

Approved: 4-2-99
Date

MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT.

The meeting was called to order by Chairman Senator Janice Hardenburger at 1:30 p.m. on March 10, 1999, in Room 529-S of the Capitol.

All members were present except: Senator Vidricksen

Committee staff present: Dennis Hodgins, Legislative Research Department
Mike Heim, Legislative Research Department
Ken Wilke, Revisor of Statutes
Graceanna Wood, Committee Secretary

Conferees appearing before the committee: Representative Gerry Ray
George Gross, Chairman, Johnson County Commission
Dana Fenton, Johnson County Government

Written testimony by: Eric Sartorius, Governmental Affairs Director, Johnson
County Board of Realtors
Edward DeSoignie, Member Johnson County Citizens
Visioning Committee

Others attending: See attached list

Chairman Hardenburger opened hearing on **HB 2429 concerning counties; relating to the establishment of a charter commission** and asked Staff to explain the bill.

Staff explained that in 1976 a statute was created to establish a Johnson County Charter Commission. Current law authorized the creation of this Commission for only a 30 day period, in 1975. **HB 2429** would re-authorizes this Charter Commission. It provides for a study and a plan to be submitted for the reorganization of the Johnson County Government.

Representative Ray gave testimony in favor of **HB 2429** informing the Committee that this bill will reauthorize the formation of, and revise the size and composition of a Charter Commission to study and recommend changes to the Johnson County Government. (Attachment #1)

Senator Steineger asked if the Charter Commission would be authorized to study other things, not just the reorganization of County Government. Representative Ray stated the bill only deals with the Johnson County Government.

George Gross, Chairman of the Johnson County Board of Commissioners testified in support of this bill. (Attachment #2)

The Committee discussed if all the members of the Charter Commission would have to be residents of Johnson County, also if members would be paid while serving on the Commission.

Senator Huelskamp asked if there are any local board or commissions or state level elected officials to appoint members. Staff stated that they were not aware of any. Also, Senator Huelskamp inquired why the Johnson-Wyandotte County Counsel of Mayors was allowed to appoint members while other organizations were excluded..

Senator Huelskamp said that he was uncomfortable with an association or counsel that has no official status being allowed to appoint members to a local governmental commission. He felt this Senate Committee has been talking at length about the state not managing county affairs, but was now approving legislators appointing commission members.

CONTINUATION SHEET

Chairman Hardenburger noted to the Committee that everyone gets to vote on whether a Charter Commission should be created and its makeup. The Commission will not determine the destiny of Johnson County Government, the voters will have the final say.

Dana Fenton, Johnson County Intergovernmental Relations Coordinator, provided testimony in support of **HB 2429**, informing the Committee that this would have to be placed on the general election ballot if the bill is enacted. (Attachment #3)

Eric Sartorius, Governmental Affairs Director, Johnson County Board of Realtors, and Edward DeSoignie, Member Johnson County Citizens Visioning Committee presented written testimony in support of the bill. (Attachment #4) (Attachment #5)

Chairman Hardenburger closed hearings on **HB 2429**.

Senator Steineger moved that this bill be passed out favorably, seconded by Senator Becker. Motion carried.

Meeting was adjourned at 2:30 p.m. Next meeting is scheduled for March 11, 1999.

MARCH 10, 1999
SENATE ELECTIONS & LOCAL GOVERNMENT COMMITTEE
HEARING ON HOUSE BILL 2429

TESTIMONY OF REPRESENTATIVE GERRY RAY
CHAIRMAN, JOHNSON COUNTY DELEGATION

Madame Chair, members of the Committee, my name is Gerry Ray. I represent the 20th District in the House of Representatives. I am here today as 1999 Chair of the Johnson County Delegation.

Before this committee today is a bill to reauthorize the formation of and revise the size and composition of a charter commission to study and recommend changes to the Johnson County Government. The Delegation spent a considerable amount of time working with the County on this bill. All of us feel it represents a reasonable approach to studying the organization of the Johnson County Government.

The Kansas House of Representatives voted in favor of this bill 116 to 5 on Friday, February 26th. All 19 members of the Johnson County House Delegation voted in favor of this bill. As Senator Becker will attest, all six members of the Johnson County Senate Delegation are in agreement with this bill.

Before you today are three individuals to testify in support of this bill. The first is George Gross, the 1999 Chairman of the Johnson County Board of Commissioners.

The second is Ed DeSoigneur, a Johnson County resident who served on a Citizens' Visioning Committee that was formed to provide direction to the County government in the 21st century. Ed served on the group that recommended a charter commission be established.

