



TO: Senate Local Government Committee

FROM: Sandy Jacquot, Director of Law/General Counsel

DATE: February 7, 2012

RE: Support for SB 329

Thank you for allowing the League of Kansas Municipalities to testify in support of SB 329. This bill amends K.S.A.75-2724, which requires a procedure to be followed when any project is being proposed within 500 feet of an historic property, in the case of a city. Notification of the State Historic Preservation Officer (SHPO), hearing and the timeframe involved has the potential to delay any economic development project for a significant period of time. Ultimately a city may override the recommendation of the SHPO when it makes certain findings, but even that does not have the effect of advancing the project more quickly, given the timeframe for the process. In addition, in some cities there are historic properties throughout the business district, making almost every downtown project subject to the statute.

This bill would allow cities to adopt an ordinance, after a public hearing, exempting itself from the requirements of K.S.A. 75-2724, but it must make a provision for standards to protect historic property in the city. It must also make a finding that the state review process will have detrimental effect on the economic development of the city.

The League strongly supports SB 329 and urges this committee to report the bill favorably for passage.