

MINUTES OF THE HOUSE LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairman Jene Vickrey at 3:30 p.m. on February 10, 2004 in Room 519-S of the Capitol.

All members were present except:

Representative William Kassebaum- excused

Committee staff present:

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

Conferees appearing before the committee:

Tom Winters, Sedgwick County Commission  
James Crowl, Shawnee County Counselor's Office  
Danielle Noe, Johnson County  
Ed Jaskinia, The Associated Landlords of Kansas  
Johnni Vosseller  
Patrick DeLapp  
Gary Hefley, The Associated Landlords of Kansas  
Mark Tomb, League of Kansas Municipalities

Others attending:

See Attached List.

The Chairman opened the hearing on:

**HB 2600 counties; sale or disposition of county property**

Tom Winters, Sedgwick County Commission, testified in support of the bill (Attachment 1). He said that counties have to go through numerous procedural steps when disposing of property but cities have no statutory restrictions when it comes to disposing of or selling property.

James Crowl, Shawnee County Counselor's Office, testified in support of the bill (Attachment 2). He said that the current statute is unnecessary and, in some instances, could constrain a county from disposing of property in a manner that is beneficial to the public. He advised that if K.S.A. 19-211 is repealed, a county would be able to develop flexible procedures for the disposal of property that best suits its specific needs.

Danielle Noe, Johnson County, testified in support of the bill (Attachment 3). She said that the bill would repeal burdensome requirements of K.S.A. 19-211 regarding the disposal of surplus property. She stated that with the repeal of the current statute, the county would be required to develop its own specific surplus policies and procedures. Ms. Noe said that the process could possibly be streamlined to include provisions for some flexibility as to the disposition of surplus property.

Written testimony in support of the bill was submitted by:

- Judy Moler, Kansas Association of Counties (Attachment 4)

There were no opponents to the bill.

The Chairman closed the hearing on: **HB 2600**

The Chairman opened the hearing on:

CONTINUATION SHEET

MINUTES OF THE HOUSE LOCAL GOVERNMENT COMMITTEE at 3:30 p.m. on February 10, 2004 in Room 519-S of the Capitol.

**HB 2615 abatement of nuisances, owner has not exceeding 40 days to abate nuisance; current law 10 days**

Ed Jaskinia, The Associated Landlords of Kansas, testified in support of the bill. He provided no written testimony. He said the bill increases the response time to address abatement of nuisances from 10 days to 40 days.

Johnni Vosseller testified in support of the bill (Attachment 5). She said the change to 40 days would allow the landlord to follow the Landlord Tenant Act without violating the rights of the tenant and not violating the 10 day rule.

Patrick DeLapp testified in support of the bill (Attachment 6). He explained that the landlord must give proper notice to the tenant and that, typically, this is known as a 14/30 day notice. He said a 14/30 day notice spells out what the problem is to the tenant. He stated that the tenant has 14 days to correct the problem or move in 30 days. Mr. DeLapp said that if the problem is not resolved on the 15<sup>th</sup> day, the tenant must then move within 30 days of receiving the 14/30 day notice. He said in order to comply with the State nuisance codes as currently written, Landlords many times have to directly violate another state law about giving proper notice under the Kansas Residential landlord tenant law.

Gary Hefley, The Associated Landlords of Kansas, testified in support of the bill (Attachment 7). He said because of the 14/30 day notice law, if a landlord attempts to correct a problem before the 30 days is up, he could be held liable by the tenant for disturbing the tenants right to a peaceable existence.

Written testimony was submitted by:

- Thomas Benaka (Attachment 8)
- Marcia Lessenden (Attachment 9)

Mark Tomb, League of Kansas Municipalities, testified in opposition to the bill (Attachment 10). He said the bill creates an unnecessary delay for cities to effectively deal with health and public safety concerns. He stated the bill would prevent cities from dealing with potentially dangerous situations in a timely manner.

The Chairman closed the hearing on: **HB 2615**

The meeting was adjourned at 4:20 p.m.

The next meeting is scheduled for February 12, 2004.