

MINUTES OF THE HOUSE GOVERNMENTAL ORGANIZATION AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Jene Vickrey at 3:30 P.M. on March 16, 2006 in Room 519-S of the Capitol.

All members were present except:

Representative Barbara Craft- excused
Representative Lynne Oharah- excused

Committee staff present:

Mike Heim, Legislative Research Department
Martha Dorsey, Legislative Research Department
Theresa Kiernan, Revisor of Statutes Office
Maureen Stinson, Committee Secretary

Conferees appearing before the committee:

Rep. Mike O'Neal
Dave Kerr
Allyn Lockner
Sheriff Randy Rogers, Kansas Sheriff's Association
Randall Allen, Kansas Association of Counties
Kim Winn, League of Kansas Municipalities
John Pinegar, Kansas Legislative Policy Group
Secretary Joan Wagnon, Kansas Advisory Council on Intergovernmental Relations
Terry Holdren, Kansas Farm Bureau
Nancy Weeks, Kansas County Officials Association
Marvin Smith
Greg Dye

Others attending:

See attached list.

Chairman Vickrey opened the hearing on:

SB 379 **Consolidation of municipalities**

Rep. O'Neal testified in support of the bill (Attachment 1). He said the proposed legislation removes statutory barriers to voluntary mergers and reorganizations at the local level between and among local officials who recognize the fiscal savings and administrative efficiencies that such actions foster for themselves and the taxpayers they represent.

Dave Kerr testified in support of the bill (Attachment 2). His Power Point presentation asked the question, "Does Kansas Have Too Much Government?"

Allyn Lockner testified in support of the bill (Attachment 3). He said the proposed legislation is forward-moving and responds to regional, national, and international economic realities.

Randall Allen testified in support of the bill (Attachment 4). He said the proposed legislation removes obstacles and impediments to cities and counties in their quest to provide the most efficient and effective local government possible for their citizens.

Kim Winn, League of Kansas Municipalities, testified in support of the bill (Attachment 5). She said the proposed legislation would allow cities and counties, and their residents, to determine their own local government organizations, and will allow them to maximize efficiencies in government as well as modernizing governmental structures in Kansas.

Christy Caldwell, Greater Topeka Chamber of Commerce, submitted written testimony in support of the bill (Attachment 6).

CONTINUATION SHEET

MINUTES OF THE House Governmental Organization and Elections Committee at 3:30 P.M. on March 16, 2006 in Room 519-S of the Capitol.

John Pinegar, Kansas Legislative Policy Group, testified in support of the bill (Attachment 7). He said the bill provides the necessary mechanism for local units of government to achieve efficiencies in governance and economies in the delivery of governmental services and retain local control.

Joan Wagnon, Secretary of Revenue, testified in support of the bill (Attachment 8). She said the Kansas Constitution leaves the issue of local government boundaries entirely in the hands of the Kansas Legislature, and to date, there is no enabling legislation which would allow various local governments to merge.

Terry Holdren, Kansas Farm Bureau, testified in opposition to the bill (Attachment 9). He requested an amendment to include a heightened approval process for consolidations between cities and counties. He said their membership fully supports the dual majority, and would support other systems for approval as long as they ensure adequate protection for residents living outside the boundaries of the city.

Nancy Weeks, Kansas County Officials Association, testified in opposition to the bill (Attachment 10). She said they support language in the bill that would require a separate vote to eliminate elected officials.

Sheriff Randy Rogers, Kansas Sheriffs Association testified in opposition to the bill (Attachment 11). He said they support an amendment to require a dual majority approval requirement. He said they also would support an amendment requiring that the consolidation issue be publicized in the official newspaper of the taxing authorities that are wishing to consolidate.

Marvin Smith testified in opposition to the bill (Attachment 12). He said any consolidation for cities and unincorporated areas should have a dual vote approval.

Greg Dye testified in opposition to the bill (Attachment 13). He said that consolidation legislation in the past allows for the elimination of elected office.

Questioning of the conferees will take place at the Tuesday, March 21, 2006 meeting.

Approval of Minutes

Rep. Lane made a motion to approve the minutes of the March 14, 2006 meeting. Rep. Sawyer seconded the motion. Motion carried.

Chairman Vickrey adjourned the meeting.

The next meeting is scheduled for Tuesday, March 21, 2006.

STATE OF KANSAS
HOUSE OF REPRESENTATIVES

MICHAEL R. (MIKE) O'NEAL

104TH DISTRICT
HUTCHINSON/NORTHEAST RENO COUNTY

LEGISLATIVE HOTLINE
1-800-432-3924



CHAIRMAN:
JUDICIARY COMMITTEE

VICE CHAIRMAN:
SELECT COMMITTEE ON SCHOOL FINANCE

MEMBER:
TAX, JUDICIAL, TRANSPORTATION
AND RETIREMENT BUDGET
RULES AND JOURNAL
UNIFORM LAW COMMISSION
KANSAS JUDICIAL COUNCIL

SENATE BILL 379

**Testimony before House Governmental Organization and Elections Committee
March 16, 2006**

CHAIRMAN VICKREY, and members of the Committee:

Thank you for the opportunity to appear before you in support of S.B. 379, which advances public policy I have been advocating for several years here in the legislature. While the title of the bill references governmental consolidation and reorganization, the proposed legislation does nothing to mandate such action at the local level. Rather, the legislation should be viewed in the context of what it really does, i.e., removing statutory barriers to voluntary mergers and reorganizations at the local level between and among local officials who recognize the fiscal savings and administrative efficiencies that such actions foster for themselves and the taxpayers they represent.

No one can refute the cold hard facts of local government in Kansas. The 3,888 local governments in Kansas as of June 2003 ranked us 5th in the entire country. Only Illinois, Pennsylvania, Texas and California have more governmental agencies than Kansas. We also rank 4th or 5th, depending on the most recent available data, in the number of governmental

House Gov. Org. & Elections
Date: 3-16-2006
Attachment # 1

TOPEKA ADDRESS

STATE CAPITOL BLDG., SUITE 143-N
TOPEKA, KS 66612-1504
785-296-7679
website: reponeal.com
e-mail: o'neal@house.state.ks.us

HUTCHINSON ADDRESS

BOX 2977
HUTCHINSON, KS 67504
620-662-0537
FAX: 620-669-9426
e-mail: mike@gh-hutch.com

units of government per capita. Kansas is reported to have 1 local unit of government for every 691 Kansans.

Over the years, efforts to reduce the expense of and reliance upon multiple levels of local government have run head on into outdated legislative provisions that seem to signal a statewide policy against voluntary reorganization and consolidation at the local level. In the past years, efforts to breakdown those statutory barriers have suffered from complicated provisions that seemed to seek control at the state level of the manner in which local governments should and could approach voluntary reorganization and consolidation.

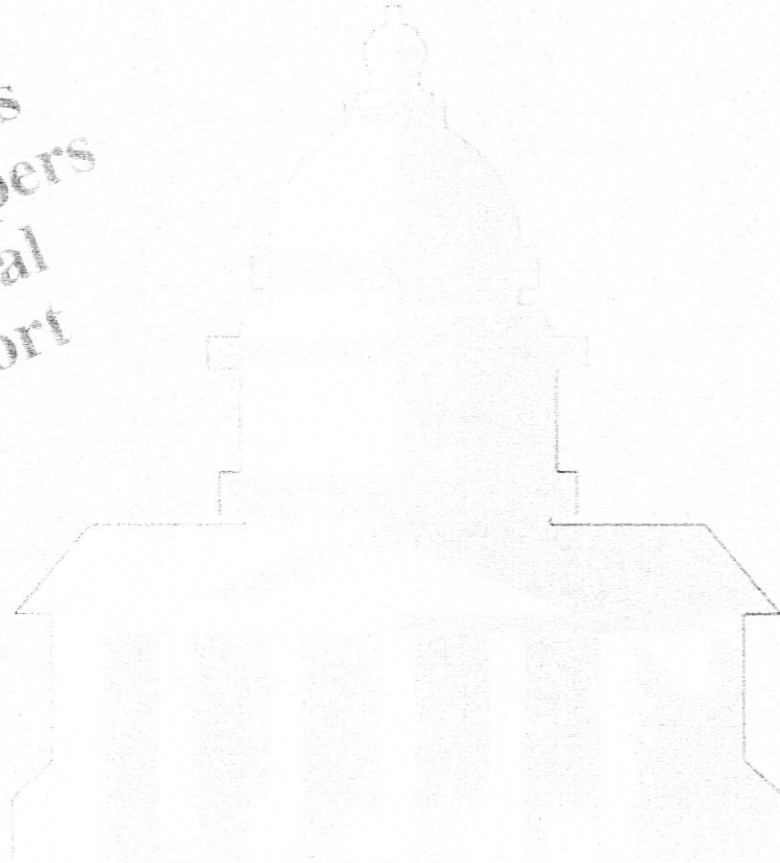
S.B. 379, in my opinion, finally serves the purpose that was always intended - repealing statutory barriers to voluntary reorganization and consolidation without substituting unnecessary mandates as to how local officials should meet, confer and proceed with their plans to make local government less costly and more efficient. I am very pleased that this year in particular an unprecedented number of major players have been involved in the discussion and development of this enabling legislation. I'm grateful for the support and assistance of former Senate President Dave Kerr, who championed this cause in the Senate in past years and is spearheading efforts at the local level on a statewide basis.

I'll leave the details of the legislation and rather remarkable potential fiscal benefits of the legislation to the other conferees, but before I do I want to also acknowledge the Harris News network in Kansas for its solid reporting and analysis of this issue in a series of articles published primarily in December 2004. Their reporting has brought the issue to every corner of the state and has shown that the issue is worthy of our attention and action.

The premise of legislation is simple - the state should neither create nor maintain barriers to local officials looking for ways to be efficient and fiscally responsible when evaluating the needs of Kansans living within the boundaries of our multiple and often overlapping levels of local government. As I am more available for questions than some of the conferees I'd be happy to stand for questions now or later as the Chairman may desire.


Rep. Michael R. "Mike" O'Neal

A Harris
Newspapers
special
report



S I Z I N G U P GOVERNMENT

Consolidation has been discussed for years in Kansas. But little has been done to consolidate the state's nearly 4,000 units of local government – fifth highest in the United States.

Kansas newspapers owned by Harris Enterprises spent two months studying the issue of consolidation. This series looks at the steps a few have taken to unify governments, school districts and services. It also exposes the multitude of stumbling blocks that have prevented a serious, comprehensive effort to streamline state and local governments and merge school districts. This is a special reprint of the project, which was published primarily in December 2004.

Glut of government



Index

- Glut of government2
- Governments numerous3
- Little change4
- Paths to unification5
- The 'C' word5
- Talk is easy7
- Court districts7
- Job loss fears8
- Governor's pledge8
- WyCo/KCK success9
- Value10
- Exploring nationwide10
- Cooperation works11
- Hot potato12
- Opportunities13
- Editorial roundup14, 15
- By the numbers16

By MIKE CORN
HAYS DAILY NEWS

TRIBUNE — When it comes time to discuss government consolidation, Greeley County officials think state leaders should take a trip to the least-populated county in the state to see what's already been done.

"Their answer is, 'Gee, it's a long way out there,'" said Wade Dixon, who serves as Greeley County attorney, Tribune city attorney and the attorney for Greeley County schools USD 200.

Dixon said that Gov. Kathleen Sebelius, elected in 2002, has not visited Greeley County. And former Gov. Bill Graves, who spent eight years in office, only visited the county twice.

"Our population is so small they don't need to be concerned with us," Dixon said.

Just how small?

Greeley County, with 1,420 residents, according to 2003 population estimates, is the least populated county in the state.

And, like many other rural Kansas counties, Greeley is losing population — 13.5 percent in the 10 years before the 2000 Census. In the three years since, the county has lost another 7.4 percent of its population.

Rural population loss is at least partly responsible for renewed discussions about consolidation of government and services, said Joe Aistrup, chairman of the political science department at Kansas State University and former director of the Docking Institute at Fort Hays State University.

"There is a subtle movement afoot ... that Kansas will go through another bout of consolidation," Aistrup said. "Part of that is because of the population declines."

The goal, he said, is to make government less burdensome. There is little organized talk of consolidation, but state officials no longer shy from using the "C" word.

Greeley County, in west-central Kansas, is just a speck in the mix of governments in the state.



Greeley County Clerk Linda Firner, right, addresses the commissioners during a meeting in Tribune in October. Also pictured is commission Chairman Mike Thon.

"Kansas likes little governments," Aistrup said. "But a lot of it."

Even though the state is 32nd on the list of states in terms of total population, it ranks fifth in the number of local governments, according to the 2002 census of governments conducted by the U.S. Census Bureau.

In effect, there is one government agency for every 691 residents in the state. That comes at a huge cost — nearly \$17 billion for state and local government. Of that, nearly \$5.5 billion is for schools.

That amounts to \$6,219 for every resident of Kansas. It doesn't stop there.

Education has nearly \$3.1 billion in debt, while state and local governments hold another \$9 billion in debt, according to the Census Bureau. That's another \$4,496 for every Kansas resident.

Greeley County Commission Chairman Mike Thon said he gets protective when state officials start talking consolidation.

"How much money are they going to save?" he asked. Dixon said lawmakers also need to consider another

issue. "The amount of distance we would have to travel makes it impractical to consolidate," he said.

When the Kansas Department of Social and Rehabilitation Services merged offices, Greeley County lost a couple jobs, and Dixon contends the level of service has diminished.

Greeley County officials say they're not finished reining in government and spending, but they also say they have done as much as anyone else. They think the state should look to them for guidance.

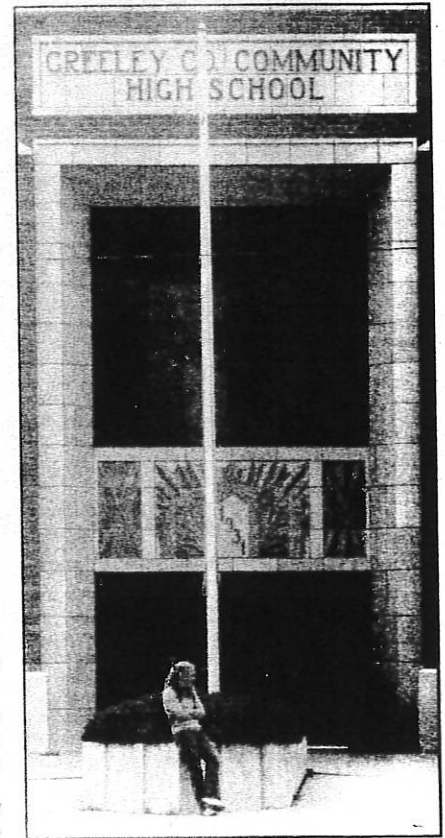
There are seven governments in Greeley County, one of the smallest totals in the state. But the county still has a high per-capita rate of government because of its small population.

The county and city of Tribune share a city engineer, and they work together when it's time to purchase expensive heavy equipment.

See CONSOLIDATE, PAGE 3

A student stands outside the Greeley County Community High School in Tribune in this October photo.

STEVEN HAUSLER / Hays Daily News



The Chanute Tribune

THE GARDEN CITY TELEGRAM

THE HAYS DAILY NEWS

THE HUTCHINSON NEWS

The Ottawa Herald

Parsons Sun

Salina Journal

Local governments numerous in Kansas

By **MIKE CORN**
HAYS DAILY NEWS

Kansas loves its government. The 3,888 local governments in Kansas as of June 2002 ranked as the fifth highest of all the states. Only Illinois, Pennsylvania, Texas and California had more governmental agencies than Kansas.

It takes six letter-size sheets of paper for the U.S. Census Bureau to describe the nature of government in Kansas.

There are only 104 county governments in the state, even though there are 105 counties. In 1997, vot-

ers in Wyandotte County and Kansas City, Kan., agreed to merge services, and the agency is now known as the Unified Government of Wyandotte County-Kansas City, Kan.

But government is booming in the state's remaining counties. There are 1,926 sub-county general purpose governments, according to the Census Bureau. They include 627 cities and 1,299 townships.

The cities are broken down into first-, second- and third-class cities, designations based on population. Some townships are inac-

tive and are not counted. Active township governments exist in 97 of Kansas' 105 Kansas counties, census figures show. The 2000 census noted 324 public school systems in Kansas, including unified school districts, community college districts and municipal universities.

There are a number of other educational facilities, including interlocal agencies between school districts, vocational-technical schools, educational service centers and special education cooperatives.

And then there are the 1,533

special district governments. They include boards of public utilities, districts that supervise cemeteries, city county-airport authorities, community building districts, conservation, drainage, improvement, hospital and industrial districts. There are library districts and even library boards in Hutchinson and Salina that operate under special provisions not applicable to other library boards.

There are at least five different types of water supply districts in addition to those that are conservation-related or public wholesale water supply districts, such as one

created by Hays and Russell. There is a specific water supply and distribution district in Franklin, Johnson, Miami and Wyandotte counties.

The Census Bureau classifies a number of entities as "subordinate agencies and areas" but they are not counted as governments.

They include the Kansas Turnpike Authority, airport authorities in cities with more than 250,000 residents, business improvement districts, hospital boards in first- and second-class cities and recreation commissions.

CONSOLIDATE: Many questions about issue

CONTINUED FROM PAGE 2

Law enforcement already has been merged, with the sheriff's office providing patrols in Tribune.

Greeley County also shares its county health nurse with its one school district, USD 200.

One of Greeley County's government agencies is its hospital, a county-owned entity that also offers health services to nearby Wallace County. Without that, Wallace County would be without medical services.

Aistrup agrees that Greeley County probably has done all it can to consolidate services and save money.

But other counties could do much more, he said, specifically pointing to Ness County, which has four school districts — even though Ransom and Bazine already merged — and a population of less than 3,500.

Yet what shape consolidation would take in Kansas is anyone's guess.

Aistrup anxiously awaits a Kansas Supreme Court decision on school finance. That ruling, he said, could have as much to do with consolidation as anything. But it will have nothing to do with counties.

"Right now, counties cannot consolidate," Aistrup said. "The boundaries are set by law."

Wyandotte County and Kansas City, Kan., joined in 1997 to create the Unified Government of Wyandotte County. Now, Topeka and Shawnee County plan to approach the Legislature about consolidating their governments and services.

Lawrence and Douglas County have talked about a similar move. So have and Wichita and Sedgwick County.

But for county consolidation to take place, changes in state law — subject to voter referendum — are required.

As a result, it's most likely that schools will be the focus of consolidation, Aistrup thinks.

Without a well-designed plan, Aistrup said consolidation simply would be harmful to the state.

"I don't see haphazard consolidation ... as being something good for Kansas taxpayers," he said. "If this is going to be good for Kansas taxpayers, there has to be some plan to it."

Even with a plan, Aistrup says there likely will be "very high short-term costs."

"Consolidation in the first few years is not going to be a pleasant reality," he said. "In the long term, it does create great effectiveness."

But it has to be well thought out. As an example, Aistrup pointed to Hodgeman and Ford counties as possible consolidation candidates.

But, he cautioned, Hodgeman has a mill levy "out of this world."

That would mean Ford County residents could see mill levies increase, perhaps dramatically, if the county merged with a smaller one.

"The state has to come in and provide incentives and direct it," Aistrup said.

There would be adverse effects for small governments, often the biggest employers in the county.

In Greeley County, for example, the hospital, school and county are the top employers.

The loss of those jobs could foster opposition from the public. And while small counties could lose jobs, they might see lower mill levies in return.

"The county that does absorb will probably have to pay higher taxes," Aistrup said. "There's going to be a little bit of resistance to that. And there probably should be."

That's where incentives could come in. Any plan, Aistrup said, would need to "do the least amount of damage and allow economies of scale."

George Frederickson, a professor of public administration and a member of the Policy Research Center at the University of Kansas, said it's not likely there will be a move soon to consolidate counties.

Politicians aren't ready to embrace the move, he said, and there's no crisis to drive it.

"A crisis is a crisis once we notice it," he said. "You don't get change until you get an agreement that something needs fixed. If it's



STEVEN HAUSLER / Hays Daily News
Greeley County and Tribune officials meet together in October during a Greeley County Commission meeting in Tribune. They believe their experience with consolidation efforts can be a model for other counties as they rely on cooperation across the lines of government to get the job done with less.

out there, it's a silent crisis."

Although Aistrup said he's unsure what the ideal size of a county is, the western border counties ultimately could cover three or four counties.

"To me, it depends on density of population," he said.

Frederickson sees something along the lines of scaling back the number of counties from 105 to about 25.

