

Approved: 4-10-97
Date

MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT COMMITTEE.

The meeting was called to order by Chairperson Janice Hardenburger at 1:40 p.m. on March 19, 1997 in Room 529-S of the Capitol.

All members were present.

Committee staff present: Dennis Hodgins, Legislative Research Department
Mike Heim, Legislative Research Department
Theresa Kiernan, Revisor of Statutes
Bonnie Fritts, Committee Secretary

Conferees appearing before the committee: Bill Jarrell, The Boeing Company

Others attending: See attached list

The minutes of March 17, 1997, were distributed for review.

Senator Becker made a motion to approve the minutes. Senator Steineger seconded the motion. The motion carried.

Chairperson Hardenburger re-opened the hearings on **SB 79**.

SB 79 **Concerning ethical conduct of state officers and employees**

She stated this is an ethics bill that would change the current law which prohibits state officer and employees from accepting employment for one year after termination of employment if participating in the making of a contract which occurred within the preceding two years. This bill would change the requirement of one year to two years.

Senator Petty offered an amendment to the bill (Attachment 1). This amendment adds language to Sec. 2(a), adds (b) and (c) to Sec. 2, and adds to line 10 on page 3 of the bill.

Senator Petty made a motion to adopt the amendment. Senator Steineger seconded the motion. The motion passed. Senator Becker voted no.

Senator Huelskamp moved to pass the bill as amended. Senator Steineger seconded the motion. The motion carried.

HB 2218 **Concerning special benefit districts; relating to the creation or enlargement thereof**

Bill Jarrell, Government Affairs Manager, The Boeing Company, testified in support of the bill and recommended an amendment that would allow the opportunity for a "petition to be detached" from the benefit district (Attachment 2). He stated the bill currently only allows for "joining" a special benefit district.

Staff was instructed to submit a draft of the bill with the amendment for committee to review at the next scheduled meeting.

Senator Vidricksen made a conceptual motion to adopt the amendment. Senator Lawrence seconded the motion. The motion passed.

Senator Praeger offered another amendment pertaining to directors of drainage districts. The amendment removes the population requirement and the residency requirement currently in the statute, and would allow persons who own land in the drainage district to serve on the drainage district board.

Senator Praeger made a motion to adopt the amendment. Senator Petty seconded the motion. The motion passed.

Committee members were asked for their wishes on an amendment offered by John Peterson at the hearing on March 17. Staff explained the amendment. This amendment adds a provision to allow the governing body of an industrial district which is not already part of the particular special benefit district, to approve the inclusion of the industrial district or improvement district in the newly created or expanded special benefit district.

Senator Lawrence made a conceptual motion to adopt the amendment. Senator Praeger seconded the motion. The motion carried.

Senator Vidricksen made a motion to move the bill out favorably as amended. Senator Praeger seconded the motion. The motion passed.

The meeting was adjourned at 2:10 p.m.

The next meeting is scheduled for March 20, 1997.

**SENATE ELECTIONS AND LOCAL GOVERNMENT
COMMITTEE COMMITTEE GUEST LIST**

DATE: 3/19/97

NAME	REPRESENTING
<i>L. D. Rattelle</i>	<i>Leadership Newton</i>
<i>Sheri Esau</i>	<i>Leadership Newton</i>
<i>Suzanne Lippis</i>	<i>LEADERSHIP NEWTON</i>
<i>Steve Johnson</i>	<i>" "</i>
<i>Nancy Schlep</i>	<i>Leadership Newton</i>
<i>T. J. Falcin</i>	<i>Senator Hensley</i>
<i>Don J</i>	<i>KTEC</i>
<i>Mary (Brookstone)</i>	<i>KTEC</i>
<i>Eric Melgren</i>	<i>Boeing</i>
<i>Charlie Smithson</i>	<i>KLGSC</i>
<i>Carl Weller</i>	<i>KLSC</i>
<i>Charley Vopst</i>	<i>Shawnee Chamber</i>
<i>Gina Stevenson</i>	<i>Shawnee Leadership</i>
<i>Kat Sims</i>	<i>Shawnee Leadership</i>
<i>Jim McCarty</i>	<i>Shawnee Econ Dev</i>
<i>Walter E. Hutto</i>	<i>Shawnee Chamber</i>
<i>Bruce Dimmitt</i>	<i>Independent</i>
<i>Donnie Lane</i>	<i>Senate Majority Leaders Office</i>
<i>Anne Spiess</i>	<i>Peterson Public Affairs Group</i>

SENATE ELECTIONS AND LOCAL GOVERNMENT
COMMITTEE COMMITTEE GUEST LIST

DATE: 3-19-97

NAME	REPRESENTING
Branden Hall	M J H
Bill James	BOEING
Chris Stanfield	KDFE

STATE OF KANSAS

SENATE CHAMBER

MR. PRESIDENT:

I move to amend **SB 79**, As Further Amended by Senate Committee, on page 3, following line 9, by inserting:

"Sec. 2. K.S.A. 46-267 is hereby amended to read as follows:
46-267. (a) No person shall pay or accept or agree to pay or accept or arrange for a third party to pay or agree to pay present, future, promised or contingent compensation, or any part thereof, for lobbying which is contingent upon the result achieved or attained.

