

SESSION OF 2006

**SECOND CONFERENCE COMMITTEE REPORT BRIEF
SENATE BILL NO. 379**

As Agreed to May 8, 2006

Brief*

SB 379 would amend several laws dealing with city-city consolidation and county-county consolidation; and expand who may vote in drainage district elections and hold the office of director. The bill does the following:

City-City Consolidation

The bill would delete the requirement from the law dealing with city-city consolidation that the cities be "adjacent" thus permitting cities whose boundaries do not touch to consolidate.

The bill also would reduce the petition requirement to bring the issue before voters from 10 percent to 5 percent of the qualified electors (defined broadly to cover most local units of government).

County-County Consolidation

The bill would simplify the procedures for the consolidation of two or more counties.

The bill would delete the provision of current law requiring more than half of the "legal voters" in each county to petition for the consolidation or boundary change. The bill would provide instead the issue could be brought before voters of each county either by the passage of resolution by each county or by petition of at least 5 percent of the qualified electors of each county calling for an election on the issue.

Drainage Districts

The bill would amend three drainage district acts to expand those

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persons who are considered qualified electors and those persons who may be eligible to hold the office of director. The bill provides that, in two of the acts (K.S.A. 24-409 and K.S.A. 24-506), if there are no residents within the district who are owners of land, any owner of land located within the district shall be a qualified voter and eligible to hold the office of director. In regard to K.S.A. 24-484, the bill provides that in the situation where there are no residents in the district, any owner of land within the district shall be a qualified elector and shall be eligible to hold the office of director.

Conference Committee Action

The Senate conferees agreed to the House changes, with the following exceptions, additions, and revisions:

- Delete the provisions addressing political and taxing subdivision consolidation and city-county consolidation.
- Delete the provisions related to a possible city-county unification specific to Greeley County.
- Delete the provision that would have allowed a newspaper without paid circulation to be designated as the official county newspaper.
- Make a technical change to one drainage district statute (KSA 24-409) to reconcile it with 2006 SB 392, which has been approved by the Governor.

Background

Proponents of the original bill included Representative Mike O'Neal, Dave Kerr, and representatives from the Kansas Association of Counties, the League of Kansas Municipalities, the Emporia Chamber of Commerce, the Topeka Chamber of Commerce, Greeley County, the First National Bank of Goodland, Kansas and civilians.

Opponents of the bill included representatives of the Kansas Farm Bureau, the Kansas Sheriff's Association and the Kansas County Official's Association, and others.

The fiscal note from the Director of Budget states that, based

upon the opinion of the League of Kansas Municipalities and the Kansas Association of Counties, the bill would save money from the efficiencies consolidation would provide, but neither was able to estimate the savings.

The House Committee amended the bill to add the provisions of SB 427 dealing with the Consolidation Study Commission of Johnson County and Wyandotte County.

The House Committee of the Whole amended the bill to do the following:

- Insert the contents of HB 2809, as amended by the House Committee on Governmental Organization and Elections, dealing with a possible city-county unification in Greeley County.
- Add the provisions dealing with the qualifications of drainage district voters.
- Delete the provisions of SB 427 requiring the appointment of a Consolidation Study Commission of Johnson County and Wyandotte County.