

Approved: February 13, 2012  
Date

## MINUTES OF THE LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairman Roger Reitz at 9:30 a.m. on February 7, 2012, in Room 159 S of the Capitol.

All members were present except:  
Senator Love, excused

Committee staff present:  
Mike Heim, Office of the Revisor of Statutes  
Scott Well, Office of the Revisor of Statutes  
Jill Shelley, Kansas Legislative Research Department  
Laura Jurgensen, Kansas Legislative Research Department  
Noell Memmott, Committee Assistant

Conferees appearing before the committee:  
Representative Doug Gatewood  
Senator Dwayne Umbarger  
Nicole Proulx Aiken, Staff Attorney, League of Kansas Municipalities  
Sandy Jacquot, Director of Law/General Counsel, League of Kansas Municipalities  
Luke Bell, Vice President of Governmental Affairs, Kansas Association of Realtors  
J.D. Lester, City Manger, Chanute, Kansas  
Ken Matney, Business Owner, Chanute, Kansas  
Ed Bideau, Attorney, Chanute, Kansas  
Christy Davis, (on behalf of Linda Glasgow), Kansas Preservation Alliance  
Patrick Zoller, Division Director, Cultural Resources, Kansas Historical Society, (on behalf of Jennie Chinn, Executive Director, Kansas Historical Society)

*Senator Kelsey moved to introduce **SB 341–cities; dissolution because of environmental buyout. The motion was seconded by Senator Marshall. The motion passed.***

Representative Doug Gatewood presented background on **SB 341**. In the 2007 Session, the Kansas Legislature created a “Trust” that was charged with providing relocation opportunities, voluntary, not mandatory, for the citizens in Treece, Kansas. The Trust has paid all debts of the city and holds title to the city property as well as the residential properties. (attachment 1) In order to transfer real estate owned by the city, the city must be dissolved. This will allow the Trust to complete their duties, transfer the properties, and end their mission. Senator Dwayne Umberger, (attachment 2) and Nicole Proulx Aiken, Staff Attorney, League of Kansas Municipalities, (attachment 3) both gave testimony in support of the bill.

The hearing was closed.

## CONTINUATION SHEET

Minutes of the Senate Local Government Committee at 9:30 a.m. on February 7, 2012 in Room 159 S of the Capitol.

Senator Marshall moved to introduce **SB 329–Historic properties; projects within environs; city opt out of state historic preservation officer review.** The motion was seconded by Senator Kelsey. The motion carried.

Sandy Jacquot, Director of Law/General Counsel, League of Kansas Municipalities, spoke in favor of **SB 329**. She explained the bill would allow cities to adopt an ordinance, after a public hearing, exempting itself from the requirements of K.S.A. 75-2724, but it must make a provision for standards to protect historic property in the city. It must also make a finding that the state review process will have a detrimental effect on the economic development of the city. (attachment 4) Luke Bell, Vice President of Governmental Affairs, Kansas Association of Realtors, (attachment 5), J.D. Lester, City Manager, Chanute, Kansas, (attachment 6), and Ken Matney, Business Owner, Chanute, Kansas, (attachment 7) all gave testimony supporting the bill. Ed Bideau, Attorney, Chanute, Kansas, (attachment 8) presented testimony supporting the bill with suggested amendments. Christy Davis, Kansas Preservation Alliance (on behalf of Linda Glasgow) presented testimony in opposition to **SB 329**. The Kansas Preservation Alliance opposes **SB 329** because they believe that the intent of the proposed amendments is already achieved in the current statute. (attachment 9)

Patrick Zoller, Director, Cultural Resources Division, Kansas State Historical Society, (on behalf of Jennie Chinn) spoke as a neutral party and provided background and data concerning The Kansas Preservation Act. He noted that the current law already provides for everything the SB 329 intends to do:

Local governing authority has the final determination in a state law review.

Local governments can conduct their own state law review. (attachment 10)

The hearing was closed.

The meeting adjourned at 10:30 a.m.

The next meeting will be Monday, February 13, 2012.