

MINUTES OF THE Senate COMMITTEE ON Local Government

The meeting was called to order by Senator Don Montgomery at
Chairperson

9:00 a.m. ~~am~~^{XX} on Wednesday, March 27, 1985 in room 531-N of the Capitol.

All members were present except: Senator Gaines who was excused

Committee staff present: Mike Heim, Theresa Kiernan, Emalene Correll, Lila McClaflin

Conferees appearing before the committee: Glenn D. Cogswell, N. Topeka Drainage District,
Topeka, KS.
Fred Allen, Kansas Assn. of Counties, Topeka
Kenneth Kern, State Conservation Commission, Topeka

The chairman called the meeting to order.

The hearing on H.B. 2483 was opened. This bill permits the Board of Directors of a Drainage District in North Topeka to put the issue of annexing added territory before the county commissioners. Glenn Cogswell representing the North Topeka Drainage District explained the district wanted the bill in order to include a small pocket of land that receives benefits now but do not share in the cost.

H.B. 2189, amends statutes dealing with special bridge funds of counties to add culverts to the statutes, and permits expenditures for the building and reconstruction of such. Fred Allen, Kansas Assn. of Counties, stated it is just modernization of the language in the statutes.

H.B. 2113, the bill would increase the amount the board of county commissioners could levy against the taxable property within the district from .5 mill or \$15,000 to 2 mills or \$55,000, whichever is less. Kenneth Kern testified in behalf of the bill and his written testimony is a part of these minutes (attachment 1).

H.B. 2191, allows for a lien upon the property to be assessed and collected the same as unpaid taxes, this bill would affect improvement districts located more than five miles from a city, the lien could be assessed for abatement of nuisances or utility cost. The chairman stated the bill was sponsored by Rep. Braden, who was unable to be present but the bill was introduced to clean up the language in a bill that was passed last year.

Committee action was taken on the following bills:

H.B. 2189, Senator Bogina moved to put this bill on the consent calendar. the committee agreed to do so.

H.B. 2113, Senator Bogina moved to pass the bill. Senator Salisbury seconded the motion. The motion carried.

H.B. 2191, Senator Mulich moved to pass the bill favorably. Senator Allen seconded the motion. The motion carried.

H.B. 2317, Senator Mulich moved to accept the amendments presented by Theresa. Senator Winter seconded the motion. The motion carried. Senator Allen moved to recommended the bill favorably for passage as amended. Senator Winter seconded the motion. The motion carried.

H.B. 2392, Senator Bogina moved to accept the amendments as presented by Theresa. Senator Mulich seconded the motion. The motion carried. Senator Mulich moved to pass the bill as amended. Senator

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Local Government,
room 531-N, Statehouse, at 9:00 a.m./~~p.m.~~ on Wednesday, March 27, 1985

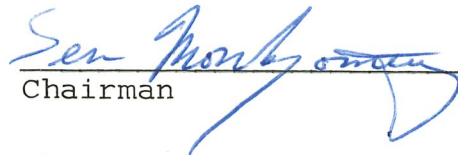
Bogina seconded the motion. The motion carried.

H.B. 2483, Senator Allen moved to pass the bill favorably.
Senator Salisbury seconded the motion. The motion carried.

Senator Montgomery recommended to the committee that H.B. 2117 be held over until next year. That a group of several senators and representatives be appointed to work on it over the summer and a substitute bill be drafted. Senator Daniels expressed concern that the issue comes up every year and each year it is put off for another year, something needs to be accomplished to help the people with the problems of annexation.

Senator Mulich moved to accept the minutes of March 21, 25,
and 26 meetings. Senator Bogina seconded the motion. The motion
carried.

The meeting was adjourned until Thursday, March 28, 1985.


Chairman

Senate Local Government Committee
Hearing on HB 2113
Presentation by Kenneth F. Kern, Executive Director
State Conservation Commission

The State Water Plan, as developed over the past two years, recommends increased natural resource programs. Rural and urban flood control, multi-purpose small lakes, land treatment, water quality improvement and watershed development are all areas that the conservation districts are or will be involved in and are recommended in the State Water Plan.

The conservation districts, as a key governmental sub-division have several valuable assets:

1. Cover the entire state.
2. Active governmental sub-division.
3. Conservation data available.
4. Over 30 years involvement in conservation activities.

The conservation districts need additional funding because:

1. Expansion of local and state programs.
2. Reduction of federal programs in size and scope.
3. Increased need for local education programs.
4. Act as an advisory agency in providing consulting and technical assistance for land use, development and conservation.
5. Sponsor or co-sponsor projects or special purpose districts.
6. Administration of aggressive district conservation program.

The Commission looked at several options for increased local funding. The bill, as currently written, is different than the Commission's recommendation. However, we have no problem with the bill as written.

