



BOARD OF COMMISSIONERS

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March 20, 2019

The Honorable Kent Thompson, Chairman
House Local Government Committee
Capitol Building, Room 281-N
Topeka, Kansas 66612

Re: HCR 5007—Testimony in Support

Dear Chairman Thompson and Members of the Committee:

The goal of HCR 5007 is to provide all Kansas counties constitutional protection of their local legislative authority (“home rule”). We are asking Kansas voters for the same protection of home rule authority currently enjoyed by all Kansas cities.

The 1974 legislation which granted counties home rule contained only 8 restrictions. Those restrictions have grown over the years. That growth has likely occurred because it encourages each legislature to pass “non-uniform” legislation affecting counties as you are aware, “non-uniform” legislation is legislation affecting one or more, *but not all* Kansas counties. The distinction between uniform and non-uniform legislation matters to counties. When a non-uniform law is passed, it may only be designed to affect one local problem—but it affects all other counties not subject to that local problem. But that non-uniform law is valid statewide because the legislature may validate it by simply adding a 39th exception to the 1974 grant of county home rule. That is, in the unanimous opinion of the Board of Riley County Commissioners, bad public policy.

In contrast, uniform legislation affects all Kansas counties and results from a truly statewide problem deserving a statewide legislative solution.

If county home rule is left without constitutional protection, the current 38 statewide restrictions will only grow larger in the future. That will discourage county innovation and hamper local government’s ability to address the local problems which local government exists to address.

Thank you for allowing me to speak in support of HCR 5007.

Sincerely,

BOARD OF COMMISSIONERS
OF RILEY COUNTY, KANSAS

A handwritten signature in blue ink, appearing to read "John Ford", is written over a horizontal line.

John Ford, Member

cc: Ronald E. Wells, Chairman
Marvin Rodriguez, Vice Chairman