



To: House Local Government
From: Kim Winn, Deputy Director
Date: February 19, 2013
Re: HB 2185

Thank you for the opportunity to appear today regarding HB 2185. Although the League of Kansas Municipalities (LKM) has a long-standing position in support of an enabling statute regarding consolidation, we must oppose HB 2185 as it is currently written.

The issue of how local governments should be organized and whether they should be consolidated with one another is an inherently local one. Kansas has a long history of local control and allowing communities to define the organizational structures by which they are governed is one of the most critical aspects of defining a community. For this reason, we support the establishment of a statutory mechanism that will allow local governments to work together and consider the possibility of consolidating governments.

However, HB 2185 includes the so-called “dual-majority” provision which sets up a voting process that disenfranchises voters who live within the corporate limits of a city. This legislation requires a separate vote for those living within the city and those that reside “outside of the corporate limits of the city.” We have two concerns with this aspect of the legislation:

- **Redefining Jurisdictions.** “Outside of the corporate limits of the city” refers to an area of land that is not a political subdivision. This area is not a “jurisdiction.”
- **City Voters.** The dual-majority aspect of this legislation strips city voters of their status as a county resident. The “county” is made up of all of the citizens who reside there – not just those who live “outside of the corporate limits of the city.” City residents pay county taxes and are a part of the county for all other purposes and this should not be an exception.

We have in the past offered two alternative voting procedures regarding consolidations. First, because this is an inherently local decision, we propose allowing the study commission to determine how the vote would occur. This way, the unique features of each community can be taken into consideration when deciding whether to have a county-wide vote or a dual majority. The other alternative is to set up a county-wide vote with a super-majority in order to address the concerns that a single large city in an area would have disproportionate impact on the election.

LKM would be willing to discuss options regarding the voting provisions so that we could be supportive of this legislation moving forward. I look forward to working with you on this or other issues of mutual concern. I would stand for questions at the appropriate time.