

MINUTES OF THE House COMMITTEE ON Local Government

The meeting was called to order by Representative Ivan Sand at  
Chairperson

1:30 ~~am~~/p.m. on March 23, 1983 in room 521-S of the Capitol.

All members were present except:

## Committee staff present:

Theresa Kiernan, Revisor of Statutes Office  
Mike Heim, Legislative Research Department  
Jeanne Mills, Secretary to the Committee

## Conferees appearing before the committee:

Senator Daniels  
Kim Dewey, Sedgwick County Commission  
Carol O'Keefe, Stanley Citizens' Committee  
Hazel Ball, Stanley Citizens' Committee  
Janet Stubbs, Home Builders' Association of Kansas  
Tim Underwood, Kansas Association of Realtors  
Fred Allen, Kansas Association of Counties  
Representative David Webb

Chairman Ivan Sand called the meeting to order.

Sub. for SB 349 - AN ACT concerning district and deputy district coroners; relating to compensation and expenses; amending K.S.A. 19-1028 and repealing the existing section; also repealing K.S.A. 19-1027 and 28-111.

Senator Daniels appeared to give background and intent of the legislation. This bill deals with compensation for district coroners and their deputies.

Written testimony was submitted to the Chairman from Marjorie J. Van Buren, Executive Assistant to the Judicial Administrator. Ms. Van Buren was unable to attend the hearing. A copy of that written testimony is attached (See Attachment I).

SB 9 - AN ACT relating to drainage districts; concerning the election of the governing bodies thereof; concerning the powers and duties of the governing bodies amending K.S.A. 110-120, 12-3504, 12-3506, (24-407,) 12-3507, 24-415, 24-416, 24-428, 24-459, 24-506, 24-512, 24-517, 24-527, 24-601, 24-603, 24-605, 24-606, 24-608, and 24-665a and repealing the existing sections; also repealing K.S.A. 24-427, 24-431, 24-432, 24-447, 24-459a, 24-521 and 24-631.

Staff gave a brief overview. This bill is a result of the 1982 interim Special Committee on Local Governments study of Proposal No. 24.

Sub. for SB 155 - Sewer districts in counties; creation; powers and duties of governing body; financing of improvements.

Theresa Kiernan, of the staff, gave an overview of the bill. She referred to the Supplemental Note for the bill. This bill recodifies county sewer district laws into one uniform law and enacts a number of policy changes in the way in which sewer districts are formed, operated, and financed.

Kim Dewey, Sedgwick County Commission, appeared in support of Sub. for SB 155. A copy of his testimony and proposed changes are attached (See Attachment II).

Carol O'Keefe, Stanley Citizens' Committee, appeared to introduce Hazel Ball also of the Citizens' Committee who made suggested amendments. Following are a list of those amendments.  
- In line 286 change "or" to "and."

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Local Government,

room 521-S, Statehouse, at 1:30 ~~xxx~~m./p.m. on March 23, 1983

- On page 10, (c) recommend setting a dollar limit for preliminary planning.
- In line 373, (3) at least the first notice should be by registered or certified mail.
- Suggest making line 452 more clear.
- In line 516, suggest at least a meeting before raising levy to 13 mills.
- In line 614, again having 51% of landowners and owners of 51% of acreage.
- In line 741, explain deficit.
- In line 399, clarify.

Janet Stubbs, Home Builders' Association of Kansas, appeared to express her association's concern for the bill. They feel it is a very complicated bill and they are not sure of the ramifications. She stated that they do not want to take a no-growth position, but they do not like the fact the county commissioners have so much power. Discussion followed on definition of maintenance fund.

Tim Underwood, Kansas Association of Realtors, expressed a similar concern as indicated by Janet Stubbs. He stated that legislation like this is needed but he is not sure exactly what it does.

Fred Allen, Kansas Association of Counties, referred to Item 17 of the county platform which agrees with this legislation.

Representative David Webb appeared and stated he will provide members with a copy of his concerns and suggestions regarding Sub. for SB 155. The Chairman asked staff to consolidate all suggestions for amendments made today and put them into writing for the members. Staff agreed to list all recommendations.

Meeting adjourned.





*Attachment I.*

State of Kansas

**Office of Judicial Administration**

Kansas Judicial Center  
301 West 10th  
Topeka, Kansas 66612

(913) 296-2256

March 23, 1983

Hon. Ivan Sand  
Chairman  
House Local Government Committee  
Statehouse, Room 183-W  
Topeka, Kansas 66612

Dear Mr. Sand:

I am writing to indicate support of S.B. 349. Our interest in this bill is the same as that indicated in my earlier testimony on H.B. 2344. I am enclosing a copy of the written statement I supplied regarding that earlier bill.

I regret that another obligation will prevent my being present at the hearing on S.B. 349 today. If I can assist your committee in any way, please call me at 296-2256.

Sincerely,

A handwritten signature in cursive script that reads "Marjorie J. Van Buren".

Marjorie J. Van Buren  
Executive Assistant to the  
Judicial Administrator

MJVB:sb  
Enc.

cc: Members of the House Local Government Committee

*Atch. I*



TESTIMONY ON  
HOUSE BILL 2344

Marjorie Van Buren  
Office of Judicial Administration  
Unified Court System

The effect of H.B. 2344 is to amplify K.S.A. 20-162(b), which states that coroners are not part of the court personnel system.

Some county commissioners continue to charge coroner compensation and expenses to the district court operating budget. This bill addresses this concern of clerks and administrators by specifying that coroners' fees, expenses, and compensation are not to be charged to the district court operating budget.



Attachment II  
SEDGWICK COUNTY, KANSAS

BOARD OF COUNTY COMMISSIONERS

JACK SPRATT  
CHAIRMAN

COMMISSIONER THIRD DISTRICT

DONALD E. GRAGG  
CHAIRMAN PRO-TEM  
COMMISSIONER FIRST DISTRICT

TOM SCOTT  
COMMISSIONER  
SECOND DISTRICT

COUNTY COURTHOUSE • SUITE 320 • WICHITA, KANSAS 67203-3759 • TELEPHONE (316) 268-7411

Testimony of Kim C. Dewey, Sedgwick County  
House Local Government Committee- Sub. for SB 155  
March 23, 1983

The Board of Sedgwick County Commissioners encourage your favorable consideration of Sub. for SB 155. We have provided testimony on several occasions to interim and standing committees of this Legislature regarding the need for consolidation of the current array of sewer district laws which counties use. Sub. for SB 155 is an important piece of legislation which does resolve many of the problems presented by the hodgepodge of current sewer district law.

In particular, some of the areas of current law which have been confusing or incomplete are addressed by this legislation. Some of these are, provisions for the creation of sewer districts, notice to property owners, methods of providing for preliminary plans and studies, assessments of capital and operating costs, and the combination of sewer districts for capital and operational purposes.

This legislation has received a great deal of attention and work up to this point. At this time, there are few changes which we would suggest, although practical application of this authority may result in the request for changes to some future legislature. We are concerned with the specific reference in sections 17 and 23 to "counties designated and urban area". We realize that that these were taken from existing laws and were enacted in response to problems or situations which arose specifically in Johnson County. Although we have no particular need for the authority granted in these sections, such a situation could arise in the future in Sedgwick or any of the other 103 counties. It seems needless, through this new legislation, to continue to treat Johnson County as particularly unique from the other 104 counties.

Consistent with this, we would suggest that the specific reference to Sedgwick County in Section 27 be removed. Although the County Controller may be unique to the Sedgwick County organizational

Atch. II

now, other counties could at some point wish to adopt this type of structure for financial administration. We would encourage these changes and your favorable consideration of this legislation.