"That would save you a lot of money," he said.

County consolidation, Dixon thinks, won't be limited to just a couple of counties.

"When it happens, I think it will be four or more," he said.

As for schools, Dixon raised another issue entirely.

"I think we'd be perfectly happy to fund our schools on a local level," he said, something that would take the state out of the consolidation equation.

"And it would cost us more money. But the folks in the larger areas don't want to fund their schools all by themselves."

Thon, the Greeley County Commission chairman, was thinking along the same lines.

"We only need 105 school districts in the state of Kansas," he said, making a reference to the number of counties in the state. "And we've got ours."

Little has changed in county governments over the years

By SHARON MONTAGUE
SALINA JOURNAL

When Kansas counties were established in the 1860s, their governments were modeled after the "weak government" system used by the Massachusetts Bay Colony.

"There were a lot of elected officials, but the counties were basically creatures of the state, administrative arms of the state," said Joe Aistrup, associate professor and head of the political science department at Kansas State University. "There were a lot of elected officials, but they had no power. They did what the state told them to do."

That changed in the mid-1970s with the advent of home rule, which freed counties to develop programs and deliver services based on their particular needs.

"The needs of society drove the need for counties to provide services," Aistrup said. "There was pressure from the public."

Now, with the start of a new century, some are pressing for more changes in county government, saying professional management — as opposed to management by elected officials — is the model of the future.

"At some point, the complexity of operations forces the need to have a chief administrative officer," said John Nalbandian, professor and chairman of the Department of Public Administration at the University of Kansas.

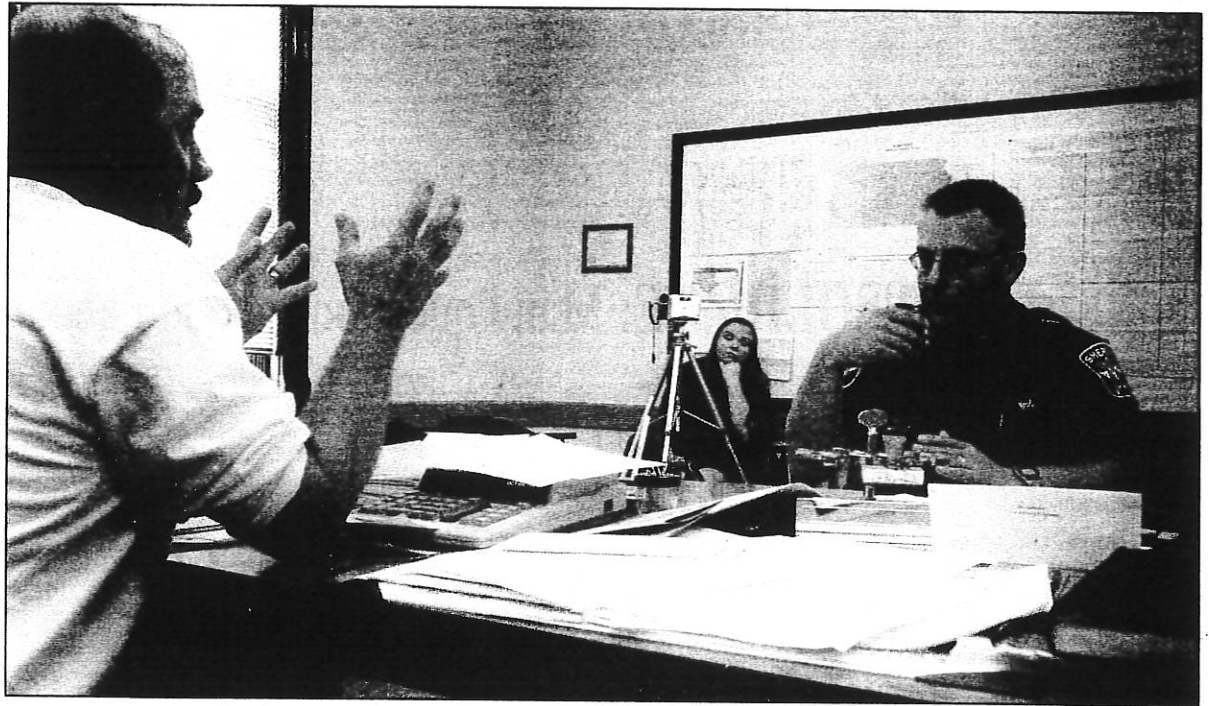
Others disagree.

"I hear some complaints it's outdated," said Lonie Addis, who has served as a commissioner in Labette County for 22 years. "But the more I get into it, the better it is. I'm a firm believer in county government."

But Nalbandian considers the election of county officials such as sheriffs, treasurers and clerks, "an artifact of the past."

Operations would be more efficient and professional, he said, if county commissioners hired an administrator who appointed the sheriff, clerk, register of deeds, county attorney and treasurer. Such a system mirrors the city manager/city commission form of government. That allows for more professionalism in government, Aistrup said.

"The department heads are more



STEVEN HAUSLER / Hays Daily News

Trego County Commissioner Toby Lynd, left, talks to Trego County Sheriff Ryan Bloom, in October 2003 at a county commission meeting in WaKeeney. In the background is Bloom's wife, Jessica, who was videotaping the proceedings as tension between the commission and sheriff escalated.

like civil servants, hired on the basis of qualifications as opposed to their ability to win elections," he said.

"That becomes more important, Aistrup said, as government becomes more complex.

"People who are elected can get the hang of things, but there tends to be a ramp-up time," Aistrup said. "It takes time to learn the trade and craft."

Carol Marinovich, the mayor/CEO of the Unified Government of Wyandotte County in Kansas City, said she didn't know if county government was antiquated in general. But she said her county had outgrown the old form of government.

Wyandotte County is the state's only completely consolidated local government.

"Having dual city and county government didn't make sense for us," Marinovich said. "It was antiquated for my community. We were a little unique in that we didn't have that unincorporated area where the city didn't provide services for it."

Consolidation is difficult, she said, because people in elected offices essentially have to advocate the elimination of their positions.

"I think it's very difficult," Marinovich said, "to get elected officials to campaign to eliminate their elected positions, quite candidly, assuming consolidation makes sense for their community."

John Divine did just that. The Salina Democrat ran for election to the Saline County Commission this fall as a proponent for change. If elected, Divine said, he would call for a public vote to commission a study of three approaches to county government — variations on the current arrangement, a strong manager form or consolidation with the city.

"The structure of the county has to come into the 21st century," Divine, who had served eight years as a Salina city commissioner, said during the campaign.

The 61-year-old Divine lost to Republican incumbent Craig Stephenson, 47, Gypsum.

Nalbandian said it's often difficult for people to consider a change in

government, especially when it could mean an elimination of elected offices.

"It has to do with people wanting a sense of identity, a sense of control, a sense of having some anchors in their lives," Nalbandian said. "It doesn't matter whether they're making good decisions or not, because we don't know if they are. But if we don't like what they're doing, we can un-elect them."

Addis, the long-time Labette County commissioner, said county government can be tweaked to meet the needs of 21st century Kansans, but it doesn't need a major overhaul.

In many counties, Addis noted, commissioners have hired administrators to help them manage day-to-day operations without actually changing the form of government.

Labette County hasn't seen the need for an administrator, but Addis said commissioners hired a county coordinator who does research on various topics and reviews policies and procedures.

"He doesn't have an administrative role, or a supervisory role, over the other departments," Addis said. "He does legwork for us. Right now, he's looking into different insurance."

Addis said the structure of county government provides for checks and balances.

"The treasurer and clerk check each other, and the bills go to commissioners every month so they check those," he said. "There are all sorts of checks and balances. That's why county government is such a good system."

Addis said he's worked with different elected officials during his 22-year tenure, and most have done a good job.

"For the most part, the electorate knows what they're doing," he said. "They usually elect good people."

And if the public finds a bad apple, Addis noted, there are systems in place to recall elected officials before the end of their terms.

"There are flaws with every system," he said, "but this is a system that, for the most part, works."



Divine

Paths to unification

By JIM COOK
PARSONS SUN

Declining enrollments, pegged to population declines and changing economies, have dogged most Kansas school districts for years.

For the most part, though, officials at the state's 300-plus school districts and patrons who live in them are unwilling to consider school consolidation as a way to deal with the problem.

One reason: State aid to schools historically has been linked to enrollment, although a pending Kansas Supreme Court case and possible ensuing action by the Legislature could change that. Add provincialism and fear for the futures of their communities to that mix, and school consolidation becomes a touchy issue.

The concerns are not limited to existing district borders, most of which were established with state-ordered school unification in the 1960s.

Some small school districts with more than one high school, for instance, face the same issues.

Nowhere has school consolidation been a more explosive issue than in southeast Kansas. Administrators and school board members at Erie-St. Paul USD 101 — with primary and secondary schools in Thayer, St. Paul and Erie and an elementary school at Galesburg — have quarreled with residents of those four small towns over closing the smallest schools in the district.

The primary issue is what would happen to the smaller towns if schools disappear.

Thayer and St. Paul will get a taste of that next year. On Dec. 6, the school board voted to close the high schools in those two towns at the end of the school year. Students from both schools will attend Erie High School in fall 2005.

The decision to close the two high schools came after voters earlier this year turned down a plan to build a

new high school.

One rural school district looked economic reality in the face and, with relatively little fuss, restructured to eliminate one of two small high schools and one of two elementary schools.

Bob Bartkoski, superintendent of Comanche County USD 300, said the loss of about 25 percent of enrollment over six years prompted changes.

It wasn't painless.

"You can talk about turning down thermostats, but the only way you can save significant amounts is to close buildings and reduce staff," Bartkoski said.

When the schools at Protection and Coldwater were consolidated for the 1999-2000 school year, 24 district employees — administrators, teachers and uncertified staff — lost their jobs.

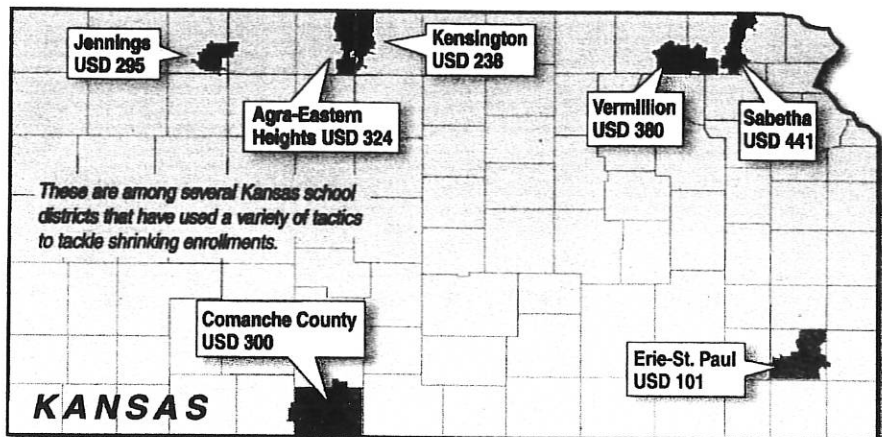
"We took some shots from alumni," Bartkoski said, "but it wasn't their school. It no longer existed."

Still, he said, the school consolidation went smoothly. The school board dealt with nuts-and-bolt matters involving the merger, but details of the restructured schools were left to students, Bartkoski said.

Trophy cases and sports banners were saved for displays at the Protection Grade School and South Central High School in Coldwater, but otherwise the buildings were transformed into new schools. A year before consolidation, students in grades four through 11 decided on a new school name, school colors and mascot.

"Here was the key," Bartkoski said. "We highly respected and maintained the history of both schools ... but also allowed the students in the new system to have their own identity, and that is so critical."

High school student councils at Protection and Coldwater also worked together before the change to develop a new constitution and homecoming details.



Source: Kansas Department of Education

JIM HECK / The Hutchinson News

"When school started, we were ready to rock and roll," Bartkoski said.

In a similar situation, Vermillion USD 380 in Marshall County has used innovation and technology to maintain two small high schools.

Superintendent Beth Reust said the district, north of Manhattan, has seen its enrollment decline by more than 100 students during her nine-year tenure. The district, with an enrollment of 530 students, has high schools 15 miles apart at Centralia and Frankfort.

"We haven't talked about consolidation yet," Reust said.

"We have approached this differently. People need to realize that where the school is isn't what's important. The quality of the school is what's important."

Several years ago USD 380 implemented distance learning between its two schools. Block scheduling helps the schools share teachers for chemistry, art, science and instrumental music. Other classes, including college prep and dual credit courses with colleges, use the Internet.

"On top of that, for the last two years we have been working with the other three districts in our special education cooperative to find ways to share resources," Reust said.

That includes group bidding on transportation contracts. And by joining forces with a neighboring Sabetha USD 441, Wetmore and Centralia jointly continue to field an 11-man football team.

If the time comes when the district cannot provide quality education — and consolidation would improve it — "then I would be behind the bandwagon to close," Reust said.

Several other districts are considering cooperative agreements with neighboring districts instead of consolidation.

That action comes even though Kansas lawmakers have twice passed laws that would give merged districts the pre-consolidation equivalent in state aid, at least for a few years.

School boards from Agra-Eastern Heights USD 324 and Kensington USD 238, for example, met in early November to discuss increased coop-

eration involving sports programs, teachers and staff.

Kensington's sixth-grade volleyball athletes already play the sport at Eastern Heights, and vocational-agriculture students at Eastern Heights participate in Kensington.

Still, there are districts that fight on despite overwhelming odds.

Officials at Jennings USD 295 decided in November to try to keep the single-building school district open next year, despite an enrollment drop of more than 50 percent over last year, from 60 students to 30.

Superintendent Emery Hart anticipates having only about 24 students in the district next year.

Hart said the school board hopes to contract out its upper-grade students to nearby districts.

"We'll make contact with joining districts of Oberlin, Norton and Hoxie," he said, "to see if they will accept the state aid of each student contracted."

Harris Group reporters Colleen Surridge, Parsons; Shanna Foster-Guiot, Chanute; and Jan Katz Ackerman and Stacie R. Sandall, both of Hays, contributed to this story.

Plains states where 'C' word is heard the most

By SARAH KESSINGER
HARRIS NEWS SERVICE

TOPEKA — The days could be numbered for many of Nebraska's 501 school districts. A consolidation bill headed for the state's Legislature in January could decide the fate of many of the smallest rural schools.

While opponents have kept consolidation efforts at bay so far, this measure proposes to reorganize 260 rural districts with elementary

schools. The bill would eliminate their school boards by combining them with rural high school districts.

While the proposal includes financial incentives, the idea is unwelcome to many Nebraskans dedicated to their small-town lifestyles. The bill's ultimate goal, they say, is to shutter the last of several communities' schools.

But others — often urban or suburban lawmakers — see consolidation as a budget savings, a way to

redirect funding to other needy areas of the state.

"I'm convinced it'd improve education," said the bill's author, Sen. Ron Raikes, who farms in rural Nebraska but lives in Lincoln. "It's very difficult to offer a full breadth of curriculum and have highly trained and well-paid teachers if your school system is very, very small."

With a shrinking rural population, Nebraska already has witnessed the closure of 400 school dis-

tricts since 1981 under voluntary mergers.

The Cornhusker State's pending debate is familiar across the Great Plains and the rural South these days.

Consolidation talks flare at statehouses. Small-town residents and school leaders organize and protest. Only when population dwindles to tiny student enrollments do school boards usually agree to throw in the towel.

In places where states have forced consolidations, a counter-movement has risen across rural America — one backed by a growing amount of research showing bigger districts aren't necessarily better.

When the nation's economy hit the skids and state budgets tightened in the late 1990s, several states turned up the volume on school consolidation talks.

SCHOOLS: Decline of farming communities has led to change

CONTINUED FROM PAGE 5

A steady decline of farm communities and rural populations helped re-energize the discussion.

"The Great Plains is absolutely classic in this," said Marty Strange, policy director of the Vermont-based Rural School and Community Trust, which opposes forced consolidations.

"Especially in Nebraska and the Dakotas, you see the views from rural areas contrast sharply with urban areas. It's kind of a kick 'em-while-they're-down attitude. And what it ignores is that places don't always stay in permanent decline."

Strange doesn't quarrel with districts that opt to voluntarily merge. But when it comes to states ordering districts to consolidate, he urges policymakers to look at places such as rural New England.

The area, once in decline, is attracting new professionals seeking country life. Today's technology allows them to work far from the cities.

"I think there's lots of examples of economies and regions that go through transitions," he said.

Still, many school districts — even those in urban areas — face mounting financial pressure as costs grow while state funding stagnates or declines.

In Nebraska, budget cuts and decreasing population have forced rural districts to re-examine how much longer they can survive.

The most remote areas are the most politically vulnerable, Strange said.

Plus, legislatures in a handful of states now face court mandates to equalize funding among schools. Arkansas, for example, is undergoing a radical consolidation of schools after the state Supreme Court declared state school aid inadequate and inequitable.

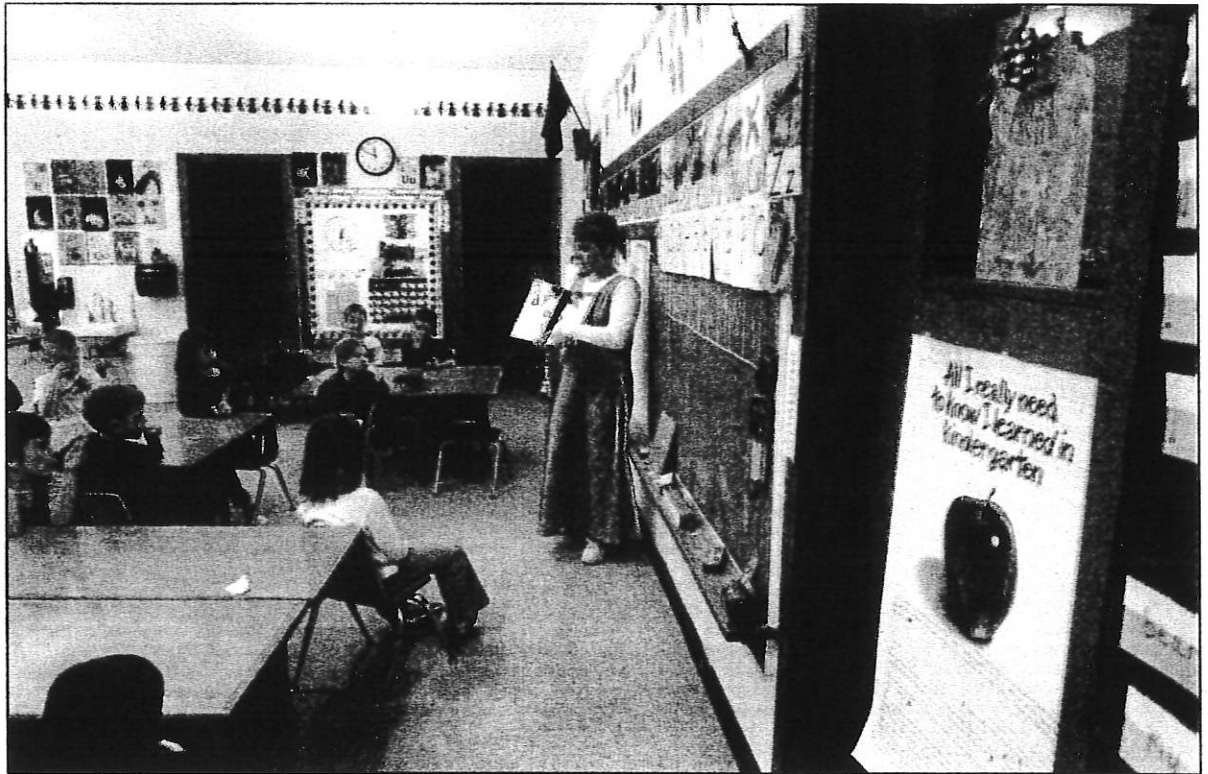
"Unless you're willing to recognize the whole system needs more money," Strange said, "you have to recognize the temptation to take money from some districts and give it to others."

■ ■ ■
Merging school districts doesn't always save money, say those who track consolidation trends.

Larger districts can become more efficient, depending on how they operate.

But some are quite the opposite, said Linda Martin, director of Challenge West Virginia, a grassroots support group for rural schools.

When remote districts combine, Martin said, bus transportation costs rise.



TRAVIS MORISSE / The Hutchinson News

South Central elementary kindergarten teacher Jennifer Kay reads to her class this school year. The class of 12 is the only kindergarten class in Comanche County.

schools since 1990. Its per-student spending is now among the highest in the nation. But more of that budget now goes to transporting students on bus rides of one to four hours each day.

