

Approved: 2.5.97
Date

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION & ELECTIONS.

The meeting was called to order by Chairperson Kent Glasscock at 9:00 a.m. on February 3, 1997 in Room 521-S of the Capitol.

All members were present except:

Committee staff present: Mary Galligan, Legislative Research Department
Mike Heim, Legislative Research Department
Dennis Hodgins, Legislative Research Department
Theresa Kiernan, Revisor of Statutes
Fulva Seufert, Committee Secretary

Conferees appearing before the committee: Helen Stephens, Kansas Society of Land Surveyors
Alvan D. Johnson, Director of Riley County Police Dept.
Wayne W. Henson, Mayor of Ogden
Sydney Carlin, Mayor of Manhattan
Russell Frey, Riley County Commissioner
T. C. Anderson, Exec. Director of Certified Public Accountants

Others attending: See attached list

The Minutes of the January 27, 28 (Rail Meeting), 29 (Rail Meeting), 1997, were distributed. Representative Herman Dillon moved that the Minutes for January 27, 28, and 29, 1997 be approved, and Representative Ray Cox seconded. Motion passed.

Chairperson Glasscock called on Rep. Gary Hayzlett who had a bill request that would require the city at large to pay 95% of the cost on intervening streets of two blocks or less. Representative Ralph Tanner made a motion to introduce this bill, and Representative Ruby Gilbert seconded. Motion passed.

The Chair next recognized Helen Stephens, Kansas Society of Land Surveyors, who had four bill requests. One concerned land surveyors and their qualifications for licensure, and the other three concerned various surveying records. Representative Herman Dillon made a motion to introduce these 4 bills, and Representative Gerry Ray seconded. Motion passed. (Attachment 1.)

Representative Lisa Benlon made a motion to introduce Representative Richard Reinhardt's bill which amends the section that allows the townships to set their own compensation. Representative Deena Horst seconded, and motion passed.

Representative Ted Powers made a motion to introduce a bill concerning rural water districts' extension of cross county lines. Representative Bonnie Sharp seconded, and motion passed.

Chairperson Glasscock recognized T.C. Anderson, Executive Director of Certified Public Accountants, who requested a bill concerning continuing education statutes of CPA 1999 -- a change from fiscal year to calendar year which will more closely align with the state of Missouri. Representative Ralph Tanner made a motion to introduce this bill, and Representative Deena Horst seconded. Motion passed.

The Chairperson Glasscock opened the Public Hearing for **HB 2080**.

HB 2080 - An act concerning the Riley County Law Enforcement Agency; relating to membership therein and the financing thereof.

The Chair recognized Alvan D. Johnson, Director of Riley County Police Department, who gave a brief history of Riley County's consolidated law enforcement. He spoke in favor of **HB 2080**, which he said would only affect Riley County. (Attachment 2.)

Wayne W. Henson, Mayor of Ogden, was the second speaker who was a proponent of **HB 2080**. He stated that the RCPD statute amendments would make the City of Manhattan responsible for 80 percent of the annual

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION & ELECTIONS, Room 521-S Statehouse, at 9:00 a.m. on February 3, 1997.

operating budget, and the Board of Riley County Commissioners would be responsible for the other 20 percent. (Attachment 3.)

Representative Jonathan Wells asked Mayor Henson if they ever got a cost on the dikes, and which was costlier-- moving the people out of the lowlands or paying for the dikes?

He responded that twenty years ago KDOT built a bypass that changed the natural course of a stream which has involved lots of controversy.

Representative Larry Campbell asked if the people in Ogden were comfortable with not having any representation on the board. Mayor Henson replied that there is representation on the board by the county commissioner and he is, therefore, comfortable.

Chairperson Glasscock next introduced Sydney Carlin, Mayor of Manhattan, who spoke in favor of **HB 2080**, and said that the amendment also provides for the governing bodies of the City of Manhattan and the Board of Riley County Commissioners to annually determine a funding distribution by mutual agreement before June 15 of each year. (Attachment 4.)

Representative Ted Powers had a question about line 17 in which there was a blank for county name, and he was informed that this bill made a special provision just applying to Riley County.

