

MINUTES OF THE SENATE LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairman Roger Reitz at 9:30 a.m. on March 2, 2009, in Room 446-N of the Capitol. Senator Faust-Goudeau moved to accept the minutes of February 24, 2009. Senator Kultala seconded the motion. The motion carried.

All Committee members were present.

Committee staff present:

Mike Heim, Office of the Revisor of Statutes  
Ken Wilke, Office of the Revisor of Statutes  
Martha Dorsey, Kansas Legislative Research Department  
Reed Holwegner, Kansas Legislative Research Department  
Noell Memmott, Committee Assistant

Conferees appearing before the committee:

Chris Steineger, Kansas Senator, Sixth District  
Melissa Wangemann, Legislative Service Director, General Counsel, KS Association of Counties  
Eileen King, Riley County, Treasurer  
Marilyn Nichols, Shawnee County Register of Deeds

Others attending:

See attached list.

**SB 144 - Subdivisions; blanket easements, void; exceptions.** No action taken by the Committee.

Discussion continued on **SB 253-Zoning amendments; protest petitions; mining operations; extraordinary vote not required,** and **SB 254 - Urban area counties; zoning amendments and conditional use permits; protest petitions.** Mike Heim, revisor, reviewed the bills. **SB 253** amends the general city and county planning and zoning law to make an exception for mining operations to current law provisions that require an extraordinary vote to approve an application for a zoning amendment by the governing body of the city or county in cases where the planning commission disapproves of the zoning amendment or in cases where property owners file a petition protesting the amendment. **SB 254** amends the planning and zoning law that applies only to Johnson County.

He introduced wording of a technical amendment dealing with conditional use permits in **SB 253.**

Senator McGinn moved to accept the amendment to **SB 253.** Senator Faust-Goudeau seconded the motion. The motion carried.

Discussion followed. Senator Marshall moved to pass **SB 253** out of committee. Senator Wagle seconded the motion. The motion carried.

Senator Marshall moved to pass **SB 254** out of committee. Senator Wagle seconded the motion. The motion carried.

The hearing was opened on **SB 198 - Counties; consolidation commission; reduce number of counties.** Mike Heim, revisor, reviewed the bill.

Senator Chris Steineger, Senator Sixth District spoke in favor the **SB 198.** He outlined the following points: Kansas has too many local units of government; The cost of \$500 million to \$800 million is too much; We should study the issue of consolidation; and **SB 198** does not mandate consolidation; it merely creates a study commission to look into it.

Written testimony in supporting **SB 198** was submitted by: Americans for Prosperity Kansas (Attachment 1); Art Hall, Center for Applied Economics, KU School of Business (Attachment 2); County Reorganization in Kansas: Possible Configurations; Dept of Geology, Joseph A. Aistrup, Political Science, Kansas State University (Attachment 3); and Dave Trabert, Flint Hills Center for Public Policy (Attachment 4).

CONTINUATION SHEET

Minutes of the Senate Local Government Committee at 9:30 a.m. on March 2, 2009, in Room 446-N of the Capitol.

Melissa Wangemann, General Counsel, Kansas Association of Counties, spoke in opposition to **SB 198** stating that consolidation needs to originate at the local level. (Attachment 5)

Eileen King, Riley County Treasurer, testified in opposition to **SB 198** citing legislation passed in 2006 allows counties to consolidate when they feel there is a need. (Attachment 6)

Marilyn Nichols, Shawnee County, Register of Deeds, testified in opposition to **SB 198**. She also stated that local governments should decide for themselves what is best for their communities concerning consolidation. (Attachment 7)

Written testimony in opposition to **SB 198** was submitted by Linda M. Buttron, Jefferson County Clerk/Election Officer. (Attachment 8)

The next meeting is scheduled for March 3, 2009.

The meeting was adjourned at 10:30 a.m.