

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT.

The meeting was called to order by Chairman Vickrey at 3:30 p.m. on February 13, 2003 in Room 519-S of the Capitol.

All members were present except: Rep. Ethel Peterson

Committee staff present: Mike Heim - Legislative Research Department
Kathie Sparks - Legislative Research Department
Theresa Kiernan - Office of Revisor of Statutes
Maureen Stinson - Committee Secretary

Conferees appearing before the committee:

Rep. Doug Gatewood	Kansas House of Representatives
Bret Glendening	League of Kansas Municipalities
Judy Moler	Kansas Association of Counties
David Yearout	Kansas Association of County Planning and Zoning Officials
Will Johnson	Butler County Administration Department

Others attending: See attached list

Chairman Vickrey opened the hearing on:

HB 2202: Land to be incorporated as, or added to a city; title insurance

Rep. Doug Gatewood, proponent of the bill, addressed the committee. He stated that the bill would allow presentation of a land title insurance policy to the county or city attorney in lieu of an abstract of title when land is incorporated into a city. He stated that currently, only an abstract of title and the plat to the land which is to be incorporated are considered acceptable documents. No written testimony was submitted.

Bret Glendening, Program Manager, League of Kansas Municipalities, offered testimony in support of the bill (Attachment 1). He said that this bill makes changes to K.S.A. 12-401 and that the changes proposed in the bill will modernize the existing statute and bring it into line with current real estate title practices. He informed the committee that the bill permits the use of title insurance or the use of an abstract of title as the means of establishing "good title" in the person or persons proposing to dedicate land to a city. He stated that the use of title insurance for this purpose has become much more common place in recent years. He explained that this is primarily because title insurance is generally less expensive than having an abstract extended to date and then having an attorney examine the abstract and prepare a written opinion as to the quality of title held by a proposed grantor. On behalf of the League of Kansas Municipalities, he urged support for and favorable action on the bill.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT at on February 13, 2003 in Room 519-S of the Capitol.

There were no opponents to the bill.

The Chairman closed the hearing on **HB 2202**.

Chairman Vickrey opened the hearing on:

HB 2112: Enforcement of county codes and resolutions

Judy Moler, Kansas Association of Counties, spoke in favor of the bill, stating that they strongly support the bill and asked for its introduction(Attachment 2). She said that the bill extends to all counties the ability to have a statutory county code court. She informed the committee that counties, by their option, could then have their county codes enforced, when necessary, in this county code court. She explained that currently, the statute allows those counties with a population of more than 150,000 to do so.

David Yearout, a member of the Legislative Committee of the Kansas Association of County Planning and Zoning Officials, expressed support for the bill on behalf of the association (Attachment 3). He stated that the bill simply makes the Codes Court system available to all counties without regard to population. He feels that the bill would enable counties to deal with local issues through a proven Court system without having to depend solely upon finding docket space in the District Courts. He submitted that the Kansas Association of County Planning and Zoning Officials believe the Court system has proven itself as an efficient and effective method of providing reasonable enforcement of county codes and resolutions in larger counties. Furthermore, these efficiencies are provided without adding to the burden of the District Courts. Mr. Yearout urged the committee to approve the bill without any changes so that efficiency can be used by any county that chooses to do so.

William Johnson, Jr., County Administrator, Butler County, appeared next, speaking on behalf of Butler County, in support of the bill (Attachment 4). He explained that with the removal of population limits concerning implementation of Codes Courts, Butler County will be able to implement one of its highest priorities, which is the establishment of a Codes Court Program. He testified that with Butler County's current growth and proximity to Sedgwick County, the demand for such a program, due to problems such as animal control, illegal dumping, and noncompliance with building codes has escalated. Mr. Johnson said that through the implementation of such a program, enforcement actions could be addressed separately from the County Attorney's Office and result in a significant reduction in cases in the County Attorney's Office. He summarized that the establishment of such a program would ensure a safe and sanitary atmosphere for the residents in Butler County through regulation of the design, construction, use/occupancy of property, location and maintenance of all buildings, structures, and related equipment.

There were no opponents to the bill.

Chairman Vickrey closed the hearing on **HB 2112**.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT at on February 13, 2003 in Room 519-S of the Capitol.

The meeting was adjourned at 3:55 p.m.

The next meeting is scheduled for February 18, 2003.