Chairperson Glasscock next recognized Russell A. Frey, Riley County Commissioner, who spoke favorably for **HB 2080**. He said that he comes to the Committee in a "spirit of collaboration and consolidation." (Attachment 5.)

Representative Jonathan Wells called attention to the testimony of Mayor Carlin which stated that a "further amendment allows for the Law Enforcement Agency to establish and accrue a 15% emergency reserve fund." Mayor Carlin thanked Representative Wells for calling her attention to the 15% and said that it should be corrected to read **up** to 15%.

There being no additional testimony, Chairperson Glasscock closed the Public Hearing on **HB 2080**.

Representative Ralph Tanner moved that **HB 2080** be passed out favorably and being of a non-controversial nature, be placed on the Consent Calendar. Representative Gwen Welshimer seconded, and motion passed.

Chairperson Glasscock asked the Committee to turn its attention to **HB 2020**.

HB 2020 - An act concerning townships; relating to the governing bodies thereof; amending K.S.A. 1996 Supp. 80-304 and repealing the existing section.

The Chair asked for the pleasure of the Committee on this bill. Questions were asked by the following: Representative Bonnie Sharp asked about proof of overpayment and right to pursue. Representative Lisa Benlon asked if this bill is really needed, and Representative Ralph Tanner stated that the bottom line is that this bill will not affect the statute relating to criminal activity. Representative Gwen Welshimer presented the other side of the coin, and Representatives Ted Powers and Larry Campbell both had clarifying comments.

Representative Gwen Welshimer moved that **HB 2020** be amended in line 36 changing the word May to August to conform to township budgets. Representative Ruby Gilbert seconded, and motion passed.

Representative Ralph Tanner moved that **HB 2020** be marked favorable for passage as amended, and Representative Gwen Welshimer seconded. On voice vote, motion passed with two recorded "no" votes. Representative Larry Campbell and Representative Robert Tomlinson both requested to be recorded as "no" votes.

The meeting adjourned at 10:25 a.m.

The next meeting is scheduled for February 5, 1997.

KANSAS SOCIETY OF LAND SURVEYORS
Proposed Amendment

74-7022. Land Surveyors; qualifications for licensure. Minimum qualifications of applicants seeking licensure as land surveyors are the following:

(a) Proof of at least eight years of land surveying experience or education or a combination thereof satisfactory to the board, as defined by rules and regulations of the board; and

(b) the satisfactory passage of an examination utilized by the board.

Effective January 1, 2010, the minimum qualifications of applicants seeking licensure as land surveyors are the following:

(a) **Graduation from a college or university program that is adequate in its preparation of students for the practice of land surveying; and**

(b) **proof of at least four years of land surveying experience of a character satisfactory to the board, as defined by rules and regulations of the board, and**

(c) **the satisfactory passage of an examination utilized by the board; OR**

(d) **proof of at least ten years of land surveying experience or education or a combination thereof satisfactory to the board, as defined by rules and regulations of the board; and**

(e) **the satisfactory passage of an examination utilized by the board.**

KANSAS SOCIETY OF LAND SURVEYORS
Proposed Amendment

58-2011. Report of survey, filing; filing of reports relating to altered or destroyed markers; reproduction of survey records; fees; land survey fee fund created. (a) Whenever a survey originates from a United States public land survey corner or any related accessory, the land surveyor shall file a copy of the report of the completed survey and references to the corner or accessory with the secretary of the state historical society and with the county surveyor for the county or counties in which the survey corner exists. Such report shall be filed within 30 days of the date the references are made. At the time of filing such report with the secretary of the state historical society, the land surveyor shall pay a filing fee in an amount fixed by rules and regulations of the secretary of the state historical society.

(b) Any person engaged in an activity in which a United States public land survey corner or any related accessory is likely to be altered, removed, damaged or destroyed shall have a person qualified to practice land surveying establish such reference points as necessary for the restoration, reestablishment or replacement of the corner or accessory. **Failure on the part of any such person to have a land surveyor establish such reference points shall constitute a class C misdemeanor.** The land surveyor shall file a reference report with the secretary of the state historical society and with the county surveyor for the county or counties in which the survey corner exists. Such report shall be filed within 30 days of the date the references are made. At the time of filing such report with the secretary of the state historical society, the land surveyor shall pay a filing fee in an amount fixed by rules and regulations of the secretary of the state historical society.