Similar views exist in other states.

"I can't see where it's saved money," said Milford Smith, a retired school superintendent and leader of the Nebraska Coalition for Educational Adequacy, which opposes mandatory consolidation.

Raikes agrees that Nebraska districts would face costs upfront to consolidate. But over time he expects a more efficient system and resulting savings.

"It's difficult to spell out precisely how much and how soon," he said.

Another question often raised when districts merge is the effect it has on school quality.

As rural communities shrink, the people who leave first are those with the greatest range of choices, Strange said. They often have the education and are young enough to start over.

"The population left behind are

“It's not clear to people that consolidation is the answer. In fact, across the country the trend in some parts is to make large schools smaller. There's a lot of conflicting information about what constitutes an effective school size.”

Andy Young,
Oklahoma's deputy
superintendent of education

cation system that's supposed to provide for them," he said. "Yet they are the ones we target for long bus rides."

Strange says a "mountain of research" shows small schools as more cost-effective. Even if they cost more to operate, he said, they often get better results with higher graduation rates than their large, urban counterparts.

In Oklahoma, rural residents

voluntarily merged districts a few years ago with help from a state incentive program. But that has not been renewed recently.

"It's not clear to people that consolidation is the answer," said Andy Young, Oklahoma's deputy superintendent of education. "In fact, across the country the trend in some parts is to make large schools smaller. There's a lot of conflicting information about what constitutes an effective school size."

Still, not long ago the Sooner State's western residents chose to close several schools, cutting the number of districts from 600 to 540.

Two-thirds of those remaining have less than 500 students.

School consolidation also is on the rise in Kentucky, where lawmakers now are merging districts into a county high school system.

■ ■ ■
Rural districts in population decline also face the challenge of an ever-aging taxpayer population.

School administrators worry about closing some of the higher-performing schools in the country"

in school and those local property-owners who don't.

When state cuts force districts to rely more and more on their local taxpayers, an elderly resident with no connection to the school system might not feel compelled to support a local bond issue to maintain or replace crumbling buildings or update technology.

"That's a real problem for schools in some communities," said Oklahoma's Young. "If senior citizens don't vote for their bond issues and programs, they're endangered."

Despite the touted benefit of student-teacher ratio in small schools, few predict a widespread turnaround in consolidation trends.

"It's hard to generalize," Strange said. "but in areas with declining population you also have declining political influence. So you can expect a lot of bitter pills to be pushed down people's throats in terms of these decisions."

"The irony is you're talking about closing some of the higher-performing schools in the country"

Law enforcement consolidation talk is easy; action isn't

By GWEN TIETGEN
GARDEN CITY TELEGRAM

Talk of law enforcement consolidation is popular in Kansas, but taking the steps to make it happen isn't.

The Riley County Police Department remains the only consolidated department among the state's 431 law enforcement agencies.

Money is the chief issue cited by both opponents and supporters of law enforcement consolidation.

Supporters see long-term savings in combining services and personnel. Opponents note the initial and sometimes costly expense of a merged law enforcement agency.

Studies show consolidation initially costs money, partly because salaries and benefits increase for some workers in the merged department.

The issue has played out across Kansas.

Wyandotte County has consolidated city and county government, but still has an elected sheriff.

A move in Johnson County to consolidate law enforcement stopped short.

Voters in Stevens County decided last year to keep the six-member Hugoton Police Department, even though turning law enforcement over to the sheriff's office would've saved the town of 3,600 residents an estimated \$425,000 a year.

"It was about as divisive as any issue I've seen around here," Hugoton Mayor Neil Gillespie said.

And last year, the Kansas Legislature passed a bill to allow

voters in Cloud and Lincoln counties to consider consolidation of law enforcement, but Gov. Kathleen Sebelius vetoed the bill.

Cloud County Commissioner Roger Nelson blamed the bill's death on opposition from the Kansas Sheriff's Association.

"I see no reason citizens in either of the two counties should've been denied the right to vote and express their opinion on whether they want unified law enforcement," Nelson said.

Riley County consolidated law enforcement in 1974 after the county attorney spent several years selling the idea to the community and citizens grew disgruntled with the elected sheriff.

The idea was "fought tooth and nail," said Al Johnson, director of the department from 1978 to 2000. It gained support from the police chief and sheriff and garnered public approval when it was learned current staff would be retained.

Lance Luftman, assistant director of the Riley County Police Department, said traditional law enforcement breeds duplication of services and personnel.

Consolidation "cuts out a lot of the overhead ... and therein lies some of the reasons people don't want to consolidate," Luftman said. "It results in some people losing their jobs."

Reno County looked at law enforcement consolidation about a decade ago. According to a 1995 study, per-capita costs were less with Riley's combined force than in Reno County.



MATHEW HUDDLESTON / Telegram
Hugoton Police Officers Rodney Kelling and Angela McAllister practice a low-risk arrest Nov. 24 at the police station in Hugoton. Voters in Hugoton voted against consolidating the city police department and the sheriff's office in November 2003.

"But it didn't convince many people in Reno that was the way to go," said Ed Flentje, director and professor of the Hugo Wall School of Urban and Public Affairs at Wichita State University, who helped Reno County officials examine consolidation.

Hutchinson City Manager Joe Palacios said money cannot be the reason for consolidation. Effectiveness should be the goal.

"It's better intelligence gathering, better work schedules because you have a bigger pool to work from

and you consolidate your administrative staff," Palacios said.

Long-term savings weren't enough for Ellis County law enforcement agencies to consolidate. Hays Police Lt. Donald Johnson, a 28-year veteran, argues that duplication of services isn't an issue between his department and the Ellis County Sheriff's Office.

"We're already sharing as many things as we can," he said.

Other cities and counties also collaborate in certain areas. Garden

City and Finney County law enforcement work together on gang and drug enforcement, animal control, jail operations and dispatching.

Luftman, from Riley County, is the first to admit that consolidation isn't an easy sell. But he touts its efficiency and effectiveness.

It renders turf battles moot and improves communication, he said.

"Once you get past the politics, government and past the egos, it's hard to argue against the benefits of consolidation," he said.

Court districts in state also under consideration

By RACHEL DAVIS
GARDEN CITY TELEGRAM

The idea of consolidating the district court system in Kansas has been debated for nearly 15 years, and it still makes some people hot under the collar.

Hamilton County Sheriff Mike Keating, for one.

Keating adamantly opposes district court consolidation, saying it would drive up costs for small counties.

"The state needs to leave this service alone," he said.

He isn't the only southwest Kansan to feel that way.

Kansas has 105 counties, 160 district court judges and 76 magistrate judges. Ron Keefover, spokesman for the state Office of Judicial Administration, said state law requires at least one judge for

every county in Kansas.

"Attempts were made to repeal the statute," Keefover said. "The Legislature thought it would save money."

That's when Kansans began to debate the merits of court consolidation.

Consolidation in southwest Kansas would mean doing away with courts that have low caseloads, said 25th Judicial District Court Judge Philip Vieux of Garden City.

"Consolidation takes away a real local government control," he said.

Consolidation would also mean fewer judges, Vieux said. And that, in turn, would mean higher caseloads.

"Finney County uses district magistrates from outside counties for help with cases," Vieux said. "If we lose those positions to consolidation, we would be overloaded with cases."

But some urban lawmakers, such

as Rep. Marti Crow, D-Leavenworth, favor court consolidation.

"I'm all for judicial branches managing their own districts," she said.

"But I am not for uneven distribution of caseloads and burdening some courts."

Crow said consolidation would eliminate judgeships in western Kansas and create new posts in more populous areas with case backlogs.

In western Kansas, Keating believes that cutting corners — and court services — causes problems and financial burdens.

"The state says it we'll save money, but it will cost the counties more than we can afford," he said.

Keating estimates that court consolidation would cost Hamilton County at least \$100,000. That includes the cost of transportation and the expense of paying two officers to escort each prisoner to court

dates in Finney County, nearly an hour's drive from Syracuse.

"It would make obtaining search and arrest warrants more difficult ... because the documents must be delivered physically in hand to a judge for it to be legal," Keating said.

Vieux argued that consolidation would make the courts harder to access for rural Kansans.

Crow agreed that accessibility is an issue, but she said it could be solved by consolidation.

"If we balanced the caseloads, then we will allow all Kansans the same level of access and justice," she said.

Keating worries that the Legislature will approve court consolidation at some point in the future.

"The idea goes before the House Judicial Committee every year, and the vote keeps getting closer in favor

of consolidation," he said. "Basically, it's people from high populations who don't really care about the situation out here."

Rep. Ward Loyd, R-Garden City, said court consolidation is seen as the last resort for solving judicial funding issues.

"Part of the agreement for funding was the suggestion that we would not pursue consolidation if an appropriations bill was passed to renew funding of the judicial branch," Loyd said.

The bill passed, and the judicial branch received \$90.8 million this year, Keefover said.

But Crow said the Legislature is moving closer to a compromise on court consolidation.

"When the court system is no longer strangled by underfunding," she said, "then it can administer the courts without the Legislature developing the solution to the problem."

Job loss fears slow consolidation efforts

By DARRIN STINEMAN
SALINA JOURNAL

Kansas' 134,000 local government jobs and the \$362 million they inject into local economies would be in little danger if the state had an outbreak of governmental consolidation, said Steven Maynard-Moody, director of the Policy Research Institute at the University of Kansas.

Eliminating redundancy of jobs in city and county governments is a major reason for local governments to consolidate, but job losses would not be significant enough to hinder local economies, Maynard-Moody said.

"I suspect that the proportion of jobs that you would really lose ... is pretty small," he said. "I suspect the impact on local economies is going to be negligible."

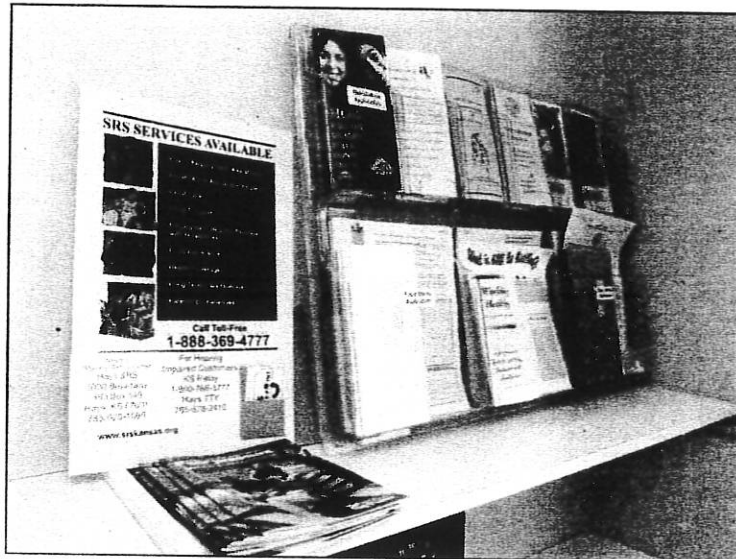
Worries about how the paring of payrolls might affect local economies isn't a reason to avoid consolidation, said Maynard-Moody, who also is a professor of public administration at the University of Kansas.

"It is true that a lot of efficiencies are gained by having fewer people having to work," he said. "I guess I'm loathe to think that we're going to remain inefficient just to support people in certain jobs."

Or, as League of Kansas Municipalities Executive Director Don Moler put it, government jobs "are good jobs, yes. But having government for the sake of government isn't what we're about."

Carol Marinovich felt so strongly about the need for governmental consolidation in Wyandotte County that she ran for mayor of Kansas City, Kan., with the intention of eliminating the office she sought.

"I ran on two things, consolidation and revitalization, because I had seen from the research I had done that for consolidation to move forward, you need political leadership," said Marinovich, who now is mayor and CEO



Kansas SRS services are available at self-service facilities such as this one in WaKeeney. The sites are designed to provide the services without the need for staffing a position.

of the Unified Government of Wyandotte County. "I didn't feel the current mayor really pushed it."

When Wyandotte County made the switch in 1997, the positions of Kansas City mayor and Wyandotte County treasurer, clerk and surveyor were eliminated, as were the seats of six city council members and three county commissioners. A new 10-member unified government commission was elected.

Government jobs in Wyandotte County, though, were eliminated through attrition —

not layoffs. And consolidation spurred economic development, Marinovich said.

Wyandotte County, one of the state's poorest counties, scored the economic boon called Village West, now the state's top tourist destination. Village West, northwest of the intersection of Interstate 70 and Interstate 435, includes the Kansas Speedway, a Cabela's superstore, the Great Wolf Lodge and a 4,500-seat minor league baseball park.

"I strongly believe if we didn't have a consolidated government, we wouldn't have

Kansas Speedway and Village West," Marinovich said. "If we hadn't had a consolidated government, the city could've been lobbying for it in the Legislature and the county could've been lobbying against it. Having one single voice of local government, I think, was extremely beneficial."

Tom Weigand, president of the Ottawa Chamber of Commerce, said his community has talked about consolidation from time to time and instituted it in small ways, such as a cooperative 911 service. If Franklin County governments did consolidate, Weigand said he wouldn't expect much loss of government employment.

"I don't think it would be a noticeable effect," he said. "I don't see it as a big budget-saver. Maybe some, but not a lot."

But Weigand doesn't see full-scale consolidation coming to Franklin County.

"It comes up from time to time, but the city is not that interested," he said. "I would think it would be difficult (to pass)."

That scene plays out elsewhere in Kansas. There hasn't been serious talk of unifying governments in Hutchinson and Reno County, said Meryl Dye, special assistant to the Hutchinson city manager. The two entities have melded some law-enforcement operations, however, such as record-keeping and central dispatch.

"I think there was talk about consolidating the police and sheriff's office," Dye said, "but there wasn't enough support for that."

While consolidation worked well for Wyandotte County, Marinovich said it's not a one-size-fits-all proposition.

"I'm only familiar with Kansas City, Kan., and Wyandotte County, and having dual city and county government didn't make sense for us," she said. "I've seen it benefit my community, but whether or not other communities consolidate, that's up to them."

Gov. Sebelius hopes to streamline some areas

By CHRIS GRENZ
HARRIS NEWS SERVICE

TOPEKA — Over the past few years, driver's license bureaus and social service offices have dwindled in Kansas.

The closures have been part of consolidation efforts intended to make the state more efficient and to save money.

On the campaign trail in 2002, Gov. Kathleen Sebelius pledged to do more consolidating and streamlining as governor.

Now, two years into her term, there have been changes, but some question the results of those efforts. And others wonder whether more consolidation plans loom.

"We would look at this more as an ongoing process," said Nicole Corcoran, the governor's spokeswoman. "We'll never be done streamlining government and looking for efficiencies."

Senate Budget Committee

Chairman Steve Morris, R-Hugoton, isn't entirely sold on the consolidation of Social and Rehabilitation Services offices.

SRS has closed 56 of its 105 county offices, replacing them with "service centers" that serve larger areas. The agency ultimately plans to have 44 service centers scattered around the state by July 1.



Sebelius

The changes are projected to save the state up to \$2 million annually in lower administrative costs.

In Morris' southwest Kansas Senate district, only one office remains in the eight counties he represents. County offices across

Kansas have been replaced by hundreds of "access points," which are information kiosks located in public buildings, doctor's offices, nursing homes and senior centers where Kansas can apply for services or pick up brochures.

Morris, elected Senate president earlier this month, hopes to ask legislative auditors to review the change to determine if Kansas continue to be served and if the state is saving money.

"I think the jury may still be out," Morris said.

It's just one example of how tough it can be to consolidate, even within a single agency of state government. Morris said such savings mean sacrificing services, often in rural areas. Toss in turf battles and power struggles within state government, and trimming the fat can be more difficult than it looks.

"If there's a way that we can improve services with consolidation of state functions, it's probably

something we should look at," Morris said.

But he acknowledged he wasn't certain if additional consolidation would be possible.

Other recent changes that aim to streamline government include moving the duties to inspect restaurants, grocery stores, vending machines, conveniences stores, bakeries, food wholesalers and other food businesses from the Department of Health and Environment to the Department of Agriculture.

More recently, Sebelius has proposed consolidating the state's Medicaid program and the state workers' healthcare program in a single new health agency that could leverage purchasing power to buy cheaper prescription drugs.

Sebelius took office after empanelling what she called Budget Efficiency Savings Teams. The B.E.S.T. groups studied government

operations and outlined a host of ways potentially to consolidate services.

Several ideas remain under consideration. A report is due in February on whether consolidating state hospitals in Topeka and Parsons would make sense. And some lawmakers also favor consolidation of Rainbow Mental Health Facility in Kansas City, Kan., with Osawatomie State Hospital.

But other ideas, such as reducing the countless state boards and commissions, have gone nowhere.

"We explored all the ideas and saw some of them didn't pan out," Corcoran said. "In theory and on paper, things looked good when they're combined. But when you truly get in and look at the services, you need to make sure people are being served."

Still, Sebelius intends to continue pushing cabinet secretaries and government leaders to change the way they think about state government.

Advocates, leaders praise Wyandotte Co.

By CHRIS GRENZ
HARRIS NEWS SERVICE

TOPEKA — A decade ago, Kansas City, Kan., was a community in chaos. Wyandotte County was hemorrhaging population as residents fled a dying urban core. Those left behind footed the bills through ever-soaring taxes. There were allegations of political corruption amid a crescendo of infighting among elected leaders.

"It was just a den of finger-pointing, screaming and hollering and everybody blaming everybody," said Mike Jacobi, a Kansas City real estate agent. "We fought over virtually everything. There was everything bad you could imagine."

Jacobi, who has never held elected office, and a friend, Kevin Kelley, who works at Donnelly College in Kansas City decided to push for radical change. They wondered if unifying the county and city governments could address the problems and quell the fighting.

"It was that or move, along with everyone else," Jacobi said.

Consolidation was a long shot — and one Jacobi admits he didn't know much about.

But working together, he and Kelley sowed the seeds for a grassroots campaign that grew to a groundswell of support.

The Unified Government of Wyandotte County and Kansas City, Kan. — called "UniGov" by locals — officially began in 1997, making it the most extensive local government consolidation in Kansas.

Now, more than seven years later, the consensus appears to be that politicians and voters made the right move.

Duplicate government positions have been eliminated, property tax rates have been reduced by about 25 percent, and under a united vision of economic development, the long-declining county has seen unprecedented growth.

But getting past political pitfalls and turf battles to make consolidation a reality is a story of unflinching leadership among risk-taking elected leaders, perseverance at the grassroots level, back-room deals, special circumstances unique to the county — and a little bit of luck.

"It was a miracle," Jacobi said. "It's probably the best thing that's happened to us."

Wyandotte County is home to about 160,000 residents, most of whom live in Kansas City. A single important factor helped make unification a reality, many believe — there virtually was no unincorporated land left in the county when the governments merged. All but a handful of residents lived in Kansas City, Bonner Springs or Edwardsville,

three cities that sprawled across nearly every square inch of the county.

But that fact alone didn't make it easy. The first step in the five-year effort was getting local support.

Among the first to get on board was Carol Marinovich, a Kansas City councilwoman who ran for mayor under the old form of government on a pro-consolidation platform. Favoring consolidation carried considerable political risk, but she believed it was necessary in order for the area to progress.

Marinovich, now wrapping up her second four-year term as mayor and CEO of the unified government, handily won her mayoral campaign in April 1995 and began to build consensus for change.

Next, lawmakers had to approve the county's plan. While outwardly expressing support, some local politicians and legislators — Democrats who stood to lose power and influence — secretly worked behind the scenes to kill the plan and protect their turf, Marinovich said.

Eager to make a deal, Marinovich, also a Democrat, called then-Sen. Mark Parkinson, a moderate Republican from Olathe who headed the committee that would consider the plan, and asked for a meeting.

The bipartisan group, along with the mayors of Bonner Springs and Edwardsville and a lobbyist for the League of Kansas Municipalities, gathered one weekend afternoon in Lawrence and hammered out an agreement.

Then-Gov. Bill Graves, another moderate Republican, got on board and the local opponents lost influence, Marinovich said. Ultimately, the deal passed the Legislature.

