

Approved: 4-2-99
Date

MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT.

The meeting was called to order by Chairman Senator Janice Hardenburger at 1:30 p.m. on March 11, 1999, in Room 529-S of the Capitol.

All members were present except: Senator Praeger

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

Conferees appearing before the committee: Jim Yonally, Kansas Society of Land Surveyors

Others attending: See attached list

Chairman Hardenburger opened the meeting by asking for approval of the minutes of March 3 and March 8, 1999.

Senator Huelskamp moved that the minutes be approved as written, seconded by Senator Gooch. Motion carried.

Chairman Hardenburger opened the hearing on **HB 2205 concerning land surveys and land surveyors.**

Jim Yonally, Kansas Society of Land Surveyors, presented testimony to the Committee in support of the bill. Mr. Yonally informed the Committee that the bill updated and cleaned-up language that makes it permissive for the county engineer to contact with a land surveyor. In addition, he said the bill authorizes the State Historical Society to accept reports electronically and bill accordingly and to impose a penalty for failure to use a land surveyor. He also testified that the bill would abolish the Shawnee County land surveyor elected position. (Attachment #1)

George Barbee, Kansas Consulting Engineers, testified in support of the bill..

Chairman Hardenburger closed the hearing on **HB 2205.**

Senator Becker moved the bill be passed out favorably and placed on the consent calendar, seconded by Senator Gooch. Motion carried.

Chairman Hardenburger proposed a resolution be considered by the Committee which would urge Congress and the President of the United States and other parties that have an influence on the federal enumeration, not fund or endorse statistical sampling in the taking of the federal census. She informed the Committee that redistricting is going to occur in 2001, and the less numbers to deal with, the more accurate it will be. The resolution would urge Congress not to mandate statistical sampling for redistricting of Kansas House and Senate seats.

The Chairman handed out a graph that shows that if the federal government proceeds with statistical sampling, for federal funding, Kansas could lose about 1% of federal funding. The state that would gain in the count would be California which would almost increase its federal funding by 1-1/2%. Rhode Island is at the bottom, they would lose the most, almost 2%.

The Resolution will be brought before Committee to discuss. (Attachment #2)

Senator Becker moved to introduce the resolution, seconded by Senator Huelskamp. Motion carried.

Meeting was adjourned at 1:50 p.m. Next meeting is scheduled for March 15, 1999.

TESTIMONY BEFORE THE SENATE COMMITTEE ON
ELECTIONS AND LOCAL GOVERNMENT

Madam Chairman, and members of the committee, I am Jim Yonally, representing KSLs, the Kansas Society of Land Surveyors. We are pleased to appear today in support of HB 2205, which passed the house 124 to 1.

As originally introduced, this bill involved, basically, updating and clean-up language, with little real policy change. However, the House Committee, in its wisdom chose to amend into this bill, the provisions of HB 2260, which can be identified as "repealing K.S.A. 19-1401". This statute had called for an election of a county land surveyor in two counties, Wyandotte and Shawnee. With the merger of Kansas City and Wyandotte County governments, the position of county land surveyor was abolished. In Shawnee County, they have been having trouble finding someone willing to run for the office of County Land Surveyor, so they wished to eliminate this requirement. Thus, the purpose of HB 2260.

As to the bill as it was originally introduced, on page 1 line 18, we strike "county register of deeds" because in section 3 of the bill we amend K.S.A. 58-2011. In line 24, we strike "United States coast and geodetic survey" because that agency no longer exists. We add the replacement federal agency, or as an alternative, the state plane coordinate system.

Secondly, still on page 1, lines 31 through 40, we strike what a county engineer shall do in the absence of a county surveyor and replace it with language that permits the engineer to contract with a land surveyor to conduct the review, and certify the same, if in compliance with the act.

On page 2, lines 4 through 8 directs where these "survey corner" reports should be filed. Note back to the change on page 1 (used to be the register of deeds). Also allows that reports filed with the secretary of the state historical society may be filed electronically, if authorized by the secretary. The changes on lines 12 and 13 allow for fees to be paid periodically. Currently, the law requires the surveyor to physically hand over a payment at the time that a report was filed, or retrieved.