(c) Upon completion of the activity likely to alter, remove, damage or destroy the public land survey corner or related accessory, the land surveyor shall review the survey corner and its accessories. If the survey corner or any accessory has been altered, removed, damaged or destroyed, the land surveyor shall replace the corner or accessory with a survey monument and file a restoration report with the secretary of the state historical society and the county surveyor in the county or counties in which it existed. If the survey corner and accessories are not damaged during the activity, a restoration report so stating shall be filed with the secretary of the state historical society and county surveyor's office. Such report shall be filed within 30 days after the activity is completed. At the time of filing such report with the office of the secretary of the state historical society the land surveyor shall pay a filing fee in an amount fixed by rules and regulations of the secretary of the state historical society.

(d) Failure to comply with the filing requirements of this section shall be grounds for the suspension or revocation of the land surveyors license.

(e) The secretary of the state historical society may produce, reproduce and sell maps, plats, reports, studies and records relating to land surveys. The secretary of the state historical society shall charge a fee in an amount to be fixed by rules and regulations of the secretary for the furnishing of information retrieved from records filed pursuant to this section and for reproductions or copies of maps, plats, reports, studies and records filed in such office.

(f) All moneys collected by the secretary of the state historical society under the provisions of this section shall be paid to the state treasurer on or before the last day of each month. Upon receipt thereof the state treasurer shall deposit the entire amount in the state treasury. Twenty percent of each such deposit shall be credited to the state general fund and the balance shall be credited to the land survey fee fund, which is hereby created. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants approved by the secretary of the state historical society or a person designated by the secretary of the state historical society and shall be used only for the purpose of paying the costs incurred in administering the provisions of this act. After the effective date of this act, any reference to the secretary of state in regard to appropriations to the land survey fee fund shall be deemed to refer to the secretary of the state historical society.

(g) For the purposes of compliance herein when there is no county surveyor such reference reports shall be filed with the county engineer; when there is no county engineer such reference reports shall be filed with the county road department.

(h) The secretary of the state historical society may allow such reference reports to be filed and retrieved using electronic technologies. Fees charged for filing and retrieval of such reports may be billed and paid periodically.

KANSAS SOCIETY OF LAND SURVEYORS
Proposed Amendment

58-2003. Recording measurements from visible objects to location of point; description; alternative. When any section corner, quarter section corner or section center is set or reset by a surveyor and when any such corner is located by a surveyor in the course of carrying out a public survey, there shall be recorded ~~with the county register of deeds~~ ***In the manner set forth by K.S.A. 58-2011***, reference measurements from permanent, visible objects to the location of the point as set, reset or located. These reference objects shall be described clearly: *Provided*, That in lieu of reference measurements from visible objects such reference measurements may be made from triangulation stations ***established maintained*** by the ~~United States coast and national ocean service/national~~ geodetic survey ***or utilizing the state plane coordinate system set forth by K.S.A. 58-20a01 et. seq.***

58-2005. Review by county surveyor before recordation; certification. Before a subdivision plat or plat of survey can be recorded, it shall be reviewed by the county surveyor or in the absence of the county surveyor, the county engineer shall be responsible for the enforcement of this act **by acquiring the services of a land surveyor who, as acting county surveyor, upon completion of such review, and shall certify that such plat meets all the requirements of this act.** ~~Provided, however, That in the event that any such plat is required to be submitted to any planning commission for review and approval or disapproval that such review and approval duly certified upon the face of said plat shall constitute full compliance with the review required in this section.~~

Testimony Before Legislative Committee Meeting

February 3, 1997

Topeka, Kansas

My name is Alvan Johnson. I am the Director of the Riley County Police Department. I have held my position since 1978. I was the Assistant Director of the Department from 1974 to 1978.

My purpose here today is to provide you with a brief history of Riley County's consolidated law enforcement. Our community leaders from Ogden, Manhattan and Riley county will follow, outlining the funding problem for Ogden and recommending a solution.