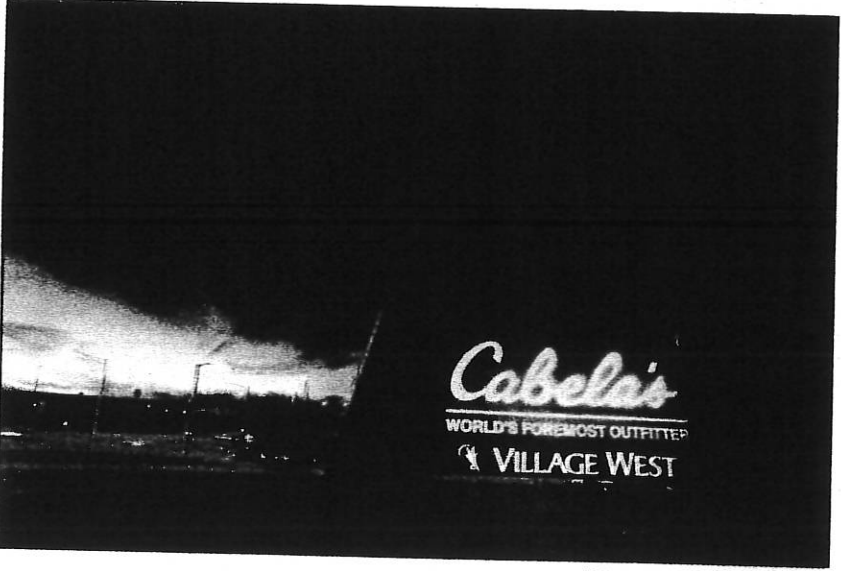
Once lawmakers approved consolidation, a study commission put together a plan. The seven-member city council for Kansas City and the three-member Wyandotte County Commission would be abolished.

In its place, a 19-member board of commissioners was established with four-year terms and non-partisan elections. Eight members are elected by district while two are elected at-large.

The mayor and CEO, also elected countywide, can vote to break a tie, has veto power and appoints a county administrator, with consent of the commission.

Under the agreement, Bonner Springs and Edwardsville are allowed to maintain their independence with city councils while also being represented on the new county board.

Voters approved the formula by a 2-1 margin, giving leaders six months to put the new government together while many simultaneously campaigned for newly created positions.



In the shadow of Kansas Speedway in Wyandotte County lies Village West, including the popular shopping of Nebraska Furniture Mart and Cabela's.

JOHN NOWAK / The Ottawa Herald

Merging the city and county governments was complicated. Under the terms of the deal, tax rates couldn't be increased, no layoffs were allowed and no one could take a pay cut.

New rules were crafted related to hiring, firing and promotions, pay scales were adjusted and benefits packages were standardized.

"There were people who were hesitant at the beginning," said Sen. Mark Gilstrap, D-Kansas City, who worked at city hall for more than two decades before the merger and now is the deputy revenue director for the Unified Government.

"Employees were apprehensive," he said. "There was some resistance from some departments. But I am convinced that it was a good thing for us to do."

The consolidation led to more efficient government, officials said. Without a single layoff, the government shed more than 500 positions through attrition. It blended departments and created what insiders say is a smoother operation.

But the real reward of consolidation, local leaders say, is more than \$1 billion in economic development that has emerged since the changeover.

The Kansas Speedway, a NASCAR track that attracts more than 650,000 visitors annually, has opened near the intersection of Interstate 70 and Interstate 435. The area has become a booming retail hub, known as Village West, which features Nebraska

Furniture Mart, Cabela's and large hotels. More development, including a proposed casino, is on the drawing board.

Many believe the growth wouldn't have occurred without unification. The old governments were too dysfunctional and constantly at odds, they said.

"The city government and the county government were at war with one another and we could never get anything accomplished," said Rep. Rick Rehorn, D-Kansas City, who was chairman of a bipartisan group of citizens who worked to pass consolidation. "After we consolidated, we spoke with one voice."

Consolidation hasn't been flawless. Rehorn, who plans to resign his House seat in December in order to run for mayor in 2005, said not all aspects of local government truly have been consolidated.

He also believes more economic development potential exists. And, the county is a victim of its own success: property valuations have skyrocketed with the local economic boom.

"There are still some problems," Rehorn said. "This is a brand-new form of government in Kansas. It's a work in progress."

Mark Peterson, an assistant professor of political science at Washburn University who has extensively studied various forms of local government, agreed that the unified government hasn't come together perfectly.

There is still an elected sheriff and a municipal police department. The move to nonpartisan elections didn't put a stop to all political infighting. And some county residents outside Kansas City aren't happy about paying high taxes to help shore up the urban core.

"But from the standpoint of being able to raise all boats, UniGov has been good," Peterson said. "The whole notion behind unified government, of course, is sort of a reflection of the realization among a lot of people that times have changed. It is an effort to get rural residents who are using urban services and paying nothing for them to pay their fair share."

Community activist Ian Bautista, a Wyandotte County native who heads El Centro, which offers assistance and advocacy to Hispanic families, said the new form of government has made his job easier.

"It's refreshing to not have to go office to office to office to get one project accomplished," he said. "You have one set of administrators to work with and that's it. It's quite a bit more efficient."

But the key result of consolidation is not unified government, Marinovich said. It's unified vision and leadership.

"Before, we had to put a Band-Aid on problems. Now we can say, 'How do we address them long term?' It's amazing what you can do when you have one single vision and one single voice for a local government."

Counties see the value in consolidating services

By VICKIE MOSS
THE OTTAWA HERALD

Karah Williams, 20, knows little about the East Central Kansas Economic Opportunity Corp.

She doesn't know ECKAN serves more than 3,000 low-income Kansans in nine counties, or that it has an annual budget of \$5.5 million, funded mostly by federal, state and local grants.

Williams only knows ECKAN was there when she and her children needed help. "We have a place to live because of them," she said.

■ ■ ■
ECKAN is one of eight Kansas Community Action Program agencies formed in response to the Economic Opportunity Act of 1964. The agency provides a variety of programs, such as housing, weatherization and preschool, to help low-income residents.

It is among a larger pool of assistance agencies for the most vulnerable — the poor, the elderly and the disabled.

These quasi-governmental agencies often cover multiple counties.

Many of these regional organizations have been successful for more than 30 years, with most putting down roots in the 1960s and '70s.

The consolidated structures save money, allow access to specialized services and serve a wide population bases.

■ ■ ■
Williams, a single mother of a toddler and a newborn, lived with cash-strapped family members until her aunt told her earlier this year about ECKAN. Now she lives in government-subsidized housing and takes part in ECKAN-sponsored programs to become less reliant on government assistance.

Williams is one of the lucky ones. She lives in Ottawa, home of ECKAN's central office, so transportation isn't an issue.

But for others, such as those in western Kansas, where agencies might serve 20 or more counties, a



JOHN NOWAK / The Ottawa Herald

ECKAN, or East Central Kansas Economic Opportunity Corp., is an organization designed to assist deserving Kansans in nine counties.

trip to the home office can take several hours.

To compensate, county offices must remain an essential part of the agency network. Jim Blume,



Blume

director of Developmental Services of Northwest Kansas, said that cooperation between counties has been agency's goal since its board of directors formed 30 years ago.

DSNWK is based in Hays and serves people with developmental disabilities in 18 counties.

"In order to offer quality services we had to have a sufficient tax base, and that meant multi-county partic-

ipation," Blume said.

■ ■ ■
With a mix of urban and rural communities, some clients of the six-county Central Kansas Mental Health Services, based in Salina, have to travel farther than others, but they have access to mental-health specialists in Salina or other area cities, director Patricia Murray said.

A larger population base translates to more people with a variety of mental health needs. Serving as a regional hub helps the agency qualify for additional grants.

"We are strengthened," Murray said. "We can offer much better services to both bigger and smaller

communities."

■ ■ ■
ECKAN director Richard Jackson said the costs associated with maintaining offices in multiple counties can be considerable.

"Consolidation doesn't necessarily mean you save dollars," he said. "The issue is about not duplicating services and providing as many services as you can."

Significant budget cuts in the future could require some counties to combine offices, but Jackson said he hopes it doesn't come to that.

"For our clients, being able to deal with a live person makes a big difference," he said. "If your utili-

ties are about to be cut off or you're out of baby formula, you want to be able to go and talk to someone."

The Southeast Kansas Area Agency on Aging, based in Chanute, taps into a broad base of home health care providers in the nine counties it serves, along with nutrition, transportation and employment programs for the elderly, said Linda Meyer, program specialist.

"We're the central point of entry so we get a good analysis of what (clients) need," she said. "We have enough case managers who know their counties and what's out there.

"You can always improve ... but I think our system works."

Many U.S. communities exploring consolidation

By SARAH KESSINGER
HARRIS NEWS SERVICE

Voters in the small Georgia county of Candler went to the polls in 1994 and soundly defeated a plan to merge their county

government with the city of Metter.

"The voters were not ready to move to that point," said Metter Mayor Billy Trapnell, who backed the proposal.

Leaders said the plan meant no savings in the short term, but could

produce long term efficiencies. They assured the public that no one would lose a job. But that didn't appease worries among staff. County residents wondered if they'd be saddled with paying down the city's debt. City voters had similar worries.

"This is a major decision," Trapnell said, "and with something new like this, there is concern that things may not be as presented."

Other parts of the country have had similar experiences.

■ ■ ■

It's an amazing political feat if you can pull off a consolidation," said Jacqueline Byers, research director for the National Association of Counties in Washington, D.C.

See EXPLORE, PAGE 11

1-13

Lawmakers deal with hot potato

By SARAH KESSINGER
and CHRIS GRENZ
HARRIS NEWS SERVICE

TOPEKA — Kansas Senate Budget Chairman Steve Morris can look out the windows of one of this downtown's high-rise buildings and see five school districts sprawling across Shawnee County.

When people start talking about consolidation in Kansas, they often picture rural areas that face population declines.

But Morris, a rural lawmaker from far southwest Kansas, says the concentration of school districts in the state's more urban areas also should be on the table when merger talks arise. However, he doesn't readily talk of more consolidation on any level.

"A lot of the districts in southwest and northwest Kansas already have one district per county," said Morris, a Hugoton Republican. "It'd be pretty difficult for more consolidation in some places unless you want students riding a bus all day long."

Whether the target is rural or urban, large or small, city-county or school districts, consolidation is one political hot potato.

It's a topic that most legislators would prefer not to touch, but instead leave to the locals.

"It's the definition of conflict," said Joe Aistrup, head of the political science department at Kansas State University.

The state's fight to consolidate thousands of districts to slightly more than 300 back in the 1960s was an unsavory affair for many.

"It left a bad taste in a lot of people's mouths," Aistrup said. "A lot of people felt it was forced upon them, and still today there's those feelings of the rural-urban split."

But as population in rural areas continues to decline, Aistrup said, Kansas and other Plains states expect school district consolidation to resurface for

debate — as well as merger talks between cities and counties.

"There will be winners and losers, and the losers will be screaming pretty loudly," Aistrup said.

It is easier for urban legislators to propose consolidation. The most contentious bills have been offered in the past decade by Rep. Bill Mason, R-El Dorado, who lives in a county adjacent to Wichita. But Mason, who is retiring,

"A lot of districts in southwest and northwest Kansas already have one district per county. It'd be pretty difficult for more consolidation in some places unless you want students riding a bus all day long."

Steve Morris,
Kansas Senate
Budget Chairman

never got far with his attempts to encourage school district consolidation.

It is also difficult for statewide officeholders to support talk of mergers, Aistrup said.

"They need the rural votes to get the majorities. ... It can hurt their prospects," he said.

Gov. Kathleen Sebelius believes that local governments should be

able to merge without state approval.

The governor backs a bill the Kansas League of Municipalities proposed the last two years to end a requirement that cities and counties gain the Legislature's permission to merge.

Lawmakers in one part of the state shouldn't have a say in whether or not a local government elsewhere can seek efficiencies, Sebelius said.

"If there is willingness at the local level to tackle that conversation I think that's where the decision-making should be," she said. "Getting rid of the current statutory barrier would encourage more units to look at it."

Nowhere in the country is voluntary school consolidation an easy topic for state policymakers.

"Most of the time right now, consolidation is being forced by courts," Aistrup said.

But voluntary consideration of the issue by local school boards is far more frequent, Aistrup said, in light of strained budgets both at local and state levels.

"Over the past 10 years, I've seen a dramatic shift in our willingness to talk about this," he said.

Sebelius said that a recently announced pilot project for Standard & Poor's to conduct a

voluntary audit of state school efficiencies could indicate that districts can share administrators with other districts.

"I would be very enthusiastic about then trying to incorporate some financial incentives or, on the flip side, looking at financial penalties if people insisted that more of their dollars were going to be spent on what appeared to be an excessive number of administrators," Sebelius said.

Sebelius questions the benefit of consolidating districts where school closings would force students to face a long trip to a new school. She thinks people would gladly share administrators as long as they get to keep their local schools open.

"I don't ever hear people tell me, 'I'm desperate we don't lose our superintendent or our assistant superintendent,'" Sebelius said. "What they say is, 'We don't want our schools closed.'"

Local governments and counties often see their mill levies remain relatively high, Aistrup said, as populations fall and counties lose their tax base.

"Basically, the situation has gotten to the point where it's almost at crisis level in some places, and as it's moved toward this threshold people have had to move to make government services viable and affordable," Aistrup said.

As a result, he said, "I think within the next 10 to 20 years we'll see significant consolidation efforts."

Urban lawmakers likely will propose them, he said, although rural legislators could be more open to them if they are viewed as tax relief.

The issue is similar throughout the Great Plains states, Aistrup observed.

Still, there is resistance to actually proposing change.

When courts address the issue, they may not specifically refer to consolidation. But judicial decisions often force the question by noting that if a system were more efficient, its funding might be adequate.

"At that point, a Legislature could be forced to deal with consolidation," Aistrup said. "So it may come sooner rather than

later."

Cost is another reason lawmakers don't want to deal with consolidation. In the short term, transition to a merged government of schools or counties and cities can be expensive. And in the long run, if the tax burden is lessened for some, it may be increased for others.

Mark Peterson, an assistant professor of political science at Washburn University who has studied various forms of local government, said disputes over taxes and equity most frequently hinder city-county mergers.

"If you represent a rural constituency and you come down in favor of unification, you are essentially telling your constituents, 'Your taxes are going to go up,'" he said. "And there may be people within urban areas that have their reservations as well about expanding city government and expanding city boundaries."

For politicians, opposition to consolidation often boils down to a fear of losing power and influence.

Leaders don't like giving up power, whether it's a local school superintendent who could be out of a job or elected officials facing the elimination of their positions.

"It's a turf issue," said Carol Marinovich, mayor and CEO of the Unified Government of Wyandotte County and Kansas City, Kan., where she weathered

considerable political risk by pushing for consolidation.

"Getting politicians to support something that eliminates their elected position could be a hurdle."

Rep. Rick Rehorn, D-Kansas City, worked with Marinovich to make the unified government a

reality.

He echoed the mayor's belief that political power struggles were the single biggest obstacle.

"You're fighting entrenched power," he said. "A lot of people sitting in government don't want it to happen."

Still, Aistrup says there's been a major change in the way the "C" word is viewed.

"It's a tough issue," he said. "There's a lot of pain and not a lot of immediate gain."

Despite the controversial history of consolidation, Morris said he hears more interest now among lawmakers to remove barriers faced by local governments or school districts that want to merge.

For example, some small school districts choose not to merge because they would lose low-enrollment subsidies. But lawmakers have twice passed laws that would give such

districts the pre-consolidation equivalent in state aid — at least for a few years — if they carry out a merger.

The financial incentive is intended to encourage small school districts to merge voluntarily. But lawmakers still want to leave the ultimate decision to locals.

Sen. Mark Gilstrap, D-Kansas City, works for the Unified Government and believes the city-county merger has worked well in Wyandotte County. But despite success there, he said the state shouldn't mandate such moves elsewhere.

"I hope other counties take a serious look at it and give it a go if they can, but you've got to leave it to the locals — the city folks and the county folks," he said. "They have to be able to extend the olive branch to each other and say, 'Let's take a look at this.'"

Morris, chosen earlier this month as Senate president, agreed that state lawmakers in Topeka should mostly leave it to the folks back home.

"I think maybe we could offer some incentives, specifically for schools," he said. "I don't think that there's much support to try and force consolidation of schools or cities and counties. But we certainly would encourage it where it makes sense."

"I would be very enthusiastic about them trying to incorporate some financial incentives or, on the flip side, looking at financial penalties if people insisted that more of their dollars were going to be spent on what appeared to be an excessive number of administrators."

Gov. Kathleen Sebelius,
Democrat

"It left a bad taste in a lot of people's mouths. A lot of people felt it was forced upon them, and still today there's those feelings of rural-urban split."

Joe Aistrup,
head of political science
department at Kansas State

Consolidation opportunities abound

By MARY CLARKIN
THE HUTCHINSON NEWS

Latin origins for "consolidate" — combining "together" and "to make solid" — offer no hint the word can be inflammatory. John Divine used the word when he ran for Saline County commissioner this fall. He lost.

Rep. Marti Crow, D-Leavenworth, promotes consolidation of the district court system in Kansas. She won enough votes to keep her job, but her ideas have failed to muster needed support.

In 2002, Kansas' nearly 4,000 local governments put it on the U.S. Census' Top 10 list of states with the most government units. Consolidations and mergers are so rare that they generate headlines throughout the state when they do occur.

Such was the case in April 2003 when voters in Bazine USD 304 and Ransom USD 302, with a combined student population of 215, voted to merge.

Not even the Kansas Taxpayers Network, a watchdog group, is beating the drum for government consolidation. The record of mergers, said Executive Director Karl Peterjohn, is "mixed at best."

"Often there's no net savings for taxpayers," he said. "It's just like reshuffling the deck chairs on the cruise ship."

A bigger government, Peterjohn cautioned, is not necessarily more effective. In theory, though, he allowed that consolidation — if done correctly — can save money.

There have been just 33 mergers of city and county governments in the United States since 1805.

That led state researchers to conclude in a report published by the Legislative Division of Post Audit in September 2003 that the potential for additional city-county mergers in Kansas appeared small.

Kansas' lone entry among the 33 mergers was the Unified Government of Wyandotte County and Kansas City, Kan., created in 1997.

Leaders there credit the unified government with enabling the economic development boon in Wyandotte. There is no talk of returning to separate city and county governments.

Potentially, Wyandotte could be joined some day by another city-county government in Kansas.

Shawnee County voters agreed in November to ask the Legislature for a commission that would outline a consolidation plan.

That circuitous route to achieving desired change at the local level is part of the problem, according to

"Often there's no net saving for taxpayers. It's just like reshuffling the deck chairs on the cruise ship."

Karl Peterjohn,
Executive director of Kansas Taxpayers Network

the Kansas Advisory Council on Intergovernmental Relations.

The 2005 Kansas Legislature, which convenes Jan. 10, should "act quickly to authorize a process" so the citizens of

Shawnee County or any county interested in reorganization of local government, have the power and a method for action, the advisory council urged.

The 2002 Legislature created the Kansas Advisory Council on Intergovernmental Relations to study government structure and find efficiencies.

But the state audit report published in September 2003 described a languishing council that had never met.

That embarrassing disclosure resulted in change.

"We've certainly stepped it up," said council member Tim Norton, a Sedgwick County commissioner.

The council includes city, county, school and township representatives, as well as four state legislators.

It has met six times since late September 2003. It filed its 2004

Annual Report on Dec. 1, attaching two proposals for the 2005 Kansas Legislature.

It recommended approval of legislation next year to ease the ability of cities and counties to consider consolidation and the ability of counties to change boundary lines to accommodate multi-county consolidation.

"We believe that the citizens of Kansas counties deserve the strongest measure of local control and self-determination," stated the proposal submitted by council chairman Michael Boehm, the mayor of Lenexa.

"Whether the word 'consolida-

tion' is really the word you want to use or is it 'unification' or is it 'merger' — we're talking about all those things," Norton said. "Nothing's off the table."

One factor discouraging collaboration among local governments, the 2003 audit report stated, was "fear of losing local control of how services are provided."

The fear is not baseless, officials note.

Ripples in the wake of the Kansas Department of Social and Rehabilitation Services' shutdown of 56 of its 105 county offices

reached into Greeley County in western Kansas. The closing translated into two lost jobs.

Consolidation also can extract a price in time, opponents in rural counties say, whether that means longer rides on the school bus or trips to larger counties if court consolidation eliminates rural judges.

Kansas has many small towns with populations that shrank even more when their schools were boarded up.

Nashville, where City Councilman Gary Westerman grew up, once had three schools. First, St. John Lutheran grade school closed. Then Nashville High School locked the doors in 1966, two years after Westerman graduated.

"They went round and round and round to try to keep that school," he said.

The town's public grade school folded last, more than two decades ago.

