

SESSION OF 2006

**CONFERENCE COMMITTEE REPORT BRIEF
SENATE BILL NO. 164**

As Agreed to April 26, 2006

Brief*

SB 164 would establish a process for a possible city-county unification in Greeley County. The bill would do the following:

- Require a unification commission be appointed within 10 days of the act's effective date.
- Set the commission's membership to include:
 - One member appointed by the City of Tribune's governing body;
 - One member appointed by the City of Horace's governing body;
 - Two members appointed by the Greeley County board of county commissioners; and
 - One member appointed by the other four commission members, who shall serve as Chairperson of the Commission.
- Allow the commission to be paid compensation and expenses and appoint an executive director, who may be compensated as determined by the commission, employ other staff and contract with consultants.
- Require the commission to:
 - Meet within 30 days following appointment of all members;
 - Prepare and adopt a plan addressing the unification (Details regarding the process of preparing the plan are specified);
 - Submit the final plan to the qualified electors of the county at the next regular general election held in November of an even-numbered year; and
 - Publish the final plan twice before the election is held.

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. The conference committee summary report may be accessed on the Internet at <http://www.kslegislature.org>

- Establish provisions for the election, including:
 - Allowance for a mail ballot election;
 - Requirement of a separate ballot question, if the mandated duties of an elective office are to be eliminated or if the office itself is to be eliminated and the duties transferred to a nonelective office;
- Require a special public hearing be held prior to voting if the proposed unification plan eliminates an elective office. Notice of the hearing would be required to be published in a general circulation newspaper twice before the hearing.
- Require the City of Horace to continue in existence and operation as if no unification had occurred, if (a) the final plan provides for Horace's unification with the county and (b) a majority of Horace's qualified voters do not vote in favor of the unification.
- Limit what is included in computing the total bonded indebtedness of the unified city-county.
- Require that a majority of the voters of both the county and the city or cities involved vote in favor of the unification in order for the unification election to be successful.
- Establish the territory of the unified city-county to include:
 - The county;
 - The City of Tribune; and
 - The City of Horace, if a majority of the qualified voters of both the county and the City of Horace vote favorably.
- Prohibit any city which is part of the study considering the unification to initiate annexation procedures unless by petition of the owners of the land.

Conference Committee Action

The Conference Committee agreed to:

- Delete provisions of SB 164 extending the newspaper publication deadline of certain financial statements for cities; and

- Insert the contents of HB 2809, as amended by the House Committee on Governmental Organization and Elections, dealing with a possible city-county unification in Greeley County.

Background

Senator Mark Gilstrap testified as a proponent of the original SB 164 and the bill as amended by the Senate Committee of the Whole. The bill, as introduced, would have no fiscal effect.

The Senate Committee on Elections and Local Government amended SB 164 to add the contents of 2005 HB 2083, as amended by the House Committee on Governmental Organization and Elections, which would establish a consolidation process for Topeka and Shawnee County.

The Senate Committee of the Whole deleted the contents of 2005 HB 2083, described above.

The House Committee on Governmental Organization and Elections amended the publication dates to extend them only in cases where the official city newspaper is not published on a daily basis.

With respect to HB 2809, Senator Ralph Ostmeyer provided testimony in favor of the original bill, as did several representatives of Greeley County, the City of Tribune, and others from the area. No one testified in opposition. The fiscal note on the bill as introduced indicates any fiscal effects resulting from passage of HB 2809 would be borne by the City of Tribune and Greeley County.

city-county unification