The request we have before you today will affect only Riley County, no one else.

Riley County consolidated the Ogden and Manhattan Police Departments with the Riley County Sheriff's Office in 1974. The new organization operates under the name of the "Riley County Police Department". The Department currently operates with a staff of 145 people. The Department is governed by the Riley County Law Enforcement Agency, a seven member board comprised of leaders of the several local communities and our County Attorney. Revenues to fund the new organization were to be generated in a manner consistent with the funding arrangement of the previously existing departments.

More specifically, the original funding formula for R.C.P.D. was based on the assumption that 100% of the costs for law enforcement in Riley County consisted of Manhattan and Ogden's police budgets, together with that of the Riley County Sheriff's Office. 1972 was used as the base year from which the formula was drawn. The budgeted amount of each, of the total (100%), was then converted to a percentage factor and applied against the funding requirement of R.C.P.D. each year, as developed and approved by the Law Board. The percentages were 80.55% for Manhattan, 3.59% for Ogden and 15.86% for Riley County. This formula was used until the law changed in 1978.

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Attachment 2
2-3-97

In 1977 the Ogden City council approached the Law Board and requested an adjustment in the amount of funding being provided by Ogden. The city's population was dwindling somewhat, causing the cost to the individual Ogden taxpayer to increase disproportionately to that of the Manhattan and Riley County Taxpayers. The Board agreed and together with our legislative representatives worked out an acceptable solution, changing the funding statute in 1978 to:

"- - - (2) the levy for the city of the third class then shall be fixed at a rate higher or lower than its previous mill levy for such purpose, by an amount equal to the net increase or decrease in the mill levy rate that the levy of the city of the first class bears to that of its levy for the previous year; (3) the county then shall levy a tax at a mill rate sufficient to pay the remaining portion of the budget of the law enforcement agency and department."

Essentially, Ogden's mill levy increase/decrease is tied to Manhattans with the County absorbing any differences that might occur.

This funding formula continues today and is the current funding formula for the Riley County Police Department. Using this formula, Manhattan is paying 80.55%, Ogden is paying 2.62% and Riley County is paying 16.83%.

For a number of reasons, noted in the attached letter, Ogden cannot afford to continue to pay. It is recommended in the proposed legislation that Manhattan pay 80% of the costs for operating R.C.P.D. and Riley county 20%.

In line with the attached letter we at the Riley County Police Department wholeheartedly support the proposed legislation. I will let Ogden Mayor, Wayne Henson detail Ogden's difficulty.

SEARCHED
SERIALIZED
INDEXED
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MAY 19 1978
FBI - RILEY COUNTY



RILEY COUNTY POLICE DEPARTMENT

ADMINISTRATION, TRAINING • 115 N. 4TH • (913) 537-6100 • FAX 565-6525
INVESTIGATIONS • 115 N. 4TH (913) 537-2108 • FAX 537-3640
PATROL, RECORDS • 600 COLORADO (913) 537-2112 • FAX 537-4930
JAIL • 600 COLORADO (913) 537-2112 • FAX 537-3810

ALVAN D. JOHNSON
DIRECTOR

January 27, 1997

To The Honorable Representatives of the House of Representatives Committee
on Governmental Organization and Elections
c/o Representative Kent Glasscock, Chairperson
Room 183-W
State House
Topeka, KS 66612

Re: RCPD Statute Amendments

Dear Representative Glasscock and Members of the Committee,

The local units of government which currently provide for the funding and representation of the Riley County Law Enforcement Agency request your support for amendments to K.S.A. 19-4427 and 19-4443.

Currently, the City of Manhattan funds 80.6% of the Riley County Law Enforcement Agency, the Board of Riley County Commissioners fund 16.7%, and the City of Ogden provides the remaining 2.7%. Due to circumstances beyond its control, such as the downsizing at Ft. Riley and a substantial FEMA buyout program as a result of the Great Flood of 1993, the City of Ogden is experiencing extreme financial challenges. Due to a decrease in population and dwindling revenues, in the spirit of cooperation and the same emphasis that generated consolidated law enforcement initially, the above units of government have agreed to submit the proposed amendments to assist the City of Ogden in overcoming its financial challenges relative to funding of the Riley County Law Enforcement Agency.

