

SESSION OF 2010

**SUPPLEMENTAL NOTE ON HOUSE SUBSTITUTE
FOR SUBSTITUTE FOR SENATE BILL NO. 214**

As Recommended by House Committee on
Agriculture

Brief*

House Sub. for Sub. for SB 214 would prohibit a city from annexing unilaterally, or by consent, a narrow corridor of land to gain access to noncontiguous land. The bill further would require the corridor of land to have a tangible value and purpose other than for enhancing future annexations.

Background

The original Substitute for SB 214 dealt with the Waste Tire Management Program of the Kansas Department of Health and Environment. The House Committee on Agriculture and Natural Resources removed the provisions and included the provisions of HB 2471 as amended by the House Committee on Local Government from the 2009 Session.

Representative Vincent Wetta and Representative Peter DeGraff testified in favor of the original HB 2471. Also providing supporting testimony were the Wellington city manager, a representative of the Kansas Farm Bureau, and several private citizens. Opponents providing testimony included representatives of the League of Kansas Municipalities; the cities of Topeka, Overland Park, and Mulvane; and the Overland Park Chamber of Commerce.

*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>

The House Committee on Local Government amended the bill to remove a provision that would have prohibited a city from annexing a portion of an individual's tract of land pursuant to the unilateral and consent annexation statute.

According to the fiscal note, passage of the original bill would have no effect on the state budget. The League of Kansas Municipalities and the Kansas Association of Counties indicated the bill could have an inestimable fiscal effect on municipalities and counties.

The Senate Committee on Natural Resources recommended the introduction of a substitute bill. The substitute bill incorporates the provisions of HB 2080. The original bill was introduced by the Senate Committee on Natural Resources, and related to the disposal of certain types of waste. The fiscal note on HB 2080 indicates that KDHE expects to award grants in the amount of \$600,000 in FY 2010 through FY 2012. The figure listed above mirrors the amount of grant funds currently being awarded under the program.