

Approved: 2-21-06 Date

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Pete Brungardt at 10:30 a.m. on January 25, 2006 in Room 231-N of the Capitol.

All members were present.

Committee staff present:

Athena Andaya, Kansas Legislative Research Department
Dennis Hodgins, Kansas Legislative Research Department
Mary Ann Torrence, Revisor of Statutes Office
Connie Burns, Committee Secretary

Conferees appearing before the committee:

Mr. Robert Van Cleve
Rep. Mike O'Neal
Dave Kerr
Randy Allen, Kansas Association of Counties
Don Moler, League of Kansas Municipalities
Jeannie McKenna, Emporia Chamber of Commerce
Terry Holdren, Kansas Farm Bureau
Randy Roger, Kansas Sheriff's Association
Paul Degener
Greg Dye
Don Whitten

Others attending:

See attached list.

Chairman Brungardt called upon Mr. Robert Van Cleve, nominee as a member of the Kansas Lottery Commission, to give an opening statement regarding his background and qualifications. (Attachment 1)

Following brief committee questions, the Chairman expressed the committee's appreciation to Mr. Van Cleve's attendance and participation in the confirmation hearing.

Senator Ostmeyer made a motion to move to the full Senate the confirmation of Robert Van Cleve to be a member of the Kansas Lottery Commission. Senator Gilstrap seconded the motion. The motion carried.

SB 379 - Consolidation of municipalities

Chairman Brungardt opened the hearing on **SB 379**.

Representative Mike O'Neal, appeared before the committee as a proponent of the bill. (Attachment 2) The bill repeals statutory barriers for voluntary reorganization that allows local officials to proceed with plans to make local government less costly and more efficient. Also, copies were provided to the committee of the Harris News special report on "Sizing up Government", which provided information and statistics of local government.

Dave Kerr, provided the committee a power point presentation in favor of the bill. (Attachment 3) Mr. Kerr provided information on where Kansas ranks in state and local government employment, Kansas is 29th in state employment and 3rd for people employed in local government. This bill repeals the statute that allows local government to streamline, but doesn't make it mandatory to consolidate.

Randy Allen, Kansas Association of Counties, spoke in favor of the bill. (Attachment 4) The bill removes obstacles and impediments for cities and counties that want to provide the most efficient and effective local government possible for their citizens, and without seeking legislative approval on a case by cases basis.

Don Moler, League of Kansas Municipalities, appeared in support of the bill. (Attachment 5) The League has supported permissive statutory language to allow local reorganization, and feel that the issue of reorganization is inherently a local one and that the voters should be allowed to determine whether reorganization with another unit of government should occur.

Jeanine McKenna, Emporia Area chamber of Commerce, appeared before the committee in favor of the bill. (Attachment 6) This bill would allow local units of government to move forward to a more streamlined and efficient use of tax dollars.

Allyn Lockner, spoke in favor of the bill. (Attachment 7) Mr. Lockner supports maximizing local control in state wide consolidation. Mr. Lockner provided recommendation and wanted to state his only addressed city-county consolidation.

Written testimony in support of the bill was provided by Christy Caldwell, Greater Topeka Chamber of Commerce, (Attachment 8) Dan Epp, Greely County, (Attachment 9) and Larry McCants, Goodland, Kansas. (Attachment 10)

Terry Holdren, Kansas Farm Bureau, appeared as an opponent to the bill and proposed two changes: (Attachment 11)

1. "Dual Majority" process for approving the plan, to ensure that drafters of the plan for consolidation hear and address the concerns of rural residents
2. Consolidation should not result in the elimination of elected positions without a vote on a separate ballot question by the citizens impacted

Randy Roger, Kansas Sheriffs Association and the Kansas County Officials Association, spoke against the bill. (Attachment 12) The Association believes that the citizens of a county should have the right to vote to eliminate their elected officials, and the decision to eliminate elected officials should not be left to an appointed consolidation committee and who believe strongly and support language that would require a separate vote to eliminate elected officials.

Paul Degener, appeared as an opponent to the bill. (Attachment 13) The bill supports large government and strips the citizens of their power and eliminates a majority of the elected officials at the local level.

Greg Dye, spoke against the bill. (Attachment 14) Mr. Dye felt that the bill needed a couple of changes: the Home Rule Power section is unconstitutional according to U.S. Supreme court rulings KSA 3903-b that allows for the removal of elected representatives at the local level of government, needs to be removed.

Don Whitten, appeared as an opponent to the bill. (Attachment 15) Mr. Whitten felt that the implementation of this consolidation plan fails to meet the criteria of the rural and city resident's interest and needs.

Chairman Brungardt closed the hearing on **SB 379**.

The meeting was adjourned at noon. The next scheduled meeting is January 26, 2006.