



*Sedgwick County...
working for you*

Office of the County Counselor

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House Local Government Committee

HCR 5007

March 20, 2019

Chairman Thompson and members of the committee. My name is Michael D. Pepoon and I am the Interim County Counselor for Sedgwick County. I appreciate the opportunity to present written testimony in support of HCR 5007 — a House Concurrent Resolution that would provide for constitutional home rule powers for Counties — much in the same way that cities received in 1961.

Sedgwick County is an urban county representing almost 500,000 Kansas residents. These residents expect their government to have the authority to govern within reasonable parameters. Giving the Sedgwick County Commission the authority to determine the local affairs of its citizens is something that the voters of Sedgwick County should have the opportunity to weigh in on.

It is important to note that even with constitutional home rule, counties would still be bound by legislation that would be of statewide concern and which would apply uniformly to counties throughout the State of Kansas. So just as with the case with cities, the Kansas Legislature has the final say in limiting county home rule authority.

As a lawyer representing Sedgwick County for over thirty years, I have read Kansas Supreme Court and other appellate cases, along with numerous Attorney General opinions, wherein County Home Rule is treated in a subservient manner as compared to City Home Rule merely because county home rule is by statute and city home rule is by constitution. Sometimes this distinction is used to deny counties the full entitlement of self-governance that they deserve. I respectfully request that you please allow the voters of the state of Kansas to weigh in on this important issue and determine whether such an unnecessary distinction in the law should continue.