

STATE OF KANSAS
HOUSE OF REPRESENTATIVES

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KEN CORBET
54TH DISTRICT

January 29, 2025

Chairman Bergquist, other members of the Senate Local Government Committee, and all freedom-loving Kansans:

I am here to testify in support of HB 2025. Many of my constituents and yours have been asking for this for decades. To most Kansans their property is their number 1 asset. HB 2025 removes the 3 mile circle where cities have complete control over all the zoning issues. People call and say to me "how can the city have control of what I do on my property when I can not vote for the mayor or anyone on the city council?" A good example would be if you live in Kansas – and Missouri can tell you what you can and can not do on your property.

Attorney General Kobach wrote in his opinion (attached):

"Your objection appears to be grounded in the Guarantee Clause found in Article IV, Section 4 of the United State Constitution. It provides in part that 'the United States shall guarantee to every State in this Union a Republican Form of Government.' Although courts typically refuse to entertain challenges based on this provision due to its political character, we, like you, are concerned by K.S.A. 12-749's ability to subject county residents to laws passed by governmental officials whom the residents cannot elect. Indeed, the Supreme Court acknowledged in *Holt Civic Club* that 'given this country's tradition of popular sovereignty, appellants' claimed right to vote in Tuscaloosa elections is not without some logical appeal.'

The appeal of such an argument is inherent in our republican form of government. As James Madison put it, 'it is essential to [a republican form of] government that it be derived from the great body of the society, not from an inconsiderable proportion or a favored class of it.' And without the Guarantee Clause, Alexander Hamilton said 'usurpation may rear its crest in each State and trample upon the liberties of the people, while the national government could legally do nothing more than behold its encroachments with indignation and regret.' "

So Chairman Bergquist and committee, I respectfully ask you to vote HB 2025 out favorably and give Kansas property owners their voting rights and freedom back.

A handwritten signature in black ink, appearing to read "Ken Corbet". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Rep. Ken Corbet