

Approved March 24, 1986  
Date

MINUTES OF THE Senate COMMITTEE ON Local Government

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

9:00 a.m./~~1:00~~ on March 21, 1986 in room 531-N of the Capitol.

All members were present except: Senators: Langworthy, Daniels, Gaines, Mulich and Steineger who were excused.

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

Conferees appearing before the committee:

Representative Max Moomaw, Dighton, KS.  
Representative Don Rezac, Onaga, KS.  
Kenneth Rissler, Wabaunsee County Resident  
Ernie Mosher, League of Kansas Municipalities

H.B. 2794 - authorizes Garfield and Pierceville Townships in Finney County to levy not to exceed 3 mills for fire protection.

Rep. Max Moomaw presented written testimony in support of H.B. 2794. He stated they have been operating their rural fire department on a ½ mill levy out of the township general fund. They have also been using some other money for this purpose. Their auditor, told them they are operating illegally and the ½ mill is their only legal source of funds. (Attachment I)

Rep. Moomaw stated in response to a question, he had no objection to making this legislation apply statewide.

Staff was instructed to check with Finney County Clerk to see what statutes their fire protection is organized under and how to amend that statute to apply statewide.

H.B. 2757 - amends statutes dealing with improvement district in Wabaunsee County.

Rep. Don Rezac presented written testimony in support of H.B. 2757. His testimony stated this bill would allow an improvement district located in Wabaunsee County to use the Eskridge paper as their official newspaper. This bill is localized to Wabaunsee County. The bill has the support of the Wabaunsee County Commissioners, also, the editor of the official county paper does not object to this change. A letter from the Board of County Commissioners of Wabaunsee County, stating they are in favor of this legislation is included with Rep. Rezac's written testimony. (Attachment II)

Senator Don Montgomery stated this improvement district in Wabaunsee County is in his senatorial district and he supports this change.

Kenneth Rissler that lives in the improvement district, in Wabaunsee County, was present and stated he supports the change.

Hearing on H.B. 2845 was cancelled. The Chairman announced that the sponsors of the bill had requested that the bill be held and S.B. 571 which passed out of this committee be worked. The bills are identical except that S.B. 571 would apply statewide and H.B. 2845 is localized.

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Local Government,  
room 531-N, Statehouse, at 9:00 a.m./~~p.m.~~ on March 21, 1986

H.B. 2194 - concerning cities; relating to the designation of an official city newspaper.

The Chairman stated he had a request from the League of Kansas Municipalities to hear this bill.

Ernie Mosher was present and testified in support of the bill. The bill provides that each city of the second and third class shall designate by resolution an official city newspaper, which shall remain such until a different newspaper is designated.

Mr. Mosher expressed concern that H.B. 3052, which the committee heard yesterday, is exempt from provisions of the budget law.

Senator Ehrlich moved to report H.B. 2757 favorably. Senator Allen seconded the motion. The motion carried.

The consensus of the committee was to hold H.B. 2794 until staff could research the statutes that this fire protection unit in Finney County was organized under and check to see if this legislation could be applied statewide.

Senator Bogina made a conceptual motion to amend H.B. 2194, to include cities of the first class. Senator Ehrlich seconded the motion. The motion carried.

Senator Bogina moved to pass the bill as amended. Senator Ehrlich seconded the motion. The motion carried.

Next meeting will be at 9:00 a.m., on March 24. The meeting adjourned at 9:40 a.m.

  
\_\_\_\_\_  
Senator Don Montgomery



MAX MOOMAW  
REPRESENTATIVE, 117TH DISTRICT  
HODGEMAN, LANE AND  
PARTS OF FINNEY AND  
NESS COUNTIES  
HC 2, Box 195  
DIGHTON, KANSAS 67839



TOPEKA

HOUSE OF  
REPRESENTATIVES

COMMITTEE ASSIGNMENTS  
MEMBER: ASSESSMENT AND TAXATION  
EDUCATION  
TRANSPORTATION

TO: Senator Don Montgomery  
Senate Local Government Committee

FROM: Representative Max Moomaw  
117th District

RE: House Bill 2794

DATE: March 21, 1986

Mr. Chairman and Members of the Committee:

I appreciate the opportunity to appear before you on HB 2794. Garfield and Pierceville Townships in Finney County have their own fire department. These two townships are located in the eastern edge of Finney County approximately 15 miles from Garden City. They have been operating their rural fire department on a 1/2 mill levy out of their Township General Fund.

