

MINUTES OF THE SENATE COMMITTEE ON LOCAL GOVERNMENT.

The meeting was called to order by Chairperson Mark Parkinson at 9:12 a.m. on January 18, 1996, in Room 531-N of the Capitol.

All members were present except:

Committee staff present: Mike Heim, Legislative Research Department  
Emalene Correll, Legislative Research Department  
Theresa Kiernan, Revisor of Statutes  
Shirley Higgins, Committee Secretary

Conferees appearing before the committee: Mike Jacobi, Kansas City, Kansas  
Chris McKenzie, League of Kansas Municipalities

Others attending: See attached list

The Chairman suggested that **SB 218**, consolidating local government in Wyandotte County, introduced by Senator Wisdom be held in committee as a potential vehicle later in the session.

**SB 464: Concerning Kansas City, Kansas, and Wyandotte County; relating to consolidation; authorizing the governor to appoint a consolidation study commission; relating to the powers and duties of the commission.**

Mike Jacobi of Kansas City, Kansas, stood in support of **SB 464** but suggested deletion of the requirement for a citizens plebescite to start the Governor's commission. (Attachment 1)

Kevin Kelley, a member of the citizen's task force on consolidation, had submitted written testimony in support of **SB 464** as he felt it provided reasonable solutions. (Attachment 2)

The Chairman told the Committee that various Wyandotte County citizens had expressed concern that, as the bill read, some of the best qualified persons would be disqualified from serving on the five-member study commission. To address this concern, he suggested that the bill be amended on page 1, by striking "or appointed" on line 35 and by inserting "full time paid" before "employee" on line 36. He also suggested that language be inserted to exclude persons appointed to fill an elective office.

Senator Ramirez moved to conceptually amend **SB 464** as suggested. Senator Gooch seconded, and the motion carried.

The Chairman noted that, by statute, county elections are partisan, but city elections are nonpartisan. He began a discussion as to whether the election for a governing body after consolidation would be partisan or nonpartisan and as to when the election would be held as city elections are held in the spring and county elections are held in the fall.

Senator Reynolds moved to conceptually amend **SB 464** to provide that the planning commission determine whether the election for the governing body be partisan or nonpartisan and also determine the time at which the election will be held. Senator Tillotson seconded, and the motion carried.

Senator Ramirez raised a question as to when the vote on the consolidation study commission would take place should it be decided that there would be no presidential primary in Kansas. The Chairman noted that the decision regarding the presidential primary would be made soon. If **SB 464** were passed by the Senate before the decision, he felt that, if the decision was not to have a presidential primary, the bill could be amended to call for a special election in a House conference committee. He added that the cost of a special election would be \$90,000.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON LOCAL GOVERNMENT, Room 531-N Statehouse, at 9:00 a.m. on January 18, 1996.

Chris McKenzie, League of Kansas Municipalities, suggested an amendment to exclude Loring, Kansas, an unincorporated area, from the consolidation. (Attachment 3) With the amendment, Loring would retain its present status. The amendment would allow for annexation of that area at a later time.

Senator Ramirez moved to amend SB 464 as suggested by Mr. McKenzie. Senator Reynolds seconded, and the motion carried.

The Chairman began a discussion regarding funding for the consolidation commission. As a guideline, staff reported on the Hospital Closure Commission expenses. The estimated expenditure was \$92,000; however, it was anticipated that the expenditure would be less, perhaps \$77,000. (Attachment 4) The Chairman felt that the expenditures for the consolidation study commission would be more due to the fact that outside services, such as for accountants, will be needed. He estimated a cost of \$100,000 to \$150,000. It was estimated that Kansas City, Kansas, and Wyandotte County would be expected to contribute approximately \$48,000 of the expense on their own.

Senator Ramirez moved that SB 464 be reported as favorable for passage as amended. Senator Reynolds seconded, and the motion carried with Senator Feleciano passing.

Written testimony in support of SB 464 was submitted by United We Stand America with a suggestion that the Governor begin naming the special commission immediately. (Attachment 5)

The Chairman called for a motion on the minutes of January 11 and January 16. Senator Feleciano noted that a correction was needed in the last paragraph of page two of the January 16 minutes. "The official county newspaper" was changed to "a newspaper with a general circulation."

The minutes of January 11 were approved, and the minutes of January 16 were approved as corrected.

The meeting was adjourned at 9:55 a.m.

The next meeting is scheduled for January 23, 1996.



"Now politicians of all kinds  
who are not yet decided  
may see how Wyandotte Countians  
are no longer divided"

Recognizing that, my hats off to every one of our leaders. The public has pleaded for this opportunity. This legislature, and every single one of our elected officials, boldly delivered on it. Senator Parkinson, your work in achieving this breakthrough will change history. There can be no greater honor.

Consolidation is overwhelmingly supported by the KCK Chamber of Commerce (by almost 100% of it's membership in several surveys), the Fairfax Industrial Association (representing some of the largest corporations in the U.S.), The League of Women Voters, United We Stand, the editorial boards of the Kansan and the Kansas City Star, among many, many others. And now, every sitting politician in every affected government (all three county commissioners, and the Mayors of Bonner Springs, Edwardsville, and Kansas City, Ks.) who represent the interest of every citizen in the county, have held a joint press conference and stood in front of this committee in support of this specific legislation.

My only small suggestion is to delete the requirement for a citizens plebescite to start the Governors Commission. I recommend that a commission be appointed forthwith. I say that in light of the overwhelming public support already rendered, and the fact that we would still have to vote on any final proposal.