Briefly, the amendments call for the City of Manhattan to be responsible for 80% of the annual operating budget and the Board of Riley County Commissioners to be responsible for the other 20% of the annual operating budget of the Riley County Law Enforcement Agency. The amendment also provides for the governing bodies of the City of Manhattan and the Board of Riley County Commissioners to annually determine a funding distribution by mutual agreement before June 15 of each year. If agreement cannot be reached, then the previous year's funding will govern. Since the City of Ogden would no longer be providing funds to the Agency, the above local units of government believe that it would not be appropriate for the City of Ogden to have an appointed position to the

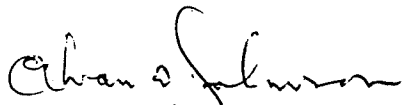


Agency's Governing Body as is currently required by statute. Therefore, further amendment allows for that position previously held by the Mayor of Ogden or his/her designee to be replaced by a County Commissioner of the Board of Riley County Commissioners or a City Commissioner of the Manhattan City Commission on alternating terms. A further amendment allows for the Law Enforcement Agency to establish and accrue a 15% emergency reserve fund.

Finally, we ask for these amendments to take effect upon publication in the Kansas Register in order to alleviate the City of Ogden from having to incorporate funding for the Riley County Law Enforcement Agency in their 1998 budget.

We appreciate your support for our local units of government to be able to resolve this local situation through amending the consolidation of law enforcement statutes.

Sincerely,



Alvan D. Johnson
Director
Riley County Police Department

ADJ/mlk

CITY OF OGDEN

222 Riley Avenue, P.O. Box C
(913) 539-0311
Ogden, Kansas 66517-0843

February 3, 1997
9:00 a.m.

Honorable Representatives of the
House of Representatives Committee on
Governmental Organizations and Elections
Representative Kent Glasscock, Chairperson
Room 521-South
State House
Topeka, Kansas 66612

RE: Testimony given by Honorable Wayne W. Henson; Mayor of
Ogden and Chairperson of the Board of Directors of Riley
County Law Enforcement Agency (RCPD) in support of
Amendments to K.S.A. 19-4427 and 19-4443.

Kent Glasscock, Chairperson
Ralph Tanner, Vice Chairperson
Lisa Benlon, Member
Larry Campbell, Member
Ray L. Cox, Member
Deena Horst, Member
David Huff, Member
Ted Powers, Member
Jerry Ray, Member
Robert Tomlinson, Member
Gwen Welshimer, Ranking Minority Member
Herman Dillon, Member
Ruby Gilbert, Member
David Haley, Member
Jim Long, Member
Bonnie Sharp, Member
Jonathan Wells, Member:

The City of Ogden finds itself in the difficult situation of
-to be very blunt- unable to pay its future obligations,
especially the one single largest obligatio; that of Riley
County Law Enforcement Agency. You have just heard a short
history of the agency since its 1974 inception. As Mayor of
the smaller town I assure you that consolidation has been a
major blessing and we want it to continue.

Ogden's problem has two basic sources. The first comes from
the floods of 1993. As a result of extensive flooding several
times in the Spring of '93, the Federal Emergency Management
Agency (FEMA) made offers to several Ogden landlords and
private residents. The FEMA Hazardous Mitigation Program is
one where instead of building dikes, etc. and trying to prevent
flooding of areas, the government buys up the frequently
flooded areas, removes all improvements and returns the land to
its pre-developed condition. This, of course, means people and

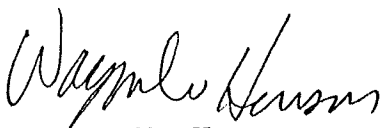
House GO and E
Attachment 3
2-3-97

structures must move out. Ideally, the people move into other places in the same town. These areas in Ogden were primarily trailer courts with lower income residents in lower cost rental units. There was simply not enough lower rent vacant units for the FEMA displaced people to move into and so they left town. This exodus means less sales of all kinds - therefore sales tax decreases and when a major trailer court is removed from the Real Estate and Property Tax roles a big chunk of tax levied revenues to the city goes too. This is what has happened to Ogden over the 1993 to present period.