Today, Nashville has a co-op and an insurance agency. A grant helped build a community center in the

1990s, and senior citizens gather there for meals.

The Kingman County town's surviving church, St. John, has only a couple youths in Sunday school.

"Our town's still here," said Westerman, "but it just keeps dwindling."

As the Legislative Division of Post Audit team studied the

potential for improving cooperation and reducing duplication among local governments, it zeroed in on three counties: Dickinson, Sedgwick and Douglas.

There were significantly more examples of city-county cooperation in Douglas County than in the other two counties, researchers found.

"Whether the word 'consolidation' is really the word you want to use or is it 'unification' or is it 'merger' — we're talking about all those things."

Tim Norton,
Sedgwick County commissioner

In Sedgwick County, for example, Wichita maintained 79 parks, while the county maintained two.

City officials told the researchers they had offered to take over park maintenance, but the county declined.

In Dickinson County, the researchers calculated \$65,000 could be saved if the county took over road grading for townships. In fact, most counties already have assumed maintenance of township roads.

Township officials cited concerns about the quality and frequency of county service, however, and Dickinson County officials did not want to force the issue.

Also in Dickinson County, the county has a 911 emergency system, but Herington continues to operate its own 911 system.

Herington residents are taxed for the duplicated service, and the Dickinson County emergency communications director acknowledged the two systems have resulted in confusion for first responders.

In the executive summary of the 2003 audit report, the authors wrote:

"Opportunities to consolidate or share resources among local governmental entities are plentiful. ... The difficulty lies in getting local government officials to seek out and embrace those opportunities, and to work together to change the status quo.

"Concerns about losing local control, fear that service levels will deteriorate, lack of political will to make a change, distrust or competition among government entities, a desire to buy locally, and fear that costs or benefits won't be equally shared are all fac-

tors that discourage local collaborative efforts."

As for the local authorities, the researchers said they saw themselves "as looking out for their constituents' best interest."

The state also drew blame. The audit revealed, for example that the state requires county treasurers and county clerks to maintain duplicate bookkeeping records.

Amend the law, the report urged. Nothing passed in the Legislature this year, however, to streamline record maintenance, said Joe Lawhon, with the Legislative Division of Post Audit.

There is little the state can do to encourage reorganization or intergovernmental cooperation if local officials aren't interested, the audit report concluded.

"Maybe it shouldn't be surprising that people have become comfortable with their multitudinous local government," said James Nowlan, a former Illinois state representative and professor with the University of Illinois Institute of Government and Public Affairs.

Illinois topped the 2002 U.S. Census list of states having the most local governments.

Nowlan described two groups: People who like the status quo — perhaps because their jobs could be at stake — and a larger number, the majority, only "passively interested in change."

"Probably the small number is going to trump the passive majority," he said.

Catalysts for change can come from unexpected quarters.

Post-World War II Illinois had about 11,000 school districts, many of them township-level one-room schools, Nowlan said.

The Illinois Farm Bureau leadership, Nowlan said, jumpstarted a school district consolidation that reduced the count to about a couple thousand.

"I'm assuming it was a combination of desire for better rural education and for what might have been thought to be tax savings," said Nowlan, theorizing on the impetus.

"The illustration shows that such a process can be jumpstarted if an important organization sees the rationales for doing so."

"Maybe it shouldn't be surprising that people have become comfortable with their multitudinous local government."

James Nowlan,
former Illinois state representative

Editorials from this series

Examining necessity for 4,000-plus government units

The Hays Daily News
Dec. 12, 2004

We call readers' attention to a series of news stories that starts today and will continue through next Sunday.

Called "Sizing up Government," this could be a whole lot of information that readers might choose to avoid. Writing about government does not always make for page-turning reading.

But this is a story that needs to be told. It could be called Kansas' dirty little secret.

Here we are, a red state in the

middle of the nation's red belt. A Republican Party stronghold, a bastion of conservative thinking, one would think Kansans would be lean and efficient with their state government.

Far from it. Kansas ranks fifth in the nation in the number of local governments — some 4,000 of them. We rank right up there with Texas and California, states with eight to 10 times our population.

We have layer-upon-layer of government as part of a tradition that goes back to horse-and-buggy days. We have 105 counties to serve 2.7 million citizens while Arizona finds just

15 sufficient to serve 5.1 million people. We have county governments that serve as few as 1,400 people.

This is probably because county lines were constructed in Kansas with the theory being that the county seat should be no more than a day's travel by horse or foot. Despite the absurdity of that today, we continue to cling to the old method.

We also continue to have counties run by untrained lay people, contributing to untold more inefficiency.

And we pay taxes on top of taxes to live in cities where governments overlap and deliver mostly duplicative services.

When we talk about consolidation in Kansas, usually we are talking about schools and school districts. But school districts represent only 301 of those 4,000 governmental units.

The only tested model in Kansas for consolidation of government outside of public education is the Unified Government of Wyandotte County, hailed by nearly everyone as a phenomenal success. Yet few other places seem interested in such radical change. Maybe it takes a crisis, as Wyandotte County was experiencing economically before the reorganization. The other way to consoli-

date governments would be to merge counties. That has never been attempted in Kansas. But it seems a natural, especially in sparsely populated western Kansas.

Change won't come from the bureaucrats. They are protective of their jobs. And when proposals for consolidations — of law enforcement agencies, for example — surface, the bureaucrats tell citizens that such mergers would not amount to much, if any savings.

We should know better.

We know this: Kansas is no model for conservative government. Just read on.

Legislature can help

The Salina Journal
Dec. 17, 2004

This week the Journal is publishing a series of stories about consolidation of local government. It is the work of numerous reporters and editors from the Harris Group of Kansas newspapers, which includes the Journal. The reports continue

through Saturday.

The timing of this series is no accident. It was set to draw attention to the positive and negative aspects of consolidation before the start of the 2005 session of the Kansas Legislature.

Lawmakers hold the key to consolidating local governments because whenever two or more local units of government want to consolidate then

it must be approved by the Legislature. That's a daunting task, filled with political potholes that can trip up the worthiest project.

Lawmakers must make this process less difficult if we hope to encourage local governments to seek the most efficient means of serving their communities. As stated before in Journal editorials, some review of consolidation plans is worthwhile

because there are times when local governing bodies consist of temporary officeholders of uneven quality and expertise.

But requiring approval by the full Legislature is unnecessary. It invites meddling, political arm-twisting and delays.

If anything, the Legislature should create incentives to consolidation instead of retaining existing

roadblocks.

We can appreciate the workload facing lawmakers as they settle in at the Statehouse next month. But one additional task should be an easing of restrictions on the consolidation of local governments. By lifting the need for their approval, lawmakers can help make our cities and counties more efficient instead of helping protect the status quo.

Consolidating 105 counties would mean real savings

The Hays Daily News
Dec. 19, 2004

With 4,000-some units of government, good for a No. 5 ranking in the nation, it is not hard to conceive of ways Kansas could streamline.

We could start with all the township governments and cemetery and other limited-interest districts. Dissolve them.

And then we could get into the meat of the matter.

Kansas has far more county governments than it needs. We have 105 counties when some Western states such as Nevada and Arizona do fine with little more than a dozen. Kansas has county governments that serve as few as 1,400 people.

It is because when the county lines were drawn nearly 150 years ago, folks did not want the county seat to be more than a day's travel by horse or by foot. Of course, today, we have something called the automobile, which makes such a premise absurd.

Just for fun, we took the state

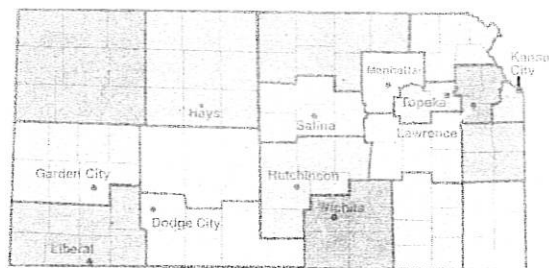
map and carved it up as we might do if we were to consolidate counties. We did not hire any big-city consultant to help us with this, nor engage in any technical data analysis. But of course the state would want to do so.

So, here is what it might look like — from 105 counties to just 19. City names are inserted as a point of reference and are not meant to recommend the location of new county seats. For the new county that would incorporate Ellis County, in fact, we hereby nominate Stockton — or any other city besides Hays to be county seat.

Of course, the county seat would be a huge issue in such a process. That is because no county would want to give up government jobs.

But that fact alone proves the point, that consolidating counties would save money. And it would eliminate jobs, and that might be considered economic suicide for some counties. But that is what you do when you try to save money.

If for nothing else than to play devil's advocate, we would suggest



that such consolidation actually could create opportunity for economic development. In northwest Kansas, at least, every county has its own little economic development office, each on its own just getting by, coping with population loss and having little luck turning around the economy. Consolidation would group together economic units — natural trade areas — and create unprecedented cooperation and strength.

But because opposition is sure to exist with such a concept in every

county courthouse across the state, we cannot expect county consolidation to happen locally. As idealistic as that sounds, this requires a top-down reorganization of government in Kansas. By top-down, we mean this is a job for the governor and Legislature.

Consolidating cities and counties is another way to go. But, with all due respect for the successful merger of Kansas City, Kan., and Wyandotte County, we see a re-creation of county lines as more radical, which mean it actually

might save money. It would create efficiency at the most inefficient level of government. And it still would allow city governments to remain, retaining that coveted locally focused attention. It seems the best of both worlds.

So carve up the map however. Then run each new county by an elected county commission consisting of five members, with geographical districts. Make the county commission a policy-making board and hire county administrators for all counties. Then, all the sheriffs, county clerks, registers of deeds and other county officials could be appointed by and report to the county administrators, eliminating the elections of all these officials — another relic of the past.

This would make county government not only more efficient but more professional.

Radical? Yes. But no serious savings and efficiency will result by a here-and-there approach as we have it now. And to make sense, it needs to be uniform. And it needs to be engineered at the state level.

1-16

Look at government like a business

The Salina Journal
Dec. 19, 2004

For a few minutes let's look at government in Saline County from a different perspective. Let's imagine the city of Salina and Saline County are private corporations. Let's pretend that Saline County taxpayers are board members and shareholders of these two corporations, and that the better these governments operate then

the more money we put in our pockets.

Here is what we would demand if that were reality:

We would look objectively at these corporations and see that they are in the same business: To deliver public services to residents, whether they live in the city or in the county.

Because they have the same mission, we would demand that city and county commissions look at

ways to work together. We would order regular meetings between similar departments to review functions and duplication. We would ask for monthly reports showing what operations had been reviewed and which ones could be merged. We would require action plans showing how these mergers could be enacted, along with deadlines and potential savings.

But government doesn't work like business. Instead of city and

county governments seeking ways to economize by looking outward, they focus on operations by looking inward.

That is understandable.

But it is unacceptable.

The above scenario is not far from reality. Taxpayers are shareholders in city and county government. We benefit when governments run efficiently and demand fewer taxes. We are the board of directors for the city and county

and we have the authority to hire and fire commissioners.

So what keeps us from demanding greater cooperation?

Perhaps it is acceptance of the status quo and fear of the unknown.

But as we reported last week, the residents of Wyandotte County took the consolidation plunge and are better for it.

Aren't we ready to explore the same benefits in Saline County?

Kansans tolerate buildup of state, local government

The Hutchinson News
Dec. 12, 2004

Kansans complain, incessantly, about state and local taxes. Added together, property taxes, income taxes, sales taxes, franchise fees and other various state and local assessments in 2004 took an 11.4 percent bite out of personal incomes.

Yet Kansans also tolerate a system that since statehood has added layer upon layer of government.

Citizens accept the existence of nearly 4,000 units of local government. The gamut runs from counties, cities and school districts to airport authorities, industrial districts and library districts.

From cradle to grave, single-purpose local governmental units serve residents by running hospitals, supplying water, generating electricity, providing recreational activities and operating cemeteries.

Some leaders have started to note that, if we want to do something

other than complain about the tax bite in Kansas, perhaps we should discuss peeling away the layers of government in Kansas.

For example, at an economic development discussion Dec. 9 in Hutchinson, Sen. Dave Kerr suggested that Reno County residents consider tackling the issue. Kerr said the effort might increase efficiencies, eliminate red tape, generate savings, reduce taxes and give our community a competitive edge in the economic development game.

This fall, in conjunction with our colleagues at the Harris News Service Bureau in Topeka and at other Harris Enterprises newspapers in Kansas, reporters and editors at The Hutchinson News looked into the issue.

Beginning today and running through Saturday, we plan to publish a series of articles examining various elements of the issue.

Perhaps the series of articles will prompt discussions, serious discussions, about government consolida-

tion in Hutchinson, Reno County and Kansas.

If the discussions spur action, the important process might give our community an economic advantage over other communities on the Great Plains.

If the conversations lead to greater understanding of why Kansans accept layer upon layer of government, we see a benefit in that, too — even if it does not eliminate the incessant griping about taxes.

Citizens thinking ahead of leaders on local issue

The Hutchinson News
Dec. 19, 2004

When it comes to government consolidation in Kansas, there's a growing sense that elected officials have failed to stay attuned to public opinion.

While officials recall the school unification battles of the 1960s and consider the topic a political hot potato, citizens seriously ponder the possibilities of more efficient and more effective government.

Kansans wonder why county government has remained essentially

unchanged in its basic structure since statehood 143 years ago. They question when city government last engaged in a thorough review of an annual budget. They marvel at the number of schools districts that pay executive level salaries to administrators but claim fiscal inability to offer nationally or regionally competitive salaries to teachers.

Yet officials fear a backlash from those who benefit from or find comfort in the status quo. Those who rely on local government for a paycheck, use the existing system to exercise political influence or rally

community pride around school teams quickly douse any discussions about consolidation. Float the idea of change and the opponents work the phones and fill board meeting rooms with people who share their leave-it-alone attitude. Perhaps officials should instead listen to the conversations that crop up in the coffee shop, at the lunch counter and in line at the high school concessions stand.

School board members frustrated at offering educators a 2 percent salary hike should form a citizen task force to approach taxpayers in

neighboring districts about the potential for administrative merger.

City council members should publicly, and repeatedly, press county commissioners for greater cooperation on the delivery of services.

Legislators should cite taxpayers' complaints about the burden of paying for local and state government as a reason for enacting legislation to clear the way for local discussions about a full range of consolidation possibilities, from timid cooperation agreements to outright regionalization proposals.

Local community leaders con-

cerned about competing for economic development opportunities should take on the challenge and carry on the discussion. Government consolidation involves more than a series of contentious debates about closing a fire station, trimming administrative positions or combining city and county departments. It relates to urging citizens to empower elected officials to reallocate school resources into the classroom, to press for more effective delivery of public safety services and to whack state and local government's tax bite by, say, one-sixth to one-fifth.

To many, consolidation is a dirty word

The Garden City Telegram
Dec. 11, 2004

Whether it's residents of a community or individuals elected and hired to serve their interests, those who talk of consolidation of local governments, school districts or other services often shun the idea.

A series of stories addressing consolidation issues throughout Kansas begins in today's edition of The

Telegram, and will run in each edition through Dec. 18.

Consolidation is a compelling idea in Kansas, especially considering the state's declining population. While ranked 32nd among states in population, Kansas is fifth overall in the total number of

local governments. Historically speaking, governments across the nation have - by necessity - grown and become more complicated. Understandably, the

cost to run government has increased with the workload.

As the state experiences population declines, fewer people must pay for government. Residents rightly demand that their tax dollars be spent wisely.

That makes consolidation and its potential savings a fair and prudent topic for consideration.

Still, the doubts of residents and officials alike often stem from uncertain potential savings, the possibility

of lost jobs and decreased services.

Instead of opting for full unification, some governments instead share certain services.

Garden City and Finney County, although currently not interested in pursuing full law enforcement consolidation, do share select services of the police department and sheriff's office: the jail and the animal pound, and work on gang suppression and drug enforcement, for example.

City and county officials have pledged to keep exploring ways to combine services to increase efficiency and savings. The potential benefit of full consolidation should be part of that discussion.

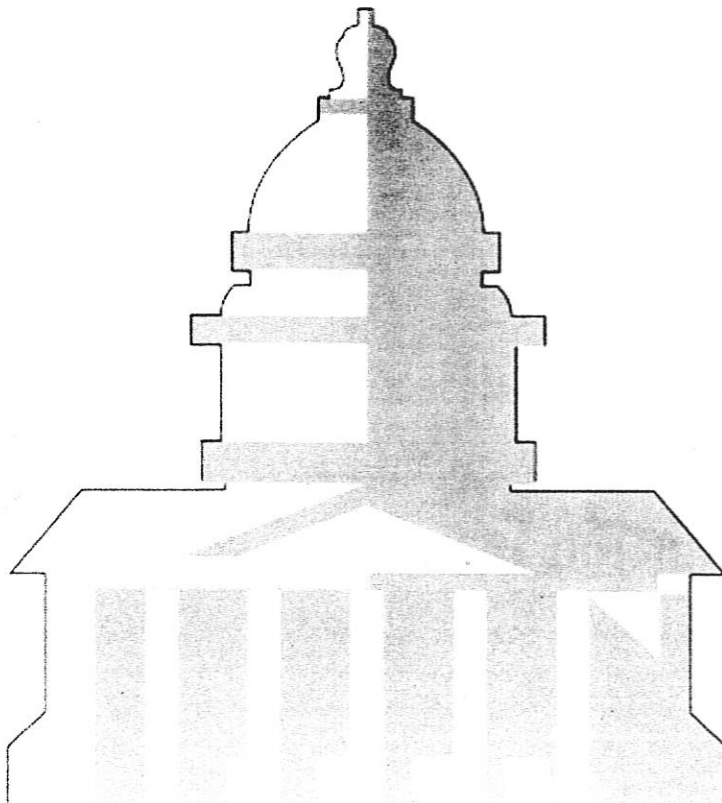
No doubt many here and elsewhere are wary of consolidation. But a meaningful look at consolidation should be part of officials' ongoing pledge to taxpayers that they'll spend their tax dollars with care.

1-17

Governmental units on a per capita basis

	Govt.	People	Per capita				
N.D.	2,736	642,200	235	N.M.	859	1,819,046	2,118
S.D.	1,867	754,844	404	N.H.	560	1,235,786	2,207
Nebraska	2,792	1,711,263	613	Colorado	1,929	4,301,261	2,230
Wyoming	723	493,782	683	Delaware	340	783,600	2,305
Kansas	3,888	2,688,418	691	Oregon	1,440	3,421,399	2,376
Montana	1,128	902,195	800	Pa.	5,032	12,281,054	2,441
Vermont	734	608,827	829	W.Va.	687	1,808,344	2,632
Idaho	1,159	1,293,953	1,116	Kentucky	1,440	4,041,769	2,807
Minnesota	3,483	4,919,479	1,412	Mississippi	1,001	2,844,658	2,842
Iowa	1,976	2,926,324	1,481	Ohio	3,637	11,353,140	3,122
Maine	827	1,274,923	1,542	U.S.	87,576	281,421,906	3,213
Missouri	3,423	5,595,211	1,635	Washington	1,788	5,894,121	3,296
Arkansas	1,589	2,673,400	1,682	Michigan	2,805	9,938,444	3,543
Wisconsin	3,049	5,363,675	1,759	Alaska	176	626,932	3,562
Illinois	6,904	12,419,293	1,799	Utah	606	2,233,169	3,685
Oklahoma	1,799	3,450,654	1,918	Alabama	1,172	4,447,100	3,794
Indiana	3,086	6,080,485	1,970	Texas	4,785	20,851,820	4,358
				N.Y.	3,421	18,976,457	5,547
				Georgia	1,449	8,186,453	5,650
				S.C.	702	4,012,012	5,715
				Connecticut	581	3,405,565	5,862
				N.J.	1,413	8,414,350	5,955
				Tennessee	931	5,689,283	6,111
				Mass.	842	6,349,097	7,540
				California	4,410	33,871,648	7,681
				Arizona	639	5,130,632	8,029
				N.C.	961	8,049,313	8,376
				R.I.	119	1,048,319	8,809
				Louisiana	474	4,468,976	9,428
				Nevada	211	1,998,257	9,470
				Florida	1,192	15,982,378	13,408
				Virginia	522	7,078,515	13,560
				Maryland	266	5,296,486	19,912
				Hawaii	20	1,211,537	60,577
				D.C.	2	572,059	286,030

— Source: U.S. Census Bureau



Harris Newspapers in Kansas:

The Chanute Tribune
(800) 794-9392
www.chanute.com

The Garden City Telegram
(800) 475-8600
www.gctelegram.com

The Hays Daily News
(800) 657-6017
www.HDNews.net

The Hutchinson News
(800) 766-3311
www.hutchnews.com

The Ottawa Herald
(800) 467-8383
www.ottawaherald.com

Parsons Sun
(800) 530-5723
www.parsonssun.com

Salina Journal
(800) 827-6363
www.saljournal.com

DOES KANSAS HAVE TOO MUCH GOVERNMENT?

