

MINUTES OF THE HOUSE GOVERNMENTAL ORGANIZATION AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Jene Vickrey at 3:30 P.M. on January 18, 2005 in Room 519-S of the Capitol.

All members were present except:

Representative Frank Miller- excused
Representative Melody Miller- excused

Committee staff present:

Mike Heim, Legislative Research Department
Martha Dorsey, Legislative Research Department
Theresa Kiernan, Revisor of Statutes Office
Maureen Stinson, Committee Secretary

Conferees appearing before the committee:

Rep. Harold Lane
Brad Bryant, Office of the Secretary of State
Rep. Pat Colloton
Rep. Tom Sloan
Ken Grotewiel, Kansas Water Office
Terry Holdren, Kansas Farm Bureau
Art Brown, Mid-America Lumbermens Assoc.
Gary Hanson, Kansas Rural Water Assoc.
Stanley Rasmussen, Army Dept. of Defense
Woody Moses, Kansas Aggregate Producers' Assoc., Kansas Ready Mixed Concrete Association

Others attending:

See attached list.

Bill Introductions

Rep. Mike Burgess requested a committee bill that would change the date that county treasurers take office to the second Monday in January. He explained that the second Monday in January is the date that other county elected officials take office.

Without objection, the request will be accepted as a committee bill.

Chairman Vickrey opened the hearing on:

HB 2005 **Elections; disclosure of felony conviction**

Rep. Harold Lane testified as a proponent of the bill (Attachment 1). Rep. Lane said the bill would require that a candidate for public office, when filing the application, disclose if they have ever been convicted of a felony by checking a box on the application. He explained that the bill provides for a penalty if someone fails to reveal that they were ever convicted of a felony.

Brad Bryant, Deputy Assistant Secretary of State, provided administrative information concerning the proposed legislation in written testimony (Attachment 2) submitted to the committee.

The Chairman closed the hearing on **HB 2005**.

Chairman Vickrey opened the hearing on:

HB 2027 **Library boards; reduction of waiting period for reappointment**

Rep. Pat Colloton testified in support of the bill (Attachment 3). She said there is a problem in finding and keeping well-informed members of local library boards. She informed that this bill reduces the waiting period to one year from the current two year requirement before a board member can be reappointed to the board.

CONTINUATION SHEET

MINUTES OF THE House Governmental Organization and Elections Committee at 3:30 P.M. on January 18, 2005 in Room 519-S of the Capitol.

Rep. Kenny Wilk submitted written testimony (Attachment 4) in support of the bill.

Pauline Graeber, Leavenworth, Kansas, submitted written testimony (Attachment 5) in support of the bill.

The Chairman closed the hearing on **HB 2027**.

Chairman Vickrey opened the hearing on:

HB 2018 **Acquisition of rural water district by another district**

Rep. Tom Sloan testified in support of the bill (Attachment 6). He said the bill provides the means by which two or more rural water districts may voluntarily merge.

Ken Grotewiel, Kansas Water Office, appeared in support of the bill (Attachment 7). He said the bill provides an alternative process to the one outlined in K.S.A. 82a-640 for rural water districts to use when they have an interest in consolidating.

Gary Hanson, Kansas Rural Water Association, testified in support of the bill (Attachment 8). He explained that the bill is modeled after K.S.A. 19-3512 and K.S.A. (2004 Supp.) 82a-649, providing for the annexation of territory by Water District No. 1, Johnson County (Water One) and acquisition of rural water districts by cities, respectively.

The Chairman closed the hearing on **HB 2018**.

Chairman Vickrey opened the hearing on:

HB 2019 **Encroachment restriction districts**

Rep. Tom Sloan testified in support of the bill (Attachment 9). He said the bill creates a process by which facilities at risk and local governments can work together in sustaining the future of those facilities.

Woody Moses, Kansas Aggregate Producers' Association and also the Kansas Ready Mixed Concrete Association, testified in support of the bill (Attachment 10). He said the purpose of the bill is to provide a clearer definition regarding access to and development of natural resources within our state.

Stanley Rasmussen, Army Department of Defense, testified on behalf of Barton Ives in support of the bill (Attachment 11). He said the proposal provides a formalized process for cooperation between military installations and the local community and government, but also makes this same process available to other entities potentially affected by encroachment.

Art Brown, Mid America Lumbermen's Association, testified in support of the bill (Attachment 12). He said the bill allows for protection for the businesses he represents as long as certain safeguards mandated by the local unit are in place.