The third is Dana Fenton, the Johnson County Intergovernmental Relations Coordinator who will provide technical testimony in support of the bill.

Thank you very much for your time and I will stand for questions at the appropriate time.

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March 10, 1999
Senate Elections & Local Government
Hearing on House Bill 2429

Testimony of George R. Gross, Chairman of the Board
Johnson County Board of Commissioners

Madame Chair, honorable members of the Committee, my name is George Gross, I am the Fourth District County Commissioner and 1999 Chairman of the Johnson County Board of Commissioners. Today, I am here to testify in support of House Bill 2429, which would reauthorize the formation of a Charter Commission and revise its size and composition.

As you are aware, if passed, House Bill 2429 would enable a Charter Commission to be established to examine the structure of Johnson County Government and to make specific recommendations for improvements. The last Charter Commission submitted its report in 1976. Since that time, an independent group of citizens has not reviewed the structure of county government. We believe now is the time to proactively review the structure and organization of local county government.

In July of 1997, a citizens' task force known as the Johnson County Citizens' Visioning Committee first raised the idea of a Charter Commission in their report to the Board that outlined a community vision for Johnson County in the year 2020. The Committee recommended further study be given to the size of the County Commission and the election of the its members; specifically, the appropriateness of having the voters elect some at-large commissioners and the issue of whether the voters should elect the Chairman for a four-year term. Currently, the commissioners rotate the Chairmanship on a one-year basis.

As some members of this Committee may be aware, state law does not provide for the at-large election of commissioners or of the Board's chairman without action by the State Legislature, or the establishment of a Charter Commission. The Board decided it was best for any change in the structure and organization of county government to be approved by the voters and for these recommendations to come from a group of citizens charged with the responsibility of examining these areas.

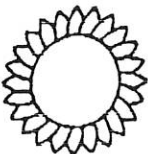
The membership of the Charter Commission would consist of 25 individuals appointed by various groups in our community including the Johnson County Delegation, the two major political parties, chambers of commerce, the planning commission, the council of mayors, and the County Commission. Our Legislative Delegation and the County Commission have agreed upon this appointment authority. We believe it is in keeping with the goal of seeking broad-based representation from all segments of our community.

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The Charter Commission would be required to issue a report outlining its recommendations for county government. The recommendations would then be put before the voters at a general election in November of 2000. Prior to its placement on the ballot, the County Commission would not be able to alter or change any of the Charter Commission's recommendations.

This bill is an important piece of legislation to Johnson County. Its enactment would allow the County to lay a positive foundation for county government in the twenty-first century.

Thank you for your time today. I will stand ready for questions at the appropriate time.



Johnson County
Kansas

MARCH 10, 1999
SENATE ELECTIONS & LOCAL GOVERNMENT COMMITTEE
HEARING ON HOUSE BILL 2429

TESTIMONY OF DANA FENTON
JOHNSON COUNTY INTERGOVERNMENTAL RELATIONS COORDINATOR

Madame Chair, members of the Committee, my name is Dana Fenton. I am the intergovernmental Relations Coordinator for the Johnson County Government. I am here today to provide technical testimony in support of House Bill 2429.

The current law authorizing a charter commission for Johnson County was established in 1975. It was a one-time law in that a charter commission could only be established during a thirty-day window in July of 1975. Therefore, the first change we are seeking is to eliminate this obsolete window and allow the reauthorization of a charter commission without returning to the legislature. A clause has also been added to restrict the number of charter commissions allowed within any four-year period to one.

The second change addresses the size and composition of a charter commission. As Commissioner Gross stated, the size and composition was agreed upon by the county delegation and the Johnson County Board of Commissioners. It would provide for appointments to be made by the County House and Senate Delegation, major political parties, chambers of commerce, council of mayors, planning commission and the County Commission.

What would not change is that this legislation would apply to one county; Johnson. Johnson is the only county declared to be an urban county per KSA 19-2654. Also, the county commission may not change charter commission recommendations prior to placement on the general election ballot. Finally, any changes have to be approved by a vote of the people at a general election.

Thank you for your time and I will stand for questions.

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Attachment: # 3-1
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The Voice for Real Estate®

Testimony of Erik Sartorius
 Governmental Affairs Director
 Before the
 Senate Elections & Local Government Committee
 Regarding
 HB 2429 Establishment of a Charter Commission for Johnson County

March 10, 1999

The Johnson County Board of REALTORS® supports House Bill 2429. As you know, this legislation authorizes the formation of a charter commission in Johnson County.