DOES KANSAS HAVE TOO MUCH GOVERNMENT?

- Do we have more people working for Government than other states?
- Do we have more units of Government than other states?

GOVERNMENT EMPLOYMENT

- **State Government**
 - Kansas ranks 29th with 163 FTE per 10,000 population
- **Local Government**
 - Kansas ranks 3rd with 476.7 FTE per 10,000 population

GOVERNMENT EMPLOYMENT, cont.

State	FTE/10k Population
Wyoming	599.4
New York	489.0
Kansas	476.7
Nebraska	467.2
Mississippi	440.4

Source: U.S. Census Bureau
April 2002

WHAT IT COSTS TO BE 3RD

State	FTE/10k
Kansas	476.7
Colorado	385.8
Missouri	389.3
Nebraska	467.2
Oklahoma	395.0
Four State Avg.	409.3

Kansas vs.
Four State Avg.
= +18,000 FTE

At \$35,000/FTE
per year =
\$630 Million

IS IT MANAGEMENT? OR, IS IT STRUCTURAL?

- *Hutchinson News*
- Series on Local Government Consolidation, 12/2004

"Kansas has more units of local government than all but four states—California, Illinois, Pennsylvania, & Texas."

Government	NUMBER OF LOCAL GOVERNMENTS				
	KS	CO	MO	NE	OK
Counties	105	62	114	93	77
Cities	626	270	246	531	590
Townships	1,299	0	312	446	0
Educational	324	182	536	575	571
Other*	1,533	1,414	1,514	1,146	560
Total	3,887	1,928	3,422	2,791	1,798

*KS has at least 28 different types of special districts, such as watershed districts, cemetery districts, and library districts.

House Gov. Org. & Elections
Date: 3-16-2006
Attachment # 2

IF IT'S STRUCTURAL, WHAT CAN WE DO?

- Presently, cannot merge two taxing units without special legislation
 - 19-101a Home Rule Powers
 - 18-202 Petition and Notices for Change of Boundaries
 - 12-3909 Governmental Organization

NEED "GATEWAY" LEGISLATION

- Allow local governments to streamline local government.

- Allow, but don't require nor prescribe, locally designed changes to local forms of Government.

COALITION ENCOURAGING PASSAGE OF SB 379

- Chambers of Commerce
- Kansas Association of Counties
- League of Municipalities

- Crisis is coming
- Empower Communities for Change
- Please pass Senate Bill 379

Greeley County Republican

Official Newspaper of Tribune, Horace and Greeley County

PRINTING and PUBLISHING
OFFICE SUPPLIES



Dan M. Epp
Phone 620-376-4264
Fax Phone 620-376-2433

P.O. Box 610
Tribune, Kansas 67879
e-mail jandan@sunflowertelco.com

The Honorable Pete Brungardt, Chairperson
Senate Committee on Federal and State Affairs
Capitol Office room 522S
Topeka, Kansas 66612

January 20, 2006

Dear Senator Brungardt:

Subject: Endorsement of SB 379.

I am co-chairperson of a local Community Action Team that was formed by a grass roots community building process which included a community conversation and a vision retreat. The purpose of the action team was to research and recommend action on increased cooperation and possible unification of the governing bodies of Greeley County and the City of Tribune. The Greeley County Commissioners and the Tribune City Council unanimously approved a joint resolution to further study unification and to prepare a unification plan for the voters. To allow us to pursue this unification study, Rep. Gary Hayzlett will submit a bill that is a modification of SB 262 specifically allowing the unification of Greeley County and the City of Tribune.

The passage of SB 379 that would remove the legal obstacles to unification or consolidation would make our bill unnecessary. Our Action Team supports the passage of SB 379.

The major goals of our unification plan are 1) to improve the strategic ability of our community to respond to opportunities and problems, and 2) to improve our ability to share manpower and equipment among different taxing entities in the county including Greeley County, the cities of Tribune and Horace, the hospital and the school.

Our unification study is a grass roots effort specific to our community; however, we are one of the first counties to take part in the community building process facilitated by Kansas Communities, LLC. Six Kansas communities taking part in this process met in November 2005 to share ideas and experiences and while no other community was considering unification, they were all interested in what we are doing in Greeley County. We will meet annually with the growing number of communities that are part of this community building process.

Sincerely,

A handwritten signature in black ink that reads "Dan M. Epp".

Dan M. Epp



202 East 11th - PO Box 570
Goodland, KS 67735
Phone: (785) 890-2000
Fax: (785) 890-2800
www.fnb.com

January 23, 2006

The Honorable Senator Pete Brungardt
Chairman of the Federal and State Affairs Community
State Capitol
Room 462-E
Topeka, KS 66612

Dear Senator Brungardt;

This is in reference to the Senate Bill 379 regarding consolidation of local governments. My involvement with the Kansas Inc, and participation in Strategic Planning for the State of Kansas has highlighted that one of our State's largest concerns is the inefficiencies of local governments.

In comparing Kansas to our neighboring states, one statistic continues to surface: Productivity. We are not as productive as other states. This is due in part to the number of governmental unit we have in Kansas. We have more governmental units per capita than any other state in the nation and we are second only to Illinois in the total number of governmental units in the nation.

We must look at every opportunity to improve efficiencies of local government, whether in a single county or multiple counties. By removing impediments to collaboration among local governments, the state can become much more efficient and allow local residents to decide what course to take.

I strongly recommend that you support the Senate Bill 379. If there is anything else I can do to assist you, please let me know.

Sincerely,

Lawrence L. McCants
President

LLM/kah

**TESTIMONY OF ALLYN O. LOCKNER ON SENATE BILL 379
BEFORE THE HOUSE GOVERNMENTAL ORGANIZATION AND ELECTIONS COMMITTEE OF THE KANSAS LEGISLATURE
AT 3:30 PM ON MARCH 16, 2006, ROOM 519-S, STATE CAPITOL BUILDING**

The Honorable Jene Vickrey and members of the committee: My name is Allyn O. Lockner. I reside at 2135 SW Potomac Drive, No. 4, Topeka. My telephone number is 232-0398. I am a retired economist and certified public manager. I represent no organization or group and speak only for myself. My testimony is based on my research on city-county consolidation in the United States. It is also based on my observations and participation and the lessons I learned in 2005. Lessons were learned during my observations and participation during the development of the Final Plan for Consolidation of the Governments of Topeka, Kansas, and Shawnee County, Kansas, by the Consolidation Commission of Topeka, Kansas, and Shawnee County; observations of the marketing of the Plan by the Citizens for Unity and Growth; and effects of the defeat of the Plan.

My testimony is limited to city-county consolidation as addressed in sections 3 through 8 of SB 379. My recommendation is to pass sections 3 through 8. Before discussing additional recommendations for removing two remaining barriers, I discuss how consolidation can reduce fragmented governance and improve economic development, competitiveness and growth of Kansas city-county regions.

Much has been said and written about the need for strategies that increase economic development, competitiveness and growth in Kansas. But little attention has been given to fragmented local governance and its effects on regional economic development, competitiveness and growth, and the achievement of more and better work opportunities for Kansans. Recent research examined the governance and competitiveness of 285 metropolitan regions in the United States from 1972 to 1997. The research contains lessons that are likely to be useful in minimizing current and avoiding future governance, development, competitiveness, and growth problems in Kansas.

Recent research contains the following findings:

1. "...fragmented governance at the metropolitan level reduces the competitiveness of the metropolitan economy."
2. "... centralized state government also reduces metropolitan competitiveness."
3. "Fragmentation consistently exerts a larger negative influence than state centralization."
4. "The strongest association between fragmentation and reduced competitiveness occurs in the smallest and largest metropolitan areas."
5. "Smaller areas with fragmented metropolitan governance may lack the scope and power to affect the challenges they face."
6. "The largest negative impact of fragmentation indicates that unity could help to resolve the kinds of cross-jurisdictional challenges that are needed for a region to be competitive."
7. "Without a unified local front, small areas will be at the mercy of external forces."
8. "...few fragmented regions are likely to be strong competitors, and ... they are unlikely to sustain competitiveness over the long-term."
9. "Long-term competitiveness requires flexibility, and fragmented regions are less likely to mobilize consensus for change."
10. "Fragmented regions divide the regional constituency, offering opponents of change more opportunities, forums, and even institutional support to resist change."
11. "Unification encourages serving the regional constituency rather than parochial interests."
12. "Local, metropolitan, and state structures and policies must be considered in an integrated fashion."
13. "Developing isolated recommendations in either of these domains runs the risk of further exacerbating the challenges for metropolitan governance and development."

The research makes the following policy recommendations:

1. "...at the metropolitan level, the goal is to unify leadership and development activity while maintaining flexibility in the governance structure, especially at the state level."
2. "Achieving these goals requires a careful balance, and suggests why the traditional prescriptions ... are not appropriate."
3. "The recommendations for any local area will have to be tailored to their unique conditions."
4. The conditions include "...the distribution of power and functions between state and local government, the quantity and capacity of local governments, and the region's reliance on special districts and the extent of their power and authority."
5. "The addition of new units of government either to accommodate new population growth, shifting residential patterns, or to finance additional development expenditures, tends to increase fragmentation most."
6. "...the proliferation strategy is a trap for the long-term health of local governments."
7. "The catch-22 is that local governments have created new units of government, especially authorities and special districts, in order to evade the controls and debt limits placed on them by state governments ..."
8. "While the addition of new units of government is often a strategy that local leaders believe is necessary, it is not sustainable."
9. "...centralizing functions at the state level is not a good alternative to directly addressing metropolitan fragmentation."
10. "Changes at the local level that ignore state policy and functions (and vice versa) may aggravate the competitive weaknesses of a metropolitan area."

[For more information, see Jerry Paytas, "Does Governance Matter? The Dynamics of Metropolitan Governance and Competitiveness," dated December 2001, published September 2, 2003 by the Carnegie Mellon Center for Economic Development, Pittsburgh, PA., 39 pages, especially pages 19-25.]

Related research also examined the governing of metropolitan regions in the United States [including 4 in Kansas]. Two important findings are:

1. The most competitive metropolitan regions are those in which state governments have devolved power to local governments and there are a few local governments that use that expanded power.
2. The least competitive metropolitan regions are those in which state governments have retained considerable power and there are many local governments which share relatively limited power.

Over

1

House Gov. Org. & Elections

Date: 3-16-2006

Attachment # 3

The structure of governance in a metropolitan region does matter then it comes to long-term regional economic performance. The findings indicate that state and local interaction is important, and they urge caution in substituting centralized state functions for metropolitan mechanisms.

[For more information, see David K. Hamilton, David Y. Miller and Jerry Paytas, "Exploring the Horizontal and Vertical Dimensions of the Governing of Metropolitan Regions," Urban Affairs Review, vol. 40, no. 2, November 2004, pages 147-182, especially pages 167-170.]

The above research indicates that the reduction of local government fragmentation and the devolution of state government power to local governments can aid in expanding the options and flexibility of metropolitan regions in their efforts to improve economic development, competitiveness and growth.

City-county consolidation under SB 379 is one way to reduce government fragmentation and to improve economic development, competitiveness and growth in Kansas. A recent study of thirteen city-county consolidation cases in the United States identified three elements for successful consolidation agenda setting by local civic leaders and resident stakeholders:

1. Crafting a vision for the economic development future, a vision larger than the city, encompassing the entire county;
2. Crafting a vision of a restructured city-county or unified governance model to implement the economic development vision; and
3. Convincing ordinary residents and voters that achieving 1 is very difficult if not impossible without achieving 2.

Properly setting the agenda is a necessary, but insufficient condition for successful consolidation.

[Source: Adapted from Suzanne M. Leland and Kurt Thurmaier, Editors, Case Studies of City-County Consolidation: Reshaping the Local Government Landscape (Armonk, New York: M. E. Sharpe, 2004), 339 pages, particularly pages 320-321.]

Kansans in many but perhaps not all localities want to reduce fragmentation, achieve consolidation, increase development, improve competitiveness and stimulate growth. Regardless of their interests, the following recommendations for SB 379 can aid Kansans in making their choices:

Recommendation 1 - On page 4, lines 22 and 23: Delete "not less than 60 percent" and restore "a majority." Since conditions and preferences vary throughout Kansas, the replacement of a simple majority and with a flat 60 percent majority will have uneven impacts on Kansans. For example, the mix of urban, suburban and rural residents in counties varies throughout Kansas, and the 60 percent majority or any other super majority will have unequal impacts on residents in these counties. **These inequities occur because the 60 percent or any super majority rule does not comply with two basic principles. First, it violates the democratic principle of local control by substituting state control.** According to the democratic principle, the people hold the ruling power either directly or indirectly; it is rule by the ruled. The 60 percent or any other statewide super majority voting rule takes consolidation vote control away from county voters. They do not have the ruling power to set their local voting rule. The local voting rule should be made by the locally ruled who are to comply with the rule. Local officials and voters best know local consolidation conditions and preferences, and are in the best position to choose between a simple or super majority. A statewide super majority voting requirement cannot account differences among Kansas localities. **Second, the 60 percent rule violates the constitutional principle of "one person, one vote" by substituting "one person, unequal vote."** The principle of equal voting weight is found in the equal protection clause of the Fourteenth Amendment to the U. S. Constitution. Each of the majority voters supporting consolidation has less voting power than does each of the minority voters opposing it. Each vote cast by a minority of voters on consolidation will count more than one vote, while for a majority of voters it will count less than one vote. The result is minority rule replaces majority rule. Some Kansans should not have more or less voting power than other Kansans when deciding consolidation. Kansans should have an equal value for each vote they cast. **Compliance with these two principles would level the consolidation playing field for all local Kansas voters, regardless of whether they support or oppose consolidation.**

Recommendation 2 - On page 3, add language which authorizes 10 percent of the subdivision electors to request the preparation of a consolidation proposal. Under the existing language the consolidation process cannot start unless the governing bodies of the affected political and taxing subdivisions pass a resolution or identical resolutions setting the time, form and manner of consolidation. Under this recommendation, the process may also commence whenever a petition, signed by not less than 10 percent of the qualified electors of any two or more political or taxing subdivisions, either:

(a) places on the ballot at an election allowed by general bond law or at the next general election, a ballot question calling for the preparation of a proposal for consolidating the subdivisions or any or all of the operations, procedures or functions performed or carried on by the offices and agencies thereof; or

(b) is filed with the governing bodies of such subdivision setting out the time, form and manner for the preparation of a proposal for consolidating the subdivisions or any or all of the operations, procedures or functions performed or carried on by the offices and agencies thereof.

Since subdivision consolidation will discontinue subdivision governing bodies, office holders will lose their offices and may not support consolidation and be willing to initiate it. **Yet, there may be much public support for preparing a consolidation proposal which would later be submitted to voters for approval. Yet, the public cannot request the preparation. This recommendation would strengthen local voter control of consolidation.**

With the recommended changes for more local control and for "one-person, one vote," SB 379 can be a unifying element in an economic development, competitiveness and growth strategy for Kansas city-county regions. With these recommendations, the bill better enables Kansans to make choices about:

1. whether they want to increase their regional economic development, competitiveness and growth; if so,
2. whether they want to reduce local government fragmentation through city-county consolidation; and, if so,
3. how to tailor consolidation to achieve 2 in order to achieve 1, consistent with their local preferences and conditions.

In these ways SB 379 is forward-moving legislation that responds to regional, national and international economic realities. Given these realities, the bill better enables Kansans to use their values to make choices about how present and future generations can live better.

Members of the Committee, thank you for this opportunity to testify. I will be glad to answer your questions.



TESTIMONY
concerning Senate Bill No. 379
re. Consolidation
Presented by Randall Allen, Executive Director
Kansas Association of Counties
March 16, 2006

Chairman Vickrey and members of the committee, my name is Randall Allen, Executive Director of the Kansas Association of Counties. I am here to express our strong support for Senate Bill No. 379, which removes obstacles and impediments to cities and counties in their quest to provide the most efficient and effective local government possible for their citizens. With the statutory changes in SB 379, we believe that cities and counties and more importantly, the citizens therein, can move forward in studying and pursuing consolidation of governmental units without first seeking legislative approval. The Kansas Association of Counties neither supports nor opposes consolidation of city and county governments in Kansas *per se*. Our current legislative policy statement concerning consolidation, adopted by our membership, is as follows:

"The Kansas Association of Counties opposes mandatory consolidation of local government units and/or services. Counties presently share provision of numerous services with cities and other counties, but they should not be forced to do so. The KAC supports legislative changes that remove statutory limitations to consolidation of functions and services."

The premise of SB 379 is affirmative because it gives communities an opportunity to devise a system of local government which best meets their needs without seeking legislative approval on a case by case basis. This is the essence of home rule and local control which the Association has supported forever. We do not know whether the passage of SB 379 would result in widespread consolidation of cities and counties across Kansas. However, it removes the obstacles for cities and counties to seriously consider the feasibility of reorganizing and restructuring local government. We urge you to recommend it favorably for passage.

The Kansas Association of Counties, an instrumentality of member counties under K.S.A. 19-2690, provides legislative representation, educational and technical services and a wide range of informational services to its member counties. Inquiries concerning this testimony should be directed to Randall Allen or Judy Moler by calling (785) 272-2585.

300 SW 8th Avenue
3rd Floor
Topeka, KS 66603-3912
785•272•2585
Fax 785•272•3585

House Gov. Org. & Elections
Date: 3-16-2006
Attachment # 4



300 SW 8th Avenue, STE 100
Topeka, Kansas 66603-3951
Phone: (785) 354-9565
Fax: (785) 354-4186

League of Kansas Municipalities

To: House Governmental Organization and Elections Committee
From: Don Moler, Executive Director *presented by Kim Winn*
Re: Support for SB 379
Date: March 16, 2006

First I would like to thank the Committee for allowing the League, a strong advocate of local control, to testify today in strong support of SB 379. Our organizational policies typically focus on the ability of cities to make their own way and to determine their own fate. SB 379 would allow cities and counties, and their residents, to determine their own local government organizations and will allow them to maximize efficiencies in government as well as modernizing governmental structures in Kansas.

The League has for a number of years supported permissive statutory language to allow local reorganization. We have further held the belief that the issue of reorganization is inherently a local one and that the voters should be allowed to determine whether reorganization with another unit of government should occur. As a result we are fully supportive of SB 379 and the provisions that require the proposal for reorganization to be placed before the voters of the local governmental units involved in the proposed reorganization. Any unit whose electors vote against the reorganization would not be included in such reorganization.

In these hard economic times, it brings into sharp focus the need for governments, at all levels, to look to maximizing public resources and to minimizing public expenses. We believe that SB 379 a mechanism which will allow the people of Kansas, in cities and counties across the state, to make choices about the structure and organization of their governments. As a result we strongly support SB 379 and would urge the Committee's favorable recommendation of the bill to the full Senate. I will be happy to answer any questions the Committee may have on the League's position on SB 379.

House Gov. Org. & Elections:
Date: 3-16-2006
Attachment # 5

Written Testimony: SB 379
House Governmental Organization and Elections
March 16, 2006
By: Christy Caldwell, Vice President
Greater Topeka Chamber of Commerce

The Greater Topeka Chamber of Commerce would like to express our support for SB 379, enabling legislation that will allow local consolidation of cities, counties and political and taxing sub-divisions, without seeking approval from the state legislature.

Last year the Kansas Legislature was asked by the Shawnee County Legislative Delegation and local officials to approve legislation that would allow the city of Topeka and Shawnee County to create a Consolidation Commission to develop a plan for consolidation of the city and county to submit to the voters. Legislation was approved, but not without controversy concerning requirements the city did not agree with. This local consolidation issue required approval from legislators and the governor prior to development of the consolidation plan to determine what was in the best interests of our community. As you are aware, the consolidation failed, although the Consolidation Plan was approved by a majority of voters/taxpayers in Shawnee County and a majority of voters/taxpayers in the city of Topeka. The Plan was not passed due to a provision in the legislation requiring a dual majority vote by Topeka residents and county residents who reside outside the city boundaries.

