

Approved February 19, 1990
Date

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT

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

1:37 a/m/p.m. on FEBRUARY 13, 1990 in room 521-S of the Capitol.

All members were present except:

Representative Graeber, excused

Committee staff present:

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

Conferees appearing before the committee:

Representative Rex Crowell
John Torbert, Kansas Association of Counties
Tim Hagemann, county appraiser and Executive Director of Kansas
Legislative Policy

Chairman Miller opened hearings on the following bills:

HB 2774 - Act concerning townships; relating to the conveyance
of certain land.

Representative Crowell, sponsor of HB 2774, appeared in support
and said it was requested by the Republican County Chairman in
Elk county and that he had heard no objections to the bill.
Representative Crowell left the meeting to Chair the
Transportation Committee. Vice-chairman Brown asked staff if
present statutes allow townships to convey land to a public
entity. Representative Patrick had questions about the value
of the property and what Benson Historic Museum is. Vice-chairman
Brown stated that she felt the bill would allow the transfer
of land to a private group without a vote of the people.

Chairman Miller asked the Committee to turn their attention to
HB 2750 while staff researches the question asked by Vice-chairman
Brown.

Chairman Miller opened hearings HB 2750.

HB 2750 - Act concerning counties; relating to county appraisers.

John Torbert, Kansas Association of Counties, testified in support
of HB 2750. He offered an amendment which would allow the
appointment to be made anytime in the month of July. (Attachment
I)

Discussion followed. Representative Patrick expressed concern
that there needed to be a date certain and asked if uniformity
is needed in the law. He felt that if the bill applied statewide,
all county appraisers should serve same four year term.

Tim Hagemann, county appraiser and Executive Director of Kansas
Legislative Policy Group, testified in support of HB 2750. Mr.
Hagemann stated the time period was put in the bill as a cushion.
The cushion is needed when a majority of new county commissioners
are elected in November and installed in January. He felt the
position of county appraiser is a highly political job.

There were no opponents and the Chairman closed the hearing on
HB 2750.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT,
room 521-S, Statehouse, at 1:37 4.~~m.~~p.m. on FEBRUARY 13, 1990

Chairman Miller turned the Committee's attention to HB 2774. Staff stated that Vice-chairman Brown was correct about the sale of property. Township officers may sell or convey any land owned by a township for public purpose, but before the sale has been made it has to be submitted to a vote. Chairman Miller stated that before working the bill he would request Representative Crowell to collect more information from township officials and Benson Historical Museum.

Chairman Miller closed the hearing on HB 2774.

A motion was made by Representative Reinhardt to approve the minutes of February 7, 1990; seconded by Representative Holmes. The motion carried.

The meeting adjourned at 2:00 p.m.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

DATE Feb. 13, 1990

NAME ADDRESS REPRESENTING

Lindsay McHenry	Grant County	
Sharon Abbott	Stanton County	
Don Dapay	Grant / Stanton Co	County
John P. Doherty	Topeka	KDC
Alan Steppat	Topeka	KLP6 - Pete McBill & Assoc.
TIM HAGEMAN W	LAKIN	MLP6



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Harry "Skip" Jones III
Smith County Treasurer
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Roy Patton
Harvey County Weed Director
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Thomas "Tom" Pickford, P.E.
Shawnee County Engineer
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NACo Representative
Joe McClure
Wabaunsee County Commissioner
(913) 499-5284

Executive Director
John T. Torbert

February 13, 1990

TESTIMONY

To: House Local Government Committee

From: John T. Torbert
Executive Director

Subject: Appointment of Appraisers

The Kansas Association of Counties supports this legislation. It was originally requested for drafting by us and you approved that request several weeks ago.

The legislation currently states that the appraiser must be appointed on the first day of July of each fourth year. As many of you probably know, 1989 was a year when these appointments were made. What prompted the request for the legislation was a memorandum that was issued last year by the then director of the Property Valuation Division that the law should be taken literally and that the appointment or reappointment actually had to take place on July 1.

Last year, July 1 was on a Saturday and there were some county commissions that had to have special sessions on that day to ratify an appointment that could have just as easily been done a week earlier or a week later. Also, there were counties that wanted to make the appointment earlier just to put the matter to rest and were not able to do so because of PVD's literal interpretation of the law. This interpretation of the law really serves no legitimate public purpose.

It is our goal to provide a range of time in which the appointment of the appraiser can be made. Discussions that have taken place since we requested the bill draft have caused some concern that allowing the appointment to take place anytime after January 15 could have the potential of unduly politicizing the appointment. A

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attach. I

candidate or candidates for the commission that ran on the platform of "fire the appraiser" could potentially do so without even working with the appraiser for a few months and having the opportunity to observe the person's qualifications first hand and allow that individual to make any necessary changes in their job performance.

That is why we are suggesting the amendment that is attached to this testimony. Simply, the amendment would allow the appointment to be made anytime in the month of July. This fulfills our purpose of allowing a range of time for the appointment to occur without increasing the risk of politicizing the appointment.

I would be happy to respond to questions.

TSJAPRAP

HOUSE BILL No. 2750

By Committee on Local Government

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AN ACT concerning counties; relating to county appraisers; amend-
ing K.S.A. 19-430 and repealing the existing section.

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

Section 1. K.S.A. 19-430 is hereby amended to read as follows:
19-430. On the ~~fifteenth~~ 15th day of January, 1977, and ~~on or before~~
~~the first day~~ of July of each fourth year thereafter the board of county
commissioners of each county shall by resolution appoint a county
appraiser for such county who shall serve for a term of four (4) years
and until ~~his~~ a successor is appointed. County appraisers appointed
in counties having a population of more than ~~twenty thousand~~
(20,000) 20,000 shall devote full time to the duties of such office
but county appraisers appointed in counties having a population of
~~twenty thousand~~ (20,000) 20,000 or less may be appointed either
as a full-time or a part-time county appraiser as prescribed in the
resolution providing for such appointment. No person shall be ap-
pointed or reappointed to or serve as county appraiser in any county
under the provisions of this act unless such person shall be qualified
by the director of property valuation as a certified Kansas appraiser
under the provisions of this act. Whenever a vacancy shall occur in
the office of county appraiser the board of county commissioners
shall appoint a certified Kansas appraiser to fill such vacancy for the
unexpired term and until ~~his~~ a successor is appointed. The person
holding the office of county assessor or performing the duties thereof
on the effective date of this act shall continue to hold such office
and perform such duties until a county appraiser is appointed under
the provisions of this act.

Sec. 2. K.S.A. 19-430 is hereby repealed.

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

during the month

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