At any rate, this is a grandly crafted piece of legislation, **which proves to anyone and everyone who would ever endeavor to change their government, that change is indeed possible.**

Respectfully,

Mike Jacobi  
testimony 1/18/96

*Senate Local Government  
1-18-96  
Attachment 1*

January 17, 1996

Senate Local Government Committee  
Kansas State Senate  
Capital Building  
Topeka, Kansas

Dear Senators,

I'm sorry that I am unable to appear before the committee today. That said, I would like to endorse the proposal before you today to establish a Governor's Commission to study city/county consolidation in Wyandotte County. It is my belief that such a commission will provide reasonable solutions to this question. In the event this commission is formed, I will in every way possible work to support it. This includes, but is not limited to, turning over my considerable library and research I have collected on this subject over the last two years.

Thank you for the interest you have shown in our community and for your assistance in solving this complex issue.

Sincerely,

Kevin Kelley

*Senate Local Government  
1-18-96  
Attachment 2*

Senate Local Government  
1-18-96  
Attachment 3

1 (f) Any bonded indebtedness and interest thereon incurred by the  
2 city or county prior to consolidation shall remain an obligation of the  
3 property subject to taxation for the payment thereof prior to such con-  
4 solidation.

5 (g) Upon the effective date of the consolidation of the city and county,  
6 any retailers' sales tax levied by the city or county in accordance with  
7 K.S.A. 12-187 *et seq.*, and amendment thereto, prior to such date shall  
8 remain in full force and effect, except that part of the rate attributable to  
9 the former city shall not apply to retail sales in the cities of Bonner  
10 Springs, Edwardsville and Lake Quivira.

11 (h) Upon the effective date of the consolidation of the city and  
12 county, the territory of the consolidated city-county shall include:

13 (1) All of the territory of the county for purposes of exercising the  
14 powers, duties and functions of a county.

15 (2) All of the territory of the county, except the territory of the cities  
16 of Bonner Springs, Edwardsville, and Lake Quivira, for purposes of ex- and the unincorporated territory of the county  
17 exercising the powers, duties and functions of a city.

18 (i) ~~Any city annexation proceedings which are pending shall cease on~~  
19 ~~the date on which the results of the election held in 1997 are certified~~  
20 ~~and no further annexation of territory in the county shall be allowed fol-~~  
21 ~~lowing consolidation.~~ The consolidated city-county may not annex terri-  
22 tory located outside the county.

23 (j) Except for the consolidated city-county and unless otherwise pro-  
24 vided by law, other political subdivisions of the county shall not be af-  
25 fected by consolidation of the city and county. Such other political sub-  
26 divisions shall continue in existence and operation.

27 (k) Unless otherwise provided by law, the consolidated city-county  
28 shall be eligible for the distribution of any funds from the state and federal  
29 government as if no consolidation had occurred. Except as provided in  
30 this subsection, the population and assessed valuation of the territory of  
31 the consolidated city-county shall be considered its population and as-  
32 sessed valuation for purposes of the distribution of moneys from the state  
33 or federal government.

34 (l) The consolidated city-county shall be a county. The governing  
35 body of the consolidated city-county shall be considered county commis-  
36 sioners for the purposes of section 2 of article 4 of the constitution of the  
37 state of Kansas and shall have all the powers, functions and duties of a  
38 county and may exercise home rule powers in the manner and subject to  
39 the limitations provided by K.S.A. 19-101a, and amendments thereto, and  
40 other laws of this state.

41 The governing body of the consolidated city-county shall be responsible  
42 for any duties or functions imposed by the constitution of the state of  
43 Kansas and other laws of this state upon any county office abolished by

# MEMORANDUM

## Kansas Legislative Research Department

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Telephone (913) 296-3181 FAX (913) 296-3824

January 18, 1996

To: Senator Paul Feleciano, Jr.

Office No.: 452-E

From: Emalene Correll, Research Analyst

Re: Hospital Closure Commissions Expenses

The 1995 Legislature appropriated a total of \$150,000 for policy initiatives, including the Hospital Closure Commission and the Tax Equity Task Force. The Department of Administration's FY 1996 budget estimate which was prepared in September 1995, includes expenditure of the total \$150,000 approved by the 1995 Legislature for policy initiatives. Expenditures for the Hospital Closure Commission are estimated as follows:

Salaries and Wages	\$ 49,161
Travel and Subsistence	37,426
Other Contractual Services	<u>5,413</u>
TOTAL	<u>\$ 92,000</u>

Division of the Budget personnel state that, as of January 17, 1996, they have not received all bills for the Commission. It is anticipated that total expenditures will be less than the \$92,000 estimate. It is estimated the total expenditures could be \$15,000 less than the \$92,000 estimate, or \$77,000.

Copies authorized by Senator Paul Feleciano, Jr.

Senate Local Government  
1-18-96  
Attachment 4

01-18-96

Senator Mark Parkinson

Re: CONSOLIDATION HEARING

UWSA (United We Stand America) wants to be put on record as fully in support of the new Commission Consolidation Bill introduced Tuesday 01-16-96. We would suggest in fact that since all three mayors and all three County Commissioners plus community organizations support Consolidation that the governor begin naming the Special Commission immediately unless there is a law that states otherwise. The subject of Consolidation is so important to all residents of this city for tax relief we do not want to waste any precious time.

Thank you for the opportunity to present our remarks and we want to tell you how sorry we are that the weather kept us from being there in person.

*Joy Holt*

UWSA County Coordinators Forrest Rhea and Joy Holt  
Kansas City, KS 913+677-3760

*Senate Local Gov't  
1-18-96  
Attachment 5*