

SENATE BILL No. 40

AN ACT concerning fire protection; relating to the powers and duties of certain municipalities; amending K.S.A. 19-3612a and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 19-3612a is hereby amended to read as follows: 19-3612a. (a) Whenever a fire district has been established under the provisions of K.S.A. 19-3601 ~~to 19-3606, both sections inclusive, and the county commissioners determine through 19-3606, and amendments thereto, and the board of county commissioners determines,~~ by resolution, that it is in the best interests of the county to place the supervision of such fire district under a fire district board of trustees, the ~~said board of county commissioners~~ may appoint a board of trustees of not less than three ~~(3)~~ members and not more than nine ~~(9)~~ members, composed of persons other than the board of county commissioners, who shall serve at the pleasure of the commission. The board so established may be vested with all of the powers theretofore vested in the board of county commissioners, or such supervisory powers as the board of commissioners may, by resolution, may delegate, and the board ~~so appointed of trustees~~ may exercise all powers so delegated.

(b) Pursuant to an interlocal agreement entered into by the board of county commissioners and the governing bodies of cities and townships located within the fire district, the board of county commissioners may delegate its authority to appoint the members of the fire district board of trustees to a joint board appointed by the governing bodies of cities and townships located within the fire district. The fire district board of trustees appointed by such joint board shall be vested with all of those powers vested in the board of county commissioners under K.S.A. 19-3601 through 19-3606, and amendments thereto.

Any interlocal agreement entered into pursuant to this subsection shall be subject to the provisions of K.S.A. 12-2901 et seq., and amendments thereto.

Sec. 2. K.S.A. 19-3612a is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the SENATE, and passed that body

President of the Senate.

Secretary of the Senate.

Passed the HOUSE _____

Speaker of the House.

Chief Clerk of the House.

APPROVED _____

Governor.