such
0019 improvements; amending K.S.A. ~~12-6a06, 12-6a07 and 12-6a15~~
0020 and repealing the existing sections.

12-6a07

section

0021 *Be it enacted by the Legislature of the State of Kansas:*
0022 Section 1. K.S.A. 12-6a06 is hereby amended to read as fol-
0023 lows: 12-6a06. The governing body may, by a majority vote of the
0024 entire members-elect thereof, at any time within six (6) months
0025 after the final adjournment of the hearing on the advisability of
0026 making the improvements, *may* adopt a resolution authorizing
0027 the improvement in accordance with the finding of the govern-
0028 ing body upon the advisability of the improvement, as provided
0029 in K.S.A. 12-6a04, *and amendments thereto*, which shall be
0030 effective upon publication once in the newspaper: *Provided,*
0031 The improvement shall not be commenced if, within ~~twenty (20)~~
0032 ~~60~~ days after publication of the resolution ordering the improve-
0033 ment, written protests signed by ~~both fifty-one percent (51%)~~
0034 ~~either 51% or more of the resident owners of record of property~~
0035 ~~within the improvement district and or the owners of record of~~
0036 ~~more than half of the total area of such district are filed with the~~
0037 ~~city clerk: *Provided, however,*~~ Whenever adjoining parallel
0038 streets have been improved, and the proceedings are to improve
0039 the intervening connecting street to the same extent as the
0040 streets to be connected, or when two portions of any street have
0041 been improved and an intervening portion not exceeding two
0042 blocks has not been improved, and the proceedings are to im-
0043 prove such intervening portion to the same extent as the im-
0044 proved portions, or when the proceedings are to improve sani-
0045 tary and storm water sewers, no protest shall be accepted by the

(ATTACHMENT V)

0046 city clerk and such improvements may be made regardless of
 0047 protests. The genuineness of the signature and addresses of all
 0048 signers of each protest shall be verified by some signer of such
 0049 protest. The governing body shall be judge of the sufficiency of
 0050 any protest and its decision shall be final and conclusive. ~~Pro-~~
 0051 ~~vided.~~ Names may be withdrawn from any protests by the
 0052 signers thereof at any time before the governing body shall
 0053 convene ~~convenes~~ its meeting to determine the sufficiency
 0054 thereof.

Section 1

0055 ~~Sec. 2.~~ K.S.A. 12-6a07 is hereby amended to read as follows:
 0056 12-6a07. (a) The city may pay such portion of the cost of the
 0057 improvement as the governing body may determine ~~determines,~~
 0058 but not more than ninety-five percent (95%) ~~20%~~ of the total cost
 0059 thereof. ~~If the property which benefits by the improvement~~
 0060 ~~constitutes more than 15% of the total land area within the~~
 0061 ~~corporate limits of the city, excluding property which is exempt~~
 0062 ~~from ad valorem taxes, the city may pay up to 50% of the total~~
 0063 ~~cost of the improvement.~~ The share of the cost to be paid by the
 0064 city at large shall be paid in the manner provided by K.S.A.
 0065 12-6a14, and amendments thereto.

95%

0066 (b) If any property deemed benefited shall, by reason of any
 0067 provision of law be, is exempt from payment of special assess-
 0068 ments therefor, such assessment shall, nevertheless, be com-
 0069 puted and shall be paid by the city at large.

Insert (c) attached

0070 ~~Sec. 3.~~ K.S.A. 12-6a15 is hereby amended to read as follows
 0071 12-6a15. The governing body of any city proposing to issue
 0072 general obligation bonds of the city in an amount exceeding
 0073 \$500,000 for payment of any portion of the costs of any improve-
 0074 ment authorized by this act may, by resolution, shall submit the
 0075 question of issuing such bonds at a general or special election
 0076 called for that purpose, and if such election be is called, no such
 0077 bonds shall be issued until and unless a majority of the electors
 0078 voting on the proposition shall have given their approval to the
 0079 issuance of such bonds.

0080 ~~Sec. 4.~~ K.S.A. 12-6a06, 12-6a07 and 12-6a15 are hereby re-
 0081 pealed.

Sec. 2. K.S.A. 12-6a07 is hereby repealed.

0082 ~~Sec. 5.~~ This act shall take effect and be in force from and
 0083 after its publication in the statute book.

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"(c) If the governing body of the city proposes that the city-at-large pay 60% or more of the cost of the improvement, it shall include notice thereof in the resolution authorizing the improvement. The governing body may authorize such payment unless within 60 days after publication of the resolution a petition protesting such payment signed by at least 5% of the qualified voters of the city is filed with the city clerk. If such a petition is filed the proposal shall be submitted for approval at an election thereon. Such election shall be called and held in the manner provided by the general bond law. If approved by a majority of the voters voting thereon, the governing body may authorize such payment by the city-at-large. If a protest petition is filed, the governing body may authorize payment of 41% or more of the cost of the improvement other than by the city-at-large or the governing body may discontinue proceedings on the improvement and no such election shall be required.

The provisions of this subsection shall not apply to any improvement authorized prior to the effective date of this act or to any improvement not subject to protest under K.S.A. 12-6a06, and amendments thereto.";

Substitute for HOUSE BILL NO. 2748

By Committee on Local Government

AN ACT concerning municipalities; relating to utility services provided thereby.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) The governing body of any municipality in this state shall not create or impose a lien upon any property for unpaid bills or charges for utility services provided by the municipality unless the property is owned by the person requesting the utility service. Such unpaid bills or charges shall be collected in the same manner as delinquent property taxes.

(b) The governing body of any municipality shall not adopt any resolution or ordinance making a landlord responsible for the unpaid municipal utility bills or charges of such person's tenants. This subsection shall not be construed as relieving a tenant of any contractual liability to pay for municipal utility services.

(c) For the purpose of this section, municipal utility services include water, gas and electricity.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 2315

On page 1, by striking all of lines 21 through 45;

On page 2, by striking all of lines 46 through 82;

On page 3, by striking all of lines 83 through 98 and inserting the following:

"Section 1. K.S.A. 12-184 is hereby amended to read as follows: 12-184. (a) Whenever any law of this state provides for an election on the question of the adoption or abandonment of any form of city government, such question shall be submitted to the qualified electors of a city upon: (1) The adoption by the governing body of the city of a resolution providing for the submission of such question, or

(2) the certification, as provided in subsection (c) of this section, of a petition requesting the submission of such question, signed by qualified electors of the city equal in number to not less than ~~ten-percent-(10%)~~ 3% of the qualified electors of the city.

(b) Upon the adoption of a resolution or the certification of a petition as provided in subsection (a) of this section, the question of the adoption or abandonment of the form of city government shall be submitted to the qualified electors of the city at the next city or state general or primary election following by not less than ~~sixty-(60)~~ 60 days the adoption of such resolution or the certification of such petition.

(c) Any petition requesting the submission of a question hereunder shall be filed with the county election officer of the county in which the city is located. Such petition shall conform to the requirements of article 36 of chapter 25 of the Kansas Statutes Annotated and amendments thereto, and its sufficiency shall be determined in the manner therein provided and shall be certified to the city clerk by the county election officer.

(d) Notice of the election on a question submitted hereunder shall be in the manner provided by K.S.A. 25-105, and amendments thereto.

Sec. 2. K.S.A. 12-184 is hereby repealed.";

In the title, in line 17, by striking all following "to"; by striking all in lines 18 and 19 and inserting "the adoption or abandonment of forms of city government; amending K.S.A. 12-184 and repealing the existing section.";

And the bill be passed as amended.

_____ Chairperson