

Approved February 7, 1990
Date

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT

The meeting was called to order by REPRESENTATIVE ROBERT D. MILLER at
Chairperson

1:30 a/m./p.m. on JANUARY 18, 1990 in room 521-S of the Capitol.

All members were present except:

Representative Gomez, excused
Representative Johnson, excused

Committee staff present:

Mike Heim, Legislative Research Dept.
Theresa Kiernan, Revisor of Statutes' Office
Connie Smith, Committee Secretary

Conferees appearing before the committee:

John Torbert, Kansas Association of Counties
Ernie Mosher, League of Kansas Municipalities

Chairman Miller recognized Representative Reinhardt who introduced his intern, Amy Robinson, from Chanute who is a student at Washburn University and Representative Lane who introduced his intern, Mindy Haar, from Iola High School.

Invitations to attend a dinner sponsored by the League of Kansas Municipalities and Kansas Association of Counties was passed out to the committee members.

John Torbert, Kansas Association of Counties, made a request for the following bills to be introduced by the committee. Mike Heim, staff, explained the bills.

1. 12 month residency requirement for out-district tuition purpose
2. A bill to allow county commissioners to appoint an appraiser any point in time between January 1 and July 1 every 4 years.
3. Recommendation that bonded debt limits on counties be eliminated.
4. Counties should be allowed to contract with private companies for service and delivery of all civil documents and papers as they relate to the legal/court system.
5. KSA 79-2017 be amended to not require a county to try to collect delinquent personal property tax in amounts less than \$50.
6. KSA 77-138 be amended so that county counselors would be able to receive copies of the Kansas Statutes.

A motion was made by Representative Graeber and seconded by Representative Lane that the above legislation be introduced. Motion carried.

Mike Heim, staff, explained a bill which was requested from the Kansas Association of Counties for the treasurer of Ellis County. It deals with collection of delinquent taxes and specifically deals with lease hold interests in terms of the notification about who owes the taxes.

A motion was made by Representative Reinhardt and seconded by Representative Turnbaugh to introduce the bill. The motion carried.

Chairman Miller recognized John Torbert, Kansas Assn. of Counties, to speak on SB 14 which is a privatization bill that is in conference committee.

Ernie Mosher, League of Kansas Municipalities, passed out a report, "Bills in House Local Government Committee". (Attachment 1) Mr. Mosher also spoke on SB 14.

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 1:30 ~~a/m.~~/p.m. on JANUARY 18, 1990

The Chairman said the meetings next week are On Call of the Chairman.

A motion was made by Representative Lane and seconded by Representative Reinhardt to approve the minutes of January 11th. The motion carried.

Meeting adjourned at 2:10 p.m.

BILLS IN HOUSE LOCAL GOVERNMENT COMMITTEE

Report by League of Kansas Municipalities

January 15, 1990

HOUSE BILLS

HB 2024 Employees; Non-Reappointment of Chief of Police. By Rep. Bowden. Amends Supp. 15-204 to provide that no city marshal or chief of police in a city of the third class with the mayor-council form of government can be "relieved" from office without being given "an explanation of why such person will not be retained for another term and an opportunity to respond at a meeting of the council". To H,LG.

Comment: League against.

HB 2071 City and County Zoning; Judicial Review. By Reps. Douville, Kline, and Vancrum. Amends sections of the city and county zoning laws, K.S.A. 12-712, 19-2913 and 19-2926, to statutorily define the scope of judicial review of appeals from city or county zoning actions. Directs that the district court is not to substitute its judgment for that of the city or county governing body, that reversal of the action is to occur only where unreasonableness is established by a preponderance of the evidence, and that the burden of proving such unreasonableness falls upon the plaintiff. To H,LG.

Comment: League for in principle. New planning bill expected.

HB 2080 Health Care Providers. By H,LG. Amends Supp. 65-4915 and 65-4921 to include within the definition of a health care provider attendants and first responders certificated by the emergency medical services board. To H,LG.

Comment: League has no position.

HB 2105 Fire Districts. By Rep. Rezac. Amends K.S.A. 19-3601a and 80-1514a to specifically authorize certain fire districts to pay the expenses of educating and training firefighters. To H,LG.

Comment: League has no position.

HB 2179 Johnson County Courthouse. By Rep. Douville. Amends K.S.A. 19-812 to require Johnson County sheriffs office to provide courthouse security upon request of the administrative judge. To H,LG.

HB 2187 Townships; Annual Budget. By H,LG. A new act providing that the board of county commissioners shall act as the governing body of townships without elected or otherwise filled township boards for the purpose of preparing, approving and filing the annual budgets of townships. To H,LG.

