

Approved Ivan Sand 1/30/86
Date

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT

The meeting was called to order by REPRESENTATIVE IVAN SAND at
Chairperson

1:30 ~~xxx~~ p.m. on JANUARY 28, 1986 in room 521-S of the Capitol.

All members were present except: Rep. Clyde Graeber, excused
Rep. L. V. Roper, excused

Committee staff present: Mike Heim, Legislative Research Department
Mary Hack, Revisor of Statutes Office
Gloria Leonhard, Committee Secretary

Conferees appearing before the committee: Rep. Dale Sprague, New Legislation
Rep. Nancy Brown, HB 2690
Mr. Richard Funk, KASB, HB 2690
Mr. Glenn Cogswell, N. Topeka Drainage Dist
HB 2701

Chairman Ivan Sand called for request for new legislation. Rep. Dale Sprague appeared and requested legislation which would amend the public wholesale water supply district act. (See Attach. I.)

The motion was made by Rep. George Dean to introduce the proposed legislation as a committee bill. Rep. LeRoy Fry seconded the motion. The motion carried.

Chairman Sand called for hearings on the following bills:

HB 2690, concerning municipalities; relating to public recreation and playgrounds;

Mr. Mike Heim, Staff, gave an overview of the bill and reviewed proposed revisions. (See Attach. II.)

Rep. Nancy Brown appeared to give background and intent of the bill and urged the committee to support the bill. Rep. Brown read a letter, dated January 25, 1986, to the committee from Michael A. Sampson, Pres., Blue Valley Junior Athletic Association. (See Attach. III.)

Committee discussion and questions followed. Mr. Heim, Staff, pointed out that a recreation commission does not have separate taxing authority; that its budget must be submitted to the school district, the city, or both; that the statutes do not clearly define powers of authority for recreation commissions.

Questions were raised about a recreation commission's authority to buy land as well as its right to condemn.

Rep. Nancy Brown suggested that the Committee hold action on HB 2690 until a Johnson County School District attorney could meet with Mr. Ernest Mosher, League of Kansas Municipalities, to clarify certain questions and provisions of the bill.

A committee member questioned the change of the language "may operate" to "shall have the power to operate" in Section 1, Lines 21 and 22 of the bill.

Mr. Ernest Mosher, League of Kansas Municipalities, testified that the League has no formal position on HB 2690 but that the League opposes the bill at this time; that the League fundamentally objects to the language proposed in Lines 78 and 79 of the bill; that the League questions conferring too much power on an appointed board.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT,
room 521-S, Statehouse, at 1:30 ~~a.m.~~/p.m. on JANUARY 28, 1986.

Other committee questions raised were how the recreation commission would compare to a port authority and what immunities are involved.

Mr. Richard Funk, Kansas Assn. of School Boards, appeared and urged further consideration of the issue before action.

Chairman Sand suggested that HB 2690 be held for further consideration and pointed out that it might be localized.

The hearing on HB 2690 was closed.

HB 2701, relating to drainage districts; concerning notice of hearing on petition for enlargement of district; -- By Committee on Local Govt. (See Staff Overview -- Attachment IV.)

Mr. Glenn Cogswell, attorney for the North Topeka Drainage District, appeared to explain the intent of HB 2701 to change an incorrect statutory citation and to urge the committee to support the bill.

Rep. Dorothy Nichols made a motion that HB 2701 be passed and placed on the consent calendar. Rep. Clinton Acheson seconded the motion. The motion carried.

The minutes of the meeting of January 21, 1986, were approved as presented.

The meeting adjourned.

HOUSE BILL NO. _____

By

ATTACHMENT I
1-28-86

AN ACT amending the public wholesale water supply district act; concerning the governing body of such districts; amending K.S.A. 19-3550 and repealing the existing section.

