

Approved February 19, 1987
Date

MINUTES OF THE SENATE COMMITTEE ON LOCAL GOVERNMENT

The meeting was called to order by Senator Don Montgomery at
Chairperson

9:04 a.m./~~p.m.~~ on February 18, 19 87 in room 531-N of the Capitol.

All members were present except: Senators: Gaines and Mulich

Committee staff present: Mike Heim, Theresa Kiernan and Lila McClaflin

Conferees appearing before the committee:

Denny Burgess, Kansas Electric Cooperatives, Inc.

Karen McClain, Director, Governmental Affairs, Kansas Association of Realtors

Substitute for S.B. 10

Denny Burgess stated the Kansas Electric Cooperatives, Inc., would like to go on record as taking no position on the bill. They believe it does not go far enough and it doesn't solve all of their problems.

Senator Allen moved to pass as amended Substitute for S.B. 10. The motion was seconded by Senator Langworthy.

Senator Steineger stated he strongly objected to section 3 and section 4 of the bill. He offered a motion to amend the Substitute for S.B. 10, by striking sub-section 4 on page 6 of the bill. The motion died for lack of a second.

The vote was taken on Senator Allen's motion. The motion carried.

S.B. 246 - concerning municipalities; relating to annexation.

The Chairman stated S.B. 246 was introduced as a committee bill at the request of The League. The League was unable to be present at this meeting but they had requested time on the agenda of February 19. The bill was reviewed by the Chairman and the Committee discussed several sections.

A member of the Committee expressed strong support for including a proceeding that would allow for de-annexation if a city did not carry out their service plan in a reasonable length of time, it was felt that there had been a great deal of support for this from members of the Committee last session.

Karen McClain, Director, Governmental Affairs, Kansas Association of Realtors appeared in support of S.B. 246, and to support the ability of cities and municipalities to annex land. (ATTACHMENT I)

The Chairman stated he would offer an amendment to S.B. 246 at the next meeting. Senator Bogina stated he also had an amendment to offer.

Senator Langworthy moved to adopt the minutes of the February 17, 1987, meeting. The motion was seconded by Senator Bogina. The motion carried.

The meeting adjourned at 9:54 a.m., next meeting will be February 19, 1987.


Chairman, Senator Don Montgomery

Date: February 18, 1987

GUEST REGISTER

SENATE

LOCAL GOVERNMENT

NAME	ORGANIZATION	ADDRESS
Lester Murphy	KEC	Topeka
Denny Burgess	KEC	Topeka
Woody Woodman	KCPL	HC Mo.
Jon Brax	KPL Intern	Lawrence
Rick Kready	KPL Gas Service	Topeka
DAN A. MCGEE	CENTEL ELECTRIC - KANSAS	GREAT BEND
KAREN McCLAIN	Ks. Assoc. of Realtors	Topeka
Tom Taylor	KPL Gas Service	Topeka
JERRY Leonard	KGE	Topeka
Macla Howard	City of Wichita	Wichita
Kelli Maitin	Sedwich Co.	Wichita
Gerry Ray	Johnson Co	Olathe
Judy Bronick	Senate W + M	
Janet Stubbbs	HBAK	Topeka
Lenny Thompson	Guest	Manhattan
Helen Bernasek	Guest	Manhattan
Geneva Senhalm	Guest	Manhattan
Della Wray Blythe		Manhattan
John Spurgeon	Budget	Lawrence
Joan Ford	Legis	Prichy Co
Scott Lambers	CITY OF OVERLAND PARK	OVERLAND PARK



Executive Offices:
3644 S. W. Burlingame Road
Topeka, Kansas 66611
Telephone 913/267-3610

TO: THE SENATE LOCAL GOVERNMENT COMMITTEE
FROM: KAREN MCCLAIN, DIRECTOR, GOVERNMENTAL AFFAIRS
DATE: FEBRUARY 18, 1987
SUBJECT: ANNEXATION, SB 246

ON BEHALF OF THE KANSAS ASSOCIATION OF REALTORS®, I APPEAR TODAY TO SUPPORT SB 246, AND TO SUPPORT THE ABILITY OF CITIES AND MUNICIPALITIES TO ANNEX LAND.

THIS IS A TIME WHEN KANSAS IS MAKING STRIDES IN IMPROVING ITS IMAGE AND ENCOURAGING ECONOMIC GROWTH. WE BELIEVE IN AND ARE ACTIVE PARTICIPANTS IN THE GROWTH AND IMPROVEMENT OF THIS STATE.

ACCORDINGLY, WE FEEL IT IS VERY IMPORTANT TO DO ANYTHING AND EVERYTHING POSSIBLE TO HELP PROVIDE ANY REASONABLE MEANS TO HELP KANSAS GROW AND EXPAND. THE KANSAS ASSOCIATION OF REALTORS® WOULD RATHER SEE THE ANNEXATION LAWS STAY IN THE FORM WHICH THEY ARE NOW IN. HOWEVER, IF THE LAWS MUST CHANGE, WE FEEL THIS BILL IS A WORKABLE COMPROMISE, AND WILL NOT STUNT THE POTENTIAL GROWTH OF THE CITIES OF THIS STATE.

THIS IS A TOUGH ISSUE FOR US, BECAUSE THE KANSAS ASSOCIATION OF REALTORS® HAS ALWAYS REPRESENTED THE RIGHTS OF PROPERTY OWNERS. HOWEVER, WE ALSO RECOGNIZE THAT THERE ARE TIMES WHEN THE RIGHTS OF INDIVIDUAL PROPERTY OWNERS ARE OUTWEIGHED BY THE GOOD OF THE COMMUNITY. THIS IS ONE OF THOSE RARE TIMES. EVERYONE IN A COMMUNITY BENEFITS WHEN THERE ARE OPEN OPPORTUNITIES AND ATTITUDES FOR GROWTH, EVEN THOUGH IT MAY BE TEN YEARS AFTER AN ANNEXATION, THAT THE LAND IS USED. GROUNDWORK FOR GROWTH SOMETIMES BEGINS WELL AHEAD OF THE END PRODUCT. THE CITIES CANNOT LEAVE THAT GROUNDWORK IN THE HANDS OF SOMEONE ELSE.

WE FEEL THE TRADEOFF OF DEANNEXATION PROCEDURES, IN RETURN FOR PERMITTING THE CITIES TO CONTINUE TO ANNEX MORE THAN 21 ACRES OF PLATTED LAND IS A WORTHWHILE COMPROMISE. THOSE OF YOU WHO HAVE BEEN ON THIS COMMITTEE FOR THE PAST SEVERAL YEARS KNOW THAT THIS IS A MAJOR MOVEMENT ON THE PART OF CITIES TO AGREE TO THIS.

KAR TAKES THE POSITION THAT, WHILE CITIES HAVE THE NEED TO ANNEX AS THEY SEE FIT, SUCH ANNEXATION MUST BE REASONABLE, AND WHERE CITIES HAVE PROMISED TO PROVIDE SERVICES TO THE ANNEXED AREAS, THEY HAVE AN OBLIGATION TO DO SO AND PROPERTY OWNERS ARE ENTITLED TO A MEANS TO ENFORCE THE OBLIGATION.

IN CONCLUSION WE ASK THAT, IF THE ANNEXATION LAWS MUST BE CHANGED, YOU PASS SB 246 OUT OF THIS COMMITTEE FAVORABLY.

(ATTACHMENT I) LOCAL GO 2/18/87