Comment: League has no position.

HB 2188 Townships; Cash Balances. By H,LG. Amends K.S.A. 80-1103 to provide that any cash balances of disorganized townships remaining after payment of all outstanding indebtedness shall be transferred to the county general fund. To H,LG.

Comment: League has no position.

HB 2205 Township Recreation Systems. By Rep. Teagarden. Amends Supp. 12-1922 and 12-1924:1928 to allow townships to establish recreation systems or joint recreation systems. Current law only allows cities and school districts such authority. To H,LG.

Comment: League has no position.

HB 2216 Law Enforcement Officers; Education Requirements. By Rep. Lacey. Creates new sections and amends K.S.A. 19-801b and 19-803 to require all persons employed as law enforcement officers by cities of the first and second class, and any person to be eligible for nomination, election or appointment as sheriff or undersheriff, to hold an associate degree from an institution of postsecondary education or have completed a minimum of 60 semester credit hours. Does not apply to any law enforcement officer currently employed or appointed. To H,LG.

Comment: League against.

HB 2233 Hospital Districts; Disorganization. By Rep. Roenbaugh. Creates a procedure for disorganizing hospital districts through a resolution of the county commission unless a petition signed by 51 percent of the electors of the district is filed within 30 days after publication of the resolution. To H,LG.

Comment: League has no position.

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2281 Kansas and Missouri Metropolitan Compact. By Reps. Allen and Lane. Identical to original SB 186, see below. To H,LG.

Comment: League has no position.

HB 2371 Jefferson County Improvement District. By H,LG. Amends K.S.A. 19-2950 to include Jefferson County, thus permitting an improvement district to undertake zoning. To H,LG.

Comment: League has no position.

HB 2430 County Publications. Amends numerous statutes relating to the issuance of bonds by counties, generally providing for publication of an official notice of a proposed bond issue for 2 consecutive weeks, with petition for referendum to be filed within 30 days. To H,LG.

Comment: League has no position.

HB 2476 Public Funds; Audits of Grants. By H,LG. Requires any city or county which grants or loans money to a private entity to require the entity to annually provide an audit of the expenditures of the grant or loan. To H,LG.

Comment: Probably obsolete. League against.

HB 2542 Autopsies. By H,App. Requires coroners to file autopsy report with medical care facilities as to decedents who were former patients of the facility. To H,LG.

Comment: League has no position

HB 2551 Planning and Zoning. By H,App. General revision of planning and zoning laws. To H,LG.

Comment: Probably obsolete. New bill expected.

SENATE BILLS

SB 186 Kansas and Missouri Metropolitan Compact. By Sens. Langworthy and Steineger. Establishes a compact between Kansas and Missouri allowing the creation of a culture and recreation district by petition and county governing body action by certain counties. Provides for an election to impose a local sales tax of not more than .25% for financing of cultural and recreational facilities, or use of other county funds; for the creation of culture and recreation commissions; and for issuance of g.o. bonds by district after election. To H,LG.

Comment: League has no position.

SB 202 Rural Water Districts; Easements. Amends K.S.A. 82a-619b to prohibit lawsuits against rural water districts concerning location of waterlines on property after two years following the installation of waterline by the district. To H,LG.

Comment: League has no position.

SB 239 Atchison-Doniphan County Land. By S,ENR. To authorize secretary of state to convey certain land to Atchison or Doniphan County to H,LG.

Comment: League has no position.

SB 309 Property Tax Levies; Undivided Interests. Amends K.S.A. 79-1803 to prohibit county clerks from making a separate computation of undivided interests of property owners when computing the final tax levy rate to be applied to tracts or lots of real property. To H,LG.

Comment: League has no position.

SB 348 Housing Authority Residents. By S,FSA. Amends K.S.A. 17-2347 to prohibit renting of dwellings within a housing authority located in Wyandotte County to persons convicted of certain crimes. To H,LG.

Comment: League has no position.

CONFERENCE COMMITTEE

SB 14. Privatization of Public Services. Authorizes cities and counties to contract with a private contractor for up to 30 years to furnish certain capital intensive public services. Requires notice and hearing before adopting agreement, which is subject to a protect and referendum. Allows use of revenues to pay service fee to private contractor and (House amendment) restricts amount of fee to 50% of municipality's bonded debt limit. Allows a municipality to acquire land by eminent domain for lease to the private contractor. Amends K.S. 10-116 to exempt service agreement payments under the new act from the cash basis law. Senate version applies to refuse, water, and sewerage services; House version limited to solid waste. Conferees are Sen. Montgomery, Allen, and Daniels; Rep. Miller R.D., Brown and Johnson.

Comment: League supports Senate version.

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