

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 February 1, 2005 in Room 519-S of the Capitol.

All members were present.

Committee staff present:

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

Conferees appearing before the committee:

Rep. Mike O'Neal  
Randall Allen, Kansas Association of Counties  
Vernon Chinn, Pratt County Sheriff  
Rep. Jan Pauls  
Randy Rogers, Coffey County Sheriff  
Don Moler, League of Kansas Municipalities  
Mike Boehm, Kansas Advisory Council on Intergovernmental Relations (KACIR)  
Tom Finney, KACIR  
Steve Commons, City of Emporia  
Terry Holdren, Kansas Farm Bureau  
Bob Haselwood  
Paul Degener

Others attending:

See attached list.

Rep. Melody Miller was welcomed back to committee.

**Bill Introductions**

Rep. Oharah requested a house concurrent resolution to amend the constitution which would require that all supreme court justices be elected officials.

Without objection, the request for the house concurrent resolution will be accepted as a committee bill.

Chairman Vickrey opened the hearing on:

**HB 2167 County law enforcement consolidation**

Rep. Mike O'Neal testified as a proponent of the bill (Attachment 1). His testimony also addressed **HB 2093, HB 2094, HB 2111, and HB 2167** and he expressed support for those bills as well. He explained that **HB 2111 and HB 2167** were introduced as his request. He testified that he is interested in the Legislature taking action to break down any current legislative barriers to cooperative efforts to consolidate local units of government.

Randall Allen, Kansas Association of Counties testified in support of **HB 2167 (Attachment 2)**. He said the bill amends an older Riley County law enforcement consolidation bill from the 1970's and allows for the same countywide law enforcement model implemented in Riley County to be considered by voters in other counties. He explained that the bill essentially removes the definitions of counties eligible for such a model (defined by ranges in population and assessed valuation) and makes the same model available to other counties.

Rep. Jan Pauls testified in opposition to the bill. No written testimony was provided.

Pratt County Sheriff, Vernon Chinn, testified in opposition to the bill (Attachment 3). His testimony also addressed **HB 2094** and he expressed opposition to both bills. He urged the committee to guard against any legislation that does away with an elected office.

Ron Hirst, Mayor, City of Hutchinson, submitted written testimony in opposition to **HB 2167 (Attachment 4)**.

Sheriff Randy Rogers, Coffey County, testified in opposition to **HB 2167 (Attachment 5)**. His testimony also addressed **HB 2167, HB 2094, and HB 2111** and he expressed his opposition to those bills as well. He said that he was appearing as Vice President of the newly formed Kansas County Officials Association (KCOA). Sheriff Rogers testified that KCOA membership consists of statewide elected county officials, including sheriffs, treasurers, registers of deeds, and county clerks.

Chairman Vickrey closed the hearing on **HB 2167**.

Chairman Vickrey opened the hearing on:

**HB 2111 City and county consolidation**

CONTINUATION SHEET

MINUTES OF THE House Governmental Organization and Elections Committee at 3:30 P.M. on February 1, 2005 in Room 519-S of the Capitol.

**HB 2093**      **Counties; procedure to change boundaries**

**HB 2094**      **City and county consolidation**

Don Moler, League of Kansas Municipalities, testified in support of **HB 2093** (Attachment 6). He said the bill amends statutes which allow for the voluntary consolidation of counties after a vote of the public.

Mike Boehm, Kansas Advisory Council on Intergovernmental Relations, appeared in support of **HB 2093** (Attachment 7). He said that **HB 2093** is a simple piece of legislation which enables the citizens of Kansas to decide the boundaries of one of their local units of government. Mayor Boehm also testified in support of **HB 2094** (Attachment 8). He said that under current law, a city and a county cannot actively consider the possibility of consolidation without seeking special legislation. He testified that Kansas statutes should identify a process for cities and counties to follow, but should not mandate what the consolidated government would look like.

Randall Allen, Kansas Association of Counties, appeared in support of **HB 2094** (Attachment 9). He explained that the bill provides a mechanism and public process for cities and counties to consider and then implement alternative organizational structures without first seeking legislative approval. Mr. Allen also testified in support of **HB 2093** (Attachment 10). He said the bill amends an old statute allowing for citizens in two or more counties to petition for a change in county boundaries. He explained the proposed legislation reduces the threshold of signatures required to 5 percent of the eligible voters in each county affected. He stated that it also provides a way for the boards of county commissioners to directly place such a question on a ballot for the voters to decide.

Tom Finney, Kansas Advisory Council on Intergovernmental Relations, testified in support of **HB 2094 and HB 2093**. No written testimony was provided.

Steve Commons, City of Emporia, testified in support of **HB 2094 and HB 2111** (Attachment 11). He said the city supports legislation to allow local units of governments to voluntarily merge or consolidate functions to better serve their citizens.

James McClinton, City of Topeka, submitted written testimony in support of **HB 2111 and HB 2094** (Attachment 12).

Bob Haselwood, resident of Shawnee County, testified in opposition to **HB 2094 and HB 2111** (Attachment 13). He said he feels that a dual majority vote is the only way to insure that a consolidation plan will be fair to all residents of the county.

Paul Degener, resident of Shawnee County, testified in opposition to **HB 2094 and HB 2111** (Attachment 14). He expressed concern that the legislation authorizes the election or appointment of officers and that if passed, every official in the county could be appointed rather than elected.

Greg Dye, resident of Wichita, submitted written testimony in opposition to **HB 2094 and HB 2111** (Attachment 15).

Jane Kelsey, resident of Shawnee County, submitted written testimony in opposition to **HB 2094** (Attachment 16).

Terry Holdren, Kansas Farm Bureau, appeared as an interested neutral party (Attachment 17) regarding **HB 2094 and HB 2111**. He said the topic of consolidation of cities and counties in Kansas is an issue of great concern among their membership. He suggested the following changes to the legislation:

- The final consolidation plan should be approved by a majority of voters residing in the municipality in question, and a majority of voters in the unincorporated areas of the county.
- At least ½ of the members of the commission studying consolidation should represent unincorporated areas of the county.
- The commission should not have the authority to abolish elected positions and replace them with appointed positions.

The Chairman closed the hearing on **HB 2111, HB 2093, and HB 2094**.

Chairman Vickrey adjourned the meeting.

The next meeting is scheduled for Thursday, February 3, 2005.