Terry Holdren, Kansas Farm Bureau, testified in opposition to the bill (Attachment 13). He said the bill would allow local units of government authority to place restrictions on privately held property at the request of nearby landowners through the establishment of an encroachment restriction district.

The Chairman closed the hearing on **HB 2019**.

The Chairman adjourned the meeting.

The next meeting is scheduled for Thursday, January 20, 2005.

STATE OF KANSAS



TOPEKA

HOUSE OF
REPRESENTATIVES

HAROLD LANE
REPRESENTATIVE, 58TH DISTRICT
1308 S KANSAS AVE
TOPEKA, KANSAS 66612
(785) 232-3610

OFFICE ADDRESS
300 SW 10TH AVE
CAPITOL BLDG—ROOM 273-W
TOPEKA, KANSAS 66612-1504
(785) 296-7690

COMMITTEE ASSIGNMENTS
MEMBER: APPROPRIATIONS
GOVERNMENTAL ORGANIZATION
AND ELECTIONS
CHAIRMAN: SHAWNEE COUNTY DELEGATION

GOVERNMENTAL ORGANIZATION & ELECTIONS COMMITTEE

Thank you Chairman Vickrey, and fellow committee members for hearing my testimony on HB 2005 .

House Bill # 2005 is a straight forward bill that as elected officials we have all seen happen in campaigns. Someone puts their name on the line to run for office, then out comes the postcards or front page headlines that someone has been convicted of a felony. All to often it may be an ex-spouse or other relative that releases the candidates past history.

What this bill would provide is simply when a candidate files for office, they be required to check on the application if they have ever been convicted of a felony. The same question on basically every job application when a person seeks employment. This does not preclude someone running for office, it simply puts it right out in front. It allows the voter to decide if they choose to elect the candidate. The bill also has provision for penalty if someone fails to reveal that indeed they were ever convicted of a felony.

Thank you again for your time, and I would appreciate your support.

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

Representative Harold Lane

House Gov. Org. & Elections
Date: 1-18-05
Attachment # 1

RON THORNBURGH
Secretary of State



First Floor, Memorial Hall
120 SW 10th Ave.
Topeka, KS 66612-1594
(785) 296-4564

STATE OF KANSAS
House Committee on Governmental Organization and Elections

Testimony on House Bill 2005

Brad Bryant, Deputy Assistant Secretary of State
Elections and Legislative Matters

January 18, 2005

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to testify on HB 2005. The office of the Secretary of State is neither a proponent nor an opponent of this legislation, but as an agency that will be involved with implementation of the bill's provisions, our office wishes to make the committee aware of several points.

1. The bill requires candidates for public office to disclose prior felony convictions on a form provided by the Secretary of State, but it does not specify when the disclosure should occur. Our intent would be to revise the declaration of intention candidates complete when they file for office and collect the new information regarding felony convictions at the time the candidates file to appear on the ballot.
2. The bill does not appear to require the office of the Secretary of State to act on the information regarding felony convictions. Thus, the purpose of the information would be limited to public disclosure.
3. There is no time frame specified, meaning the candidate would be required to disclose any felony conviction regardless of when it occurred.
4. The bill does not require candidates for federal office to disclose felony convictions.

Our intent is only to make the committee aware of these points. If we have interpreted the intent of the legislation incorrectly, we want the committee to have an opportunity to resolve the discrepancies.

Thank you.

House Gov. Org. & Elections
Date: 1-18-05
Attachment # 2



TOPEKA

HOUSE OF
REPRESENTATIVES

January 18, 2005

Re: HB 2027

Representative Kenny Wilk and I are seeking your approval of HB 2027 that amends the library board statute Section 1. K.S.A. 12-1222.

We are sponsoring this bill because of a problem in finding and keeping well informed members of local library boards. Currently there is a two year waiting period before a library board member can be reappointed to the board. This bill reduces the waiting period to one year.

In small communities across the state there are often only a few people who really want to serve on library boards. A two year waiting period is too long to wait so that these people go on to other activities. A one year period would encourage the board members to stay active and seek reappointment.

With the use of computers in libraries and new legislation such as the Patriot Act that affects libraries, there is much for a library board member to know in order to serve effectively. We believe reducing the waiting period would both maintain an opportunity for change on a library board and also would encourage those with experience and passion for this service to stay involved.

For these reasons we ask for your approval of HB 2027.

Respectfully submitted,

A handwritten signature in cursive script that reads "Pat Colloton".