The present and proposed funding for conservation districts is:

PRESENT	PROPOSED
County General Fund.....\$ 7,500	County General Fund.....\$ 7,500
.5 mill Levy by County Commissioner 15,000	2 mill Levy by County Commissioners 55,000
State Matching Fund (Maximum)..... 7,500	State Matching Fund (Maximum)..... 7,500
TOTAL <u>\$30,000</u>	TOTAL <u>\$70,000</u>

Continued.....

(Attachment 1)
3/27/85

There are some conservation districts in which the limitation of \$55,000 for the 2 mill levy may be too low.

For instance, one conservation district's budget is as follows:

County General Fund.....	\$ 7,500
.5 Mill Levy.....	NONE
State Matching Fund.....	7,500
Federal Revenue Sharing Fund from County.	50,100
	<u>TOTAL \$65,100</u>

The revenue sharing funds from the county are used for an extensive conservation education program. The conservation district board, working closely with the county commissioners, set up the program that will benefit the entire county.

Should the federal government terminate revenue sharing funds, then the district's program will be funded through the proposed 2 mill levy.

A conservation district funding information sheet is enclosed.

CONSERVATION DISTRICT FUNDING

"Authorize increased local funding of conservation districts."

"An accelerated land treatment program would require that the conservation districts provide technical assistance to land-owners. Additional funding to the districts would be necessary. Present state law places a \$22,500 annual limit on the amount of funding the conservation districts may receive from the counties. Additional financial aid from local sources could be obtained by raising the limit on funds which the county may provide to conservation districts or by granting direct taxing authority to the conservation district."

The above statements are from the Executive Summary of the revised State Water Plan Working Draft, October 1984, Conservation Section, Sub-Section Agriculture pages 22-23.

As the Commission studied the water plan's recommendation for increased local funding, as well as the overall emphasis on the land treatment, watershed development and the small lakes program, it became apparent that the key governmental sub-division units are the conservation districts.

The conservation districts have a number of valuable assets: (1) The districts cover the entire state. (2) The districts are active governmental sub-divisions with a background in cooperative planning involving local, state and federal governments. (3) The districts have available a tremendous body of technical data relating to conservation, and (4) The districts have been involved in conservation activities for a minimum of thirty years.

As the state and local programs are expanded, however, there will be additional local expenses, challenges and decisions to be made.

The federal government is providing approximately the same funding to the Soil Conservation Service each year and this buys less and less technical assistance. According to the Soil Conservation Service, a \$3 million cost-share program is approximately the maximum size that can be handled with existing Soil Conservation Service staffing. Assuming additional federal funds are not forthcoming, it will become a local responsibility to provide the additional services in order for the conservation programs to move ahead.

As we look further into the future of the districts, the aggressive conservation districts will have additional activities and responsibilities. In addition to technical assistance, other activities and responsibilities may be:

1. Education programs.
2. Consulting and technical advisory agency for all units of government in the county for any action involving use, development and conservation of resources.

3. Sponsor or co-sponsor of special projects or special purpose districts.
4. Administrating agent for a variety of conservation programs encompassing rural and urban areas.
5. Developing a closer relationship with urban areas.
6. Developing increased concern for total conservation.
7. Involvement in basin planning program.
8. Administration of an aggressive district conservation program.
9. Employment of a district manager to develop plans, work with landowners, coordinate activities and responsibilities of the district and to implement the district programs.

The trend for increased district involvement has been evident since the Conservation District Law was passed in 1937. The district law, K.S.A. 2-1901, has been amended a number of times to provide for increased funding or to make other changes necessary for increased district involvement. A short summary of some of these changes are:

CONSERVATION DISTRICT FUNDING

1937 to 1953	- Dependent upon own resources for funding	
1953	- County commissioners provide clerical assistance or hire assistance.....	\$ 1,500
1959	- Increase for clerical to.....	\$ 3,000
1963	- State matching funds up to.....	\$ 3,000
	(Plus use of funds for conservation activities. Districts started to prepare budgets.)	
1969	- County general fund up to.....	\$ 4,000
1972	- State matching funds up to.....	\$ 4,000
	Name changed - dropped "soil"	
1976	- County general fund up to.....	\$ 6,000
	- State matching funds up to.....	\$ 6,000
1977	- Election of district supervisors by land occupiers	
1979	- County general fund up to.....	\$ 7,500
	- State matching funds up to.....	\$ 7,500
1981	- County commissioners levy .5 mill tax not to exceed.....	
		\$15,000

The present funding for conservation district operations is:

County General Fund.....	\$ 7,500
.5 mill Levy.....	\$15,000
State Matching Funds.....	\$ 7,500
Maximum.....	<u>\$30,000</u>

Because of the wide range of activities and programs in the districts, budgets range from \$7,700 to \$57,600 for FY86. (The \$57,600 budget included revenue sharing and/or educational funds from the county.)

