

Approved: March 9, 2010

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## MINUTES OF THE HOUSE LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairperson Steve Huebert at 3:30 PM on Tuesday, January 31, 2012, in 144-S of the Capitol.

All members were present except Representative Sydney Carlin, who was excused.

Committee staff present:

Martha Dorsey, Kansas Legislative Research Department  
Jay Hall, Kansas Legislative Research Department  
Eunice Peters, Office of Revisor of Statutes  
Florence Deeter, Committee Assistant

Conferees appearing before the Committee:

Representative Jerry Williams, District 8  
Representative Bill Otto, District 9  
Sandy Jacquot, Director of Law/General Counsel, League of Kansas Municipalities

Others in attendance:

See attached list.

The Chairman opened the meeting and called for bill introductions. Representative Jerry Williams, District 8, Chanute, Kansas, requested the committee consider a bill to provide oversight for the historical district of the city (Attachment 1). Representative LeDoux motioned and Representative Garber seconded to accept a draft of a bill with this language. The motion passed.

Representative Grosserode requested introduction of a committee bill allowing contracts for bridges damaged or destroyed by natural disaster. Representative Worley motioned and Representative LeDoux seconded to accept introduction of a bill allowing contracts for bridges damaged or destroyed by natural disaster. The motion passed.

Representative Grosserode further requested introduction of a committee bill regarding the limitation of yard waste on private property. Representative Grosserode motioned and Representative Billinger seconded the motion to draft a bill regarding the limit of waste on private property. The motion passed.

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Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

## CONTINUATION SHEET

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Representative Worley requested introduction of a bill concerning unsafe and abandoned structures to include commercial real estate. *Representative Worley motioned and Representative Grosserode seconded the motion to draft a bill with this language. The motion passed.*

Representative LeDoux requested a committee bill be drafted specifically to Jackson County retail sales tax amending **K.S.A. 2011, sub 12-187**. *Representative LeDoux motioned and Representative Lane seconded the motion to consider an amendment to the statute. The motion passed.*

The Chairman opened the hearing on **HCR 5004 – Constitutional amendment; city home rules, charter ordinance restriction.**

Staff Eunice Peters provided background, stating that if the electors of the city have approved a change in the form of city government, this amendment would restrict a city from making changes to its form of government through a charter ordinance for a period of four years from the last governmental change made by an election. One member requested staff research the feasibility of considering a change in statute rather than by constitutional amendment.

Representative Bill Otto spoke as a proponent of **HCR 5004**, stating that the people of Iola, Kansas, voted by election to choose the form of government they wanted. He said changes should not be made until the people had opportunity to put that form in place (Attachment 2).

Sandy Jacquot, Director of Law/General Counsel, League of Kansas Municipalities (LKM), addressed the committee, saying that the citizens of Iola, Kansas, wanted a different form of government and neglected to request the city commission to give consideration to their proposal (Attachment 3). A petition was put in place by an individual; most citizens did not know the full intent of the language, which resulted in additional confusion. Ms. Jacquot noted that if **HCR 5004** is enacted, the amendment could potentially result in the will of the people being thwarted. She said the LKM strongly opposes the amendment and requests the committee not report **HCR 5004** favorably.

Written testimony in opposition to **HCR 5004** was provided by Aron Cromwell, Mayor, City of Lawrence, Kansas (Attachment 4).

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The Chairman closed the hearing on **HCR 5004**.

The Chairman called for consideration of **HB 2420 – Cities; bonded debt limits**. *Representative Seiwert made a motion to pass **HB 2420** favorably; Representative Lane seconded.* Following committee discussion *the motion passed*.

The meeting was closed at 4:10 p.m. The next meeting is scheduled for Thursday, February 2, 2012.