

Approved Ivan Sand 3/26/86
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 25, 1986 in room 521-S of the Capitol.

All members were present except: Rep. Samuel Sifers, excused

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

Conferees appearing before the committee:

Mr. Kim Dewey, Sedgwick Co., SB 506
Ms. Willie Martin, Sedgwick Co., SB 508
Mr. Duane Johnson, State Librarian, SB 571
Mr. L. M. Cornish, Counsel, Kansas Library Assn.,
SB 571

Chairman Sand called for hearings on the following bills:

SB 506, concerning fire protection; relating to fire districts in certain counties;

Mr. Kim Dewey, representing Sedgwick County, appeared and summarized written testimony of Mr. Gary L. Nichols, Fire Chief, Sedgwick County, who could not be present. The Fire Department requested approval of SB 506. (See Attachment I.) Mr. Dewey said the 1986 budget for the fire district was \$4,435,800.

The hearing was closed on SB 506.

Rep. George Dean made a motion that SB 506 be passed. Rep. Phil Kline seconded the motion. The motion carried.

SB 508, concerning juveniles; relating to detention facilities and release therefrom;

Ms. Willie Martin, representing Sedgwick Co., appeared and requested SB 508 be recommended favorably. (See Attachment II.)

A committee member asked if the amendment contained in SB 508 would affect other counties than Sedgwick. Mr. Mike Heim, Staff, said K.S.A. 38-554 applies only to Sedgwick County.

The hearing was closed on SB 508.

Rep. George Dean made a motion that SB 508 be passed. Rep. Robert D. Miller seconded the motion. The motion carried.

SB 571, concerning libraries; relating to tax levies for support thereof;

Mr. Duane Johnson, State Librarian, appeared in support of SB 571. Mr. Johnson gave background and intent of the bill and furnished a listing of district libraries and letters from two library district officials which speak in support of SB 571. (See Attachment III.)

A committee member asked who audits libraries and recommended that an interim study be conducted on library problems.

Mr. L. M. Cornish, Counsel, Kansas Library Association, said the Kansas Library Association, said the Kansas Library Association supports SB 571.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT,
room 521-S Statehouse, at 2:00 ~~a.m.~~ p.m. on MARCH 25, 1986

The hearing on SB 571 was closed.

Rep. Elizabeth Baker made a motion that SB 571 be passed. Rep. Dorothy Nichols seconded the motion. The motion carried.

The minutes for the meetings of March 19 and March 20, 1986, were approved as presented.

The meeting was adjourned.



COUNTY OF SEDGWICK

FIRE DEPARTMENT

Chief Gary L. Nichols

Asst. Chief
Elmer C. Noordhoek

Fire Marshal
H. A. Hartley

ADMINISTRATIVE OFFICES • 4343 N. WOODLAWN • WICHITA, KANSAS 67220 • TELEPHONE 744-0471

March 24, 1986

Written testimony of Fire Chief
Gary L. Nichols, to the Kansas
House Committee on Local Government.
Ref: Senate Bill No. 506 .
March 25, 1986
Topeka, Kansas

STATION LOCATION:

#1—553 N. Webb Rd.
#2—200 E. 53rd N.
#3—5728 N. 151st W.
#4—3914 W. 71st S.
#5—651 S. 247th W.
#6—6400 S. Rock Rd.
#7—4343 N. Woodlawn
#8—14300 Timberlakes Rd.
#9—640 S. Forestview

IN 1947, THE SEDGWICK COUNTY FIRE DEPARTMENT WAS ORGANIZED AS A VOLUNTEER FIRE DEPARTMENT TO FIGHT BRIDGE FIRES. THE ORIGINAL EQUIPMENT WAS A 1917 CHAIN DRIVE PUMPER, PURCHASED FROM THE CITY OF WICHITA, OPERATED BY COUNTY TRUCK DRIVERS, CLERKS, MECHANICS AND LABORERS.

THE DEMAND FOR FIRE DEPARTMENT SERVICE IN THE COUNTY CONTINUED TO INCREASE: THUS, LEGISLATION WAS PREPARED AND SUBMITTED TO THE 1951 KANSAS LEGISLATURE TO ENABLE COUNTIES TO ESTABLISH FIRE DEPARTMENTS. THIS PROPOSAL WAS ENACTED DURING THE 1953 LEGISLATIVE SESSION, ALONG WITH LEGISLATION WHICH AUTHORIZED THE ESTABLISHMENT OF FIRE DISTRICTS IN COUNTIES BY BOARDS OF COUNTY COMMISSIONERS ON THEIR OWN INITIATIVE OR BY PETITION SIGNED BY COUNTY RESIDENT OWNERS OF MORE THAN 60% OF THE PROPERTY WITHIN A PROPOSED FIRE DISTRICT. ON JANUARY 1, 1955, THE VOLUNTEER DEPARTMENT BECAME A COMPENSATED FIRE DISTRICT.