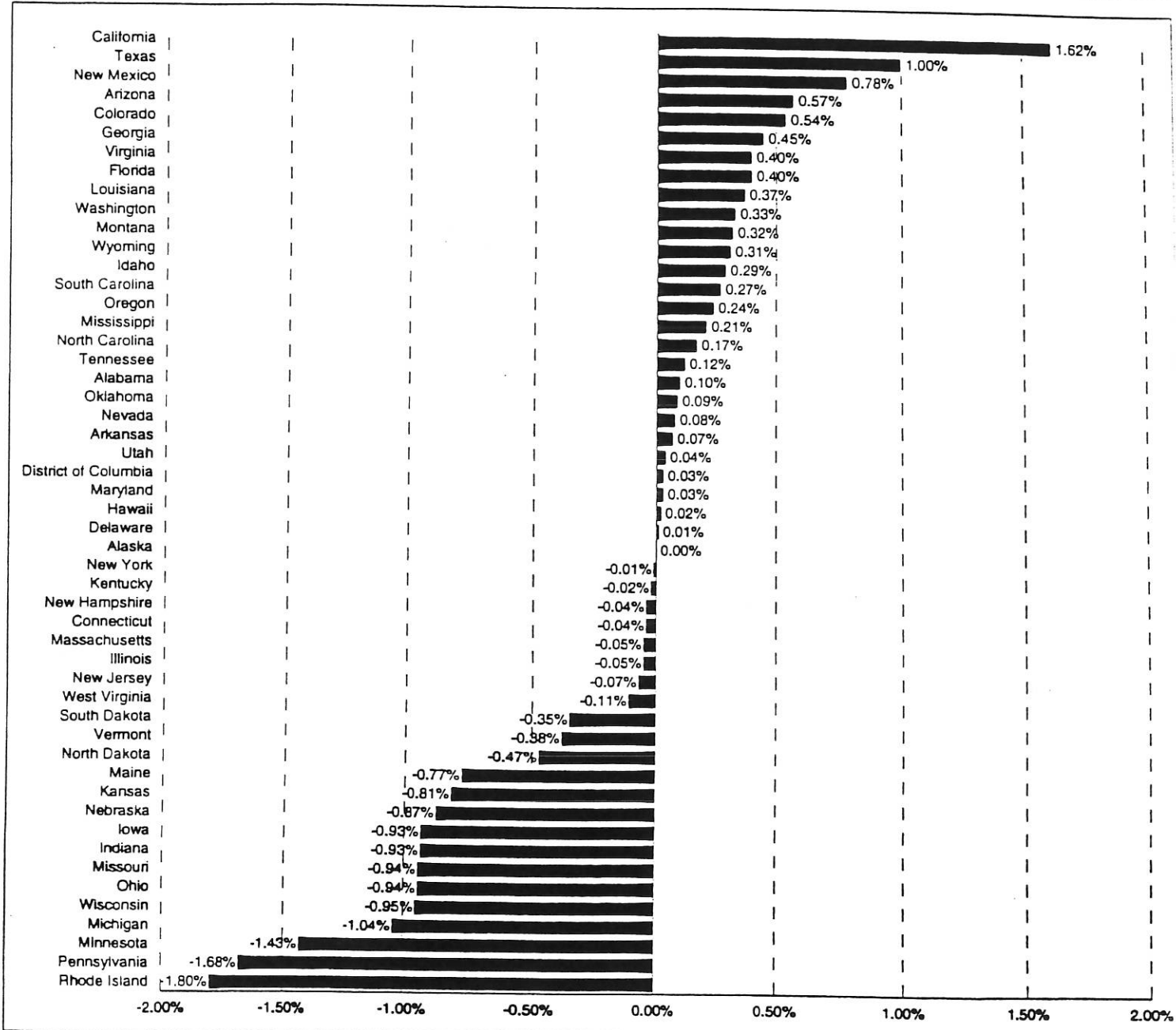
Lastly, on page 3, lines 20 and 21, establishes a fine for failure to use a land surveyor as required by subsection (b) on page 2. Note that on lines 40 and 41 on page 2, the land surveyor faces suspension, or revocation of their license for failing to comply with the provisions of this section. However, without this addition, there was no penalty for failing to use a surveyor.

Note on line 22, the added repealer, "19-1401"

I would be happy to attempt to answer any questions.

Senate Elections & Local Government
Attachment: # 1-1
Date: 3-11-99

Figure 1: Percentage Change in Grant Funding by State,
When Population Counts Are Adjusted for Net Undercount



Senate Elections & Local Government

Attachment: # 2-1

Date: 3-11-99