Patricia Colloton
State Representative
District 28

House Gov. Org. & Elections

Date: 1-18-05

Attachment # 3

STATE OF KANSAS
HOUSE OF REPRESENTATIVES

KENNY A. WILK
715 Cottonwood Drive
Lansing, Kansas 66043
(913) 727-2453



State Representative
42nd District *426-S*
State Capitol, Room ~~514-S~~
Topeka, Kansas 66612-1504
(785) 296-7660

CHAIRMAN
House Appropriations Committee
Exterior

January 18, 2005

Chairman Jene Vickery
House Government Organizations and Elections Committee
Room 115-S
300 SW 10th Ave.
Topeka, KS 66612-1504

Dear Chairman Vickery:

I am writing to you today to express my support of House Bill 2027- Library Boards; reduction of waiting period for reappointment.

It is becoming difficult to find individuals with the time and the desire to serve as volunteers on many of our local boards, especially our library board. When our libraries find someone willing to accept the responsibility and donate the time to our library boards- we should retain them as assets to our library system as long as they wish to serve. It is a shame to make these valuable individuals take a two year hiatus when their expertise is in constant need.

I strongly recommend the passage of HB 2027 for the benefit of our library boards.

Thank You,

Rep. Kenny Wilk
District 42

House Gov. Org. & Elections
Date: 1-18-05
Attachment # 4



The Leavenworth Public Library

417 Spruce Street • Leavenworth, Kansas 66048-2729 • (913) 682-5666

January 13, 2005

Rep. Kenny Wilk
Kansas State Capitol Room 426-S
300 S.W. 10th Street
Topeka, KS 66612

Dear Representative Wilk,


I am writing this letter in support of a proposed change in KSA 12-1222 to eliminate the two-year wait, allowing library board members to continue to serve their communities after their second term.

In Leavenworth, it is becoming increasingly difficult to find individuals who have the time and the willingness to serve on the library board. People are busy with jobs and families and many are unable to find the time to attend a monthly meeting, let alone extra time that may be necessary during budget hearings or when other issues arise. When the library has a board member who can make the commitment, the two-year gap in service becomes inconvenient.

Today's libraries face a variety of increasingly difficult issues, including CIPA, the Patriot Act, and material challenges. Board members who are currently serving are aware of these issues and their impact on libraries. It is imperative that these members are still serving when decisions need to be made. Valuable time can be wasted on educating new members on these and possible other issues.

Thank you very much for your time and assistance with this matter. If you have any questions or would like to discuss it further, please do not hesitate to contact me.

Sincerely,


Kimberly A. Baker
Director

Dear Chairman,

My name is Pauline Graeber and I live in Leavenworth. I am writing to you today in support of the amendment to KSA 12-1222, which involves the forming of library boards for Cities, Counties and Townships.

This amendment pertains to that portion of the law regarding the re-appointment of people to such boards. Currently a person may be appointed for 2 consecutive 4-year terms then they are not eligible to be re-appointed for a period of two years.

In this day it is becoming extremely difficult to get citizens to volunteer to serve on boards such as these. When a library has a person who is interested it seems a shame to tell that person they must wait for 2 years before they may be re-appointed.

Also, there are many challenges ahead for libraries and it is extremely helpful to have continuity on the boards and have people with knowledge, interest, and dedication to the library.

The amendment calls for changing the 2-year gap to a 1-year gap. I support this proposal but would also highly support a proposal that eliminates any gap between appointments. Each term would still be 4 years and would require re-appointment by the Mayor to continue to serve.

I thank you for your time.



Pauline C. Graeber
2400 Kingman Street
Leavenworth, KS 66048

House Gov. Org. & Elections
Date: 1-18-05
Attachment # 5



TOM SLOAN
REPRESENTATIVE, 45TH DISTRICT
DOUGLAS COUNTY

STATE CAPITOL BUILDING
ROOM 446-N
TOPEKA, KANSAS 66612-1504
(785) 296-7677
1-800-432-3924

772 HWY 40
LAWRENCE, KANSAS 66049-4174
(785) 841-1526
sloan@house.state.ks.us



TOPEKA
HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
CHAIRMAN: HIGHER EDUCATION
MEMBER: UTILITIES
ENVIRONMENT
AGRICULTURAL & NATURAL
RESOURCES BUDGET

KANSAS WATER AUTHORITY

Testimony on HB 2018
January 18, 2005 - Room 519S
Government Organizations & Elections

Mr. Chairman, Members of the Committee:

I am Chairman of a rural water district and have previously successfully sponsored legislation to update the statutes under which water districts operate.

