

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 February 18, 2003 in Room 245-N of the Capitol.

All members were present except:

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

Conferees appearing before the committee: Gary Price, Topeka City Councilman
Mike McGee, City of Topeka; Public Works Department
Don Moler, League of Municipalities
JoAnn Peavler, VP, East End Neighborhood Improvement Assn (NIA)
Mike Taylor, Government Relations Director; City of Wichita
Pat DeLapp, citizen of Topeka, KS
Randall Allen, Kansas Association of Counties

Others attending: see attached list

Chairperson Allen announced the distribution of written testimony opposing **SB 79** from Gary Price (Attachment 1) and Lisa Stubbs (Attachment 2), both members of the Topeka City Council, who testified before this committee on February 6, 2003 as opponents of the bill. In addition, Fiscal Notes were distributed for **SB 167** and **SB 238**.

Hearing on
SB 167 - cities; notice of nuisance abatement by regular mail

Chairperson Allen brought the committee's attention to the opening of the hearing on **SB 167**.

Gary Price, Topeka City Councilman, testified in favor of **SB 167** (Attachment 3), urging passage of this bill on behalf of residents who desire swifter action in handling code violations in their neighborhoods.

Mike McGee, the Deputy Director for City of Topeka Public Works Department, testified in support of **SB 167** (Attachment 4) focusing on the actions of individuals to refuse receipt of notice during attempts to deliver certified letters and the waste of time and energy this requires when there are other ways which may be more effective and less costly.

Don Moler, Executive Director; League of Kansas Municipalities, gave testimony supporting **SB 167** (Attachment 5), pointing out there would still exist one mailing to the resident which is sent certified

CONTINUATION SHEET

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

return receipt requested should this bill pass.

JoAnn Peavler, VP, East End Neighborhood Improvement Assn, testified in favor of **SB 167** pointing out the reliability of first class mail and thus the unnecessary action of certified mailing in order to notify residents of code violations. Ms. Peavler did not provide written testimony, however she agreed to send this into the committee.

Mike Taylor, Government Relations Director; City of Wichita, spoke briefly in support of **SB 167** (Attachment 6) emphasizing the benefit in spending reductions this change will allow cities.

Pat DeLapp, a citizen of Topeka, testified against **SB 167** (Attachment 7), providing the committee with copies of mail he received, damaged or mis-delivered by the postal service, in an attempt to show the unreliability of first class mail for important notices.

Chairperson Allen announced the close of the hearing on **SB 167**.

SB 238 - City-county reorganization; efficiency in Local Government Act

Chairperson Allen called the committee's attention to the opening of the hearing on **SB 238**.

Don Moler, Executive Director; League of Kansas Municipalities, appeared and testified in favor of **SB 238** (Attachment 8). He also responded to questions from the committee clarifying the following points: a) there is no change in the power of city or county governments should they choose to reorganize, b) the reorganization into a unified government would require the votes of the citizens in the areas, c) this bill is based on the actions taken during the process of unifying Kansas City, KS and Wyandotte County, d) it is presumed costs will decrease once a county and city(s) merge to form one governing body, and e) all cities within a county are not required to participate in this reorganization, they may choose to remain an independent city and still retain their representation on county matters.

Randall Allen, Executive Director; Kansas Association of Counties, testified in favor of **SB 238** (Attachment 9) clarifying his indifference to unified governments themselves, while at the same time supporting the freedom for counties, cities, and their citizens to decide. Further, Mr. Allen pointed out this bill is good policy which removes obstacles to such reorganizations.

Chairperson Allen announced the close of the hearing on **SB 238**

SB 166 - Vacancy in office; clarifying party convention definition:

Chairperson Allen called the committee's attention to the opening of the hearing on **SB 166**.

Senator Schmidt testified in support of SB 166 - clarifying that this bill would not resolve the present situation under debate in Senate District 15, nor is it our intent to resolve it. This Judicial Branch is handling this case. In future situations, this bill would require the appointee be a member of the same party as the elected official being replaced, at the time the voters elected him/her.

CONTINUATION SHEET

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

Chairperson Allen announced the close of the hearing on **SB 166**.

Action on SB 166

A motion by Senator Schmidt to pass **SB 166** favorably was seconded by Senator Buhler. A request by Senator Huelskamp regarding a possible amended prompted Senator's Schmidt and Buhler to withdraw the prior motion.

Chairperson Allen requested Senator Huelskamp prepare the proposed amendment and action on **SB 166** was delayed.

Adjournment

Meeting was adjourned by the Chair at 2:25 p.m..

Next meeting scheduled for Wednesday, February 19, 2003 at 1:30 p.m..