SOME THIRTY THREE YEARS HAVE PASSED SINCE THAT MEMORABLE DAY IN 1953 AND TODAY, AS CHIEF OF THE DEPARTMENT, I STAND BEFORE YOU TO AGAIN REQUEST THE HELP OF THE KANSAS LEGISLATURE TO ASSIST SEDGWICK COUNTY IN ITS EFFORTS TO CONTINUE TO PROVIDE THE LEVEL OF SERVICE TO ITS RESIDENTS THEY HAVE GROWN TO EXPECT.

Attch. 2
Hs. LOCAL GOVT.
ATTACHMENT I
3/25/86

TODAY'S SEDGWICK COUNTY FIRE DISTRICT CONSISTS OF ELEVEN SECOND AND THIRD CLASS CITIES (table 19), TWENTY-ONE TOWNSHIPS AND PORTIONS OF TWO OTHERS, WHICH ENCOMPASS SOME 640 SQUARE MILES. OVER SIXTY SIX THOUSAND CITIZENS RESIDE IN THE DISTRICT WITH FORECASTS OF INCREASED HOUSEHOLDS AND LAND USE BY THE YEAR 1990 (table 19).

SEDGWICK COUNTY CURRENTLY MAINTAINS NINE FIRE STATIONS (map 5) AND HAS A STAFF OF 121 EMPLOYEES (table 7), WHICH OPERATE THIRTY MAJOR PIECES OF FIRE APPARATUS. THE SEDGWICK COUNTY FIRE DEPARTMENT IS THE FOURTH LARGEST COMPENSATED FIRE DEPARTMENT IN KANSAS.

THE DISTRICT IS FINANCED FROM PROPERTY TAXES LEVIED ONLY WITHIN THE FIRE DISTRICT. PROPERTY OWNERS AND CITIES PETITION THE BOARD OF COUNTY COMMISSIONERS TO JOIN OR LEAVE THE DISTRICT. AS A SPECIAL TAXING DISTRICT, ANNEXATION BY CITIES REDUCES THE JURISDICTION OF THE SPECIAL TAXING DISTRICT RESULTING IN LOSS OF REVENUE TO FINANCE THE ANNUAL OPERATING BUDGET. THE OPERATING BUDGET INCLUDES THE FOLLOWING FUNDS: GENERAL, SOCIAL SECURITY/RETIREMENT AND WORKMAN'S COMPENSATION.

THE DEBT AND INTEREST FUND IS NOT AFFECTED IN THE SAME MANNER HOWEVER, AS ANNEXED PROPERTIES MUST CONTINUE TO PAY FOR THE CAPITOL IMPROVEMENTS PREVIOUSLY UNDERTAKEN BY THE DISTRICT FOR THE LIFE OF THE BONDS.

IT IS THE FIRE DISTRICT'S INTENT, THAT AS OF APRIL 15, 1986, THE DATE THE FAIR LABOR STANDARDS ACT AMENDMENTS OF 1985 TAKE EFFECT FOR LOCAL GOVERNMENTS, TO FULLY COMPLY WITH THE LAW AND PAY TIME AND ONE/HALF FOR EACH HOUR OF OVERTIME WORKED BY MEMBERS OF THE BARGAINING UNIT. THESE PAYMENTS WILL RESULT IN AN APPROXIMATE INCREASE OF PAY FOR MEMBERS OF THE BARGAINING UNIT OF 2.8% WITH A FIRST YEAR COST TO THE DISTRICT OF \$45,500.00 DOLLARS.

THE 1986 GENERAL FUND BUDGET FOR THE FIRE DISTRICT WAS SET AT 8.409 MILLS. ALLOWANCE FOR LOCAL ADVALOREM TAX REDUCTION LEFT THE DISTRICT WITH A FUTURE TAXING AUTHORITY OF .122 MILLS. BASED ON THE 1986 DISTRICT VALUATION, THIS WOULD PRODUCE \$42,642.00.

THE EXISTING LEVY LIMIT ON SEDGWICK COUNTY FIRE DISTRICT #1 WILL MAKE IT IMPOSSIBLE TO CONTINUE FINANCING CURRENT OPERATIONS. IN ADDITION, THE PURCHASE OF FUTURE MAJOR REPLACEMENT EQUIPMENT WILL BE IMPOSSIBLE UNDER THE LEVY LIMITATIONS.

THE FIRE SERVICE IS ONE OF THE HIGHEST PRIORITIES OF GOVERNMENTAL SERVICES AND THE FINANCIAL RESOURCES COMMITTED TO THAT SERVICE REFLECT ITS IMPORTANCE. IN THE 1982 SESSION, THE LEGISLATURE PROVIDED RENO COUNTY FIRE DISTRICT #2 THE POWER TO LEVY A TAX IN THE AMOUNT NEEDED FOR THE PURPOSE OF THE FIRE DISTRICT OPERATION. SEDGWICK COUNTY REQUESTS THAT SEDGWICK COUNTY FIRE DISTRICT #1 BE INCLUDED IN THIS PROVISION.

