

Approved

Ivan Sand
Date

MINUTES OF THE House COMMITTEE ON Local Government

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

2:00 ~~am~~/p.m. on March 28, 1983 in room 521-S of the Capitol.

All members were present except:

Representative Dean (Excused)

Committee staff present:

Theresa Kiernan, Revisor of Statutes Office
Mike Heim, Legislative Research Department

Conferees appearing before the committee:

Chairman Ivan Sand called the meeting to order.

Discussion followed on SB 156 (Local residential housing finance law; update to federal requirements). Representative Francisco made the motion, seconded by Representative Nichols to reconsider the action taken by the Committee on March 17 by reinserting lines 168 through 173. Motion carried.

Representative Francisco made the motion, seconded by Representative Nichols, to report SB 156 favorable for passage. Motion carried.

Discussion followed on SB 189 (Title insurance policies; special benefit districts; notice required.). It was the consensus of the Committee to not take action on this bill as HB 2189 deals with the same subject and is on general orders in the Senate chamber.

SB 253 (County commissioners; mileage expenses.) was discussed. The bill will be held at the sponsor's request.

Representative Acheson made the motion, seconded by Representative Wunsch, to report SB 296 (Municipal courts; requiring restitution for violations of municipal ordinances.) favorable for passage. Representative Wunsch made a substitute motion, seconded by Representative Schweiker, to amend SB 296 by inserting in line 49 after the word "restitution" the following "in cases where reparation or restitution is possible." Discussion followed and Representative Schweiker withdrew his second. Representative Schweiker made a substitute motion to table SB 296. Representative Wunsch seconded that motion. Motion carried.

Discussion followed on SB 300 (Issuance of temporary notes or refunding notes to finance local programs.) and the decision was that no action was needed.

Representative Nichols made the motion, seconded by Representative Wunsch to report SB 301 (Self-supported municipal improvement districts; issuance of bonds of the city.) Representative Francisco made a substitute motion, seconded by Representative Baker, to table SB 301. Motion carried.

Discussion followed on SB 303 (Sheriff; contracts with cities for enforcement of ordinances.). The League of Kansas Municipalities submitted some proposed amendments (See Attachment I). Representative Turnquist made the motion, seconded by Representative Johnson, to amend SB 303 by clarifying as provided by the attachment. Motion carried.

Representative Douville made the motion, seconded by Representative Nichols, to report SB 303 favorably as amended. Motion carried.

Discussion followed on SB 349 (Compensation and expenses of district and deputy district coroners.) Representative Heinemann notified the Chairman he would like favorable action by the Committee as HB 2344 that deals with the same subject is being held in the Senate Local Government Committee.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Local Government,
room 521-S, Statehouse, at 2:00 ~~xx~~ a.m./p.m. on March 28, 1983.

Representative Moore made the motion, seconded by Representative Acheson, to report SB 349 favorable for passage. Motion carried.

Representative Baker made the motion, seconded by Representative Turnquist, to amend SB 375 (Reallocation of mortgage bond authorization among cities and counties.) in line 90 after the word "development" by inserting "on or before October 1." Motion carried.

Representative Roper made the motion, seconded by Representative Fry to report SB 375 favorable as amended. Motion carried.

Representative Wunsch made the motion to reconsider SB 301 and remove from the table. Motion carried.

Representative Wunsch made the motion to amend SB 301 to localize to Manhattan and Lawrence. Representative Acheson made the second. Motion carried.

Representative Wunsch made the motion, seconded by Representative Acheson, to report SB 301 favorable for passage as amended. Motion carried.

Meeting adjourned.

SENATE BILL No. 303

By Committee on Local Government

2-17

0017 AN ACT concerning sheriffs, relating to the powers and duties
0018 thereof; amending K.S.A. 12-2908 and repealing the existing
0019 section.

*cities and counties
of the governing bodies*

*1/28/83
W.D. [Signature]*

0020 Be it enacted by the Legislature of the State of Kansas:

0021 Section 1. K.S.A. 12-2908 is hereby amended to read as fol-
0022 lows: 12-2908. (a) Any one or more public agencies, as defined in
0023 K.S.A. 12-2903, may contract with any one or more other such
0024 public agencies to perform any governmental service, activity or
0025 undertaking which any of the public agencies entering into the
0026 contract is authorized by law to perform. Such contract shall be
0027 authorized by the governing body of each party to the contract
0028 and shall set forth the purpose, powers, rights, objectives and
0029 responsibilities of the contracting parties.

0030 (b) Every contract entered into hereunder for the purpose of
0031 enforcement of municipal ordinances by a county sheriff shall, as
0032 a condition precedent to its entry into force, The board of county
0033 (a) Any city or county may contract with any other city or
0034 county to perform any governmental service, activity or under-
0035 taking which each contracting city or county is authorized by
0036 law to perform.

*The contract shall be authorized
by the governing body of the city
and county and shall state the
purpose of the contract and the
powers and duties of the
parties thereunder.*

ATTACHMENT I

Sec 2(a) 0037 (b) The board of county commissioners of any county and
0038 the governing body of any city located within the county may
0039 enter into a contract providing for the enforcement of the city's
0040 ordinances by the sheriff of the county or other officers of the
0041 sheriff's department. Any contract entered into pursuant to this
0042 section shall be submitted to and approved by the county sheriff.
0043 Failure of the sheriff to approve a contract within 30 days of its
0044 submission shall constitute disapproval thereof. All monetary

*(b) A contract entered into pursuant
to this section shall not be regarded
as an interlocal agreement
under the provisions of K.S.A. 12-2111
et seq., and amendments thereto.*

Atch. I

0045 consideration paid by a city to a county as part of a ~~municipal law~~
0046 ~~enforcement~~ *the contract shall be expended by the county solely*
0047 *for law enforcement purposes. The sheriff and ~~all sheriff any~~*
0048 *officers of the sheriff's department ~~employees~~ assigned respon-*
0049 *sibility for enforcing ~~municipal a city's~~ ordinances under ~~such a~~*
0050 *the contract shall be designated therein and shall have all the*
0051 *powers of any ~~municipal other~~ police officer of the city by virtue*
0052 *of the existence of ~~such~~ the contract.*

(b) 0053 ~~(b) (c)~~ *A contract entered into pursuant to this section shall*
0054 *not be regarded as an interlocal agreement under the provisions*
0055 *of K.S.A. 12-2901 et seq., and amendments thereto.*

0056 Sec. 2. K.S.A. 12-2908 is hereby repealed.

0057 Sec. 3. This act shall take effect and be in force from and
0058 after its publication in the Kansas register.