Decisions regarding consolidation of our community did not have an affect on legislators and citizens from areas outside this county; however the local governing bodies/citizens were required to seek consent from the state. SB 379, introduced this year, will allow Kansas cities, counties, and political and taxing sub-divisions the ability to determine their own destiny regarding governance. This permissive legislation will enable the people who reside within the potentially consolidated plan area the ability to determine what is in their best interest. It does not force consolidation; it does not force particular requirements be placed in a plan; it is forthright in enabling the citizens of Kansas cities, counties and political and taxing sub-divisions the ability to determine their own governance. An amendment was added on the Senate floor requiring a 60% approval of the voters in a consolidation of a city and county. Although we would have preferred this remain a simple majority, we can accept the amendment as added by the Senate.

The Consolidation Commission in Shawnee County worked tirelessly to create a plan, within the legislative parameters set out in last year's bill, however it failed with the dual majority voting requirement. It is likely that the consolidation issue will be visited again in Shawnee County, at some point, since it received such overwhelming support from voters. A majority of Topeka/Shawnee County citizens have indicated they want local government to speak with one voice as well as generate efficiencies that make sense in a time where duplication of services is not a wise use of taxpayer resources. Allowing decisions regarding local consolidation efforts to be made locally is a commendable objective the legislation sets out.

We ask for your positive consideration of SB 379; it will allow citizens to make decisions regarding their local governance utilizing good judgment within their own communities. The stronger these local communities, the stronger Kansas will be.



KANSAS LEGISLATIVE POLICY GROUP

P.O. Box 555 • Topeka, Kansas 66601 • 785-235-6245 • Fax 785-235-8676

Testimony
Before the House Committee on Governmental Organization and Elections
SENATE BILL NO. 379
March 16, 2006
Kansas Legislative Policy Group
By: John D. Pinegar

Mr. Chairman and members of the House Committee on Governmental Organization and Elections, thank you for allowing me to present written testimony. I am John Pinegar and represent Kansas Legislative Policy Group (KLPG), which is a coalition of over 30 western Kansas counties.

KLPG is working in cooperation with the Kansas Association of Counties, the League of Kansas Municipalities and other proponents of Senate Bill 379. KLPG is in support of the measure.

For many years, in its legislative platform, KLPG has supported local units of government having the authority and ability to consolidate and streamline the delivery of government services within their jurisdiction. KLPG remains committed to that goal.

KLPG does not support an approach of one-size fits all. Local units of government are unique and city and county elected officials within those local units of government know what will and won't work within their communities. We do not want the State requiring, prescribing or dictating changes in the structure of local government. We support Senate Bill No. 379 as it provides the necessary mechanism for local units of government to achieve efficiencies in governance and economies in the delivery of government services and retain local control.

Many of the counties that are members of KLPG are located in less populated and of course, the rural area of western Kansas. Those counties face the unique financial challenge of providing necessary government services. All counties and particularly those counties less populated could benefit by Senate Bill No. 379.

Again, thank you for the opportunity to present testimony on this important issue.

House Gov. Org. & Elections
Date: 3-16-2006
Attachment # 7



K A N S A S

JOAN WAGNON, SECRETARY

KATHLEEN SEBELIUS, GOVERNOR

DEPARTMENT OF REVENUE
OFFICE OF THE SECRETARY

March 16, 2006

To: House Governmental Organization and Elections
From: Kansas Advisory Council on Intergovernmental Relations
Re: SB 379


Chairman Vickrey and members of the Committee, thank you for the opportunity to appear before you on behalf of the Kansas Advisory Council on Intergovernmental Relations (KACIR). The KACIR consists of a diverse group of individuals who have been charged with reviewing intergovernmental issues in Kansas and making recommendations for change, where appropriate. The KACIR supports this bill and urges you to support it also.

The KACIR was reauthorized by the legislature in 2002. The Governor appointed me to the council, along with Joe Harkins representing the Executive branch of government. I am currently serving as its chair; Richard Jackson, Mayor of Ottawa is vice-chair. A membership roster is attached showing the other units of government represented on the council.

At our last meeting on February 9th, the KACIR again reaffirmed its support of the need to allow local government to consolidate or reorganize in order to be more efficient and effective in serving its citizens. SB 379 will accomplish that objective and we wholeheartedly believe that it is a necessary step to creating governmental structure that will allow for and promote growth and sustainability for the future of Kansas communities.

The KACIR determined that there are significant barriers in the current statutes which inhibit growth and sustainability, and chief among those impediments is the inability of local governments to merge. The Kansas Constitution leaves the issue of local government boundaries entirely in the hands of the Kansas Legislature, and to date, there is no enabling legislation which would allow various local governments to merge. Even if citizens in a particular area wanted different governments to consolidate, there is no established process for them to follow. We have supported a variety of bills which would provide a process, and remove those barriers. SB379 is a giant step forward in removing those barriers.

We urge your favorable support today.


Joan Wagnon
Secretary of Revenue

House Gov. Org. & Elections
Date: 3-16-2006
Attachment # 8

Kansas Advisory Council on Intergovernmental Relations

Boehm, Mr. Michael
12944 W. 99th Street
Shawnee Mission, KS 66215
Work 816/234-7090
Home 913/894-0720
Fax 816/234-7050
MABOEHMLENEXAM@worldnet.att.net

Campbell, Ms. Carolyn L
3824 S.E. Illinois Ave.
Topeka, KS 66609
Work 785-296-3245
Home 785-266-3798

Courtney, Mr. Laverne Lee
1516 Nelson
Liberal, KS 67901
Work 620/629-2667
Home 620/624-7514
lcourtne@sccc.net

Dixon, Mr. Wade M.
804 Third
Tribune, KS 67879
Home 620/376-4243
(Resigned)

Finney, Mr. Tom
1506 Deep Creek Lane
Manhattan, KS 66502
Home 785-539-8474
Cell 785-532-9282
dettatom@kansas.net

Gatewood, Representative Doug
P.O. Box 306
Columbus, KS 66725
Work 620-429-2559
Home 620/429-3690
Cell 620-762-0076
gatewood@house.state.ks.us

Harkins, Mr. Joseph F.
1713 Troon Lane
Lawrence, KS 66047
Work 785-296-4752
Home 785-841-1703
Fax 785-296-6793
Cell 785-979-4777
joe.harkins@gov.state.ks.us

Jackson, Mr. Richard
1129 N. Mulberry
Ottawa, KS 66067
Work 785/242-7450
Home 785/242-9010
Fax (785) 242-0305
eckan@swbell.net

Kinser, Ms. Sandi
1201 Spruce
Concordia, KS 66901
Home 785/243-7165
j.s.kinser@sbcglobal.net

Norton, Mr. Tim R.
200 Timberlane Drive
Haysville, KS 67060
Work 316-524-7875
Home 316-524-3243
Fax 316/524-2939
tnorton@sedgwick.gov

Pisciotta, Mr. Joe P.
4225 Ironwood Court
Wichita, KS 67226
Work (316) 978-7240
Home (316) 636-4383
Fax (316) 630-8000
pisciotta@cox.net

Reitz, Senator Roger
1332 Sharingbrook
Manhattan, KS 66503
Home (785) 539-1710
Work (785) 537-2651
reitz@senate.state.ks.us

Steineger, Senator Chris
51 S. 64th Street
Kansas City, KS 66111
Home 913/287-7636
Fax 913-287-6879
Work 785-296-7375
steineger@senate.state.ks.us

Vickrey, Representative Jene
6740 W. 263rd
Louisburg, KS 66053
Home 913/837-2585
Work 785-296-6014
vickrey@house.state.ks.us

Wagon, Sec. Joan
Docking State Office Building
Topeka, KS 66612
Work 785-296-3042
Home 785-286-3254
Fax 785-368-8392
joan_wagon@kdor.state.ks.us

Kansas Advisory Council on Intergovernmental Relations

Additional KACIR Staff Members

Allen, Mr. Randall
300 SW 8th, 3rd Flr
Topeka, KS 66603-3912
Work 785-272-2585
Home 785-478-3000
Cell 785-640-1212
Fax 785-272-3585
allen@kansascounties.org

Moler, Mr. Don
300 SW 8th
Topeka, Ks 66603-3912
Work 785-354-9565
Home 785-273-8480
Fax 785-354-4186
Cell
dmoler@lkm.org

McPherson, Ms. Lana
PO Box C
32905 W. 84th Street
De Soto, KS 66018
Work 913-583-1182
Fax 913-583-3123
Cell 913-238-0433
lmcperson@desotoks.us

Kimberly Winn
300 SW 8th Ave.
Topeka, KS 66603
Work 785-354-9565
Fax 785-354-4186
kwinn@lkm.org



PUBLIC POLICY STATEMENT

**HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION AND
ELECTIONS**

Re: SB 379—Concerning Government Consolidation

**March 16, 2006
Topeka, Kansas**

**Testimony provided by:
Terry D. Holdren
KFB Governmental Relations**

Chairman Vickrey and members of the House Committee on Governmental Organization and Elections, thank you for the opportunity to appear before you today to share the policy of our members regarding consolidation of governments. I am Terry Holdren and I serve as the Local Policy Director—Governmental Relations for Kansas Farm Bureau. As you know, KFB is the state's largest general farm organization representing more than 40,000 farm and ranch families from across the state through our 105 county Farm Bureau Associations.

Kansas has thousands of units of government. Over 3,500 counties, cities, townships, school districts, and special districts currently exist in the state. There are no doubt efficiencies to be gained through consolidation. SB 379 takes a step in the right direction by removing current barriers to consolidation, which largely, require action by the state legislature. KFB members support that change and ultimately believe that the issue of consolidation is a local issue, best decided by impacted citizens.

House Gov. Org. & Elections
Date: 3-16-2006
Attachment # 9

However, our member-adopted policy provides that when consolidation is proposed, rural residents must be given opportunities for input and protection from the majority of residents living in a city. Those residents, who choose for a variety of reasons to live outside city limits, have developed township, rural water and fire, and other services to meet their needs in a cost-effective manner. Consolidation under the proposed bill constitutes a significant threat to those services, and to residents living in townships or districts that may not be part of a consolidated government, but would no doubt face higher costs for the same services based on the reduced number of residents in the district. While the Senate amendments requiring a 60% approval vote of all residents in the county to approve a city-county consolidation provide some increased level of comfort, we cannot offer our support for SB 379 as it is currently written.

We would respectfully ask that you consider amending the bill to include a heightened approval process for consolidations between cities and counties. Our membership fully supports the dual majority, and would support other systems for approval as long as they ensure adequate protection for residents living outside the boundaries of the city.

Secondly, officials who are independently elected provide citizens with a level of accountability for the work they do and the dollars they spend that is not present when a position is simply appointed by the governing body. Our membership supports the elimination of elected positions only after approval of a separate ballot question by voters considering the consolidation issue. We support the changes made by the Senate to reflect this sentiment.

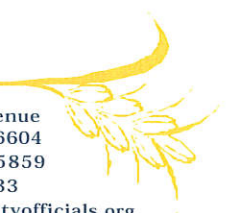
In conclusion, Kansas Farm Bureau respectfully urges your adoption of the suggested amendment preceding your favorable recommendation of SB 379. Thank you, once again, for the opportunity to appear before you and share the policy of our members. KFB stands ready to assist you as you consider this important measure. Thank you.

Kansas Farm Bureau represents grass roots agriculture. Established in 1919, this non-profit advocacy organization supports farm families who earn their living in a changing industry.

KCOA

Kansas County Officials Association

1200 SW 10th Avenue
Topeka, Kansas 66604
Phone: (785) 234-5859
Fax: (785) 234-2433
Web: www.kscountyofficials.org



To: House Governmental Organization & Elections
Re: Senate Bill 379
Date: March 16, 2006

Chairman Vickery and Committee Members,

I thank you for the opportunity to appear before you on Senate Bill 379. Our association does not oppose the theory of consolidation and recognizes the fact that this is a local issue and should be decided by citizens at a local level. We do support the fact that citizens should have all options of consolidation made available to them with accurate facts given to them to make an informed decision.

We believe that the citizens of a county should have the right to vote to eliminate their elected officials. The decision to eliminate elected officials should not be left to an appointed consolidation committee. We believe strongly and support language in the bill that would require a separate vote to eliminate elected officials.

Attached to our testimony is a copy of the study that the Shawnee County consolidation committee commissioned before they began their deliberations this last summer on the consolidation of Shawnee County and Topeka. Over 70% of the population that was surveyed stated they would not support the elimination of elected officials.

Our association would ask that the committee look closely at how the publication dates, hearing dates and related areas are addressed. It is important that the public has sufficient time and notice to respond to any public hearings that are being held. We also feel strongly that the notifications should be published in the paper of *largest* circulation in the county and not just general circulation. General circulation publications can be obscure legal publications or small town papers in the county used by government to hold down costs. An issue of this magnitude is too important to not make every effort to reach the maximum amount of voters. Citizens in the county have the right to a greater exposure to facts and the ability to ask questions concerning consolidation.

Our association also supports the position of a higher percentage vote to approve a plan. The KCOA would support either a dual majority or super majority. Both rural and urban citizens have the right to have their concerns addressed in any consolidation plan. A simple majority vote does not guarantee the smaller rural populations an equal voice in the process.

In conclusion, our association believes that to make consolidation appealing to the voters, you have to listen to them and give them a voice in the process. The right to eliminate elected officials should rest with voters of the county. We ask you to support an amendment to Senate Bill 379 that would require a dual or super majority vote.

Thank you for the opportunity to appear before you.

Nancy Weeks, Haskell County Treasurer
Kansas County Officials Association

Kansas County Clerks and Election Officials Association
Kansas County Treasurer's Association
Kansas Register of Deeds Association

House Gov. Org. & Elections
Date: 3-16-2006
Attachment # 1D

**A Voter Opinion Survey
On Government Consolidation Issues**

For

The Consolidation Commission
Of Topeka & Shawnee County
June 2005

Central Research & Consulting, Inc.
900 Bank Of America Tower – Topeka, Kansas
(785) 233-8948

CONTENTS

<u>INTRODUCTION & BACKGROUND</u>	Page 1
<u>OVERVIEW OF RESULTS</u>	Pages 3 through 10
<u>RESULTS IN DETAIL</u>	Tables 1 through 4
<u>APPENDIX</u>	Survey Questionnaire Dialing Statistics

A Voter Opinion Survey
On Government Consolidation Issues
For
The Consolidation Commission
Of Topeka & Shawnee County
- June 2005 -

INTRODUCTION & BACKGROUND

This report contains results and analysis of a survey of registered voters of Shawnee County (including Topeka), Kansas.

The study was designed and conducted by Central Research & Consulting, (CRC) of Topeka.

The content of the survey was developed in consultation with representatives of the Consolidation Commission of Topeka and Shawnee County.

The survey effort produced completed interviews with 402 registered voters.

The sample was designed to produce proportional numbers of interviews with registered voters living inside the City of Topeka and those living elsewhere in Shawnee County.

Total Registered Voters in Shawnee County	108,713	=	100%
Registered Voters in Topeka	74,958	=	69%
Registered Voters Elsewhere in County	33,755	=	31%

Source: Shawnee County Election Office...as of May 23, 2005

Respondents were interviewed by telephone. They were contacted during afternoon and evening hours on Sunday, June 5 and during evening hours on Monday, June 6.

SAMPLE CHARACTERISTICS

The survey sample of registered voters was comprised of respondents in the categories and magnitudes listed below.

Registered Voters		
	Number In Sample	Percent Of Sample
All Respondents	402	100%
Those who live Inside the City of Topeka	277	69%
Those who live Elsewhere in Shawnee County	125	31%
By Age:		
– Age 18 to 34	39	10%
– Age 35 to 49	94	23%
– Age 50 to 64	132	33%
– Age 65 or older	136	34%
Note: 1 respondent did not report his/her age.		
By Gender:		
– Male Respondents	200	50%
– Female Respondents	202	50%
With regard to current discussions about developing a proposed plan for government consolidation:		
– Those who report being Very Aware	166	42%
– Those who report being Somewhat Aware	175	44%
– Those who report being Not Very Aware	55	14%
Note: 6 respondents did not answer this question.		
By Recent Voting: Those reporting they...		
– Did Vote in Nov. 2004 General Election	379	94%
– Did Not Vote in Nov. 2004 General Election	23	6%

The data tables prepared for this report contain full tabular displays of responses from respondents in each of the above categories.

Throughout this report, percentage values are rounded to the nearest whole percent. Values of less than one half of one percent are reported as zero.

OVERVIEW OF RESULTS

AWARENESS OF CURRENT DISCUSSIONS ABOUT CONSOLIDATION

More than 8 out of 10 voters in the survey area report they are at least somewhat aware of the discussions currently underway regarding government consolidation. Voters outside the city of Topeka are a little more likely than those inside the city to report the highest level of awareness.

By age, awareness tends to peak among voters in the 50 to 64 age group, with voters in the under 35 age group substantially more likely than others to say they are not very aware of the current discussions. (See Table 1, at the back of this report, for details).

Male voters tend to be more intensely aware than female voters.

Those who report they voted in the 2004 general election in Kansas are far more intensely aware of the consolidation discussions than are those who report they did not vote in that previous election.

<i>Would you say you are... Very Aware, Somewhat Aware, or Not very Aware... of the discussions currently underway, to develop a proposed plan for consolidating governments in Shawnee County, to be put before the voters?</i>			
	CountyWide ALL	Those who live...	
		In Topeka	Else Where
Very Aware	41%	38%	49%
Somewhat Aware	44%	44%	42%
NOT Very Aware	14%	16%	9%
[Don't Know or Refused]	1%	2%	0%

HOW MANY MEMBERS SHOULD THE GOVERNING BODY HAVE

The largest number of voters (33%) prefer a 7 member governing body for the consolidated government. Only 4% opt for a 3 member body, while a 5 member body (21%) and a 9 member body (20%) draw about equal numbers of preferences. Slightly more than one-fifth (22%) of registered voters offer no response. There is not a lot of difference, on this measure, between voters in Topeka and those who live elsewhere in the county.

The pattern of preference for a 7 member body holds true among all age groups, except those in the 35 to 49 age group, whose members most widely prefer a 9 member governing body. (See Table 1.)

Female voters more broadly prefer a 7 member governing body than is the case among male voters.

Preference for a 7 member body tends to be wider among those who report higher levels of awareness of the current discussions.

<i>Do you think the consolidated governing body should be made up of 3, 5, 7, or 9 members?</i>	CountyWide ALL	Those who live...	
		In Topeka	Else Where
3 Members	4%	4%	6%
5 Members	21%	19%	23%
7 Members	33%	35%	30%
9 Members	20%	20%	20%
[Don't Know or Refused]	22%	22%	22%

ELECTION OF MEMBERS...AT LARGE...BY DISTRICTS

Nearly two out of three voters (64%) think some of the governing body's members should be elected at large. One out of five (21%) think all members should be elected from districts, and 15% express no preference. Voters inside Topeka are a little more likely than those elsewhere in the county to think some members should be elected at large.

By age, the widest support for electing some members at large comes from those in the 50 to 64 age group. Male voters and female voters differ very little in their preference for some members being elected at large. (See Table 2.)

The more closely a voter has been following the current discussions, the more that person is to prefer that some members of the governing body be elected at large.

<i>Do you think some of the governing members, or none of the governing body members should be elected "At Large" ...(rather than from districts)?</i>	CountyWide ALL	Those who live...	
		In Topeka	Else Where
Some At Large	64%	66%	59%
None At Large	21%	19%	24%
[Don't Know or Refused]	15%	14%	17%

PARTISAN...NON-PARTISAN...ELECTION OF MEMBERS

Seven out of ten voters (71%) say candidates for the governing body should run without regard to party. This pattern of preference is broader (79%) among voters outside Topeka than it is among voters in the city (68%).

Preference for non-partisan elections increases with advancing voter age. (See Table 2.)

Female voters support non-partisan elections in slightly larger numbers than is the case among male voters.

Preference for non-partisan elections is substantially larger among voters who have been following the current discussions than it is among those with very little awareness.

<i>Do you think candidates seeking election to the governing body should run as party members...or without regard to party?</i>	CountyWide ALL	Those who live...	
		In Topeka	Else Where
As Party Members	22%	25%	18%
Without regard to Party	71%	68%	79%
[Don't Know or Refused]	6%	8%	3%

A PROFESSIONAL ADMINISTRATOR TO RUN DAY TO DAY AFFAIRS

By more than two to one, voters support the idea of hiring a professional administrator to run day to day affairs. Voters outside the city of Topeka are slightly less supportive of the idea than are those inside the city.

Voters across all age groups support the idea by margins of greater than two to one. (See Table 3.)

