

Approved: 3-4-98  
Date

MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairman Janice Hardenburger at 1:30 p.m. on February 23, 1998 in Room 529-S of the Capitol.

All members were present except: Senator Petty

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

Conferee appearing before the committee: Willie Martin, Sedgwick County

Others attending: See attached list

Chairman Hardenburger asked for approval of the minutes of February 16 and February 17, 1998.

Senator Steineger moved that the minutes of February 16 and February 17, 1998 be approved, seconded by Senator Gooch. Motion carried.

Chairman Hardenburger opened the hearing on SB 657, concerning township roads and highways; related to the maintenance and supervision. Chairman Hardenburger introduced Senator Harrington, sponsor of the bill.

Conferee Willie Martin, representing the Sedgwick County Board of Commissioners testified in support of the bill, and explained that it would allow the proposal for dissolution of a township to be placed on the ballot for voter approval. (Attachment #1)

The Committee discussed amendments in the proposed balloon. (Attachment #2)

Senator Gooch moved that the balloon be adopted and SB 657 be passed favorably, seconded by Senator Becker. Motion carried.

Chairman Hardenburger opened the hearing on SB 656 concerning elections; related to campaign finance. The Chairman explained that in Section one Line 35 and 36 would band the transfer of funds between political committees and on the new section, Section two would require a 24 hour reporting of any contribution to a statewide candidate, Kansas Senator, or House of Representative candidate. This would have to be reported within 24 hours for a period of 11 days before the primary and before the general election of a contribution of \$200 or more. Section three would increase penalty, currently it is \$10 per day with a limit of \$300, which would be increased to \$20 per day if a report is not filed and the civil penalty would not exceed \$600. In Section four is a clarification section. In Section five, page 7(b) bans a candidate from receiving interest or any other finance charges upon monies that were loaned to the campaign by the candidate or the spouse and no contributions received by a political committee could be transferred, conveyed or given to another political committee. On page 8, Section six, currently a school district of 35,000 or more pupils cannot use or authorize the use of public vehicles, machinery equipment supplies, and this bill inserts other property of that school district, for the use of influencing the nomination or election of any candidate. In addition, the prohibition would extend to using that same property for promotion or adoption of any questions that are submitted in an election including elections on amendments to the Constitution or promoting or defeating any legislative matter. New section seven then would extend that same proposed law to all school districts having an enrollment less than 35,000.

The Committee discussed the provisions in the bill.

Chairman Hardenburger closed the hearing on SB 656.

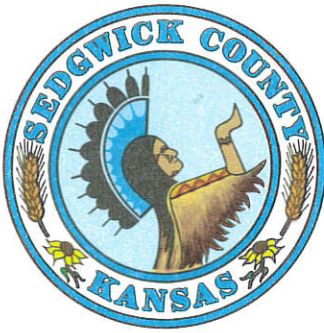
Meeting was adjourned at 2:30 p.m.

Next meeting will be at 1:30 p.m. February 24, 1998.

ELECTIONS & LOCAL GOVERNMENT COMMITTEE  
GUEST LIST

DATE: FEBRUARY 23, 1998

NAME	REPRESENTING
RAY LAUBER	DPS
M. Martin	Selegorch County
Brad Bryant	Sec. of state
Cw Anderson	Sen Hentskamp



SEDGWICK COUNTY, KANSAS

INTERGOVERNMENTAL RELATIONS

WILLIE MARTIN

COUNTY COURTHOUSE • 525 N. MAIN • SUITE 315 • WICHITA, KANSAS 67203 • TELEPHONE (316)383-7552

To: Senate Governmental Organization and Elections  
From: Willie Martin  
Date: February 23, 1998  
Subj: Senate Bill 657

Madam Chair and members of the Committee, I am Willie Martin representing the Sedgwick County Board of Commissioners. Thank you for the opportunity to address House Bill 2902.

Just as counties and cities have a wide diversity in population, needs and services, the same is true of individual townships within a given county.

The Sedgwick County Commission has been asked by trustees of several townships to assist with legislation which would allow dissolution of individual townships. This request was prompted by a number of circumstances. Several of the townships now have a significant portion of the township located within city limits; those areas located outside but adjacent to these cities have an increased demand for road construction and maintenance. The requirements for equipment, personnel, and finances to meet these new demands are, in some cases, difficult if not impossible for some townships to sustain.

