

Approved

4-5-89

Date

MINUTES OF THE House COMMITTEE ON Local Government

The meeting was called to order by Representative Robert D. "Bob" Miller at  
Chairperson

1:40 a/m/p.m. on March 23, 1989 in room 521-S of the Capitol.

All members were present ~~except~~

Committee staff present:

Mike Heim, Legislative Research Dept.  
Theresa Kiernan, Revisor of Statutes' Office  
Connie Smith, Committee Secretary

Conferees appearing before the committee:

Price Banks, planning director for Lawrence and Douglas County

Chairman Miller turned the Committee's attention to HB 2551. The Chairman stated that this is a bill that deals with planning and zoning. The purpose of the bill is to recommend it for an interim study.

The Chairman called on Price Banks, planning director for Lawrence and Douglas County. (Attach. I) Mr. Banks feels that everyone will benefit from the enactment of clear and uniform laws.

Chairman Miller turned the Committee's attention to SB 54 for discussion and stated the League of Kansas Municipalities had offered an amendment when they testified on March 10.

A motion was made by Representative Bowden to accept the proposed amendment of the League of Kansas Municipalities; seconded by Representative Holmes. The motion carried.

Chairman Miller asked for discussion or motion on the bill.

Discussion followed.

Chairman Miller closed the discussion on SB 54.

Chairman Miller asked for discussion or a motion on SB 56.

A motion was made by Representative Bowden to pass Senate Bill 56 favorably; seconded by Representative Lane. The motion carried.

Chairman Miller asked for discussion or a motion on SB 61.

A motion was made by Representative Holmes to amend SB 61. (Attach. II) The motion was seconded by Representative Graeber. The motion carried.

A motion was made by Representative Patrick to amend SB 61. The amount of revenue bonds that the public building commission can issue cannot exceed 50% of the bonded indebtedness limit. Chairman called for a second. The motion failed for lack of a second.

A motion was made by Representative Holmes to pass SB 61 as amended; seconded by Representative McClure. The motion carried.

Chairman Miller turned the Committee's attention to SB 276.

A motion was made by Representative Patrick to amend SB 276 by adding Johnson County Law Library to the other large city law libraries; seconded by Representative Baker. The motion carried.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Local Government,  
room 521-S, Statehouse, at 1:40 a/m./p.m. on March 23, 1989

A motion was made by Representative Gregory to add Linn County on the list as well; seconded by Representative Bowden. The motion carried.

A motion was made by Representative Baker to pass SB 276 as amended; seconded by Representative Turnbaugh. The motion carried.

The Chairman turned the Committee's attention to SB 202.

A motion was made by Representative Patrick to table SB 202; seconded by Representative Williams.

A substitute motion was made by Representative Bowden to pass SB 202 favorably; seconded by Representative Lynch. Discussion followed. Representative Bowden and Representative Lynch withdrew their motion to pass SB 202 favorably.

Discussion followed. Staff gave a review of SB 202.

A substitute motion was made by Representative Holmes that all future easements be required to stay within the easements and boundaries; seconded by Representative Reinhardt for the purpose of discussion. Discussion followed. The substitute motion to amend was lost.

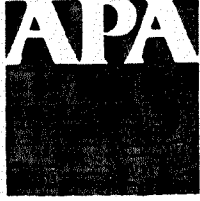
The original motion to table SB 202 carried.

Chairman Miller turned the Committee's attention to SB 165 for discussion or a motion.

A motion was made by Representative Lynch to pass SB 165 favorably; seconded by Representative Reinhardt. The motion carried.

Meeting adjourned at 2:30 p.m.





KANSAS CHAPTER  
AMERICAN PLANNING ASSOCIATION

TESTIMONY IN SUPPORT OF PROPOSED  
PLANNING LEGISLATION

Price Banks, Chair, Legislative Study Committee,  
Kansas Chapter, American Planning Association

Our study committee was formed years ago with the mission of examining planning related statutes in Kansas, and offering recommendations for updating these statutes.

The existing statutes are antiquated. Some have been around since the early part of this century, and they have been amended many times over the years. Nevertheless, they lack modern planning methodologies such as transfer of development rights or planned districts. Many of the provisions of the statutes are confusing or hard to understand. The law, as we thought we knew it, has been changed by the courts in some instances, and there is confusion regarding procedural requirements.

Our primary interest was in clarifying and simplifying the language in the statutes. We seek uniformity between provisions within each statute and between statutes applying to cities and counties.

As we began our task, we realized that we planners would need the support of other interest groups if we were to succeed. We enlisted the assistance of the Kansas League of Municipalities, the Kansas Home Builders Association, and the Kansas Manufactured Housing Institute. Therefore, representatives of each of those agencies sat on the study committee. The proposed legislation is the result of the work of that committee.

The legislation is relatively complex, and technical in some areas. We believe it would benefit from study by an interim committee. We are willing to pledge technical support for that committee through our membership. We will arrange to have members of our organizations available to work with the committee and provide additional staff support.

We believe all local government will benefit from the enactment of clear, contemporary, uniform laws relating to planning in Kansas.

10  
3-23-89  
Attark.I

Proposed Amendment to Senate Bill No. 61  
(As Amended by Senate Committee)

On page 4, following line 122, by inserting:

"New Sec. 7. No construction contract shall be let or approved by a public building commission until after the expiration of the protest period provided under section 5 or section 6.";

By renumbering sections 7 and 8 as section 8 and 9, respectively;

*JL*  
3-23-89  
Attach II