



Kansas Press Association, Inc.

Dedicated to serving and advancing the interests of Kansas newspapers

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Feb. 7, 2012

To: Rep. Steve Huebert, chairman, and members of the House Local Government Committee

From: Doug Anstaett, executive director, Kansas Press Association

Re: Agreed-to language with the League of Kansas Municipalities

Mr. Chairman and members of the Committee:

I am Doug Anstaett, executive director of the Kansas Press Association.

The KPA Board of Directors supports the agreed-to language negotiated with the League of Kansas Municipalities to amend 12-3007 to allow for a summary of ordinances and to eliminate non-uniform language in K.S.A. 12-3001.

The Kansas Constitution was amended in 1961 to allow cities to invoke home rule on non-uniform statutes. While our members would have preferred that no changes be made in the publication rules, we believed we should try to preserve what we could of the statute and avoid the imposition of home rule and the potential elimination of any publication requirement on ordinances.

As a part of the negotiating process, we insisted on the inclusion of a number of stipulations to make sure the right of citizens to know what their government is doing was protected. The League agreed to those changes.

They included:

- The city attorney must certify that the summary of the ordinance is legally accurate and sufficient to inform the public.
- Those who want access to the full ordinance language can either view it or obtain a copy free of charge at the office of the city clerk.
- The summarized publication must contain the city's official web site address where a reproduction of the original ordinance is available for inspection.
- The full ordinance must be available on the city's official web site for at least one week after its approval by the city attorney.
- The non-uniformity provision must be eliminated.

As a part of our agreement, the League verbally committed to a lengthy legislative moratorium on further changes to public notice laws in Kansas.

These changes were agreed to partly because counties and school districts aren't held to the same standard in the publication of resolutions, their counterpart to ordinances.

I might point out that both charter ordinances and charter resolutions still must be printed in a legal newspaper in full. Only "ordinary" ordinances are affected by this agreement.