

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 March 4, 1987 in room 521-S of the Capitol.

All members were present except:
Representative Francisco, Excused

Committee staff present:
Mike Heim, Legislative Research Dept.
Bill Edds, Revisor of Statutes' Office
Sharon Green, Committee Secretary

Conferees appearing before the committee:
Lee Ann Anderson, McPherson County Clerk
Tom Groneman, Wyandotte County Clerk

Chairman Sand called the meeting to order.

Lee Ann Anderson testified in support of HB 2507, stating that because McPherson county had increased in population, it is now technically in violation of the law regarding fire districts operating an ambulance service. and that this legislation would insure that their ambulance services remain in service. (Attachment 1)

Motion was made by Representative Patrick and seconded by Representative Fry to favorably pass HB 2507 and place it on the Consent Calendar. The motion carried.

The Chairman turned the committee's attention to HB 2508.

A discussion was held among the committee members and the staff regarding the provisions of HB 2508, dealing with district coroners requirement of coroners to investigate the death or perform an autopsy on persons who die while confined in correctional institutions or jails. The bill also provides that a coroner may make a determination whether an inquest is needed.

Lee Ann Anderson testified in support of HB 2511, stating that this legislation would give more clear direction in dealing with mortgage fees when property lies in more than one county. She stated that the bill assumes that the correct information needed to determine the division and distribution of mortgage registration fees, based on the value of the lien in each county, rests with the mortgagee. She also stated that the lender, not the county, appears to be the most appropriate party for determining the correct division and distribution. (Attachment 2)

Tom Groneman testified in opposition to HB 2511, stating that this bill could cause more problems than it solves, and that a lender could have an unfair bias. He stated that he has no problem with present law.

Chairman Sand closed the hearing on HB 2511.

Motion was made by Representative Miller and seconded by Representative Kennard to favorably pass HB 2424 as amended. The motion carried.

The minutes of March 3 were approved as presented.

Meeting adjourned.



McPHERSON COUNTY

**TESTIMONY ON HOUSE BILL NO. 2507
BEFORE THE HOUSE LOCAL GOVERNMENT COMMITTEE**

BY

**LEAH ANN ANDERSON, MCPHERSON COUNTY CLERK
ON BEHALF OF
THE BOARD OF MCPHERSON COUNTY COMMISSIONERS
March 4, 1987**

Currently, K.S.A. 19-3632 restricts the governing body of any fire district from operating an ambulance service within or without such districts, if the county's population does not fall between 15,000 and 25,000 persons. McPherson County's most recent census projections places our total population at 27,289. Thus, the 3 McPherson County Fire Districts, which have established and now operate volunteer ambulance services, do not appear to have the authority to do so.

The amendment suggested by House Bill No. 2507 would insure that those fire districts operating volunteer ambulance services in McPherson County would not be in technical violation of this statute. These volunteer ambulance services provide a reliable and much needed service to many residents of the County. It would not be beneficial to limit the authorized operation of these important emergency medical services due solely to growth in the county's population.

Additionally, McPherson County's size mitigates the advantages accruing from a county-wide service vs. the operation of individual services, which are financially supported, in part, by the County. A locally supported and operated volunteer ambulance service in McPherson County is more efficient, from both a cost and treatment perspective. The statutory authority to continue their operation appears to be an appropriate legislative response to the need for the provision of ambulance services in McPherson County.

We would respectfully request the Committee's support for the suggested amendment.

*Attachment
2-4-87*

MCPHERSON COUNTY COMMISSIONERS

McPherson County
Courthouse

John C. Magnuson, Chairman
District 1

John W. Casebeer
District 2

Tony Wedel
District 3

P.O. Box 676
Phone No. 316-241-8149



McPHERSON COUNTY

**TESTIMONY ON HOUSE BILL NO. 2511 BEFORE
THE HOUSE LOCAL GOVERNMENT COMMITTEE**

BY

**LEAH ANN ANDERSON, COUNTY CLERK
ON BEHALF OF
THE BOARD OF MCPHERSON COUNTY COMMISSIONERS
March 4, 1987**

The amendment delineated in House Bill No. 2511 would provide clearer legislative direction for counties, when mortgages on properties situated in two or more counties need to be filed with the appropriate registers of deed. McPherson County encountered difficulties this year, when the lender and title company involved in a multi-county filing did not feel the division and distribution of registration fees by the Treasurer in the lead county was appropriate. The title company felt that \$312.50 of registration fees should have been sent to McPherson County versus the \$25.00 received from the Treasurer's Office, in the county where the mortgage was first presented for registration. This bill would place the responsibility for determining the percentage of value the property would have in each county, in relationship to the total amount of the mortgage, with the mortgagee, not the County Treasurer.

The bill properly assumes that the correct information needed to determine the division and distribution of mortgage registration fees, based on the value of the lien in each county, rests with the mortgagee. Additionally, the mortgagee is the one most impacted by an incorrect filing of a mortgage registration fee, as the fee determines the amount the lender may foreclose upon in the event of a default. The lender, not the county, appears to be the most appropriate party for determining the correct division and distribution.

Finally, there will be no additional cost to the lender by delegating this responsibility to them. In a multi-county filing, an affidavit should accompany the mortgage, which indicates the appropriate division and distribution of the mortgage registration fees to the other counties involved in the transaction. The registers of deed do not charge to process these affidavits. The affidavits could then be directed to the County Treasurer in the lead county, so that the appropriate action may be taken.

The Board of County Commissioners believes this correction to the procedures will facilitate the achievement of the lenders' goals. Further, the procedure does not add cost to the lender's filing of the mortgage, while it relieves the county treasurer in the lead county of the responsibility of determining the appropriate value of the lien in each affected county. We respectfully request the Committee's positive consideration of House Bill No. 2511.

Attachment 2