HB 2018 provides the means by which two or more rural water districts may voluntarily merge. It mirrors language passed in 2004 for the merger of a water district into a municipal system.

The bill outlines the process for public notification, merger, appeals and, if necessary, vote by the districts' members. The key issues for me as a Rural Water District Director as well as State Legislator are:

- 1). The Boards of both District's must vote to approve the merger.
- 2). Each District patron receives notice of the proposed merger and the reasons for the action.
- 3). Notice must be published in the newspaper.
- 4). Protest petition is authorized with a vote by the membership subsequently required.

House Gov. Org. & Elections
Date: 1-18-05
Attachment # 6

In summary, this bill mirrors the process by which rural water districts and city systems merge; it is voluntary; and protest petition/election procedures safeguard all patrons.

Thank you for your attention. I will be pleased to respond to questions and request your support of HB 2018.

Testimony to
The House Governmental Organization and Elections Committee
On

HB 2018

by Ken Grotewiel
Assistant Director
Kansas Water Office
January 18, 2005

Representative Vickrey and members of the Committee. I am Ken Grotewiel, Assistant Director at the Kansas Water Office. I am pleased to appear in support of HB 2018.

Section 1 provides an alternative process to the one outlined in K.S.A. 82a-640 for rural water districts to use when they have an interest in consolidating.

The Kansas Water Office recognizes the challenges of rural water districts in meeting demands for drinking water in an environment of strict regulation, aging infrastructure and limited supply sources. This bill provides an additional tool for rural water districts to use in meeting the ever-changing needs of their customers.

Section 2 is a technical clean-up of K.S.A. 82a-647 which we feel is warranted.

I would like to thank you, Representative Vickrey and members of the Committee, for your time and attention today. I would be happy to stand for questions.

House Gov. Org. & Elections
Date: 1-18-05
Attachment # 7



P.O. Box 226 • Seneca, KS 66538 • 785/336-3760
FAX 785/336-2751 • <http://www.krwa.net>

January 18, 2005

House Committee on Governmental
Organizations and Elections

Re: House Bill 2018

Dear Chairman Vickrey and Members of the Committee:

The Kansas Rural Water Association (KRWA) has received requests from several of its rural water district members for an alternative procedure for combining of rural water districts. We recognize the goal of reducing the number of rural water districts in order to insure the long-term viability of public water supplies. Frequently, efficiencies can be realized by combining of smaller systems into larger ones.

The only option available under current law is for consolidation under K.S.A. 82a-639 et seq. This process allows for the boards of directors of two or more rwd's to agree to consolidate, followed by a meeting of the members of each district where the question is placed to a vote, followed by a petition for approval by the board of county commissioners of a county in which at least one of the districts is located.

This statute has been used successfully in a number of instances, but is awkward in others. For example, that consolidation statute provides that following action by the county commissioners ordering consolidation, the district is to be governed by a board of directors consisting of the combined boards of the consolidated districts until the next annual meeting of the consolidated district. We believe this provision alone is preventing some consolidations from occurring as the prospect of, for example, nine members of the board of directors of a district serving 50 customers could be combined with a district having a five-member board serving 3,000 customers, resulting in the smaller districts board effectively controlling the management of this complex business enterprise for as much as a year. We believe that at least in some of these instances, the smaller district wants no part of the management of the larger enterprise, and welcomes the opportunity to end those responsibilities, but are unable to do so under the current law.

House Bill 2018 is modeled after K.S.A. 19-3512 and K.S.A. (2004 Supp.) 82a-649, providing for the annexation of territory by Water District No. 1, Johnson County (WaterOne) and acquisition of rural water districts by cities, respectively. As is provided by those statutes, H.B.

House Gov. Org. & Elections
Date: 1-18-05
Attachment # 8

2018 provides for acquisition of the assets and territory, assumption of the debts and liabilities of the acquired district, and assumption of service responsibilities to its customers. The process is streamlined, providing for acquisition to occur upon agreement of both districts' boards of directors, subject to a protest petition by 10% of the customers of the district to be acquired. In the event of a valid protest, the matter would be placed to a vote.

House Bill 2018 provides an alternative procedure, and not a replacement for the current consolidation statute. We believe that the current consolidation statute would continue to be used in those instances where neighboring districts are comparable in terms of territory and/or customers being served, and that H.B. 2018 would be most useful in those other situations where it is appropriate for a larger system to essentially assume the assets, liabilities and responsibility for service to a smaller system's customers.

