



RENO COUNTY
Administration
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TO: Kansas House Committee on Energy, Utilities and Telecommunications

RE: Testimony of Gary Meagher, Reno County Administrator, in Opposition to House Bill No. 2273

DATE: February 15, 2019

A message from the Kansas Association of Counties informed me late in the day of February 13, 2019, that House Bill No. 2273 had been filed. I also learned the matter had been set for hearing before your Committee on February 19, 2019 at 9:00 a.m. Because the next meeting for the Board of County Commissioners is set for the same day and at the same time, and because of the short notice deadlines for providing testimony in support of or in opposition to the Bill, I forwarded the Bill to the Board of County Commissioners and individually and separately polled each member of the Board as to whether a member wished to respond. Separate responses I received from each member indicate that a consensus exists among a majority of the members in opposition to the Bill.

I am informed and believe the following is the position of a majority of the members of the Reno County Commission if the Commission had been afforded an opportunity to address the matter by formal vote at a public meeting prior to your hearing.

K.S.A. 12-741, et seq. is a comprehensive legislative enactment granting broad authority to cities and counties to regulate land uses within their respective jurisdictions.

The Act provides for the creation of a Planning Commission and authorizes the Planning Commission to make a Comprehensive Plan for the development of the unincorporated area of the county.

The Act prescribes standards for subdividing land and for the platting of the same; and, most importantly, the Act prescribes the legal requirements by which a county may establish any zone or district or regulates or restricts the use of buildings or land therein.

A majority of the members of the Reno County Commission strongly believes that land use regulation is best accomplished by local governmental entities as provided by K.S.A. 12-741, et seq., originally adopted by the Kansas Legislature in 1991. The State of Kansas, having established a comprehensive process for the regulation of land uses where deemed necessary by local government, which process is subject to judicial review on appeal, has provided a system more than adequate to allow local government with authority to address any and all issues pertinent to land use regulation, including those pertaining to wind generation.

House Bill No. 2273 is an unnecessary and unwise intrusion upon that authority already conveyed upon local government. I urge your disapproval of House Bill No. 2273. Thank you for your consideration.

Respectfully submitted,

Gary Meagher
Reno County Administrator