This authorization is sought in order to further explore recommendations made by a Citizens' Visioning Committee in Johnson County. Although some of the committee's proposals could be implemented within existing home rule statutes, other ideas require a charter commission if they are to remain viable options.

As Johnson County grows and changes, the Johnson County Board of REALTORS® recognizes the wisdom in reviewing the county government and services it provides. This process can serve to better match the government to the people. In undertaking such a process, we feel citizens must be given the opportunity to shape their government.

We believe the provisions of the legislation before you today provide citizens a strong voice in their future. The size of the commission, and the procedure under which it will be selected, suggest a broad cross-section of interests will be represented. Significantly, the resultant proposed charter from this commission could not be altered by the county commission prior to it being put before Johnson County citizens for a vote.

We respectfully seek your support of the legislation.

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**TESTIMONY OF EDWARD DESOIGNIE,
MEMBER, JOHNSON COUNTY VISIONING COMMITTEE
BEFORE THE SENATE ELECTIONS & LOCAL GOVERNMENT COMMITTEE
March 10, 1999**

Madame Chairman, members of the Committee, thank you for the opportunity to submit this testimony in support of House Bill 2429.

My name is Edward DeSoignie. I am a resident of Olathe, Kansas and serve on the Johnson County Citizens Visioning Committee. House Bill 2429 was drafted in response to recommendations developed by the Johnson County Citizens' Visioning Committee and submitted to the Johnson County Board of County Commissioners.

The Johnson County Citizen's Visioning Committee was appointed in January of 1996 by the County Commission to develop a 20-year vision for Johnson County and recommendations for the future role of county government. The Visioning Committee is comprised of 23 members and represents a broad range of constituent groups and geographic areas in the county. A listing of the members is attached to my testimony.

The Citizens Visioning Committee met on a biweekly basis from January of 1996 through mid-July of 1997. (The Committee continues to meet periodically to monitor the progress of its recommendations.) The process progressed through three phases:

Exploration. In this first phase the Committee learned the history of the county, the current role and functions of county government and prioritized key issues.

Analysis. In this phase the Committee invited panels of experts with different perspectives on issues to present information and engage in dialogue. An "issue analysis model was used to ensure uniformity in the approach to each issue. Preliminary recommendations on each issue were developed in this phase.

Synthesis. In this final phase, the Committee conducted a citizen survey of over 1,000 household on the preliminary recommendations as well as on the overall vision for the county and its government. Two community forums were held to maximize citizen input. Finally the Committee spent several months synthesizing the work of all three phases into a final report.

In the report to the County Commission, the Visioning Committee stated its guiding principles on the issue of studying the restructuring of the county's government to be, "The county must continue to evaluate the form of its government to assure that its governance provides the leadership necessary to achieve its vision, both within the

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TESTIMONY OF EDWARD DESOIGNIE
SENATE ELECTIONS & LOCAL GOVERNMENT COMMITTEE
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county and throughout the region." The Committee recommended the county to take action to, "Restructure the BOCC to enhance the opportunities for county leadership that will be necessary to achieve this vision for the future. Among changes that must be considered are the at-large selection of at least one county commissioner; selection of the chairperson (possibly by direct election of the voters) who will serve a full term as chair; and the abandonment of the annual rotation of the chair among the members of the BOCC."

The legislation before you today, House Bill 2429 will start the review process in motion by providing the statutory authority to appoint a charter commission in Johnson County. The Citizens Visioning Committee feels it is a critical necessity to undertake this process as a means of providing the best form of representative government to the citizens of the county. I respectfully ask the Committee report House Bill 2429 favorable for passage.

Thank you for your consideration of these views.

Dwight Arn
Fourth District

Chuck Battey
First District

Clay Blair
Commercial Development

Pete Bunn
Homes Associations

Steve Byram
Fifth District

Dave Davis
Persons with Disabilities

Ed DeSoignie
Heavy Constructors

Katie Hoffman
Planning Commission

Barbara Neufeld
Older Adults

Dr. Marilyn Layman
Education

Carl McCaffree
Arts and Humanities

Ed Peterson
Council of Mayors

Gail Redmond
Chambers of Commerce

Gus Ramirez
Johnson County Community College

Rod Richardson
Third District

Paul Robben
Homebuilders Association

Fred Schmidt
Second District

Doug Smith
County Management Team

Diane Stewart
Sierra Club

Myrna Stringer
League of Women Voters

Paul Styers
Taxpayers Association

Joan Wendel
Northeast Development & Retention Council

Karen Wulfkuhle
Social Services