

MINUTES OF THE HOUSE GOVERNMENTAL ORGANIZATION AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Jene Vickrey at 3:30 P.M. on January 20, 2005 in Room 519-S of the Capitol.

All members were present except:

Representative Oletha Faust-Goudeau- excused  
Representative Melody Miller- excused

Committee staff present:

Mike Heim, Legislative Research Department  
Martha Dorsey, Legislative Research Department  
Theresa Kiernan, Revisor of Statutes Office  
Maureen Stinson, Committee Secretary

Conferees appearing before the committee:

Chris Wilson, Kansas Building Association  
Don Moler, League of Kansas Municipalities  
Eric Sartorius, City of Overland Park  
Scott Schneider, City of Wichita  
Michael Boehm, City of Lenexa  
Don Denny, Wyandotte County  
Ron Fehr, City of Manhattan  
Ray Toso, City of Emporia  
Joan Wagnon, State Dept. Of Revenue

Others attending:

See attached list.

**HB 2005**      **Elections; disclosure of felony conviction**

Chairman Vickrey appointed a subcommittee to further discuss **HB 2005** and asked them to report their recommendations back to the committee. Members of the subcommittee are:

Chair - Rep. Lane

Members - Rep. Goico, Rep. Holland, Rep. Yonally, Rep. Huebert

**HB 2018**      **Acquisition of rural water district by another district**

Rep. Holland made a motion for the favorable passage of **HB 2018**. Rep. Yonally seconded the motion. The motion carried.

**HB 2027**      **Library boards; reduction of waiting period for reappointment**

Rep. Yonally made a motion for the favorable passage of **HB 2027**. Rep. Huebert seconded the motion. The motion carried.

**Bill Introductions**

Chairman Vickrey advised that the Special Committee on Local Government (Interim Committee) had noted 12 statutes for further study in their Committee Report. He requested that the 12 statutes listed be drafted as committee bills.

Without objection, the requests will be accepted as committee bills.

**Briefing - Kansas Advisory Council on Intergovernmental Relations**

Pursuant to K.S.A. 12-4002, Michael Boehm, City of Lenexa, briefed the committee regarding the activities of the Kansas Advisory Council on Intergovernmental Relations (KACIR) (Attachment 1). He said the purpose of the KACIR as established in statute, is to engage in the continuous study of the services provided by the various types and levels of government in the state. He stated that the study topic for 2004-2005 is the following:

“What governmental structures will allow for and promote growth and sustain-ability for the future of Kansas communities?”

CONTINUATION SHEET

MINUTES OF THE House Governmental Organization and Elections Committee at 3:30 P.M. on January 20, 2005 in Room 519-S of the Capitol.

Chairman Vickrey opened the hearing on:

**HCR 5001**      **Constitutional amendment providing for up to ten classes of cities for purposes of imposing limitations or prohibitions on taxes**

Chris Courtwright, Kansas Legislative Research Department, briefed the committee on **HCR 5001**. He also presented information from the Special Committee on Assessment and Taxation which met during the Interim Session (Attachment 2).

Joan Wagon, Secretary of the Kansas Department of Revenue, appeared before the committee and provided administration information relating to **HCR 5001**. No written testimony was provided.

Chris Wilson, Kansas Building Association, testified as a proponent of the bill (Attachment 3). She said the purpose of this legislation is to change the state constitution to allow for more than four classes of cities. She explained that this limit was inadvertently exceeded by the Legislature. Ms. Wilson testified that with the inadvertent exceeding of the current limit of four, cities may now charter out of statutes to do things the Legislature prohibited by statute.

Don Moler, League of Kansas Municipalities, testified as an opponent of the bill (Attachment 4). He said it is the opinion of the League of Kansas Municipalities that the bill is an unnecessary piece of legislation which subjects virtually all city authority to possible amendment or repeal.

Eric Sartorius, City of Overland Park, testified as an opponent of the bill (Attachment 5). He said they feel strongly that a constitutional amendment goes far beyond what is necessary to cure any problems seen by the Department of Revenue.

Scott Schneider, City of Wichita, testified as an opponent of the bill (Attachment 6). He said that the City of Wichita is opposed to any legislation that diminishes the Home Rule authority of cities and removes the rights of citizens, through their locally elected representatives, to decide the standards and issues that are uniquely appropriate to their community.

Michael Boehm, Mayor, City of Lenexa, testified as an opponent of the bill (Attachment 7). Mayor Boehm stated that the constitutional amendment, as proposed, could have significant, unintended consequences on such matters as Home Rule authority, other existing statutory provisions, and local government laws currently in effect.

Don Denney, Wyandotte County Unified Government, testified as an opponent of the bill (Attachment 8). He said that the proposed legislation is an unnecessary, unwarranted intrusion on the Home Rule and local control rights granted cities in the Kansas Constitution.

Ron Fehr, City of Manhattan, testified as an opponent of the bill (Attachment 9). He said that if the legislation is passed out of committee and heard on the house floor, all of the powers of cities will be on the table for debate, amendment, and repeal.

Ray Toso, Mayor, City of Emporia, testified as an opponent of the bill (Attachment 10). He said that there is no need for a constitutional amendment which opens up the Home Rule authority of cities.

John Zutavern, City Commissioner, submitted written testimony on behalf of the City Commission, City of Abilene (Attachment 11).

Chairman Vickrey closed the hearing on **HCR 5001**.

Rep. Yonally made a motion to approve the minutes of the January 11, 2005 meeting. Rep. Swenson seconded the motion. The motion carried.

The Chairman adjourned the meeting.

The next meeting is scheduled for Tuesday, January 25, 2005.