

MINUTES OF THE HOUSE LOCAL GOVERNMENT.

The meeting was called to order by Chairperson Rep. Gerry Ray at 3:30 p.m. on January, 16, 2001 in Room 519-S of the Capitol.

All members were present except:

Committee staff present: Theresa Kiernan - Revisor
Mike Heim - Research
Kay Dick - Secretary

Conferees appearing before the committee: Randy Allen, Ex. Director, Kansas Association of Counties
Don Moler, Ex. Director, League of Kansas Municipalities

Others attending: See attached list.

Meeting was called to order by Chair, Rep. Ray at 3:30 p.m. She announced that the League of KS Municipalities (LKM) and Kansas Association of Counties (KAC) would give an overview of Local Government.

Chair asked the audience to introduce themselves, and tell of their association or affiliation.

Randy Allen, Executive Director of Kansas Association of Counties, explained the origin and development of county government. Mr. Allen elaborated on the structure, financing/revenue sources, State-shared revenue. He went in detail regarding "Home Rule", the local decision-making to positively effect local condition is a bedrock position of counties. (Attachment #1)

He summarized by saying, "Kansas Counties are diverse in their service, resources to finance service, and their philosophical approach to issues. We seek to find ways to assist all 105 counties to improve the live of their constituents."

Don Moler, Executive Director of the League of Kansas of Municipalities, expanded on Home Rule and showed a video in reference to what the League's purpose and services provide.

Mr. Moler summarized by saying, "As many of you know that have been on the Local Government Committee, the League definitely stands up for local control and home rule. When the session is over and you go home, we go back across the street and we help the local officials implement the laws. That's really what we do"

Don Moler, L.K.M. introduced a bill regarding municipalities serving as depositories of its funds.

Rep. Larry Campbell made a motion for the committee to introduce the bill, seconded by Rep. Ruby Gilbert. There was no opposition, the motion carried.

The meeting was adjourned by the Chair at 4:30 p.m.

Next meeting is January 18, 2001.

**HOUSE LOCAL GOVERNMENT COMMITTEE
GUEST LIST
JANUARY 16, 2001**

[PLEASE PRINT YOUR NAME]

[REPRESENTING]

Chuck Stones	Ks Bankers Assn.
Colin Mull	Whitney Damon PA
Wendy Adams	KAPA - KEMCA
John D. Piregar	Piregar Smith Co.
Ron Appletoft	WATERONE
Pat Lehman	City of Lenexa
Joe Duck	KCK BPU
Erin Hansen	K M U
Erik Sartorius	K.C. Regional Assoc. of Realtors
Ashley Shevard	Johnson County
Randy Allen	Ks. Assn. of Counties -
Judy Moler	K. Assn of Counties
Heley Quetala	City of Overland Park
Eric Miller	Mary Kaufman (Intern)
Larry Kleeman	League of Kansas Municipalities
Sandy Jaquet	League of Kansas Municipalities
Kim Gulley	LKM
Don Moler	LKM
Mike Taylor	City of Wichita
Michael D. Pepon	Sedgwick County
Mark Tallman	Ks Assoc. of School Boards
Lacey Farmer	KASB
Dag Davenport	KGFA / KFCA
Michael Lee Smith	KMHA



KANSAS
ASSOCIATION OF
COUNTIES

What Every State Legislator Needs to Know about Kansas Counties

Remarks by Randy Allen, Executive Director, Kansas Association of Counties
House Local Government Committee
Tuesday, January 16, 2001

Origin/Development. The origins of county government date back to 800-900 A.D. with the shires in England. The shire court, composed of 12 landowners, passed local ordinances and administered justice. Shire officials - the earl, sheriff, and bishop - shared executive powers. In 1634, the Commonwealth of Virginia created eight counties to be administrative districts. 48 of 50 states have operational county governments. In addition to 3,040 counties nationwide, there are 31 city-county governments including the Unified Government of Wyandotte County/Kansas City.

When counties were created in Kansas, the optimal size related to the ability to travel to the county seat, transact business, and return home before dusk. Our 105 counties serve all 2,639,653 Kansans, or an average population of 25,140. Kansas counties range in population from 1,704 (Greeley) to 448,050 (Sedgwick).

Functions. Counties were originally created to carry out typical state-mandated functions, but have evolved to be *both* an administrative arm of the state as well as a local service provider. This *dual role* has required counties to adapt and their organizational structures continue to evolve to meet modern needs.