They have also been using some other money for this purpose. Their auditor, Mr. Dale Burney, told them they are operating illegally and the 1/2 mill is their only legal source of funds. Barbara Beina in the Municipal Accounting Department, Department of Administration, has looked into the matter and says as far as she can determine they do not fall within any statute that allows them access to money.

For these reasons we are asking for this localized legislation to allow these two townships to levy up to 3 mills to pay for rural fire protection.

(Attachment I)

3/21/86

S. LG

STATE OF KANSAS



TOPEKA

HOUSE OF  
REPRESENTATIVES

DON M. REZAC  
REPRESENTATIVE, SIXTY-FIRST DISTRICT  
WABAUNSEE COUNTY AND PARTS  
OF POTTAWATOMIE AND RILEY COUNTIES

COMMITTEE ASSIGNMENTS  
MEMBER AGRICULTURE AND SMALL BUSINESS  
ENERGY AND NATURAL RESOURCES  
LOCAL GOVERNMENT

Testimony by Representative Don Rezac on House Bill 2757 before the Senate Local Government Committee, March 21, 1986.

Thank you Mr. Chairman and members of the Committee. I am Don Rezac, sponsor of HB 2757. This bill relates to Lake Wabaunsee improvement district.

This bill amends two statutes. KSA 19-2763, which relates to statement of the district monies. The new language is on Line 61 through 64, which states: In the case of an improvement district located in Wabaunsee County, such statement shall be published in a newspaper of general circulation within the district.

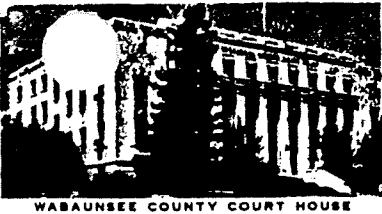
This bill also amends KSA 19-2769, which deals with levying special taxes for improvement districts. Again, the new language is on Line 118 to 121, which states: In the case of an improvement district located in Wabaunsee County, such notice shall be published in a newspaper of general circulation within the district. This bill is localized to Wabaunsee County.

As you can see, it also has the support of the Wabaunsee County Commissioners and also the editor of the official county paper does not object.

Thank you for your favorable consideration of this bill. Are there any questions?

DON REZAC  
State Representative  
District #61

(Attachment II) S.L.G  
3/21/86



WABAUNSEE COUNTY COURT HOUSE

COMMISSIONER FIRST DISTRICT  
JOE McCLURE, Alta Vista

COMMISSIONER SECOND DISTRICT  
LEO BOHN, Eskridge

COMMISSIONER THIRD DISTRICT  
GLEN L. HEISER

BOARD MEETINGS  
FIRST MONDAY OF EACH MONTH AND MONDAY OF EACH WEEK

OFFICE OF COUNTY CLERK

WABAUNSEE COUNTY

ALMA, KANSAS 66401

TELEPHONE 913-785-3414

RUTH M. DIEPENBROCK, Clerk

January 14, 1986

Senator Don Montgomery  
1218 Main  
Sabetha, Kansas 66534

*File under  
Wab. Co.*

Dear Don:

The Board of Wabaunsee County Commissioners are in favor of legislation to be enacted to allow the Lake Wabaunsee Improvement District to publish their legals in the Independent, which is the Eskridge paper.

Thanking you, we remain

Sincerely yours,  
BOARD OF WABAUNSEE COUNTY COMMISSIONERS

*Joe McClure*  
Joe McClure, Chairman

*Glen L. Heiser*  
Glen L. Heiser, Vice-Chairman

*Leo Bohn*  
Leo Bohn, Member