

SESSION OF 2008

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 454**

As Amended by Senate Committee on  
Federal and State Affairs

**Brief\***

SB 454, as amended, would authorize the creation of consolidation study commissions to adopt a plan for cities and county consolidation. The bill also would authorize the consolidation of other political and taxing subdivisions.

Under the bill, cities and a county may adopt a plan by joint resolution addressing the reorganization of cities and a county. If a city does not adopt a joint resolution, then the city would not be subject to consolidation. A county and city would be required to adopt a joint resolution for consolidation if 10 percent of the qualified electors of the county and city sign a petition requesting consolidation.

The bill would mandate that one third of the consolidation commission's membership be residents of the unincorporated area of the county. The commission proceedings would be subject to the Open Meetings Act and the Open Records Act.

The bill would require the consolidation commission to prepare and adopt a preliminary plan for consolidation of cities and county and address the issue of abolishment of other political and taxing subdivisions located in the county.

Under the bill, the consolidation commission would have to hold at least two public hearings to obtain citizens' input concerning the preliminary plan. Notice of the meetings would have to be published in a newspaper of general circulation in the county. After public input, the commission may adopt a final

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

plan for consolidation. The final plan would have to be submitted to the qualified electorate at the next general election of the county with two questions on the ballot: the first question would ask whether cities and a county should be consolidated and the second, whether political and taxing subdivisions located in the county should be abolished and the functions transferred to the consolidated city-county. If a majority of electorates vote in favor of question number one, the reorganization plan would be adopted. No city would be consolidated with the county unless the majority of qualified electors of the city approve the plan.

In addition, the bill would amend provisions within KSA 12-3901 *et seq.*, relating to the procedure for the consolidation. The question of the elimination of an elective office through “like subdivisions” consolidation would have to be submitted at the next regular general election held in November of even-numbered years.

## **Background**

Proponents of the bill included Joan Wagnon, Secretary of Revenue and Chairperson of Kansas Advisory Council on Intergovernmental Relations (KACIR); Representative Tim Owens; Allynn Lockner, retired economist; Randell Allen, Kansas Association of Counties; Don Moler, Executive Director League of Kansas Municipalities; and Jack Rowlett, Jr., Paola City Council.

Opponents included Terry Holden, Kansas Farm Bureau; Marvin Smith, a concerned citizen; and Paul Degener, Citizens for Immigration Reform. Neutral testimony was given by Nancy Weeks, Kansas County Officials Association.

The Committee amended the bill to clarify the question submitted to the electorate dealing with consolidation of political taxing subdivisions other than a city and county. The Committee also deleted the county’s authority to levy a tax

stating that it was unnecessary because the county could levy a tax under the county's general power in current law.

The State Treasurer's Office states that enactment of SB 454 would require programming changes to its information systems which could be handled by the agency's existing resources. The agency also indicates that the enactment of SB 454 would affect the distribution of local and state taxes and the collection of fees. Any fiscal effect from consolidation could be handled within the State treasurer's existing resources and operating processes.