Services. Counties deliver a large menu of services - many state-mandated but also reflective of local needs. They include:

- Property Tax Function, including appraisal, tax collection, disbursement to local units
- Law Enforcement: Patrol/Prosecution/Detention/Community Corrections/Juvenile Services
- Roads and Bridges
- Emergency Medical Services
- 9-1-1 Dispatching Services
- Emergency Management & Response
- Mental Health, Developmental Disabilities, Physically Disabled Services
- Public Health Services
- Solid Waste
- Planning and Zoning
- Economic Development
- Aging Services
- Noxious Weed Control
- Election Administration
- Hospitals and Nursing Homes
- Libraries
- Extension Council (partnership with KSU)

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HOUSE LOCAL GOVERNMENT
1.16.01
Attachment 1

The menu of services offered by our 105 counties varies widely. All counties fulfill statutory duties prescribed by the State (e.g. property appraisal, property tax administration). However, only a small number of counties have county library systems and only a few operate hospitals or nursing homes. The menu of services in each county is determined by the board of county commissioners as requested by local constituents.

Structure. County organizational structures in Kansas generally reflect a decentralization or fragmentation of responsibility. The organizational structures are relatively flat, in contrast to more hierarchical systems. The Board of County Commissioners performs the policymaking and administrative role in most counties (i.e. all counties in which there is no appointed county administrator or manager). 98 counties have 3-member boards while 6 counties have 5-member boards and the Unified Govt. of Wyandotte County/KCK has a ten-member board. There is increasing interest and some movement toward larger boards, as counties seek to reflect and respond to increasing diversity of constituents. 13 counties, including seven of the state's most populous counties, now have county administrators, and six other counties have created similar positions with various titles, e.g. administrative services director, county coordinator, *et. al.*

Financing/Revenue Sources. The **property tax** is the single largest source of revenue financing county government. In 1999, counties in Kansas levied **\$606.4 million** in property taxes to finance county services. Other major sources of county revenue include motor vehicle taxes; various local-option sales taxes; and state-shared revenue (Local Ad Valorem Tax Reduction Funds, City-County Revenue Sharing, and Special City-County Highway Funds).

75 counties currently impose **local-option, voter-approved sales taxes** independent of any local-option sales taxes imposed by cities. The Kansas Department of Revenue estimates that in FY 00, countywide sales taxes generated **\$309 million**. Revenue from countywide sales taxes not specifically earmarked for special purposes (e.g. health care, jail construction) are shared with cities - 50% in proportion to total, unit-wide property taxes and 50% in proportion to urban and nonurban population. As a general rule, counties retain about 50%, or about **\$150 million**, of countywide sales taxes to be used for county purposes.

State-shared revenue recognizes the partnership and shared responsibilities between the State and local governments, including counties. In FY 00, the three major state-shared revenue programs (demand transfers) provided **\$106 million** to local governments including counties.

Home Rule. Local decision-making to positively effect local conditions is a bedrock position of counties. Fortunately, the State allowed counties to move beyond "Dillon's Rule" (premise: counties are exclusively arms of the state and can only do what the state explicitly allows them to do) to a measure of home rule. Since 1974, Kansas counties have enjoyed statutory home rule (KSA 19-101a), allowing counties to perform all powers of local legislation and administration deemed appropriate, subject to restrictions or limitations set forth by the Legislature. Currently, there are 31 restrictions on the home rule exercise

by counties. For example, counties cannot exempt themselves from legislative acts which apply uniformly to all counties. Counties cannot unilaterally consolidate or change their boundaries. Counties cannot exempt themselves from limitations of indebtedness. With statutory home rule, the Legislature can retract authority to counties by legislative enactment. This is in contrast to cities which enjoy constitutional home rule, removable only by voters.

Challenges for Future. In a very participative process last year to develop a Strategic Plan for our Association, our members identified several concerns and issues for counties as we look to the future. They include:

- ❑ Continued population decline in many counties, coupled with relatively flat/declining property tax base.
- ❑ Concern for revenue stability as service expectations exceed the ability to finance services.
- ❑ Concern over the state of intergovernmental relations, with a desire to improve our relationship with the State as well as other units of local government and develop mutual understanding of the respective roles of the State, counties, other local units of government, and others, including the business, not for profit, and faith communities
- ❑ Concerns over the increasing complexity of society, as communities face complex and sensitive issues such as broadband internet access, serving increasingly diverse populations, and balancing competing interests.
- ❑ Concerns about "civic illiteracy" and how we can improve the public's awareness of and efficacy in addressing public policy issues.

Summary. Kansas counties are diverse in their services, resources to finance services, and their philosophical approach to issues. Such factors as community wealth, climate, population, population diversity, and the quality of leadership affect the perceptions of county officials on public policy issues. None are islands, however, and we seek to find ways to assist all 105 counties to improve the lives of their constituents. We appreciate the opportunity to share our perspectives with the Committee and invite your feedback and questions. We look forward to a very positive relationship.

The Kansas Association of Counties, an instrumentality of member counties under K.S.A. 19-2690, provides legislative representation, educational and technical services, and a wide range of informational services to its member counties. Our principal office is in Topeka and our Education Program office is in Wichita. Visit us on the worldwide web: www.ink.org/public/kac. For more information on this or any other topic, please contact Randy Allen, Executive Director or Judy Moler, Legislative Services Director/General Counsel at (785) 272-2585.