

MINUTES OF THE SENATE LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairman Roger Reitz at 9:30 a.m. on February 9, 2009, in Room 446-N of the Capitol. Senator Huelskamp moved to accept the minutes of February 3, 2009. Senator Petersen seconded the motion. The motion carried.

All members were present except:
 Senator Carolyn McGinn- excused

Committee staff present:
 Mike Heim, Office of the Revisor of Statutes
 Ken Wilke, Office of the Revisor of Statutes
 Martha Dorsey, Kansas Legislative Research Department
 Reed Holwegner, Kansas Legislative Research Department
 Noell Memmott, Committee Assistant

Others attending:
 See attached list.

SB 129 - State medicaid program; county jail inmates; changes.

Melissa Wangemann, Legislative Service Director/General Counsel, KS Association of Counties, explained the SB 129 was more complicated than originally thought. The fiscal note from Kansas Health Care Authority would be 6 million dollars to implement the suspension rather than the termination of Medicaid for inmates. She noted that Kansas Department of Corrections and Kansas Health Care Authority has an interagency agreement to work on this issue. Senator Faust-Goudeau suggested the use of Social Workers to implement process of reinstatement of Medicaid upon release from jail. This was a bill with potential but there will be no action by consensus of the committee.

SB 91 - Planning and zoning; vesting of development rights.

Mike Heim, revisor, reviewed the proposed amendment by Kansas Building Industry Association, Home Builders Association of Kansas City and Associated General Contractors of Kansas.

Chris Wilson explained the balloon. **SB 91** deals with the vesting of endowment of development rights, or conditions under which a property owner has a property right to develop a property. Under this bill, the duration of those rights is extended from five to ten years. Today, it may take a longer period to develop a piece of property after the rights are vested than when this statute was enacted in 1991, so the time is being extended.

In addition, the bill strikes "single family" developments and vests development rights for ALL residential properties upon recording of a plat for the land. It then defines "residential development" to clarify which properties are deemed to be residential.

Vesting of all other property besides residential property vests upon issuance of all permits and completion of some of the work. The amount of completed work required is changed from the current "substantial" amount to a more clearly defined "35% of the work" within 10 years.

John Frederico said the bill is not retroactive and will become law upon publication.

Senator Kultala moved to provide a 10 year Sunset review. The motion was seconded by Senator Faust-Goudeau. The motion failed.

Senator Petersen moved to adopt SB 91 with amendments. Senator Kultala seconded the motion. The motion carried.

Senator Wagle made the motion to pass SB91 out of committee. Senator Huelskamp seconded the motion. The motion carried.

The next meeting is scheduled for February 10, 2009.
 The meeting adjourned at 10:10