The trustees have requested legislation which would allow the proposal for dissolution of a township to be placed on the ballot for voter approval. If approved by a majority of township residents, dissolution of the township would proceed leaving in place township levies for road maintenance, construction and equipment and for specific functions which must continue such as a cemetery. The county would assume responsibility for these functions and the revenue from applicable levies to support these functions.

I would like to stress that Sedgwick County is only trying to assist those township board members who requested help. House Bill 2902 would only give township boards the authority to place dissolution on the ballot, the only authority counties would have would be the responsibility for functions and levies after dissolution was approved by electors of the township.

**Elec. & Local Gov.**

**Date:** 2-23-98

**Attachment:** # 1

# SENATE BILL No. 657

By Senator Harrington

2-13

9 ~~AN ACT concerning certain roads and highways, relating to the mainte-~~  
10 ~~nance and supervision thereof.~~

11

12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. (a) The township board of any township may adopt a res-  
14 olution proposing to transfer all powers, duties and functions of the town-  
15 ship board to the board of county commissioners of the county in which  
16 such township is located. Such resolution shall be submitted to the qual-  
17 ified electors of the township at an election called and held thereon. Such  
18 election shall be called and held in the manner provided by the general  
19 bond law. If a majority of the voters voting thereon vote in favor thereof,  
20 all powers, duties and functions of such township board shall be trans-  
21 ferred to the board of county commissioners of the county in which such  
22 township is located.

23 (b) Upon approval of the resolution by the voters, the township board  
24 shall pay over to the county treasurer of such county any and all unused  
25 money or funds or surplus funds in the hands of such township board  
26 which have been received or acquired by such township from any source.  
27 Upon receipt of the funds and moneys, the county treasurer shall credit  
28 the same to a special fund for each such township. The board of county  
29 commissioners shall expend the moneys in such special fund for the ex-  
30 ercise of the powers, duties and functions imposed by law upon township  
31 boards in the township from which it was received. The county treasurer  
32 shall credit and transfer to such special fund of each township all tax  
33 moneys in the treasurer's hands on the date the resolution was approved  
34 by the voters which were received by the treasurer in payment of taxes  
35 levied by such township for such purposes and all such taxes thereafter  
36 collected by the treasurer. The treasurer shall credit and transfer all other  
37 moneys in the treasurer's hands on the date the resolution was approved  
38 by the voters which were received by the treasurer for the use of such  
39 township for such purposes.

40 (c) Upon approval of the resolution by the voters, the township board  
41 shall turn over and deliver to the board of county commissioners of such  
42 county any and all assets and property such township has acquired.

3 (d) On or before the first Monday in July of each year the board of

AN ACT concerning townships; relating to the powers and duties thereof.

**Elec. & Local Gov.**  
**Date: 2-23-98**  
**Attachment: # 2**

1 county commissioners shall prepare ~~and submit to the township board a~~  
 2 budget of expenditures for the exercise of the powers, duties and func-  
 3 tions transferred to the county. The board shall itemize the expenses and  
 4 amounts and the purposes therefor. ~~The township board shall~~ levy a tax  
 5 upon all assessed taxable tangible property of the township sufficient to  
 6 raise the amount for such expenditures. The money derived from such  
 7 levy shall be deposited in the county treasury and credited to the special  
 8 fund established pursuant to subsection (b).

board of county commissioners are hereby authorized to

9 ~~(e) Any township which has transferred powers, duties and functions~~  
 10 ~~pursuant to this section may~~ adopt a resolution to return to the township  
 11 board the powers, duties and functions so transferred. Such resolution  
 12 first shall be submitted to approval of the qualified electors of the town-  
 13 ship. ~~No such resolution shall be adopted for at least two years following~~  
 14 approval of a resolution pursuant to subsection (a).

Upon presentation of a petition, signed by at least 20% of the  
 qualified electors of the township, to the board of county  
 commissioners requesting the board to adopt a resolution to  
 return to the township board the powers, duties and functions  
 transferred pursuant to this section, the board shall

15 Sec. 2. This act shall take effect and be in force from and after its  
 16 publication in the statute book.

petition shall be submitted to the board

2-2