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

Section 1. K.S.A. 19-3550 is hereby amended to read as follows: 19-3550. ~~Each participating public agency shall be entitled to appoint at least one (1) and not more than two (2) members to the governing body of the district. Each such representative's full term shall be not less than one (1) year nor more than four (4) years. Initial terms shall be staggered in accordance with procedures~~ The governing body of the district shall consist of not less than five persons selected by the participating public agencies. The manner of selection of such governing body and terms of office shall be set forth in the agreement provided for in K.S.A. 19-3547 and amendments thereto. The governing body of the district shall elect one of its members as president, one as treasurer, and one as secretary.

Sec. 2. K.S.A. 19-3550 is hereby repealed.

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

Attachment I
1-28-86
Hs. Local Gov.

MEMORANDUM

January 28, 1986

TO: House Local Government Committee Chairman
FROM: Kansas Legislative Research Department
RE: H.B. 2690

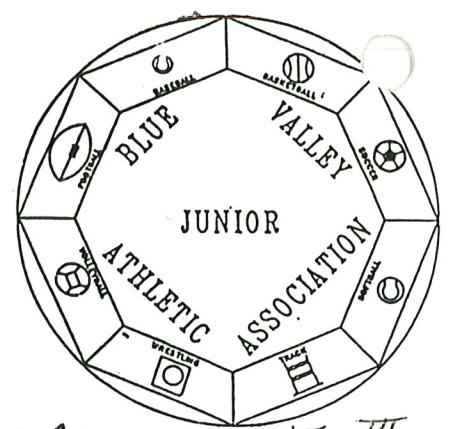
ATTACHMENT II
1-28-86

H.B. 2690 amends public recreation commission statutes to clarify and expand certain powers of recreation commissions and cities and school district and to clarify election procedures. The bill adds the power of making capital improvements to those listed in Section 1; clarifies that the election provided in Section 2 shall be at any "primary, general" or special election and shall be not more than 180 days after the filing of the petition; clarifies in Section 3 that recreation commissions shall have the same powers granted to school districts and cities under Section 1.

MH/jar

Attachment II
1-28-86
Hs. Local Gov.

BLUE VALLEY JUNIOR ATHLETIC ASSOCIATION, INC.
Phone (Recorder) 681-8469



January 25, 1986

Dear Representative Sand and Members of the Local
Government Committee,

*ATTACHMENT III
1-28-86*

We, of the Blue Valley Junior Athletic Association, presently serve the area of the Blue Valley Unified School District #229 on a volunteer basis to provide youth sports for all ages in baseball, basketball, football, cheerleading, softball, soccer, track, volleyball and wrestling.

Our district includes an 87 square-mile area whose growth can be measured by the recent passage of a \$20.5 million school bond, along with the opening of a new high school this fall, two new grade schools and a new middle school soon thereafter.

As a result of this growth, and with an eye to the future, we are caught in a facilities crunch. Over the past year, we have researched ways to resolve this issue and think that the creation of a sports district under present Kansas State Law, with certain pertinent amendments, can provide our community the opportunity to come together for these youngsters.

The present statute allows a sports district to operate public recreation areas, but does not provide the means to obtain the land and improve it for use. This is a need we have, and we ask you to approve this change in order that we may then put it to a vote.

Furthermore, because our needs are critical timewise, we would ask that this vote be allowed at any primary, general, or special election, rather than at the next regular election in the school district.

We appreciate your consideration in this matter, and we feel that a positive response will allow the voting process to speak to the resolution of this important issue for our district.

Respectfully,

Michael A. Sampson, President
Blue Valley Junior Athletic Association

*Attachment III
1-28-86
Hs. Local Gov.*

MEMORANDUM

January 28, 1986

TO: House Local Government Committee Chairman
FROM: Kansas Legislative Research Department
RE: H.B. 2701

*ATTACHMENT IV
1-28-86*

H.B. 2701 amends a drainage district statute dealing with annexation of territory by a district to change an incorrect statutory citation. The bill was requested by the North Topeka Drainage District who last year had requested the statutes be changed regarding annexation of territory by drainage districts.

MH/jar

*Attachment IV
1-28-86
Hs. Local Gov.*