YOUR POSITIVE RESPONSE TO OUR REQUEST WILL ENSURE THAT SEDGWICK COUNTY WILL BE ABLE TO CONTINUE TO ADHERE TO THE FOUR BASIC FIRE PROTECTION OBJECTIVES: (1) TO PREVENT FIRES FROM STARTING BY EXERCISING A COMPREHENSIVE FIRE PREVENTION AND PUBLIC EDUCATION PROGRAM IN FIRE SAFETY, (2) TO MINIMIZE LOSS OF LIFE AND PROPERTY WHEN FIRE STARTS THROUGH AN EFFICIENT AND MINIMAL ATTACK TIME, (3) TO CONFINE A FIRE TO THE POINT OF ORIGIN THROUGH A FIRE PRE-PLANNING PROGRAM, (4) TO EXTINGUISH THE FIRE THROUGH SOUND FIRE FIGHTING TACTICS. IN ADDITION TO FIRE PROTECTION, WE WILL CONTINUE TO STRIVE TO MINIMIZE INJURIES AND FATALITIES BY MAINTAINING A WELL TRAINED EMERGENCY MEDICAL FIRE FIRST RESPONDER SERVICE. (1985 operations and fire prevention report)

I RESPECTFULLY REQUEST YOUR APPROVAL OF SENATE BILL NO. 506 AND I THANK YOU FOR GIVING ME THE OPPORTUNITY TO SPEAK. I WILL ATTEMPT TO ANSWER ANY QUESTIONS YOU MIGHT HAVE.

SEDGWICK COUNTY FIRE CHIEF GARY L. NICHOLS

CHIEF NICHOLS CAME TO WORK FOR SEDGWICK COUNTY IN MAY OF 1955 AND WAS APPOINTED CHIEF OF THE DEPARTMENT IN OCTOBER OF 1975. HE HAS HELD THE POSITIONS OF PRESIDENT OF THE KANSAS STATE ASSOCIATION OF FIRE CHIEFS, PRESIDENT OF THE MISSOURI VALLEY DIVISION OF THE INTERNATIONAL ASSOCIATION OF FIRE CHIEFS AND CURRENTLY IS A MEMBER OF THE BOARD OF DIRECTORS OF THE INTERNATIONAL ASSOCIATION OF FIRE CHIEFS WHO HEADQUARTER IN WASHINGTON D.C.

HIS OFFICE IS LOCATED AT SEDGWICK COUNTY FIRE STATION NO. 7, 4343 NORTH WOODLAWN, WICHITA, KANSAS. (316) 744-0471



SEDGWICK COUNTY, KANSAS

BOARD OF COUNTY COMMISSIONERS

BUD HENTZEN
CHAIRMAN
THIRD DISTRICT

DONALD E. GRAGG
CHAIRMAN PRO-TEM
FIRST DISTRICT

TOM SCOTT
COMMISSIONER
SECOND DISTRICT

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

House Local Government Committee
March 25, 1986
Senate Bill 508

Testimony of Willie Martin
Sedgwick County, Kansas

K.S.A. 38-553 et seq. provides for the establishment and operation of public youth residential facilities in the State's three largest counties, Sedgwick, Johnson and Wyandotte. While it is the obligation of the Board of County Commissioners to provide for the construction of these facilities and to approve and fund an annual budget for their operation, the administration, supervision and control is the responsibility of the District Court. The employees of the facilities, while paid from county funds, are supervised by the Administrative Judge, who also has complete discretion regarding expenditure of all other budgeted funds.

This system of dual authority raises many questions regarding the application of basic administrative policies (i.e. personnel, purchasing, etc.) which all other county funded operations are subject to. Without clear authority to establish basic administrative controls, it is unreasonable to require the Board of County Commissioners to approve a budget and levy taxes for the support of these operations. The Board of County Commissioners is accountable to the taxpayers for expenditure of tax dollars, but inhibited from exercising the direct control necessary to satisfy their liability.

The public youth residential facilities are, in fact, detention and corrective centers. It is questionable that the District Courts should logically be involved in the actual operation of detention facilities, since there is no precedence for this at any other level of the State and local correctional system. Therefore, the operation of the public youth residential facilities should be removed from the auspices of the District Courts, and placed with the Board of County Commissioners.

The Court Unification Advisory Committee has recommended that the operation of the public youth facilities be placed with the Board of County Commissioners.

S.B.508 would amend K.S.A. 38-554 and establish administrative control of the public youth residential facilities, in Sedgwick County, with the Board of County Commissioners. We respectfully request that S.B. 508 be recommended favorably.