(b) No person shall pay or accept or agree to pay or accept present, future, promised or contingent compensation, or any part thereof, for the referral of a person or persons to a lobbyist for lobbying services.

(c) No lobbying contract or agreement shall be valid or enforceable in a court of law unless it is in writing, signed by all parties thereto and was executed prior to the lobbyist's commencement of lobbying for the represented person under such contract or agreement. Any such lobbying contract or agreement shall be invalid and unenforceable unless such lobbyist complies with all lobbying laws and lobbyist reporting requirements of this act.

By renumbering sections accordingly;

Also on page 3, in line 10, by striking "1996 Supp. 46-233 is" and inserting "46-267 and K.S.A. 1996 Supp. 46-233 are";

In the title, by striking all in lines 12 and 13 and inserting:

"AN ACT concerning governmental ethics; concerning state officers and employees; concerning lobbying and lobbyists;

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ATTACHMENT 1

amending K.S.A. 46-267 and K.S.A. 1996 Supp. 46-233 and repealing the existing sections."

Senator _____

Amendment to HOUSE BILL 2218

AN ACT concerning certain special benefit districts *and improvement districts*; relating to the creation or enlargement thereof *and the detachment therefrom*; amending K.S.A. 19-270, 19-2782 through 19-2785 and 82a-623, and repealing the existing sections.

19-2782. Same; petition to be included by adjacent taxpayers and others; ***petition to be detached.***

(a) That whenever one-fourth (1/4) of the resident taxpayers in an area adjacent to an incorporated improvement district, which has been incorporated under the terms of this act, or whenever all of the owners in an area adjacent to an incorporated improvement district which has been incorporated under the terms of this act in which area there is no resident taxpayers, shall present a petition to the county commissioners asking to be incorporated into the improvement district, said board of county commissioners shall ascertain if said petition is in conformity with the provisions of the next following section of this act.

(b) That whenever one-fourth (1/4) of the resident taxpayers in a defined area which has been incorporated into an improvement district, or whenever all of the owners in a defined area which has been incorporated into an improvement district in which area there is no resident taxpayers, shall present a petition to the county commissioners asking to be detached from the improvement district, said board of county commissioners shall ascertain if said petition is in conformity with the provisions of the next following section of this act.

19-2783. Same; contents of petition.

That the petition provided for in the next preceding section shall describe the territory proposed for annexation to and incorporation into the improvement district, ***or the territory or defined area proposed for detachment from the improvement district***, by sections or subdivisions of sections, according to the government survey, or by metes and bounds, and state that the taxpayers residing within the area therein embraced desire to be incorporated into the improvement district, or state that the owners of the area therein embraced if there be no resident taxpayers within such area desire to be incorporated within the improvement district, ***or state that the taxpayers residing within the defined area desire to be detached from the improvement district, or state that the owners of the defined area if there be no resident taxpayers within such area desire to be detached from the improvement district***, which ***improvement district in each such petition*** shall be specified by corporate name in the petition.

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ATTACHMENT 2

19-2784. Same; hearing; notice.

That whenever a *any* petition in conformity to the next preceding section and signed by not less than one-fourth (1/4) of the taxpayers residing within the area named in the petition, or signed by all of the owners within the area named in the petition if there be no resident taxpayers within such area, shall be presented to the county commissioners praying that the limits of the improvement district be extended to include within its boundaries the territory described in the petition, *or praying that the limits of the improvement district be contracted to detach from its boundaries the territory or defined area described in the petition*, it shall be the duty forthwith of such board of county commissioners to fix a time for a hearing of such petition and to cause the county clerk to give notice thereof by one publication in some newspaper published and of general circulation in the county, at least five (5) days before the day fixed for the hearing.

19-2785. Same; hearing; decision.

That at the time set for the hearing the board of county commissioners shall first ascertain whether notice has been given of the time of hearing as is required by this act and if it shall determine that such notice has been given to make a declaration and finding of that fact and cause same to be entered upon the records and thereupon to hear all persons in favor of or opposed to granting the prayer of said petition and all other evidence it may desire to hear for the purpose of ascertaining whether such petition contains the proper number of signers possessing the qualifications prescribed by this act, and whether the statements in said petition are true; and if upon such hearing it shall be found that such petition is in conformity to the requirements of this act, then such board of county commissioners shall make a finding and decision to that effect, and shall thereupon immediately declare the territory described in the petition to be annexed to and included in the said improvement district, *or the territory or defined area described in the petition to be detached from the said improvement district, as the case may be*: Provided, however, That no petition shall be granted unless the consent of the board of directors of such improvement district to such annexation of territory shall have been filed with the county clerk at the time of or prior to such hearing, *except that the consent of the board of directors of such improvement district shall not be required to grant a petition for detachment of the territory or defined area to which the improvement district has not provided any services within at least one (1) year immediately preceding the date of such petition.*