Some of the options that can be considered for increased local funding include:

1. Increase the \$15,000 limitation of the .5 mill levy.
2. Increase the .5 mill levy and raise the limitation.
3. Combine \$7,500 from the County Commissioners plus direct taxing authority by the district.
4. Direct taxing authority by the district.

The Commission is recommending that K.S.A. 2-1907b be revised to leave the \$7,500 from the county general fund and change the .5 mill levy by County Commissioners to read "conservation district board of supervisors may levy an annual tax not to exceed 2 mills." A limit of \$50,000 to \$60,000 is being considered as part of the recommendation.

The state matching funds of up to \$7,500 provided by K.S.A. 2-1907c are not affected by the recommendation.

Direct taxing authority will provide more flexibility to the conservation district in establishing a budget that will meet the needs of an expanding district program.

How much and how soon the district program will expand is unknown at this time. However, the State Conservation Commission has requested the following budget for FY 1986:

	REQUESTED BUDGET FY1986	COMPARED TO CURRENT BUDGET FY1985
Commission Operation	\$ 330,896	\$ 164,588
Matching Funds	764,005	749,720
Watershed Construction	2,000,000	800,000
Cost-Share Program	3,000,000	1,500,000
Watershed Planning	100,000	---
Special Projects Outside Organized Watersheds	100,000	25,000
	<u>\$6,294,901</u>	<u>\$3,439,308</u>

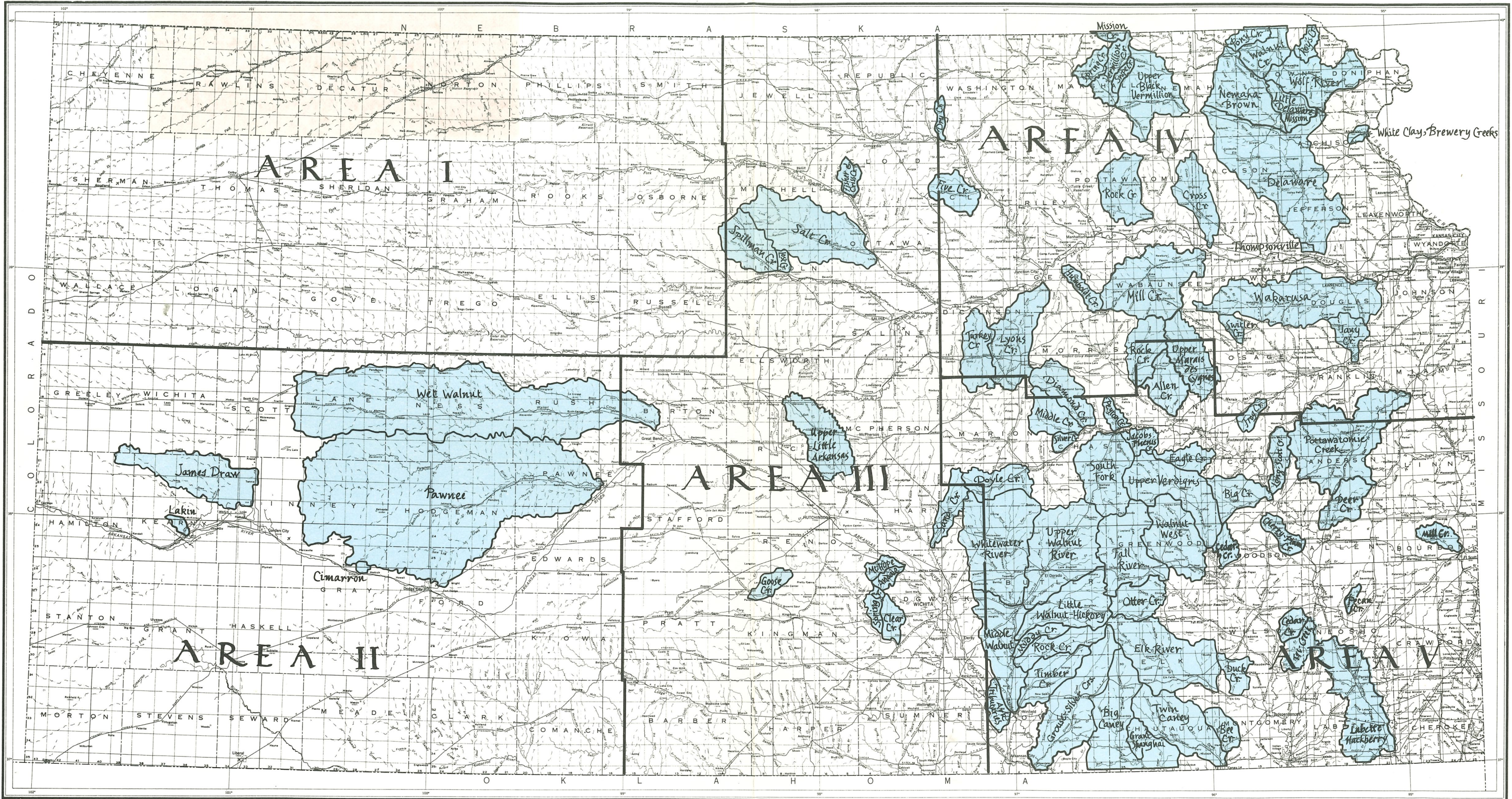
Enclosed is a district listing of the amount of money raised by a .5 mill levy and a 2 mill levy for tax year 1983. (Includes both urban and rural taxable tangible property.)

