

MINUTES OF THE SENATE COMMITTEE ON LOCAL GOVERNMENT

The meeting was called to order by Senator Audrey Langworthy at  
Chairperson

9:05 a.m./~~p.m.~~ on Wednesday, February 12, 1992 in room 531-N of the Capitol.

All members were present except: Senators Gaines and Petty

Committee staff present: Theresa Kiernan, Revisor of Statutes  
Mike Heim, Legislative Research  
Elizabeth Carlson, Committee Secretary

Conferees appearing before the committee:

Ernie Mosher, Research Counsel, League of Kansas Municipalities

**SB 565** - concerning municipalities; relating to the privatization of public services.

Ernie Mosher, Research Counsel, League of Kansas Municipalities appeared as a proponent of SB 565. He stated this was one of 3 bills sponsored by the League to promote governmental cooperation. This bill amends the privatization act passed in 1990 and as the bill came out of the committee and the Senate it had this language in it. This bill would probably be used by smaller municipalities who want to go into long term agreement for the disposal of sewage.

Senator Langworthy asked how much the privatization act had been used and the response was "very little". He stated it is a complicated law. However the League thinks it is a long term potential tool to take care of problems that will emerge in the future. Senator Langworthy asked about the reasoning for this language being left out of the act in 1990. Mr. Mosher said he thought it was kind of a trade off in the conference committee.

Mike Heim said there were concerns about the sewer problems. He said the concern was that this privatization part of the law would allow a circumvention of the parts in the law dealing with sewer district formation and financing of sewer systems. What is overlooked is that in the sewer district law, it provides for the Board of County Commissioners to exercise Home Rule.

Senator Webb stated it looks like you could still form it--this would just be a financing tool. Mike Heim responded "Not necessarily". The Privatization law envisions the private entity would actually own the facility or if not that, they would be the management of the facility.

Senator Langworthy said she thought it would be used in the smaller communities.

Senator Montgomery said that what is happening now in the rural areas is the counties are hiring environmental engineers that are going around and checking on sewage. Townships are not going to get involved with this kind of thing, but it would allow them to contract on a county basis.

Ernie Mosher said they have high expectations that the Legislature would create an ACIR in this session. The League, through their research, came up with this bill in hopes that it would open up opportunities for local governments to get together and contract with private companies.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON LOCAL GOVERNMENT,  
room 531-N Statehouse, at 9:05 a.m./~~p.m.~~ on Wednesday, February 12, 1992

Senator Mongtomery made a motion to pass out SB 565 favorably. Motion seconded by Senator Burke. Motion carried.

The minutes of February 4, 1992 were approved. Motion made by Senator Webb and seconded by Senator Frahm. Motion carried.

Meeting adjourned at 9:25 a.m.