Section 2 of H.B. 2018 corrects what we believe to have been an error in K.S.A. (2004 Supp.) 82a-647. Currently, that statute provides for an alternative, streamline procedure for release of territory from one rural water district and attachment to another. Unfortunately, the reference to "K.S.A. 82a-640" has the effect of requiring notice of the proposed release and attachment to be mailed to every member of the district rather than just those being affected by the proposed attachment and release. This is not consistent with the other attachment and release statutes, and can present a considerable burden and expense on districts trying to comply. The change proposed by Section 2 of H.B. 2018 cures this problem.

For the reasons summarized above, the Kansas Rural Water Association respectfully requests that the Committee favorably act on H.B. 2018.

Very truly yours,



GARY H. HANSON

GHH:de

cc: Elmer Ronnebaum, General Manager
Kansas Rural Water Association

TOM SLOAN
 REPRESENTATIVE, 45TH DISTRICT
 DOUGLAS COUNTY

STATE CAPITOL BUILDING
 ROOM 446-N
 TOPEKA, KANSAS 66612-1504
 (785) 296-7677
 1-800-432-3924

772 HWY 40
 LAWRENCE, KANSAS 66049-4174
 (785) 841-1526
 sloan@house.state.ks.us



TOPEKA
 HOUSE OF
 REPRESENTATIVES

COMMITTEE ASSIGNMENT
 CHAIRMAN: HIGHER EDUCATION
 MEMBER: UTILITIES
 ENVIRONMENT
 AGRICULTURAL & NATURAL
 RESOURCES BUDGET
 KANSAS WATER AUTHORITY

Testimony on HB 2019
 January 18, 2005 - Room 519S
 Government Organizations & Elections Committee

Mr. Chairman, Committee Members:

For the past six years the House Speakers have appointed me to the Council of State Governments' Environment and Renewable Energy Task Force. I will serve as Task Force's chairman for the next two years.

During the past two years, Department of Defense representatives have presented information regarding the debilitating effect that unregulated growth around military facilities have on base operations and sustainability. For example, the City of Anchorage proposed a bridge near the end of the main Air Force flight path-runway. Lights from the bridge would have created severe flight hazards for pilots. There are many Army bases, (e.g. Ft. Brogg), that have reduced training activities because of noise complaints from citizens who have built homes next to the facility. As you know, the Department of Defense is engaged in a study of all military bases for the purpose of closing bases that are not sustainable - by function or cost.

As I thought about the issues of facility sustainability and the "urbanization" of our State, I realized that the issue raised by the Department of Defense is not restricted to military installations. Sustaining the viability of electric generation plants with their 24-hour/day lights, quarries with the noise issues, wildlife refuge and park areas with the need for relative silence are examples of valuable Kansas assets whose long term viability/sustainability could be at risk.

House Gov. Org. & Elections

Date: 1-18-05

Attachment # 9

HB 2019 creates a process by which facilities at risk and local governments can work together to protect the facilities' sustainability and public interests. The process is as follows:

- 1) Request from public (e.g. Wildlife and Parks) or private (e.g. Boeing) entity is filed with the City/County Commission for creation of an Encroachment Restriction Zone;
- 2) Application provides explanation of type of restrictions requested (e.g., height of structure, noise, light), the proposed distance from applicant's property such restrictions are desired, and justification for each factor (e.g., continuous lights will adversely affect bird nesting activities).
- 3) Application also will include description of applicant's operation that may impact persons seeking to develop within the proposed Encroachment Restriction Zone (e.g. periodic blasting at quarries, lights at power plants).
- 4) Local government shall hold public hearings on the application and shall take into account the impact of approving or disapproving the creation of the District on the orderly growth and development of the Community as well as the sustainability of the applicant's facility and the facility's contribution to the community.
- 5) If approved, the resolution approving the District shall be filed with the Register of Deeds so that persons seeking to develop within the District in the future will be aware of any restrictions and the long term sustainability of the applicant's operations are better ensured.

In developing this bill, I have endeavored to provide a fair process through which local officials can balance the interests of ensuring the long term viability of existing facilities and community growth. My objective is that a formal process exist to balance the interests of all parties, rather than haphazard growth that results in unhappy citizens and risks adversely impacting the viability of existing facilities.

Thank you for your attention and consideration. I ask for your support of HB 2019 and will be pleased to respond to your questions.



