

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS AND LOCAL GOVERNMENT.

The meeting was called to order by Chairperson Barbara P. Allen at 1:30 p.m. on March 18, 2003 in Room 245-N of the Capitol.

All members were present except: Sen. Hueslkamp - excused

Committee staff present: Ken Wilke, Revisor of Statutes  
Dennis Hodgins, Legislative Research  
Mike Heim, Legislative Research

Conferees appearing before the committee:

Proponents

Senator Jackson  
Representative Rob Boyer  
Representative Toelkes  
Vic Miller, County Commissioner, Shawnee County  
Dennis Schwartz, Kansas Rural Water Association  
Marilyn Chapman, Sedgwick County Election Commissioner  
Senator Hensley  
Edgar Peck, representing Tecumseh Township and Topeka  
Tecumseh Fire District Board  
Leslie Kendall, Concerned Citizen, Shawnee County  
Brad Oliver, Concerned Citizen, Shawnee County  
Jack Savely, Concerned Citizen, Shawnee County  
Fred Hienz, Concerned Citizen, Shawnee County

Opponents

Don Moler, League of Municipalities  
Joseph Ledbetter, Taxpayer in Topeka and Shawnee County  
Danielle Noe, Johnson County  
Colin Hansen, Kansas Municipal Utilities  
Bruce Felker, Mayor, City of Topeka  
Mike Taylor, City of Wichita  
Bob Watson, City Attorney, Overland Park

Others attending: See attached list

Hearing on

**HB 2212 - Annexation; effective date**

Chairperson Allen brought the committee's attention to the open hearing of **HB 2212** and informed members of a document distributed to each, from Mike Heim showing which counties are impacted by

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS AND LOCAL GOVERNMENT at on March 18, 2003 in Room 245-N of the Capitol.

**HB 2212** (Attachment 1). In lieu of the number of conferees wishing to appear and time constraints, Chairperson Allen instructed committee members to hold questions until after all testimony and announced that each conferee would be allowed 1.5 minutes to speak.

Appearing to testify in favor of **HB 2212** were: Senator Jackson (Attachment 2), Representative Boyer (Attachment 3), Representative Toelkes (Attachment 4), Vic Miller the Shawnee County Commissioner (Attachment 5), Dennis Schwartz from Kansas Rural Water Assn. (Attachment 6), Marilyn Chapman the Sedgwick County Election Commissioner (Attachment 7), Edgar Peck representing Tecumseh Township and Topeka Tecumseh Fire District Board (Attachment 8), Leslie Kendall from Shawnee County (Attachment 9), Brad Oliver from Shawnee County (Attachment 10), Jack Savely from Shawnee County (Attachment 11), Fred Hienz from Shawnee County (Attachment 12), and Dave Anderson the Mayor of DeSoto (Attachment 13). In addition, written testimony supporting **HB 2212** from Carol Bainum from Shawnee County (Attachment 14) and Richard Rowzer from Tecumseh, KS (Attachment 15) was distributed to members. Chairperson Allen asked if there was anyone else wishing to testify on behalf of **HB 2212**, there was no response. Chairperson Allen also informed members that Senator Hensley was listed to testify as a proponent of **HB 2212** and would be allowed to do so once he arrived at the meeting.

Chairperson Allen announced the start of the opponents testimony. Appearing to testify against **HB 2212** were: Don Moler the Executive Director for League of Kansas Municipalities (Attachment 16), Joseph Ledbetter from Shawnee County (Attachment 17), Danielle Noe the Intergovernmental Relations Coordinator for Johnson County (Attachment 18), Colin Hansen the Executive Director for Kansas Municipal Utilities (Attachment 19), Mayor Felker of Topeka (Attachment 20), Mike Taylor the Governmental Relations Director for Wichita (Attachment 21), and Bob Watson the City Attorney for Overland Park (Attachment 22). In addition, testimony to oppose **HB 2212** from Mayor Eloise Mueller of Marion (Attachment 23) was distributed to members. Chairperson Allen asked for anyone else wishing to testify against **HB 2212**, there was no response.

Chairperson Allen recognized Senator Hensley, who then testified in support of **HB 2212** (Attachment 24). Chairperson Allen announced the opening of questions for any of the proponents or opponents. During the questioning concerns regarding Don Moler's testimony, referenced earlier, regarding the constitutionality of **HB 2212** were addressed; according to the staff there was no consensus that this was definitely a problem. Senator Schmidt questioned the need for this issue to be at the state level rather than being worked out between the City of Topeka and Shawnee County, noting that this seems to be fueled by disagreements among these entities and not throughout the state. Various proponents and opponents made comments on how attempts to work this out have been unsuccessful.

Once questioning tapered down, Chairperson Allen called for any additional questions. Since no additional questions arose, Chairperson Allen announced the close of the hearing on **HB 2212**.

Chairperson Allen received a written proposal for amendments on **HB 2112** from John Todd (Attachment 25) and written information from Cole Smith (Attachment 26) to respond to questions from Senator O'Connor. This information was previously requested by Chairperson Allen during the hearing on March 11, 200 and to be distributed to members when **HB 2112** is to be worked.

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**Adjournment**

Chairperson Allen announced the next meeting to be on Wednesday, March 19, 2003 at 1:30 p.m. and called the meeting adjourned.