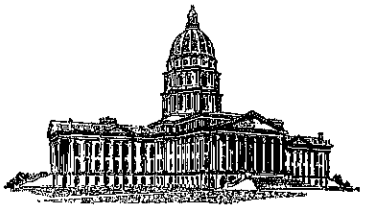
State of Kansas
House of Representatives

State Capitol
Topeka, Kansas 66612
(785) 296-7679
michael.houser@house.ks.gov



6891 SW 10th St.
Columbus, KS 66725
(620) 704-3817
mhouser_2010@yahoo.com

Mike Houser
Representative, 1st District

Mr. Chairman and honorable members of the Local Government committee I come before you today in support of HB2003. Please let me inform you of the nature of the bill and the reason I saw the need to change existing statutes. HB2003 is a bill concerning island annexation. I wish to amend existing language within our current statutes, which I believe fails to protect the rights of the property owners in the areas surrounding the land to be annexed.

Currently, K.S.A. 2014 Supp. 12-520c allows a city to annex land if the land is owned by the city or in a trust for the city, so long as the land is in the same county as the annexing city. There are no checks, no balances, no mechanisms; nothing at all to stand in the way of a city annexing land within the county and using it for any purpose. Whether it is a small plot of land or several square miles is of no consequence. The end result is the same. The neighborhoods around the annexed land have no say in the matter. They do not have to be informed of the plan to annex, nor be informed of the intended use of the land being annexed. They can only sit back, watch it transpire, and hope for the best. Their only recourse is to voice their opinion via public venues.

Let me reiterate, this bill is not designed to eliminate island annexation. There will be times when island annexation will be beneficial to all parties somewhere in the state of Kansas and I would not want to stop those. The purpose of this bill is to give the aforementioned neighboring property owners representation through their elected board of county commissioners. Allowing that elected body to make the final decision to either proceed or stop the annexation gives those people a voice in the matter.

The intention of HB2003 is very simple. If a city wishes to island annex, and the annexation is seen as being beneficial by all parties involved, including the surrounding property owners; there should be no problem whatsoever with the annexation plans. However, if it the annexation were to cause manifest injury to the owners of the land surrounding that to be annexed, the annexation process could be stopped by a vote of the county commissioners. Some examples of manifest injury could be declining property values, public safety issues, and health/environmental issues. The bills intent is to protect the inherent rights of the surrounding property owners, and give them representation which could possibly stop the annexation process. Should that happen, the city has the option to pursue legal action.

You will hear about a proposed landfill during the course of this hearing. This is not a landfill bill, but a landfill issue brought us to where we stand today and showcases the need for legislation such as this. I hope you see fit to support this legislation and recommend it pass favorably to the house floor. Thank you for your time and for your service to the people of the great state of Kansas.

Michael Houser
Kansas State Representative
District 1