Kansas Aggregate
Producers' Association

Edward R. Moses
Managing Director

TESTIMONY

By the
Kansas Aggregate Producers Association

Before the
House Governmental Organizations & Elections Committee

Regarding HB 2019
Encroachment Districts

January 18, 2005

Mr. Chairman and members of the committee, my name is Woody Moses, Managing Director of the Kansas Aggregate Producers' Association, and the Kansas Ready Mixed Concrete Association. Thank you for the opportunity to provide testimony on behalf of HB 2019. The Kansas Aggregate Producers' Association (KAPA) and The Kansas Ready Mixed Concrete Association (KRMCA) is a statewide trade association comprised of over 250 members and one of the few industries to be represented in every county of this state.

The purpose of HB 2019 is to provide a clearer definition regarding access to and development of natural resources within our state. As a result of ever increasing urbanization we believe it is time to consider the concepts embodied in HB 2019. This is required in order to achieve two goals:

1. Provide a frame work whereby all citizens are informed of proposed natural resource developments.
2. Promote reasonable limits for operation including safety, environment and noise.
3. Provide for the complete development, once approved, of natural resource deposits.

While aggregate resources, like air and water, appear to be plentiful the simple truth is they are not. Once again just like air quality and water quality are often important so too is rock or sand & gravel quality.

Quality deposits, meeting required absorption and hardness standards; are only found in those rare places where nature put them. If we are to fully develop these limited resources for the future of our state and its citizens we must be allowed the ability to develop them. In our opinion HB 2019, while limited in scope is a step in the right direction. Please join us in supporting this proposal.

Thank you for receiving our comments on HB 2019, I will be happy to respond to any questions you may have at this time.

House Gov. Org. & Elections
Date: 1-18-05
Attachment # 10

ECONOMIC IMPACT OF THE KANSAS AGGREGATE INDUSTRY

by:
Edward R. Moses, Managing Director
Kansas Aggregate Producers Association

In trying to determine the impact of our industry on the economy of Kansas I uncovered an interesting fact. Although Kansas is known as the WHEAT STATE and does indeed lead the nation in wheat production it also produces large amounts of corn, sorghum, and soybeans, aggregates do play a large part in the overall scheme of things.

In 2003 Kansas produced 480,000,000 bushels of wheat, 300,000,000 bushels of corn, 130,500,000 bushels of sorghum and 57,000,000 bushels of soybeans, (these figures came from the Kansas Agricultural Statistics Service). These are all impressive numbers and do indeed give you an idea of the farming impact on the states economy. We generally refer to our aggregate usage in tons so I broke the crop totals down into tons (realizing that wheat, corn, etc. have a lower specific gravity) to see how we compare. This is when it got interesting, Wheat translated to 13,440,000 tons, Corn 8,400,000 tons, Sorghum 3,654,000 tons, and Soybeans 1,596,000 tons. Again these are very impressive numbers. Using the U.S. Bureau of Mine Statistics we find that crushed Stone produced 25,400,000 tons, which is 47 percent more, then wheat and considerably more than the other grains. When Sand and Gravel production is thrown into the equation at 15,100,000 tons we get a total of 40,500,000 tons of aggregate produced, which is more than the crops mentioned combined (27,090,000). While we will always be regarded as an agricultural state with a farm-based economy, it cannot be denied that mining plays a huge part in the states well being.

One other note of interest is that the United States mining and construction are at the top of the average hourly earnings scale of manufacturing jobs at \$16.72 and \$16.40 per hour respectively. In most rural counties we are the largest and best paying employers. While some people may not want us next door, we are vital to the economy of any area that we are operating in.

Sources:

Kansas State Board of Agriculture
U.S. Bureau of Mines
Kansas Labor Market Information Services



DEPARTMENT OF THE ARMY
U.S. ARMY ENVIRONMENTAL CENTER
CENTRAL REGIONAL ENVIRONMENTAL OFFICE
647 FEDERAL BUILDING
KANSAS CITY, MISSOURI 64106-2896

January 18, 2005

Army Central Region Environmental Office

Re: House Bill ~~2007~~ 2019

Honorable Jene Vickrey
Chairperson, House Governmental Organization and Elections Committee
State Capitol Building
Topeka, KS 66612

Dear Representative Vickrey:

I am writing to you concerning the proposed legislation contained in House Bill 2019, which is currently before your committee. As the Department of Defense, Regional Environmental Coordinator for Standard Federal Region VII, which includes the State of Kansas, I appreciate the opportunity to provide comments to this important legislation. Enclosed for your review, is a copy of our testimony and attachments concerning House Bill 2019. This testimony will be presented at your committee hearing by Mr. Stanley Rasmussen, Regional Counsel for my office.