The second major problem concerns our major industry, i.e. serving the housing needs of adjoining Fort Riley. Ogden is a one company town and Fort Riley is that company. Until about 1 to 1-1/2 years ago the troop level at Fort Riley was around 15,000+. Fort Riley was the home of the 1st Infantry Division and several guest units. Since the downsizing of the US military the 1st Division has moved to Germany (except one brigade) and almost all guest activities are no more. The decrease in the number of troops has had a very noticeable effect on Ogden as many troops had families and rented in Ogden and did business there. This drawdown of troops has also effected the disbursement of education funds from the State to the school districts in both Geary and Riley Counties. Many legislators are familiar with that problem - common both to the school districts and to Ogden's tax income.

Faced with these two problems coming at almost the same time Ogden has been told by our accountants that at the current decrease in revenues and projected increase in various other costs plus RCPD costs - that Ogden will be flat, insolvent, broke in about one year. With the proposed adjustments of RCPD as suggested, where we pay only as Riley County residents, we will be faced with the problems of a very tight budget - but we will survive.

Sincerely,



Wayne W. Henson
Mayor

CITY OF OGDEN

222 Riley Avenue, P.O. Box C
(913) 539-0311
Ogden, Kansas 66517-0843

January 27, 1997

Honorable Representatives of the
House of Representatives Committee on
Governmental Organizations and Elections
c/o Representative Kent Glasscock, Chairperson
Room 183-W
State House
Topeka, Kansas 66612

RE: RCPD Statute Amendments

Dear Kent Glasscock, Chairperson
Ralph Tanner, Vice Chairperson
Lisa Benlon, Member
Larry Campbell, Member
Ray L. Cox, Member
Deena Horst, Member
David Huff, Member
Ted Powers, Member
Jerry Ray, Member
Robert Tomlinson, Member
Gwen Welshimer, Ranking Minority Member
Herman Dillon, Member
Ruby Gilbert, Member
David Haley, Member
Jim Long, Member
Bonnie Sharp, Member
Jonathan Wells, Member:

The local units of government which currently provide for the funding and representation of the Riley County Law Enforcement Agency request your support for amendments to K.S.A. 19-4427 and 19-4443.

Currently, the City of Manhattan funds 80.6% of the Riley County Law Enforcement Agency, the Board of Riley County Commissioners fund 16.7% and the City of Ogden provides the remaining 2.7%. Due to circumstances beyond its control, such as the downsizing at Fort Riley and a substantial FEMA buyout program as a result of the Great Flood of 1993, the City of Ogden is experiencing extreme financial challenges. Due to a decrease in population and dwindling revenues, in the spirit of cooperation and the same emphasis that generated consolidated law enforcement initially, the above units of government have collectively agreed to submit the proposed amendments to assist the City of Ogden in overcoming its financial challenges relative to funding of the Riley County Law Enforcement Agency.

Briefly, the amendments call for the City of Manhattan to be responsible for 80% of the annual operating budget and the

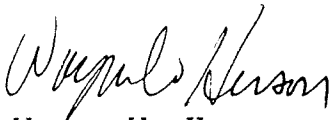
RCPD Statutes Amendments
January 27, 1997
Page 2

Board of Riley County Commissioners to be responsible for the other 20% of the annual operating budget of the Riley County Law Enforcement Agency. The amendment also provides for the governing bodies of the City of Manhattan and the Board of Riley County Commissioners to annually determine a funding distribution by mutual agreement before June 15 of each year. If agreement can not be reached, then the previous year's funding will govern. Since the City of Ogden would no longer be providing funds to the Agency, the above local units of government believe that it would not be appropriate for the City of Ogden to have an appointed position to the Agency's Governing Body as is currently required by statute. Therefore, further amendment allows for that position previously held by the Mayor of Ogden or his/her designee to be replaced by a County Commissioner of the Board of Riley County Commissioners or a City Commissioner of the Manhattan City Commission on alternating terms. A further amendment allows for the Law Enforcement Agency to establish and accrue a 15% emergency reserve fund.

