

Approved

Ivan Sand
Date

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 January 18, 1984 in room 521-S of the Capitol.

All members were present except: (All present.)

Committee staff present:

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

Conferees appearing before the committee:

Representative Michael Hayden, HB 2601
Mr. Scott Condray, Cheyenne County Attorney, HB 2601
Mr. G. M. Calnon, Cheyenne County Commissioner, HB 2601
Mr. Fred Waters, Alcohol Counselor, St. Francis, HB 2601
Ms. Rachael Keller, President, Cheyenne County Council for Alcohol and Related Problems, Inc., St. Francis, HB 2601
Mr. Andrew O'Donovan, Alcohol Counselor, Colby, HB 2601
Mr. Ron Eisenbarth, Kansas Alcoholism and Drug Abuse Counselor's Assn., HB 2601
Mr. Bruce Beal, Chairman, Kansas Citizens Advisory Committee on Alcohol and Other Drug Abuse, Topeka, HB 2601
Mr. George Heckman, Chairman, Kansas Assn. of Alcohol & Drug Program Directors Lawrence, HB 2601
Mr. Dwight Young, Vice President, Assn. of Community Mental Health Center of Kansas & Exec. Director of The Center for Counseling & Consultation, Great Bend, HB 2601
Mr. Chris McKenzie, League of Kansas Municipalities, HB 2608

Chairman, Ivan Sand, called for hearings on the following House Bills:

HB 2601 - authorizing counties to establish special alcohol and drug programs and levy a tax therefor; - By Rep. Hayden

Mike Heim of the staff gave a brief overview of the bill. (See Attachment I.)

Representative Michael Hayden, sponsor of the bill, appeared to give background and intent. Hayden explained that the bill gives County Commissioners power to set up local county alcohol and drug programs.

Discussion followed. When questioned, Hayden pointed out that County Commissioners wouldn't have to run their own programs but could contract with another party to provide services; that an alcohol and drug advisory committee could be set up; that levy power rests only with the Commission.

Chairman Sand introduced Mr. Scott Condray to the committee.

Mr. Condray, attorney for Cheyenne County, testified in support of the bill. (See Attachments II, III, and IV.)

Chairman Sand asked Mike Heim to research specific statutes which deal with who will form the county councils.

Mr. Condray stated that in Cheyenne County approximately 10% of people involved in alcohol and drug abuse programs are ordered to participate by the court and that the balance are voluntary.

Mr. G. M. Calnon, County Commissioner for Cheyenne County, testified in support of the bill.

Questions were raised about the requirement of a 100% vote of commissioners to overrule the council. It was noted that "politics" might become involved among some commissioners.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT,
 room 521-S, Statehouse, at 1:30 ~~xxx~~/p.m. on January 18, 1984.

When questioned, Calnon stated the Cheyenne County Commission is certified by the SRS Department and a District Judge. He stated that his area does have a mental health program but that they are not getting the job done; that distance is not a factor.

Mr. Ron Eisenbarth, Kansas Alcoholism and Drug Abuse Counselor's Assn., testified in support of the bill. He stated his Association believes Kansas must maintain its quantity and quality of alcohol and drug services. (See Attachment V.)

Mr. Bruce Beal, Chairman of Kansas Citizens Advisory Committee on Alcohol and Other Drug Abuse, testified in support of the bill, with the recommendation that Lines 54 and 55 be reworded to insure that only appropriate programs are eligible for funding. (See Attachment VI.)

When questioned, Beal noted that SB 888 had generated about eight million dollars to be used for alcohol programs statewide.

Mr. George Heckman, Chairman, Kansas Assn. of Alcohol and Drug Program Directors, testified in support of the bill and requested the committee to review the allocation language on Lines 50-60 of the bill. (See Attachment VII.)

When questioned, Heckman stated that a program director's pay does not necessarily come from the tax levy; that a director might be paid from a grant from SRS or fees for services rendered. He explained that such fees are based on a sliding scale taking into consideration a client's ability to pay; that 20,000 people in the State of Kansas received treatment services last year; that state alcohol and drug programs are underfunded.

The question of what constitutes "all taxable tangible property" was raised.

One suggestion was to solve the existing problem by making liquor not available.

Mr. Dwight L. Young, Vice President, Assoc. of Community Mental Health Center of Kansas, and Executive Director of the Center for Counseling and Consultation, testified in support of the bill in principle but noted some potential pitfalls for existing programs and communities supporting the programs. (See Attachment VIII.)

When questioned, Young suggested that 50% of the funds from the levy might be directed to the Alcohol and Drug section of SRS and the remainder left for specific programs where requested; he stated that funds for mental health center directors are derived from funds from SB 888 and fees charged to clients; that there is occasionally competition between the organizations of mental health and other alcohol and drug abuse programs.

