

MINUTES OF THE HOUSE LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chair Sharon Schwartz at 3:30 p.m. on February 16, 2010, in Room 144-S of the Capitol.

All members were present except:

Representative Delia Garcia, Absent
Representative Steve Huebert, Excused

Committee staff present:

Mike Heim, Office of the Revisor of Statutes
Martha Dorsey, Kansas Legislative Research Department
Jill Shelley, Kansas Legislative Research Department
Carol Bertram, Committee Assistant

Conferees appearing before the Committee:

None

Others attending:

See attached list.

After calling the meeting to order, Chair Schwartz directed the Committee's attention to **HB 2471 - Cities; annexation; strip annexation restricted.**

Mike Heim, Office of the Revisor of Statutes, reviewed the bill for the Committee noting a proposed amendment to delete the wording on page 1, line 34 through line 35, "This subsection may not be utilized by a city to annex a portion of an individual's tract of land." It was moved by Representative Mah, seconded by Representative Slattery to adopt the proposed amendment. The motion carried. It was moved by Representative Gordon, seconded by Representative Peterson to recommend HB 2471 as amended favorably for passage. The motion carried.

Chair Schwartz directed the Committee's attention to **HB 2478 - Cities; annexation; county approval of certain annexations.**

Mr. Heim explained the bill to the Committee stating this bill would create a new law that affects the statute dealing with unilateral annexation. Discussion by the Committee members followed. It was moved by Representative Mah, seconded by Representative Gordon that the Committee bring HB 2478 to the floor favorably. The motion carried.

Chair Schwartz directed the Committee's attention to **HB 2472 - Kansas uniform common interest owners bill of rights act.**

The Subcommittee's Report on **HB 2472** dated February 9, 2010, was distributed to the Committee (**Attachment #1**). Martha Dorsey, Legislative Research Department, pointed out that the Subcommittee members considered in detail the concerns raised during the bill's hearing. They then recommended two changes to the bill: (1) Acquisition of loans—remove subsection (d) from New Section 8, regarding the board of directors' authority to borrow money—page 4, line 43 through page 5, line 14; and (2) Special meeting of unit owners—reduce from 25 percent to 10 percent the proportion of unit owners who must request that the board of directors call a special meeting in order to require the board to hold such a meeting—page 6, line 25.

It was moved by Representative Otto, seconded by Representative Seiwert that the Committee amend HB 2472 as per the Subcommittee's two recommendations. The motion carried.

It was moved by Representative Otto, seconded by Representative Holmes that the Committee recommend HB 2472 favorably for passage as amended. The motion carried.

The next meeting is scheduled for February 25, 2010.

CONTINUATION SHEET

Minutes of the House Local Government Committee at 3:30 p.m. on February 16, 2010, in Room 144-S of the Capitol.

The meeting was adjourned at 4:05 p.m

S.S.

Representative Sharon Schwartz, Chair

HOUSE LOCAL GOVERNMENT COMMITTEE

DATE: February 16, 2010

NAME	REPRESENTING
Tina Riding	Self
Cg Sullivan	Self
DR. JOHNSON	FEDERICO CONSULTING
Randy Maxwell	Judicial Council
Michelle Peterson	Capital Strategies
Jim Parker	2 H.O. assns.
ERIK SARTORIUS	City of Overland Park

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February 9, 2010

To: Representative Sharon Schwartz, Chairperson
Members of the House Committee on Local Government

From: Representative Ann Mah, Chairperson, Subcommittee on HB 2472
Representative Bill Otto
Representative Joe Seiwert

Re: Subcommittee Report on HB 2472 (As Introduced)

The House Local Government Subcommittee on HB 2472 met twice, on February 1 and February 3, 2010. The Subcommittee considered in detail the concerns raised by conferees at the bill's hearing and others who attended the Subcommittee meetings, has concluded its deliberations, and makes the following recommendations to amend the bill:

- Acquisition of loans – Remove subsection (d) from New Section 8, regarding the board of directors' authority to borrow money. (Page 4, Line 43 - Page 5, Line 14)
- Special meeting of unit owners – Reduce from 25 percent to 10 percent the proportion of unit owners who must request that the board of directors call a special meeting in order to require the board to hold such a meeting. (Page 6, Line 25)

Numerous other concerns and requests were considered by the Subcommittee. Among these were notice of proceedings, voting by proxy, taking emergency action, audit requirements, mediation, delinquent assessments, and scope of the bill. In most cases the Subcommittee determined that the language of the bill was sufficient and appropriate. After discussion and deliberation, the Subcommittee decided to recommend the House Committee adopt the above two amendments and leave the remainder of the bill intact.

Subsequent to the Subcommittee meetings, a number of residents contacted the Committee Chairperson concerning the issue of notice of board of director meetings. Chairperson Mah will present that issue separately from the Committee report for your consideration.

MBD/jl