Finally, we ask for these amendments to take effect upon publication in the Kansas Register in order to alleviate the City of Ogden from having to incorporate funding for the Riley County Law Enforcement Agency in our 1998 budget.

We appreciate your support for our local units of government to be able to resolve this local situation through amending the consolidation of law enforcement statutes.

Sincerely,



Wayne W. Henson
Mayor





MANHATTAN
KANSAS

**TESTIMONY OF
THE HONORABLE SYDNEY CARLIN, MAYOR
CITY OF MANHATTAN**

Chairman Glasscock and Honorable Representatives of the House of Representatives Committee on Governmental Organization and Elections, my name is Sydney Carlin and I am the Mayor of the City of Manhattan. Thank you for allowing us to present you with our suggested amendments to K.S.A. 19-4425 and 19-4443 regarding the Riley County Law Enforcement Agency.

Mr. Johnson and Mayor Henson, have already given you some history and identified the reasons for our local units of government to request these statute changes which will only affect our local consolidated Law Enforcement agency in Riley County. Briefly, the amendments call for the City of Manhattan to be responsible for 80% of the annual operating budget and the Board of Riley County Commissioners to be responsible for the other 20% of the annual operating budget of the Riley County Law Enforcement Agency. The amendment also provides for the governing bodies of the City of Manhattan and the Board of Riley County Commissioners to annually determine a funding distribution by mutual agreement before June 15 of each year. If agreement cannot be reached, then the previous year's funding will govern. Since the City of Ogden would no longer be providing funds to the Agency, the above local units of government believe that it would not be appropriate for the City of Ogden to have an appointed position to the Agency's Governing Body as is currently required by statute. Therefore, a further amendment allows for that position previously held by the Mayor of Ogden or his/her designee to be replaced by a County Commissioner of the Board of Riley County Commissioners or a City Commissioner of the Manhattan City Commission on alternating terms. The final amendment allows for the Law Enforcement Agency to establish and accrue a 15% emergency reserve fund.

I have attached a copy of a letter which indicates the City's support of these amendments, and my fellow City Commissioners are in full agreement.

We appreciate your support for our local units of government to be able to resolve this local situation through the proposed amendments.

Thank you.



MANHATTAN
KANSAS

January 27, 1997

Honorable Representatives of the
House of Representatives Committee on
Governmental Organization and Elections
c/o Representative Kent Glasscock, Chairperson
Room 183-W
State House
Topeka, KS 66612

RE: RCPD Statute Amendments

Dear Kent Glasscock, Chairperson
Ralph Tanner, Vice Chairperson
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Larry Campbell, Member
Ray L. Cox, Member
Deena Horst, Member
David Huff, Member
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The local units of government which currently provide for the funding and representation of the Riley County Law Enforcement Agency request your support for amendments to K.S.A. 19-4427 and 19-4443.

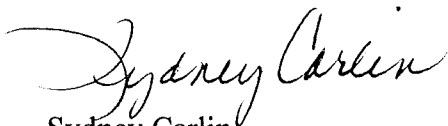
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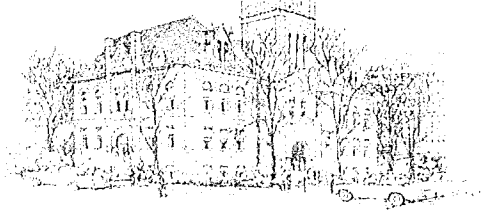
Sincerely,


Sydney Carlin
Mayor

SC/RRF/wrs
97026

RILEY COUNTY
BOARD OF COUNTY COMMISSIONERS

COMMISSIONERS
JIM WILLIAMS
RUSSELL A. FREY
BOB NEWSOME



Riley County Office Building
110 Courthouse Plaza
Manhattan, Kansas 66502
(913) 537-0700 or 537-6300