Ms. Rachael Keller, President, Cheyenne County Council for Alcohol and Related Problems, Inc., testified in support of the bill. Ms. Keller stated that the need for funding in addition to that received from SB 467 is a result of expanded need and expanded counseling.

Staff member Mike Heim asked Dr. Jim McHenry, Committee for Alcohol and Drug Abuse Services, Department of SRS, for his opinion on where the authority for recognition for Advisory Committees should lie. McHenry stated he was in agreement with the designation of County Commissions for this purpose.

The hearing on HB 2601 was closed.

HB 2608 - concerning cities; relating to quarterly reports by the city treasurer; - By Rep. Sprague

Mike Heim gave a brief overview of the bill. (See Attachment IX.)

Representative Dale Sprague, sponsor of the bill, appeared to give background and intent. He stated that the bill gives city treasurers 30 days instead of 20 to place quarterly financial statements in newspapers.

Mr. Chris McKenzie, representing the League of Kansas Municipalities, expressed the League's support for the bill.

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Representative LeRoy F. Fry moved and Representative W. Edgar Moore seconded that House Bill 2608 be placed on the Consent Calendar. Motion carried.

Chairman Sand reminded the committee that discussion and possible action on bills held over from the 1983 Session are scheduled for Tuesday, January 24.

The minutes of the meeting of January 17 were approved as presented.

Meeting adjourned.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

DATE 1-18-84

NAME

ADDRESS

REPRESENTING

NAME	ADDRESS	REPRESENTING
Jim Calnon	St Francis	County Commissioner
Russell Keller	H. Hancock	County Alcohol Council
Frank Waters	St. Marys	alcohol counselor
Quentin Young	5815 Broadway, Great Bend	Huson. Comm. Mental Health Centers
Michael A. Flynn	Topeka	SRS/ADAS
Scott R Conchay	St. Francis	City Co Atty
Andrew O'Leary	Colly	alcohol counselor
K.C. Brown	WICHITA	SECOWICK County
Bruce I Seale	Lawrence	Cit. Adv. Comm.
Jerry Workman	Lawrence	KAADAD
Ron Eisenberth	Topeka	KADACA
Chir Graves	Topeka	IASK
Dave M. Doty	topeka	Assoc. of CMHCs of KS
JW Schutte	Topeka	Exec Admin
Bill Ervin	✓	✓
Jerry Ray	Obolts	Co. of Johnson
Denise Fultwein	Topeka	OSTA
Loni Dodge	Lawrence	UDHC
Rita McAndrew	Topeka	City of Topeka - Parks & Rec
Jim McBride	Topeka	United Way
Bill Anderson	Johnson County	UCS of Johnson County
Dr. John McNewry	Comm. for Alcohol Dept. of SRS, Topeka	and Drug Abuse Services

ATTACHMENT I
MEMORANDUM

January 17, 1984

TO: House Local Government Chairman
FROM: Legislative Research Department
RE: H.B. 2601

H.B. 2601 authorizes counties to levy not to exceed $\frac{1}{2}$ mill for special county alcohol and drug programs. The mill levy is subject to a 5 percent protest petition which, if filed, would require a vote on the issue. The tax levy is not subject to the tax lid.

The moneys raised shall be spent for alcoholism and drug abuse prevention and education, detoxification and treatment and rehabilitation of abusers and their families. If there is an alcohol and drug advisory committee in the county, the board of county commissioners is required to request the advisory committee's recommendations for expenditures. The county commission is required to adopt the recommendations of the advisory committee unless, by a unanimous vote, the board approves a different plan.

Atch. I

ATTACHMENT II

CHEYENNE COUNTY COUNCIL FOR ALCOHOL AND RELATED PROBLEMS, INC.

Moneys received -

#467 tax (January - December 1983)	\$2,858.13
Additional from City (January - December 1983)	1,233.64
Additional from County (June 1983)	<u>1,500.00</u>
Total	\$5,591.77

Moneys disbursed -

Has increased from \$1,012.50 to \$2,025.00 quarterly in 1983 -
mainly for counseling

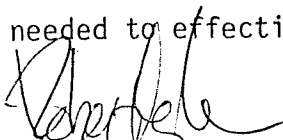
A small amount has been given through donations (membership) to the Cheyenne
County Council For Alcohol and Related Problems, Inc.

Naomi Holliman, Treasurer
Cheyenne County Council for
Alcohol and Related Problems, Inc.

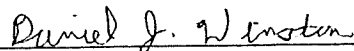
Attch. II

ATTACHMENT III

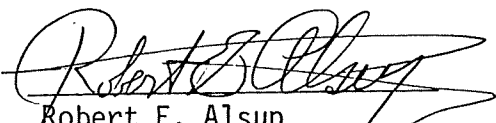
We, the undersigned, support the Cheyenne County Council for Alcohol and Related Problems, Inc., and support House Bill No. 2601 which would allow counties the option to levy an annual tax not to exceed one-half ($\frac{1}{2}$) mill on all taxable tangible property. We feel that alcoholism and alcohol abuse is a serious problem in Cheyenne County and more money is needed to effectively combat this problem.