I welcome the opportunity to work with you and your committee on any matter that may affect Defense installations and agencies in the state of Kansas. If you have any questions, please feel free to contact me by telephone at (816) 983-3548, or e-mail at barton.ives@us.army.mil. I thank you for the opportunity to comment on H.B. 2019 and would appreciate it if you would share this letter with members of your committee.

Sincerely,

Barton O. Ives
DoD Regional Environmental Coordinator
Region VII

Copies Furnished:

Deputy Assistant Secretary of the Army, (Environment, Safety, and Occupational Health)

Commander, U.S. Army Combined Arms Center and Fort Leavenworth

House Gov. Org. & Elections

Date: 1-18-05

Attachment # 11

Commander, 24th Infantry Division (Mech) and Fort Riley
The Adjutant General of Kansas
Commander, 89th Regional Readiness Command, U.S. Army Reserve
Army Installation Management Agency (Northwest Region)
U.S. Army Environmental Center
Commander, Kansas City District, U.S. Army Corps of Engineers
Commander, 22nd Air Refueling Wing, McConnell Air Force Base
Commander, 184th Refueling Wing, McConnell AFB & Smoky Hill ANG Range
Commander, 190th Air Refueling Wing, Kansas Air National Guard, Forbes Field
Commander's Representative, Kansas Army Ammunition Plant
Commander's Representative, Sunflower Army Ammunition Plant
Air Force Regional Environmental Coordinator
Navy Regional Environmental Coordinator

Department of Defense
Regional Environmental Coordinator, Region VII Testimony
House Bill 2019
An Act to Establish Encroachment Restriction Districts

Mr. Chairman and members of the committee, I am very pleased to have this opportunity to speak to you in support of House Bill 2019. This bill addresses an issue that is critical to the military. Increasing incompatible land use around military installations is impeding the way the military can train its Soldiers, Airmen and Sailors. The Department of Defense refers to this issue as encroachment.

Encroachment is becoming, and in some places has already become, a significant national security problem affecting the long-term viability of U.S. military installations. Although most military installations were intentionally sited in remote, sparsely populated areas, population growth, demographic shifts and urban sprawl have gradually brought incompatible development to the doorstep of our facilities. Many installations are no longer insulated from the effects of sprawl. For example:

- Encroachment stops night training when light from nearby shopping centers or other development interferes with Soldiers' night vision equipment.
- Encroachment stops parachute training when new housing developments are built near drop zones.
- Encroachment stops artillery and flight training due to noise complaints from nearby residences.
- Encroachment shrinks training areas when it forces endangered species to migrate inside military installation fence lines to the only natural habitat remaining for them.

The convergence of these encroachment trends occurs in an unplanned and often unanticipated way thus creating a problem for the U.S. military that manifests itself at the local level, but is national in scope and consequences. Mitigation of these impacts takes cooperation and teamwork between the military, state and local governments, and the local community.

As the military transforms its forces for the 21st century, it is likely that the mission of a given installation will also evolve to accommodate modern tactics, weapons and support systems. We do not want to see serious encroachment issues arise for our Kansas installations, but Fort Riley has already had to respond to noise complaints from nearby residences and is looking for ways to avoid such issues in the future. Because HB 2019 formalizes a process of cooperation between the local community, local government, and an installation, and is flexible enough to accommodate changes in the military's future needs, we support this legislation.

In the past few years, at least 12 states have passed 17 bills addressing encroachment at military installations. To date, the Kansas proposal is the most innovative, because it not only provides a formalized process for cooperation between military installations and the local community and government, but also makes this same process available to other entities potentially affected by encroachment. Businesses, farmers, ranchers, wildlife preservation and park areas, schools, hospitals, and even state governmental entities will all be able to avail themselves of the cooperative process this bill contemplates.

The Department of Defense is continually seeking to address potentially adverse mission impacts before a problem arises. Because encroachment is threatening the military's ability to effectively train our Soldiers, Airmen and Sailors, it must be addressed. Accordingly, the Department of Defense is actively partnering with the Council of State Governments, the National Association of Counties, the Environmental Council of States, the National Council States Legislators, the National Governors Association, and other organizations to find solutions that work for all parties. By supporting HB 2019, you can help to promote the long-term viability of our Kansas Military installations.

I thank you for taking the time to consider our comments on this bill. For your reference, I have enclosed a number of informative attachments concerning encroachment at military installations in my written testimony for the record. I thank you again, and I am pleased to respond to your questions.

