

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT

The meeting was called to order by Chairman Carlos Mayans at 3:30 p.m. on February 2, 1999 in Room 521-S of the State Capitol.

All members were present except: Rep. Cindy Hermes - excused
 Rep. John Toplikar - excused

Committee staff present: Michael Heim, Legislative Research Department
 Dennis Hodgins, Legislative Research Department
 Theresa Kiernan, Office of the Revisor of Statutes
 Lois Hedrick, Committee Secretary

Conferees appearing before the committee: Rep. John Ballou

Others attending: See Guest List (Attachment 1)

The minutes of the meeting held on January 26, 1999 were distributed and approved.

The Chairman noted that **HB 2203** (Cities and counties; relating to planning and zoning) had been assigned to the committee.

Chairman Mayans opened the hearing on **HB 2043** (Rural water districts; prohibiting certain charges). Representative John Ballou, author and proponent of the bill, stated the bill, as written, prohibits rural water districts (RWDs) from charging a customer for water usage if the RWD has removed the customer's water meter and terminated services. Also the bill prohibits districts from charging more than 110 percent of actual costs to reinstall a customer's water meter. Representative Ballou presented written testimony (see Attachment 2) on the experience of a Johnson county couple in attempting to resume water services. Several questions were raised about need for the bill and its effects on other RWDs' operations across the state. Since no opposing conferees were present because of some miscommunications, Chairman Mayans invited them to come forward at the next meeting.

The meeting was adjourned at 4:00 p.m.

The next meeting is scheduled for February 4, 1999.

STATE OF KANSAS

JOHN BALLOU

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TOPEKA

HOUSE OF
REPRESENTATIVES

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ADMINISTRATIVE RULES
AND REGULATIONS
JOINT COMMITTEE ON BUDGET

Mr. Chairman and committee members.

Thank you for the allowing me to speak to you today on HB 2043. I believe it is unreasonable to expect a person who falls behind on their water bill and has their water service disconnected that they can pay \$4000 dollars or more to have service reconnected

If they could not afford a \$60 dollar a month water bill and fell behind how do we expect them to come up with \$4000 dollars for re-hook up after they pay up on their old water bill. The rural water boards will lead you to believe that this practice is set up to protect the members of the water district. I can personally testify that my water rates did not go up because this one individual was not being serviced with water. In fact if their logic was true then it would be in the best interest of all the members of a rural water district if these customers were hock back up when they paid up their past due bills, because the operating cost are paid by volume of water used. The rural water district association tells me there is only a very small number of cases like this per year appox.40 in the whole state. This being the case it appears that this policy by rural water district puts a much larger burden on the consumer than the rural water districts. It is my understanding that rural water districts are the only ones that are allowed to have such a practice of charging full meter price for re-hock up of services. If you have your electricity or natural gas shut off or even your water by some other than a rural water district you only pay a service hook up fee. Let's stop the practice of allowing rural water district's to rape its members who fall behind on their water bills. Thank you for your time.

A handwritten signature in cursive script that reads "John Ballou". The signature is written in dark ink and is positioned above the printed name.

Representative John Ballou

Kansas lawmaker comes to aid of David vs. the water district

TOPEKA — Those skeptics who don't believe politicians listen to the average Joe need to think again.

I offer this evidence:

Doug and Pam Harper bought their country home more than three years ago in southwest Johnson County.

About two years later, hard times forced the family to move to Alabama. Unable to work because of a severe back problem, Doug Harper was suing the Social Security Administration because he had been denied disability benefits. So his wife found a job in Alabama.

Even though times were hard, the couple retained ownership of the house near Gardner and left it vacant.

Eventually, Harper won his case and began receiving benefits, and the family returned to the rural Johnson County home a few weeks ago. Everything was looking up except for one problem: no water.

Rural Water District No. 7 had disconnected service and wanted \$4,000 to restore it.

The Harpers refused to pay. After all, they had paid this hook-up fee in 1995 when they bought the property.

The Harpers currently haul water in 5-gallon containers; they shower every three days at a motel.

"I just don't think it's fair," Harper said. "Their rules need to be changed."

Water district officials said that according to their rules, the right to water service is terminated if a customer account is unpaid for six months.

"It's like starting at point zero again," said Allan Soetaert, water district manager.

Gaining that right, according to district rules, costs \$4,000. Soetaert said the Harpers left the area with an unpaid balance on their account and did not notify the water district of the move.

After returning and failing to

COUNTY NOTEBOOK



JIM SULLINGER

persuade the district to waive the \$4,000, the Harpers turned to state Rep. John Ballou, a Gardner Republican.

He agreed that the rules were unfair and introduced House Bill 2043.

The legislation would apply to all rural water districts in the state and allow the Harpers and anyone else caught in a similar situation to be reconnected without paying the \$4,000 start-up fee.

Of course, there's no guarantee the bill will pass. So the Harpers are digging a well.