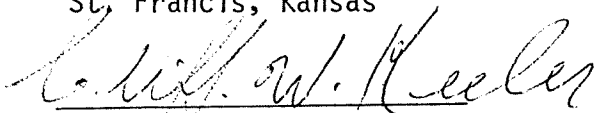
Robert Grace
President - St. Francis Chamber of
Commerce
St. Francis, Kansas



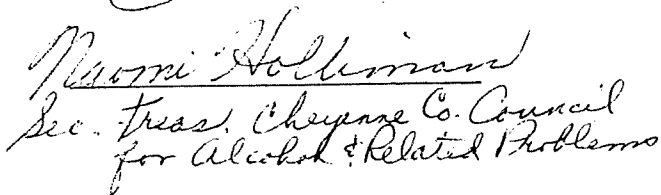
Daniel J. Winston
Editor - St. Francis Herald
St. Francis, Kansas



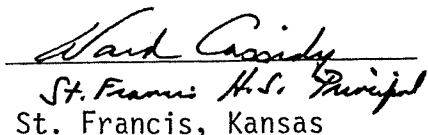
Robert E. Alsup
President - Cheyenne County State Bank
St. Francis, Kansas



Carl W. Keeles - City of St. Francis
St. Francis, Kansas



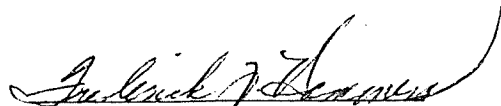
Naomi Holliman
Sec. Treas. Cheyenne Co. Council
for Alcohol & Related Problems



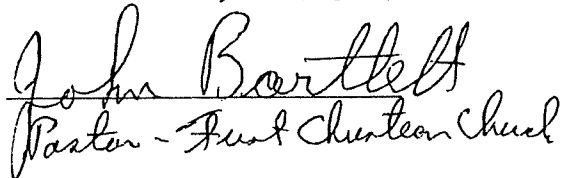
Ward Cassidy
St. Francis H.S. Principal
St. Francis, Kansas



Norman Anderson - Police officer - City of St. Francis
St. Francis, Kansas



Frederick J. Hammers
District Magistrate Judge
St. Francis, Kansas

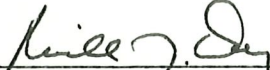


John Bartlett
Pastor - First Lutheran Church


Atch. III

ATTACHMENT IV

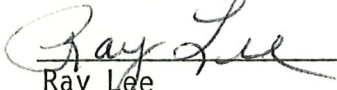
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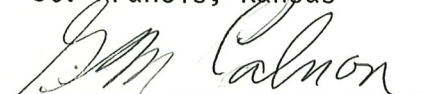
Michael J. Day
Attorney at Law
St. Francis, Kansas




Rachael Keller
President - Cheyenne County Council for
Alcohol and Related Problems, Inc.
St. Francis, Kansas



Ray Lee
Sheriff of Cheyenne County, Kansas
St. Francis, Kansas



G. M. Calnon
Cheyenne County Commissioner and Farmer
St. Francis, Kansas



Scott R. Condray
Attorney at Law
St. Francis, Kansas

ATTACHMENT V

KANSAS ALCOHOLISM AND DRUG ABUSE COUNSELOR'S ASSOCIATION

TESTIMONY

TO: House Committee on Local Government

FROM: Ron Eisenbarth, Representing the Kansas Alcoholism and
Drug Abuse Counselor's Association

SUBJECT: House Bill No. 2601

DATE: January 18, 1984

I appear before you today on behalf of the Kansas Alcoholism and Drug Abuse Counselor's Association (KADACA) to voice our associations support of House Bill No. 2601.

KADACA is a professional organization of over two hundred and fifty certified alcoholism and drug abuse counselors representing the entire state of Kansas. The association's purpose is to develop and maintain professional standards and to insure delivery of quality services by the members of this profession.

The nature of KADACA membership affords our association a very current and accurate awareness of the needs of Kansans experiencing alcohol and other drug related problems along with a continuous assessment of the availability and appropriateness of services oriented to meeting those needs.

As you consider this piece of enabling legislation, please remain aware of the fact that alcoholism is our nation's third major health problem behind heart disease and cancer. Service programs in Kansas are doing their best to address these problems but are doing so under financial conditions that have become extremely limiting in the last four years. Our association strongly believes that it is essential to at least maintain both the quality and quantity of alcohol and other drug related services available in Kansas. Your support of this bill will help enable Kansans to do so.

