

Approved Ivan Sand 3/19/86
Date

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT

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

1:30 ~~xxx~~ a.m./p.m. on MARCH 18, 1986 in room 521-S of the Capitol.

All members were present except: Rep. Martha Jenkins, excused
Rep. George Dean, excused

Committee staff present: Mike Heim, Legislative Research Department
Mary Hack, Revisor of Statutes Office
Gloria Leonhard, Committee Secretary

Conferees appearing before the committee:
Mr. John K. Blythe, Kansas Farm Bureau, SB 425
Mr. Fred Allen, Kansas Assn. of Counties, SB 425
Mr. Jim Kaup, League of KS. Municipalities,
SB 425

Chairman Sand called for hearing on SB 425, concerning municipalities; relating to annexation;

Mr. Mike Heim, Staff, gave an overview of SB 425 and summarized the bill section by section. (See copy of Supplemental Note -- Attachment I.)

Mr. John K. Blythe, Assistant Director, Public Affairs Division, Kansas Farm Bureau, appeared in support of SB 425 and read a resolution to the committee which had been adopted by voting delegates at a Kansas Farm Bureau annual meeting. (See Attachment II.)

Mr. Fred Allen, Kansas Assn. of Counties, appeared in support of SB 425.

Mr. Jim Kaup, League of Kansas Municipalities, appeared in support of SB 425.

The hearing on SB 425 was closed.

Chairman Sand called for action on SB 425.

Rep. Arthur Douville made a motion that SB 425 be passed. Rep. L. V. Roper seconded the motion. The motion carried.

The minutes for the meetings of March 3, 4, 5, and 6, 1986, were approved as presented.

The meeting was adjourned.

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.

SESSION OF 1986

SUPPLEMENTAL NOTE ON SENATE BILL NO. 425

As Amended by Senate Committee on ~~XXXXXX~~ Local Govt.

Brief of Bill*

S.B. 425 would require the board of county commissioners to approve by a three-fourths vote the creation or expansion of boundaries of any special benefit district located within three miles of any city which has adopted subdivision regulations. Special benefit district includes any sewer district; water, rural water, and water supply district; fire district; improvement district; industrial district; and drainage district.

Background

The bill was recommended by the interim Special Committee on Local Government as part of its recommendations regarding Proposal No. 45. The State-Local Annexation Task Force recommended the bill to the interim committee. The rationale for the bill is that county commissions should be especially aware of the impact of creating or expanding special district governments near cities.

The Senate Committee amended the bill to delete cemetery districts which do not provide municipal type services and groundwater management districts whose creation and expansion are not under the control of boards of county commissioners.

* Bill briefs are prepared by the Legislative Research Department and do not express legislative intent.

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ATTACHMENT I
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PUBLIC POLICY STATEMENT

STATEMENT TO
HOUSE COMMITTEE ON LOCAL GOVERNMENT
Representative Ivan Sand, Chairman

RE: S.B. 425 - Annexation

Presented by:
John K. Blythe, Assistant Director
Public Affairs Division
Kansas Farm Bureau

March 18, 1986

Mr. Chairman and Members of the Committee:

We are pleased to have this opportunity to bring you the views of the farmers and ranchers who are members of Farm Bureau as you consider the issue of city annexation.

The voting delegates at our most recent annual meeting of the Kansas Farm Bureau adopted the following resolution. This resolution was the result of much discussion and study by several of our county Farm Bureau organizations as they sought protection for landowners from excessive tax burdens or improvement assessments.

The resolution reads as follows:

ANNEXATION

We commend the Legislature for undertaking a review and comprehensive study of annexation laws in Kansas. We believe enactment of appropriate legislation in the 1986 Session would correct many of the inequities which have become apparent under current statutes.

Indiscriminate annexation of agricultural areas into cities has proven to be most unfair to a great number of rural property owners engaged in agriculture.

We believe that amendments to our annexation statutes should provide for:

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ATTACHMENT II
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1. Reduction from 55 acres to 10 acres the amount of agricultural land that may be annexed without the owner's consent;
2. Cities to hold public hearings within the area proposed to be annexed. At such hearings the cities shall have a land development plan, timetable, and cost estimate of proposed services such as water, sewer, electrical, and gas services;
3. City maintenance of all existing public facilities and services during the development stage;
4. Landowner-initiated deannexation of annexed land when the city fails to provide major municipal services or maintain existing facilities and services; and
5. The opportunity for residents of the proposed annexed area to present petitions to the city opposing their annexation into the city. If the petitions contain the names of 25% of the residents of the area, the city shall provide for a vote within the proposed annexed area to determine if the proposed annexation will become effective.

Mr. Chairman and Members of the Committee, I realize that Farm Bureau's policy statement more directly relates to the provisions contained in S.B. 427, a companion bill to S.B. 425, recommended by the Interim Special Committee on Local Government. S.B. 427 was re-referred to the Senate Ways & Means Committee and back to the Senate Local Government Committee.

We do support S.B. 425 and its provisions that require a 3/4 majority vote of the board or boards of county commissioners before special benefit districts could be created, established or otherwise formed within the fringe area of any city. We believe that the Board of County Commissioners is the proper authority to conduct the hearings in the manner provided in S.B. 425.

Mr. Chairman and Members of the Committee, we thank you for the opportunity to share our views on this important issue of annexation.

Hs. Local Gov.