Feb. 3, 1997

Testimony of Russ FREY

To: House of Representatives Committee on
Governmental Organization & Elections

Subject: Riley County Law Enforcement Agency
Statute Amendments

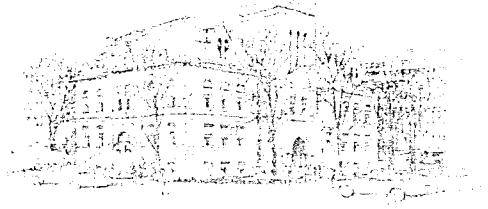
- Spirit of collaboration & consolidation
 - 1) History - Director Johnson of RCPD
 - 2) Problem Definition - Mayor Henson, Ogden
 - 3) Proposed Amendments - Mayor Carlin, Manhattan
- Summary of Amendments to K.S.A 19-4427 &
19-4443
- Need for preparation of 1998 Law Enforcement Agency
Budget
Effective upon publication in Kansas Register

House GO and E
Attachment 5
2.3.97

RILEY COUNTY
BOARD OF COUNTY COMMISSIONERS

COMMISSIONERS
JIM WILLIAMS
RUSSELL A. FREY
BOB NEWSOME

Riley County Office Building
110 Courthouse Plaza
Manhattan, Kansas 66502
(913) 537-0700 or 537-6300



January 29, 1997

Honorable Representatives of the
House of Representatives Committee
on Governmental Organization and Elections
The Honorable Kent Glasscock, Chair
Room 183-W
State House
Topeka, KS 66612

RE: RCPD Statute Amendments

Dear Representative Glasscock, Chair and Members:

We would like to request your support for the amendments to K.S.A. 19-4427 and 19-4443, concerning the funding and representation of the Riley County Law Enforcement Agency.

Currently, we fund 16.7% of the Riley County Law Enforcement Agency, the City of Manhattan funds 80.6%, and the City of Ogden provides the remaining 2.7%. Due to circumstances beyond its control, such as the downsizing at Fort Riley and a substantial FEMA buyout program as a result of the flood in 1993, the City of Ogden is experiencing extreme financial challenges. Due to a decrease in population and dwindling revenues, in the spirit of cooperation and the same emphasis that generated consolidated law enforcement initially, the above units of government have agreed to submit the proposed amendments to assist the City of Ogden in overcoming its financial challenges relative to funding of the Riley County Law Enforcement Agency.

Briefly, the amendments call for Riley County to be responsible for 20% of the annual operating budget and for the City of Manhattan to be responsible for 80% of the annual operating budget of the Riley County Law Enforcement Agency. The amendment also provides for the governing bodies of the City of Manhattan and Riley County to annually determine a funding distribution by mutual agreement before June 15th of each year. If agreement cannot be reached, then

Representative Kent Glasscock
January 29, 1997

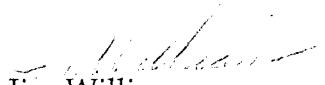
page 2

the previous year's funding will govern. Since the City of Ogden would no longer be providing funds to the Agency, the above local units believe that it would not be appropriate for the City of Ogden to have an appointed position to the Agency's governing body, as is currently provided by statute. Therefore, further amendment allows for that position previously held by the Mayor of Ogden or their designee to be replaced by a County Commissioner of the Board of Riley County or a City Commissioner of the Manhattan City Commission on alternating terms. A future amendment allows for the Law Enforcement Agency to establish and accrue a 15% emergency reserve fund.

Finally, we ask for these amendments to take effect upon publication in the Kansas Register in order to alleviate the City of Ogden from having to incorporate funding for the Riley County Law Enforcement Agency in the 1998 budget.

We appreciate your support for our local units of government to be able to resolve this local situation through amending the consolidation of law enforcement statutes.

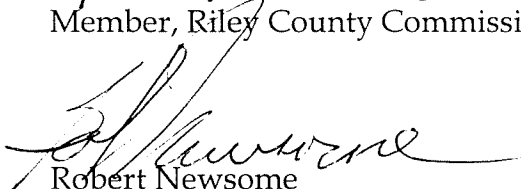
Sincerely,



Jim Williams
Chair, Riley County Commission



Russell Frey
Member, Riley County Commission



Robert Newsome
Member, Riley County Commission

/cwc