Males tend to be more widely supportive of hiring a professional administrator than are females.

Voters with greater awareness of the current discussions tend, in larger numbers, to support hiring an administrator.

<i>Do you think the consolidated government should hire a professional administrator to run day to day affairs?</i>	CountyWide ALL	Those who live...	
		In Topeka	Else Where
Yes	64%	67%	58%
No	27%	26%	31%
[Don't Know or Refused]	9%	8%	11%

SHOULD LAW ENFORCEMENT CHIEF BE...ELECTED...APPOINTED

About two out of three voters in the survey area say the consolidated government's chief law enforcement officer should be elected, rather than appointed. This view prevails both among voters outside the city of Topeka (73%) and those who live in Topeka (64%):

By age, voters in the younger age groups tend to be the most widely supportive of electing the chief law enforcement officer. (See Table 3.)

There is very little difference between male and female voters on this measure.

Similarly, there is not much difference between voters who have been following the discussions and those who have not.

<i>Do you think the chief law enforcement officer should be elected by the voters, or appointed by the governing body?</i>	CountyWide ALL	Those who live...	
		In Topeka	Else Where
Elected	67%	64%	73%
Appointed	28%	30%	24%
[Don't Know or Refused]	5%	6%	3%

OTHER ADMINISTRATIVE OFFICERS...ELECTED...or APPOINTED

Strong majorities of voters, both inside the city of Topeka and elsewhere in the county think other administrative officers of a consolidated government (like the Treasurer, Clerk, and Register of Deeds) should be elected, rather than appointed.

This pattern is consistent across voters in all age groups. (See Table 3.)

The pattern prevails as well, among both male and female voters, and among those with varying degrees of awareness of the current discussions.

<i>Do you think administrative officers like the Treasurer, Clerk, and Register of Deeds should be elected, or appointed?</i>	CountyWide ALL	Those who live...	
		In Topeka	Else Where
Elected	73%	72%	74%
Appointed	24%	25%	23%
[Don't Know or Refused]	3%	3%	3%

DEMOGRAPHICS OF THE SAMPLE

AGE of Respondents	CountyWide ALL	Those who live...	
		In Topeka	Else Where
Age 18 to 34	10%	12%	5%
Age 35 to 49	23%	22%	27%
Age 50 to 64	33%	32%	35%
Age 65 or older	34%	34%	33%
[Not Reported]	0%	0%	0%

GENDER of Respondents	CountyWide ALL	Those who live...	
		In Topeka	Else Where
Males	50%	48%	54%
Females	50%	52%	46%

VOTING PATTERNS November 2004 General Election	CountyWide ALL	Those who live...	
		In Topeka	Else Where
Reported they DID vote	94%	93%	98%
Reported they did NOT vote	6%	7%	2%
[Don't Know or Refused]	0%	0%	0%

RESULTS IN DETAIL

10-15

Registered Voters	County Wide	Those who Live:		By AGE				By GENDER		By Awareness			In '05 Gen. Elec.	
	ALL	In	Elsewhere	Age 18	Age 35	Age 50	Age 65	Males	Females	Very Aware	Somewhat Aware	Not Very Aware	Voted	Did Not Vote
	(n=402)	Topeka	In County	to 34	to 49	to 64	or older	(200)	(202)	(166)	(175)	(55)	(379)	(23)

AWARENESS OF CURRENT DISCUSSIONS ABOUT CONSOLIDATION

Would you say you are...Very Aware, Somewhat Aware, or Not very Aware... of the discussions currently underway, to develop a proposed plan for consolidating governments in Shawnee County, to be put before the voters?

Very Aware	41%	38%	49%	13%	40%	45%	46%	48%	35%	100%	-	-	43%	9%
Somewhat Aware	44%	44%	42%	56%	43%	47%	38%	39%	49%	-	100%	-	43%	48%
Not Very Aware	14%	16%	9%	28%	17%	8%	13%	13%	15%	-	-	100%	12%	39%
[Don't Know or Refused]	1%	2%	0%	3%	0%	0%	4%	1%	2%	-	-	-	1%	4%

HOW MANY MEMBERS SHOULD THE GOVERNING BODY HAVE

Do you think the consolidated governing body should be made up of 3, 5, 7, or 9 members?

3 Members	4%	4%	6%	3%	7%	4%	4%	5%	4%	4%	4%	5%	4%	13%
5 Members	21%	19%	23%	10%	20%	21%	24%	23%	18%	20%	20%	20%	21%	9%
7 Members	33%	35%	30%	44%	23%	38%	33%	31%	36%	39%	32%	24%	34%	22%
9 Members	20%	20%	20%	18%	35%	20%	10%	24%	16%	22%	17%	24%	19%	39%
[Don't Know or Refused]	22%	22%	22%	26%	14%	17%	29%	18%	25%	14%	27%	27%	22%	17%

10-16

Registered Voters	County Wide	Those who Live		By AGE				By GENDER		By Awareness			In '05 Gen Elec	
	ALL	In Topeka	Elsewhere In County	Age 18 to 34	Age 35 to 49	Age 50 to 64	Age 65 or older	Males	Females	Very Aware	Somewhat Aware	Not Very Aware	Voted	Did Not Vote
	(n=492)	(277)	(125)	(39)	(94)	(132)	(136)	(200)	(202)	(166)	(175)	(55)	(379)	(23)

**ELECTION OF MEMBERS
AT LARGE...OR...BY DISTRICTS**

Do you think some of the governing members, or none of the governing body members should be elected "At Large" (rather than by districts)?

Some At Large	64%	66%	59%	59%	61%	71%	62%	65%	64%	67%	64%	53%	64%	61%
None At Large	21%	19%	24%	23%	28%	21%	15%	26%	16%	24%	16%	29%	21%	13%
[Don't Know or Refused]	15%	14%	17%	18%	12%	8%	23%	10%	20%	8%	20%	18%	14%	26%

**ELECTION OF MEMBERS
PARTISAN...or...NON-PARTISAN**

Do you think candidates seeking election to the governing body should run as party members...or without regard to party?

As Party Members	22%	25%	18%	33%	26%	22%	18%	26%	19%	22%	19%	33%	22%	22%
Without regard to Party	71%	68%	79%	56%	67%	73%	76%	69%	73%	75%	73%	55%	72%	65%
[Don't Know or Refused]	6%	8%	3%	10%	7%	5%	7%	6%	7%	2%	8%	13%	6%	13%

Registered Voters	County Wide ALL	Those who Live		By AGE				By GENDER		By Awareness			In '05 Gen Elec	
	(n=402)	In Topeka	Elsewhere In County	Age 18 to 34	Age 35 to 49	Age 50 to 64	Age 65 or older	Males	Females	Very Aware	Somewhat Aware	Not Very Aware	Voted	Did Not Vote
		(277)	(125)	(39)	(94)	(132)	(136)	(200)	(202)	(188)	(176)	(55)	(379)	(23)

A PROFESSIONAL ADMINISTRATOR TO RUN DAY TO DAY AFFAIRS

Do you think the consolidated government should hire a professional administrator to run day to day affairs?

Yes	64%	67%	58%	64%	73%	63%	59%	72%	56%	70%	60%	58%	63%	74%
No	27%	26%	31%	28%	26%	30%	26%	23%	32%	22%	31%	33%	28%	22%
[Don't Know or Refused]	9%	8%	11%	8%	1%	7%	15%	6%	12%	8%	9%	9%	9%	4%

CHIEF LAW ENFORCEMENT OFFICER ELECTED...OR...APPOINTED

Do you think the chief law enforcement officer should be elected by the voters, or appointed by the governing body?

Elected	67%	64%	73%	79%	73%	66%	59%	66%	68%	66%	66%	69%	66%	78%
Appointed	28%	30%	24%	18%	24%	31%	31%	31%	25%	30%	27%	29%	29%	17%
[Don't Know or Refused]	5%	6%	3%	3%	2%	3%	10%	4%	7%	4%	7%	2%	5%	4%

OTHER ADMINISTRATIVE OFFICERS ELECTED...OR...APPOINTED

Do you think administrative officers, like the Treasurer, Clerk, and Register of Deeds, should be elected, or appointed?

Elected	73%	72%	74%	72%	73%	70%	75%	74%	71%	74%	71%	76%	73%	74%
Appointed	24%	25%	23%	26%	27%	27%	20%	24%	25%	24%	26%	20%	25%	22%
[Don't Know or Refused]	3%	3%	3%	3%	0%	2%	5%	3%	3%	2%	3%	4%	3%	4%

10-18

Registered Voters	County Wide	Those who Live		By AGE				By GENDER		By Awareness			In '05 Gen Elec.	
	ALL	In Topeka	Elsewhere In County	Age 18 to 34	Age 35 to 49	Age 50 to 64	Age 65 or older	Males	Females	Very Aware	Somewhat Aware	Not Very Aware	In Voted	Did Not Vote
	(n=402)	(277)	(125)	(39)	(94)	(132)	(136)	(200)	(202)	(166)	(175)	(55)	(379)	(23)

SAMPLE DEMOGRAPHICS

AGE of Respondents

Age 18 to 34	10%	12%	5%	100%	-	-	-	10%	9%	3%	13%	20%	9%	22%
Age 35 to 49	23%	22%	27%	-	100%	-	-	26%	21%	23%	23%	29%	22%	48%
Age 50 to 64	33%	32%	35%	-	-	100%	-	31%	35%	36%	35%	20%	34%	22%
Age 65 or older	34%	34%	33%	-	-	-	100%	34%	34%	38%	29%	31%	35%	9%
[Not Reported]	0%	0%	0%	-	-	-	-	0%	0%	1%	0%	0%	0%	0%

GENDER of Respondents

Males	50%	48%	54%	51%	54%	47%	49%	100%	-	58%	44%	45%	50%	48%
Females	50%	52%	46%	49%	46%	53%	51%	-	100%	42%	56%	55%	50%	52%

**VOTING PATTERNS
November 2004
General Election**

Percent Reporting they DID vote	94%	93%	98%	87%	88%	96%	99%	95%	94%	99%	94%	84%	100%	-
Percent Reporting they did NOT vote	6%	7%	2%	13%	12%	4%	1%	6%	6%	1%	6%	16%	-	100%
[Don't Know or Refused]	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	-	-

Area of Residence

Live Inside City of Topeka	69%	100%	-	85%	64%	67%	70%	66%	72%	63%	70%	80%	68%	87%
Live Elsewhere in Shawnee County	31%	-	100%	15%	36%	33%	30%	34%	28%	37%	30%	20%	32%	13%

APPENDIX

Survey Questionnaire

Dialing Statistics

**Central Research & Consulting
Topeka, Kansas**

**Government Consolidation Questions
June 2005**

- | | | | | | | | | | | | |
|--|--|-------|------|--------|---|---|-------|-------|-------|------|--------|
| 1. Do you live in Shawnee County? | 1 Yes (Continue)
2 No (Terminate) | | | | | | | | | | |
| 2. Are you registered to vote? | 1 Yes (Continue)
2 No (Terminate) | | | | | | | | | | |
| 3. Do you live inside the City of Topeka...
or elsewhere in Shawnee County? | 1 Inside Topeka
2 Elsewhere in county
3 Ref/Dk (Terminate) | | | | | | | | | | |
| 4. Without asking: Gender of Respondent is... | 1 Male
2 Female | | | | | | | | | | |
| 5. Would you say you are...Very Aware
...Somewhat Aware...or Not Very Aware...
of the discussions currently underway, to develop
a proposed plan for consolidating governments
in Shawnee County, to be put before the voters? | 1 Very Aware
2 Somewhat Aware
3 Not Very Aware
4 Ref/Dk | | | | | | | | | | |
| 6. Do you think the consolidated governing body
should be made up of 3, 5, 7, or 9 members? | 1 3 members
2 5 members
3 7 members
4 9 members
5 Ref/Dk | | | | | | | | | | |
| 7. Do you think...SOME of the governing body members
...or NONE of the governing body members...should
be elected "At Large" (rather than from districts)? | 1 Some At Large
2 None At Large
3 Ref/Dk | | | | | | | | | | |
| 8. Do you think the consolidated government
should hire a professional administrator
to run day to day affairs? | 1 Yes
2 No
3 Ref/Dk | | | | | | | | | | |
| 9. Do you think candidates seeking election to the
governing body should run as party members,
or without regard to political party? | 1 As Party members
2 Without regard to Party
3 Ref/Dk | | | | | | | | | | |
| 10. Do you think the Chief Law Enforcement Officer
should be elected by the voters, or appointed
by the governing body? | 1 Elected
2 Appointed
3 Ref/Dk | | | | | | | | | | |
| 11. Do you think administrative officers like the
Treasurer, Clerk, and Register of Deeds
should be elected, or appointed? | 1 Elected
2 Appointed
3 Ref/Dk | | | | | | | | | | |
| 12. Did you personally vote in the general election
in Kansas last November? | 1 Yes
2 No
3 Ref/Dk | | | | | | | | | | |
| 13. Could I ask your age... | <table border="0" style="margin-left: auto; margin-right: auto;"> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> <td style="text-align: center;">3</td> <td style="text-align: center;">4</td> <td style="text-align: center;">5</td> </tr> <tr> <td style="text-align: center;">18-34</td> <td style="text-align: center;">35-49</td> <td style="text-align: center;">50-64</td> <td style="text-align: center;">65 +</td> <td style="text-align: center;">Ref/Dk</td> </tr> </table> | 1 | 2 | 3 | 4 | 5 | 18-34 | 35-49 | 50-64 | 65 + | Ref/Dk |
| 1 | 2 | 3 | 4 | 5 | | | | | | | |
| 18-34 | 35-49 | 50-64 | 65 + | Ref/Dk | | | | | | | |

That is all the questions I have...Thank you for your help.

Dialing Statistics

402	Completed Interviews
1	Refused to answer Topeka/Elsewhere question
6	Over quota
6	Computer tone (fax?)
11	Not a Shawnee County residence
18	Language problems
28	Terminated midinterview
31	Business/Gov't phone
67	Initial Refusal
69	Call Blocked
72	No Registered Voter in household
127	Disconnected phone
190	Phone Busy
574	No Answer
972	No Head of Household available
1,167	Answering Machine
<hr/>	
3,741	Total Dialings

Kansas Sheriffs Association

P.O. Box 1853
Salina, Kansas 67402-1853
785-827-2222
Fax 785-827-5215

OFFICERS

President
Sheriff Randy Rogers
Coffey County

First Vice President
Sheriff Jeff Parr
Stafford County

Second Vice President
Sheriff Gary Steed
Sedgwick County

Secretary-Treasurer
Sheriff Bob Odell
Cowley County

Sgt.-at-Arms
Sheriff John Fletcher
Russell County

Executive Director
Darrell Wilson

Office Manager
Carol Wilson

Legal Counsel
Robert Stephan

BOARD OF DIRECTORS

Sheriff Pat Parsons
Logan County - Dist. #1
Sheriff Allan Weber
Gove County - Alternate

Sheriff Buck Causey
Barton County - Dist. #2
Sheriff Charles "Ed" Harbin
Ellis County - Alternate

Sheriff Glen Kochanowski
Saline County - Dist. #3
Sheriff Tracy Ploutz
Ellsworth County - Alternate

Sheriff Lamar Shoemaker
Brown County - Dist. #4
Sheriff David Mee
Nemaha County - Alternate

Sheriff Kevin Bascue
Finney County - Dist. #5
Sheriff Ed Bezona
Stanton County - Alternate

Sheriff Vernon Chinn
Pratt County - Dist. #6
Sheriff Ray Stegman
Kiowa County - Alternate

Sheriff Gerald Gilkey
Sumner County - Dist. #7
Sheriff Steve Bundy
Rice County - Alternate

Sheriff Marvin Stites
Lincoln County - Dist. #8
Sheriff Sandy Horton
Crawford County - Alternate

To: House committee on Government Organization and Elections
Re: SB379

The Kansas Sheriff's Association comes forward in opposition of SB379. Our reason for opposition is for many reasons as I will elaborate to in my written testimony.

I would state that the Kansas Sheriff's Association does not oppose consolidation as to the theory and reasoning; however our opposition is in regards to the manner in which consolidation could occur as proposed in SB379. We would ask that consideration be given to possible amendments that we would propose.

The first change is in regards to the manner in which the consolidation issue would be publicized. We would support the publication be made to take place in the newspaper that is the official newspaper of the taxing authorities wishing to consolidate. Citizens are very aware of the actions of their local government when published in the official newspaper of their local government. This would allow for the greatest possible exposure to the issue of consolidation.

The second change and perhaps the most important change we support would be an amendment to require a dual majority approval requirement. We believe this would provide for equal representation and voice in the decision of consolidation. By providing dual majority one city or county could not by simply having a larger population out vote the city or county citizens having a smaller population. After all, consolidation does affect all citizens and equal voice should be provided for.

It is the position of the Kansas Sheriff's Association that if this legislature and proponents of this bill truly want an upfront honest effort concerning consolidation than everything must be done to gain the trust of the citizens so that there is no perception of a hidden agenda.

Sincerely,


Randy L. Rogers
Legislative Chair

House Gov. Org. & Elections
Date: 3-16-2006
Attachment # 11

March 16, 2006

TO: Committee of Government Organization/Elections
RE: Senate Bill 379
FROM: MARVIN E. SMITH

Mr Chairman and members of the Committee,
Thank you for the opportunity to share some of
my concerns pertaining to SB 379.

I believe any consolidation for cities and
unincorporated areas should have a dual vote
approval. Many of us in Shawnee County believe
our townships serve us well in the unincorporated
areas, especially roads and fire services.

Senate Bill 379 provides that a consolidated city
and county would be operated as 1st Class city.
Kansas Statutes provide that 1st class cities do
not have townships.

Approximately 30% of the population of Shawnee
County is in 12 townships. About 90% land area
is unincorporated in Shawnee County. Many of
us believe that the closer the government to
the voters, it is more responsive and effective.

SB 379 provides if two (2) cities consider
consolidation, each city has a dual vote. So, if
Leavenworth and Lansing consider consolidation.
The voters in each city would need to approve.

The way SB 379 is presently before you,
the unincorporated areas of the State of Kansas
are ^{at} the mercy of the cities.

I would plead for you not to recommend
SB 379 favorable for passage.

Testimony of Greg Dye
Wichita
Opponent of Consolidation

This Senate Bill 379 needs a couple of changes; one is Home Rule Power and second, Kansas Statute KSA 12-3903-b also needs to be removed. Let me explain why.

I want to thank you, chair, for allowing me to speak

The proposals of merging cities and countries comes under the promise of gaining “greater autonomy” or “greater efficiency” for local government. Under the overall plan, election of local officials is to be greatly reduced, to be eventually replaced by appointed persons, negating need of elections and election expense.

These officials would simply implement “policy” handed down to them by those who appointed them, rather than face an electorate. This would surely become another way in which the people would be even further separated from their representative government.

Home Rule Power in this bill

To quote the Home Rule Power in the state of Kansas, the Kansas Constitution was amended in 1961 to add Home Rule Power to it. The Home Rule Power amendment Article 12 Paragraph 5 Section (4)(d) states: “Powers and authority granted cities pursuant to this section shall be liberally construed for the purpose of giving to cities the largest measure of self-government.” However, the charter ordinance (of Wichita) along with Home Rule Power creates a state within a state, which is in violation of the U.S. Constitution Article 4 Section 3.

Quote: “New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State”...Home Rule Power creates a state within a state and takes away constitutional protections.

Now we come to **Kansas Statute 12-3903 Section b**; which states that the elimination of an elective office by consolidation. This is not the first time this consolidation issue has come up in the State of Kansas. Over the years, it was brought back many times usually by the suggestion of the league of municipalities. It is always passed by the Senate and defeated in the House. How much more time and money is going to be spent on this issue? Also, the consolidation legislation in the past allows for the elimination of elected office. Under our form of republic in America, it points out that only elected representatives represent our citizens.

Supplement Statute 12-340, 12-346

In 1997, in Kansas City, the new unified government was put in place under consolidation and several elected positions were replaced by appointed. The balance of power was further removed from the people.

These are constitutional issues the U.S. Supreme Court has ruled, “Where rights secured by the Constitution are involved, there can be no rulemaking or legislation which would abrogate them...(Miranda vs. Arizona), and law repugnant to the Constitution is void...(Maybury vs. Madison).

Please don't pass this Senate Bill 379.

Thank you for allowing me to testify,

Signed Concerned Citizen

Greg Dye
Greg Dye

House Gov. Org. & Elections
Date: 3-16-2006
Attachment # 13