CONSERVATION DISTRICTS

VALUATION AS OF 7-1-82

	.5 MILL	2 MILLS		.5 MILL	2 MILLS
Allen	13,928	55,712	Linn	8,603	34,412
Anderson	10,376	41,504	Logan	8,379	33,516
Atchison	13,813	55,252	Lyon	33,622	134,488
Barber	9,519	38,076	McPherson	33,303	133,212
Barton	34,791	139,164	Marion	18,092	72,368
Bourbon	14,470	57,880	Marshall	16,446	65,784
Brown	14,294	57,176	Meade	11,736	46,944
Butler	43,236	172,944	Miami	19,378	77,512
Chase	7,603	30,412	Mitchell	12,827	51,308
Chautauqua	4,380	17,520	Montgomery	29,496	117,984
Cherokee	16,923	67,692	Morris	8,875	35,500
Cheyenne	7,934	31,736	Morton	6,843	27,372
Clark	7,223	28,892	Nemaha	14,271	57,084
Clay	12,679	50,716	Neosho	17,167	68,668
Cloud	15,459	61,836	Ness	11,732	46,928
Coffey	8,188	32,752	Norton	7,953	31,812
Comanche	5,943	23,772	Osage	15,124	60,496
Cowley	34,466	137,864	Osborne	10,713	42,852
Crawford	22,741	90,964	Ottawa	12,265	49,060
Decatur	8,239	32,956	Pawnee	13,682	54,728
Dickinson	22,366	89,464	Phillips	10,577	42,308
Doniphan	7,963	31,852	Pottawatomie	15,354	61,416
Douglas	60,530	242,120	Pratt	16,530	66,120
Edwards	8,154	32,616	Rawlins	8,199	32,796
Elk	6,005	24,020	Reno	68,526	274,104
Ellis	23,207	92,828	Republic	13,408	53,632
Ellsworth	14,156	56,624	Rice	18,135	72,540
Finney	45,402	181,608	Riley	41,544	166,176
Ford	31,987	127,948	Rooks	8,238	32,952
Franklin	17,757	71,028	Rush	10,715	42,860
Geary	19,028	76,112	Russell	10,083	40,332
Gove	8,354	33,416	Saline	46,143	184,572
Graham	6,332	25,328	Scott	10,068	40,272
Grant	14,070	56,280	Sedgwick	371,160	1,484,640
Gray	14,722	58,888	Seward	20,439	81,756
Greeley	8,910	35,640	Shawnee	146,557	586,228
Greenwood	9,948	39,792	Sheridan	6,866	27,464
Hamilton	7,587	30,348	Sherman	14,318	57,272
Harper	14,342	57,368	Smith	10,276	41,104
Harvey	31,047	124,188	Stafford	9,772	39,088
Haskell	11,424	45,696	Stanton	9,032	36,128
Hodgeman	8,527	34,108	Stevens	11,137	44,548
Jackson	9,446	37,784	Sumner	25,627	102,508
Jefferson	12,831	51,324	Thomas	16,086	64,344
Jewell	9,689	38,756	Trego	6,219	24,876
Johnson	333,526	1,334,104	Wabaunsee	9,388	37,552
Kearny	8,713	34,852	Wallace	6,973	27,892
Kingman	14,434	57,736	Washington	13,320	53,280
Kiowa	8,356	33,424	Wichita	10,836	43,344
Labette	19,717	78,868	Wilson	12,002	48,008
Lane	7,263	29,052	Woodson	6,454	25,816
Leavenworth	33,285	133,140	Wyandotte	117,898	471,592
Lincoln	9,425	37,700			

WATERSHED DISTRICTS AND CONSERVATION COMMISSION AREAS



Conservation districts are organized and operating in each of the 105 counties—boundaries are coterminous.

SENATE
LOCAL GOVERNMENT COMMITTEE
PRESENTATION ON HB 2113
BY
KENNETH F. KERN, EXECUTIVE DIRECTOR
STATE CONSERVATION COMMISSION