The Kansas Alcoholism and Drug Abuse Counselor's Association respectfully requests your support of House Bill No. 2601.

Att. b. IV

**Kansas
Citizens
Advisory**

ATTACHMENT VI

P.O. BOX 4052 TOPEKA, KANSAS 66604

Committee on Alcohol and other Drug Abuse

January 17, 1984

Rep. Ivan Sands
Chairman - Local Government Committee
Kansas State Capital
Topeka, Kansas

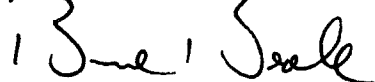
Re: HB 2601

Dear Committee Member,

The Kansas Citizens Advisory Committee on Alcohol and other Drug Abuse strongly supports HB2601. In past years the primary funding source for alcohol and drug programs has been the federal government. They have since placed this responsibility on local government. HB2601 would be an excellent funding mechanism for local programs which are currently suffering from federal cutbacks. As this is only enabling legislation each county government could assess their own needs and act accordingly.

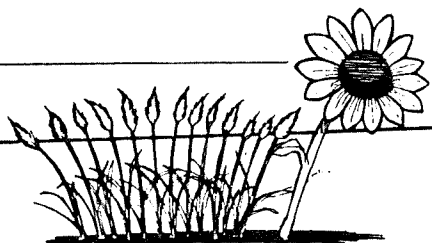
We do recommend that lines 54 and 55 be reworded to read "programs whose principal purpose is alcoholism and drug abuse ...". We feel that this change would help insure that only appropriate programs are eligible for funding.

Sincerely,



Bruce Beale
Chairman

Atch. VI



Kansas Association of Alcohol and Drug Program Directors

January 17, 1984

To: Representative Ivan Sands, Chairman, Local Government

From: George Heckman, Chairman, KAADPD Legislative Committee *GH*

Re: HB 2601

The Kansas Association of Alcohol and Drug Program Directors represents forty five (45) agencies providing alcohol and drug abuse services in our state. The member agencies operate treatment, prevention and alcohol safety action programs in a variety of settings throughout our state.

Our association strongly supports HB 2601. During the past five years, demand for alcohol and other drug abuse services has increased dramatically in our state. Many locales could use this increase in available funding to strengthen existing programs or create programs to meet their needs.

Our association would also suggest that the committee carefully review the allocation language in lines 50-60 to assure that funds would be available to services or programs whose principle purpose is the provision of alcohol and drug abuse services. This might be accomplished by adding the words "whose principle purpose is" in place of the final word "of" on line 54.

Such a change might prevent further problems with funding of sheriff's offices or other county personnel who deal with alcohol or drug dependent people frequently in the regular course of their employment but do not provide special programming for them.

Atch. VII

ATTACHMENT VIII

Submitted To House Committee On Local Government

Rep. Ivan Sand, Chairman

January 18, 1984

By

Dwight L. Young, Vice-President

Association of Community Mental Health Center of Kansas

Executive Director-The Center for Counseling & Consultation

5815 Broadway, Great Bend, Ks. 67530

The Association of Community Mental Health Centers of Kansas supports, in principle, the concept of locally funded and locally determined health programs. It was by this method that the mental health center system was established. The same potential exist for the alcohol field if H.B. 2601 is passed. New or existing programs could receive significant support if the citizens in the community endorse the need for the programs.

There is concern that this legislation could increase the demands on the local tax base at a time when it is already being tested. It has been suggested that the mental health centers should work to increase the mill levy support. This could be made more difficult with the introduction of a levy which by some could be seen as competitive. It is important that existing programs in mental health centers not be cut as this new tax is implemented and funding shifts are considered.

The Committee may wish to consider the potential effects of this law in light of the experiences the liquor tax, S.B. 888, produced in the communities, since the wording and structure for allocating the funds are similar. The definition is so broad that very divergent programs appear eligible and competition for the funds can sometimes become extremely divisive. The local alcohol and drug advisory committee may be able to help coordinate services and avoid overlap or duplication. However, it should be noted that in some cases these committees were formed by those seeking the funds and who have vested interests in the committee recommendations.

In summary, the Association of Community Mental Health Centers of Kansas supports H.B. 2601 on the basis that it enables the local authorities to collect and distribute monies for an important health related problem, alcohol and drug abuse. However, it is felt that the pitfalls this legislation could hold for the existing programs and the communities supporting these programs should be noted.

Thank you for your time and consideration in this matter.

DY/cf

Atch. VIII

ATTACHMENT IX

MEMORANDUM

January 17, 1984

TO: House Local Government Chairman
FROM: Legislative Research Department
RE: H.B. 2608

H.B. 2608 extends the time cities have to publish quarterly financial statements from 20 days to 30 days after the quarter ending in March, June, September, and December.

Alto IX