

Approved: 2-17-97  
Date

MINUTES OF THE HOUSE COMMITTEE ON ENVIRONMENT.

The meeting was called to order by Chairperson Steve Lloyd at 3:30 p.m. on February 5, 1997 in Room 526-S of the Capitol.

All members were present except: Rep. Eber Phelps - excused

Committee staff present: Raney Gilliland, Legislative Research Department  
Hank Avila, Legislative Research Department  
Mary Torrence, Revisor of Statutes  
Mary Ann Graham, Committee Secretary

Conferees appearing before the committee: Rep. Tom Sloan  
George Catt, Attorney

Others attending: See attached list

Chairman Steve Lloyd called the meeting to order at 3:30 p.m.

The Chairman opened public hearing on HB2061

**HB2061:** An Act concerning certain drainage districts; relating to the board of directors thereof; amending K.S.A. 24-409 and repealing the existing section.

The Chairman asked Raney Gilliland, of the legislative research department, to explain the bill. Discussion and questions by the committee followed.

Chairman Lloyd welcomed Rep. Tom Sloan. Rep. Sloan spoke to the committee as a proponent of the bill. He supplied testimony (See Attachment 1) to the committee. He feels this bill removes language from the statutes that unduly restricts who may serve on drainage district boards of directors and removes an artificial county population cap which today serves no purpose. Discussion followed.

The Chairman welcomed George Catt, Attorney for the Douglas County Kaw Drainage District, to the committee. He appeared with Danny R. Brune, Chairman of the Drainage District Board, in favor of HB 2061 and urged the committee's approval of this bill. He feels to place a limit on who may serve by maintaining a population requirement which was imposed over 90 years ago is not in the best interest of the districts and not rational, given the great increases in population since then. (See Attachment 2) Discussion followed.

The Chairman thanked Mr. Catt and Rep. Sloan for their testimony and asked if there were any opponents. There was not.

Committee minutes had been distributed to members. The Chairman asked if there was a motion to approve them. Rep. Joann Freeborn made a motion the minutes be approved, Rep. Marti Crow seconded. Motion passed.

The meeting adjourned at 4:00 p.m.

The next meeting is scheduled for February 6, 1997

HOUSE ENVIRONMENT COMMITTEE COMMITTEE  
GUEST LIST

DATE: 2-5-97

NAME	REPRESENTING
George L. CATT	Douglas Co. Kaw Drainage Dist
Danny R. Brune	" " " " "
Cynthia [Signature]	Kansas Audubon Council

**TESTIMONY ON HB 2061**  
**HOUSE ENVIRONMENT COMMITTEE**

FEBRUARY 5, 1997

Mr. Chairman, members of the committee. HB 2061 is one of the simplest issues we will discuss this session. It removes language from the statutes that unduly restricts who may serve on drainage district boards of directors and removes an artificial county population cap which today serves no purpose.

Drainage districts construct and maintain levies to prevent flooding. District plans and activities are subject to review and approval by the Chief Engineer, Department of Agriculture's Water Resources Division.

HB 2061 provides that members of a drainage district's board will own property in the district and live in the county in which the district is located. This will provide a sufficient population base to ensure capable, interested persons are available to serve in this essentially public service role.

During the 1996 Legislative Session both the Energy and Natural Resources, and Local Government Committees sent bills to the House floor that cleaned-up archaic language and statutes, many with no longer applicable population categories. HB 2061 is simply a continuation of that common sense course of action.

As this should be a non controversial matter, after discussion tomorrow Committee members may wish to place it on the Consent Calendar. Mr. George Catt, representing the Douglas County Kaw Drainage District has a few comments to make on this subject, after which we both would stand for questions.

Thank you for the opportunity to present this issue.

*House Environment  
2-5-97  
Attachment 1*

**STATEMENT IN SUPPORT OF HOUSE BILL NO. 2061**  
**February 5, 1997**

Ladies & Gentlemen:

I am George L. Catt, 3300 Mesa Way, Suite C, Lawrence, Kansas, attorney for the Douglas County Kaw Drainage District. I am appearing here today with Danny R. Brune, Chairman of the Drainage District Board, to urge your approval of House Bill No. 2061, amending K.S.A. 24-409.

K.S.A. 24-409 was first passed by the Kansas Legislature in 1905. The enactment provides that Drainage Board members qualify by living in the county in which the Drainage District is located, and be a "freeholder" in the District. In counties of more than 85,000 population, the law requires that Board members live in the Drainage District. The 85,000 population cutoff was in the first enactment. Douglas County has recently gone over 85,000 population, which would require Board members to live in the District. The Board now consists of 2 resident members and one who lives in Douglas County and is a "freeholder" in the District, but does not live in the District.

Drainage Districts generally are located on or near flood plains and historically are industrial or agricultural areas. Service on Drainage District Boards of Directors requires a great deal of time and dedication for little compensation. To place a limit on who may serve by maintaining a population requirement which was imposed over 90 years ago is not in the best interest of the Districts and not rational, given the great increases in population since then.

It should suffice that Directors own land in the District and be a county resident.

Thank you for your consideration.



*House Environment  
2-5-97  
Attachment 2*