

MINUTES OF THE HOUSE LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairman Sharon Schwartz at 3:30 p.m. on February 3, 2009, in Room 446-N of the Capitol.

All members were present except:

Representative Lana Gordon – Absent  
Representative Michael Peterson – Excused

Committee staff present:

Ken Wilke, Office of the Revisor of Statutes  
Martha Dorsey, Kansas Legislative Research Department  
Jill Shelley, Kansas Legislative Research Department  
Carol Bertram, Committee Assistant

Conferees appearing before the committee:

Eric Sartorius, Assistant City Manager, Director External Affairs, City of Overland Park  
Whitney Damron, City of Topeka  
Daniel Stueckemann, President of Home Owners Association, Cedar Lake Estates  
Carl Slaugh, City of Basehor

Others attending:

See attached list.

Chair Schwartz called the meeting to order at 3:30 p.m. She commented that the committee minutes of January 15 and January 20, 2009, meetings have been e-mailed to each member for their review. These minutes will be approved at the committee's next meeting.

Chair Schwartz introduced Heidi Shadid who was a student in the Public Policy Clinic at the University of Kansas School of Law. Heidi distributed a report which provided a brief summary (Attachment 1) of her Land Government Annexation report (Attachment 2). She stated these reports are intended to provide useful, nonpartisan information to the legislature.

Questions and answers followed.

Chair Schwartz opened the hearing on **HB 2029**.

Martha Dorsey, Legislative Research Department, explained the contents of **HB 2029** and the changes which had been made due to the recommendations of the Special Committee on Eminent Domain in Condemnation of Water Rights.

Questions and answers followed.

Since no one notified the Chair they wanted to appear before the committee as a proponent, Chair Schwartz opened the floor to anyone wanting to appear as a proponent. Rep. Mah appeared before the committee and noted that she did not have written testimony but that she does support the measurers in the bill.

Neutral:

Erik Sartorius, Assistant City Manager, Director External Affairs, City of Overland Park, appeared before the committee noting the City of Overland Park believes it is a sensible step to require cities to provide copies of the annexation service plans to the board of county commissioners in annexations (Attachment 3). That **HB 2029** aims to improve the law in ways that make sense.

Whitney Damron, City of Topeka, appeared before the committee. He stated the changes proposed in **HB 2029** would appear to be reasonable as currently drafted and would not appear to impose a significant burden on local units of government, either cities or counties (Attachment 4).

Chair Schwartz reminded the committee a considerable number of e-mails had been sent to committee

## CONTINUATION SHEET

Minutes of the House Local Government Committee at 3:30 p.m. on February 3, 2009, in Room 446-N of the Capitol.

members by various residents. She recommended the committee be sure to read them.

Opponents:

Daniel Stueckemann, President of the Home Owners Association for Cedar Lake Estates, appeared before the committee stating home owners in Cedar Lake Estates do not support **HB 2029** as written because it does not include any specific provisions to require a direct vote by the affected property owners to approve or reject a proposed involuntary, unilateral annexation by a municipality (Attachment 5).

Questions and answers followed.

Carl Slaugh, City Administrator for the City of Basehor, appeared before the committee. He pointed out that an orderly annexation process needs to be available to allow a city to grow as the services are extended. That without the statutory provisions in place giving cities the authority to annex there would potentially be islands of county land surrounded by city limits. It is hoped and requested that these provisions will be left in place (Attachment 6).

Questions and answers followed.

The hearing on **HB 2029** was closed.

Chair Schwartz pointed out that a letter from Rob Chestnut, Vice-Mayor, City of Lawrence, was in their folders. Mr. Chestnut opposes all annexation bills (Attachment 7).

The next meeting is scheduled for February 5, 2009.

The meeting was adjourned at 5:00 p.m.

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Representative Sharon Schwartz, Chair