

Approved February 11, 1992  
Date

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT

The meeting was called to order by REPRESENTATIVE M. J. JOHNSON at  
Chairperson

1:30 ~~am~~/p.m. on FEBRUARY 6, 1992 in room 526-S of the Capitol.

All members were present except:

Representatives Nancy Brown, Walker Hendrix, Jack Wempe, Darlene Cornfield, and Georgia Bradford all were excused.

Committee staff present:

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

Conferees appearing before the committee:

Betty L. Musick, Cloud County Clerk

The Chair called for a hearing on SB 437.

SB 437 - Exclusion of territory and one cemetery from cemetery districts.

The Chair recognized Betty Musick, Cloud County Clerk, who appeared in support to give background and intent of SB 437. (Attachment 1)

Ms. Musick responded to questions from the the committee.

There were no other conferees and the Chair closed the hearing on SB 437.

The Chair called the committee's attention to a revised agenda and stated that the committee would be having hearings on February 11, 12, and 13 and possible final action on bills previously heard.

A motion was made by Representative Robert Watson to approve the minutes of February 4, 1992. It was seconded by Representative Carl Holmes. The motion carried.

The meeting adjourned at 1:40 p.m.



Testimony on Senate Bill #437

By Betty L. Musick, Cloud County Clerk

February 6, 1992

Chairman Johnson, Members of the Committee:

I am Betty Musick, Cloud County Clerk. I thank you for the opportunity to appear before you today to testify on behalf of a cemetery district and in support of Senate Bill #437.

I would like to recount a little of the history of the legislation which this bill would amend. K.S.A. 17-1330 allows areas surrounding cemeteries to form districts and to levy taxes to provide for the upkeep of the cemeteries in the district. Most cemetery districts, many of them created years ago, contain more than one cemetery. K.S.A. 17-1330a allows the detachment of any cemetery, along with its surrounding land, from the cemetery. But K.S.A. 17-1330a also contains a provision that no less than 6 square miles may be detached. Presumably that restriction was intended to ensure that a cemetery would have sufficient valuation attached to it to maintain its upkeep.

LL  
2-6-92  
Attach. 1

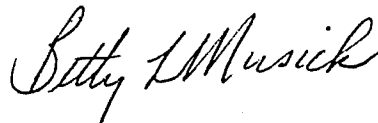
The cemetery I am representing today is included in a district which has land in two counties - approximately 4.5 sections in Cloud County with a small cemetery and the remainder of the district with a large cemetery in Republic County. Over the years the Republic County cemetery has become to most used cemetery in the district and consequently has received the upkeep. The smaller cemetery in Cloud County has received no district upkeep. Years ago that did not necessarily matter, because the families of the persons buried there maintained it at their own expense. Now, however, the case is different. The relatives have grown old. Their resources, both financial and physical, no longer allow them to maintain the cemetery.

Meanwhile a cemetery in an adjoining district has filled up and was in need of more space. The Cloud County cemetery was deeded to that district for use as an annex. Naturally, the district would appreciate having the valuation of the attached 4.5 sections to assist in upkeep of the annex.

Under current law, the Cloud County land cannot be detached from the cemetery district because it does not include the requisite 6 square miles. No one wants to detach any Republic County land merely to satisfy the statute. Logic dictates that Republic County land should remain with the Republic County cemetery.

Therefore we ask that K.S.A. 17-1330a be amended to allow the detachment of lesser areas, particularly when they are to be immediately attached to another cemetery district. On behalf of the cemetery in question and of the district that wishes to attach it, I ask that you consider Senate Bill #437 favorably.

Chairman Johnson, members of the committee, thank you for your attention. I would be glad to discuss any questions you might have.



Betty L. Musick  
Cloud County Clerk

c:\choice\cdtest.doc