Attach. II

*ATTACHMENT II
3/25/86*

March 25, 1986

TO: Local Government Committee of the House
Ivan Sand, Chairperson
Robert D. Miller, Vice-Chairperson

RE: Senate Bill 571

FROM: Duane F. Johnson

Conferees: Duane F. Johnson, State Library
R. L. (Bud) Cornish, Counsel, Kansas Library
Association

1. S. B. 571 would amend K.S.A. 12-1247 to increase the mill levy authority of the boards of district libraries. Present levy authority is 1.5 mills. The new limit would be 3 mills.
2. The proposed bill would also set a requirement for publication of the board's intent to use the increased authority, followed by the 30-day period of potential public protest and call for a referendum on the question.
3. There are eight district libraries in the state, five of which are at, or near, the levy maximum. The eight districts are identified on the attached sheet.
4. Attached to this introductory statement are:
 - a. Listing of the district libraries
 - b. Letters from two library district officials which speak in support of S. B. 571

ATTACHMENT III
3/25/86

District Libraries and Mill Levies - 1986

	<u>Mill Levy</u>	<u>Estimated Income</u>
1. Allen, Library District #1, Lyon Co.	.85	\$ 4,855
2. Basehor, Library District #2, Leavenworth Co.	.80	\$ 6,800
3. Blue Mound, Library District #3, Linn Co.	1.513	\$ 5,360
4. LaCygne, Library District #2, Linn Co.	.545	\$58,000
5. Linwood, Library District #1, Leavenworth Co.	1.50	\$ 9,815
6. Louisburg, Library District #1, Miami Co.	1.48	\$32,206
7. Parker, Library District #1, Linn Co.	1.40	\$ 5,750
8. Troy, Library District #1, Doniphan Co.	1.47	\$52,606

Kansas State Library
February 1986

Linwood Community Library

District No. 1
P.O. Box "C"
Linwood, Kansas 66052
(913) 723-3686
February 19, 1986

SENATE BILL NO. 571

The Linwood Community Library District No. 1 Library Board is in full support of Senate Bill No. 571 which would allow us to raise our mill levy. Under the current mill levy we receive approximately \$6500 from taxes to serve 1,647 patrons which is \$3.95 per person in the district. When we budget each year this amount barely covers the rent, the librarian's minimum wage salary and part of the utilities. At this time we must rely on State Aid, NEKLS Grants and donations to purchase books and supplies, offer programs such as the summer reading program, maintain the building, pay insurance and purchase equipment. We need more local support to improve the level of library service.

We are proud of our volunteer staff which helps keep the library open four days a week, one evening and a few Saturday hours for a total of 31 hours. An increase in our levy would enable us to have a paid librarian more than 15 hours a week so that we could be open an additional day and increase evening hours when working families can use the library. It would also enable volunteers to man the circulation desk while the librarian is doing processing and other professional work.

We would be able to build our book collection up towards minimum standards. We are currently at 33% of the minimum standard for small libraries. Building up the quantity and quality would make the collection more useful to our patrons. In the past year we have seen an increase of 16% in volumes borrowed and feel this trend could continue if our collection were more current.

We would like to offer our patrons a wider range of library service by following the lead of larger libraries in offering such things as computer services, quality educational video tapes and more adult programs.

Sending our librarian to a conference such as the Kansas Library Association Tri-Conference cost the Library \$100 last year and yet the information available is extremely useful. The number of professional programs she can attend now are severely limited by our current budget. Because we cannot afford a professional librarian, it is even more important that our librarian take advantage of these opportunities to expand her knowledge in the library field.

The change in the mill levy would enable the librarian and library board to plan for growth rather than maintenance of our library.

We would appreciate your giving us the opportunity to promote increased local support for our library program by your support of Senate Bill No. 571.

Thank you,

Shirley Patrick

February 19, 1986

Subject: In support of Senate Bill 571

I am a member of the Board of Trustees of Library District #1 and am in favor of the subject bill. Our Library District is in the north-eastern part of Senate District 12; and, in the eastern part of House of Representatives District 15 and the north-eastern part of House of Representatives District 12.

As one of seven in Kansas, Library District #1, of Miami County, cannot change its mill levy without specific legislation. Our need for this bill is based on the following:

In addition to children's and adult's library services, our library also provides a meeting place for senior citizens, genealogy research, and a distribution point for commodities for the needy. But we need more space.

The necessary space is available because the library building and the adjoining building are for sale, as a package, and not separately. We want to buy both buildings and plan to get the money through a combination of fund raising, donations, a bond issue, and a grant.

The increased revenue would make a bond issue feasible; and with donations, provide the necessary "matching" funds to support an application for a grant.

Respectively,


Felix A. Spies

Felix A. Spies
Route 1, Box 82
Louisburg, KS 66053