Attachments:

1. Press Release of the National Governors Association entitled "Civilian Encroachment at Military Bases Threatens State and Local Economies"
2. Article from the *Environmental Communique of the States* by Mr. Alex Beehler, Assistant Deputy Under Secretary of Defense for Environment, Safety and Occupational Health entitled "Compatible Use: Striking a Balance Between Community Growth and the Military Mission."
3. Excerpt from the Statement of Mr. Raymond F. DuBois, Deputy Under Secretary of Defense (Installations and Environment) before the Subcommittee on Readiness and Management Support of the Senate Armed Services Committee, April 1, 2004
4. Slide with aerial view of urban encroachment at Fort Bragg, NC
5. Map of States with enacted Land Use/Encroachment Related Legislation
6. DoD Economic Contribution to the State of Kansas in Fiscal Year 2003



Press Release

Civilian Encroachment At Military Bases Threatens State And Local Economies

Installations Could Close If Encroachment Restricts Training and Operational Missions

WASHINGTON - With military-related issues continuing to dominate the national and international landscape, the National Governors Association Center for Best Practices released its "State Strategies to Address Encroachment At Military Installations" *Issue Brief*. The report presents major policy options states can use to address the threat of incompatible land development near military installations, known as "encroachment." The issue is critical to national security because 80 percent of the nation's military installations are confronting urban growth at a rate higher than the national average.

Governors across the nation continue to focus on encroachment because of the importance of military bases to state economies, national security, and public safety concerns. In the report, NGA identifies five strategies states can use to manage encroachment and related issues:

- **Craft legislation that requires compatible land use.** A handful of states, including Arizona, California, and Oklahoma, are experiencing rapid development of land near military installations and have passed specific legislation to protect their military installations from encroachment.
- **Pass zoning, planning, and noise requirements.** States can promote compatible land use around military installations by encouraging local governments to anticipate future urban growth patterns. A strategic land-use plan can help prevent encroachment if it establishes and requires disclosure of high- noise and accident-potential zones near military bases, and develops zoning codes that support compatible development of land located within these zones.
- **Use statutory language to designate military installations as areas of critical state concern.** While several states have existing statutory language that protects these areas, to date, no state has used such language to protect military installations, but NGA considers it a substantive option.
- **Acquire property surrounding military installations.** Arizona, Florida, Oklahoma, and Nevada have purchased - or are in the process of purchasing - land around some bases. State government can purchase land, partner with conservation groups, and exchange or trade land.
- **Create state military advisory bodies.** States, including Arizona, California, Florida, Georgia, North Carolina, and Texas have established military advisory groups. These commissions aim to protect state military installations from closure, most immediately under the next round of federal Base Realignment and Closure (BRAC) Commission recommendations, scheduled for 2005. Encroachment is considered in base closure decisions.

"As this report makes clear, North Carolina has taken significant strides in addressing the issue of encroachment at military installations, but there is more to do," said North Carolina Gov. Michael Easley. "I look forward to working with our military partners - and with NGA's Center for Best Practices - as I strive to make our state the most military-friendly state in the nation."

By threatening base operations, encroachment also jeopardizes jobs and tax revenue. The military plays a significant economic role at the state and local level. Military installations are often critical to state

economies, accounting for thousands of jobs and for generating billions of dollars in economic activity and tax revenue. They can be even more critical to local economies.

"For decades, the State of Georgia has been privileged to serve as home for important elements of our armed forces from all military services," said Georgia Gov. Sonny Perdue. "As active partners with each entity, we are committed to do whatever is necessary to sustain and improve their ability to accomplish their mission. Encroachment limits that ability, and we are focused on steps to mitigate that problem."

At their recent Winter Meeting, the nation's governors specifically addressed encroachment in their adoption of NGA's Principles for Better Land Use Policy:

The Governors also believe that the federal government should work together with the states and local governments to reduce potential conflict between expanding development near federal military installations and the activities on the base. Incompatible development, often called encroachment, may threaten public safety as well as the ability of the base to carry out its mission. Governors support states, the Department of Defense, and the military services in taking actions to assist local governments to develop and implement better long-term planning for compatible land uses near military bases, particularly air fields, training facilities, routes, and ranges. The aim is not to prevent growth or limit any state or local authority but to encourage land uses that avoid encroachment and are consistent with both the scope of military activities at a particular base and the needs and safety of the neighboring community.

"The continued expansion of sprawl impacting military bases proves that encroachment needs more attention than ever," said Joel Hirschhorn, Director of NGA's Natural Resources Policy Studies Division. "Although NGA has outlined strategies states can use to address the encroachment issue, there is unfortunately no 'one-size-fits-all' solution."

Printed from the NGA web site.

Compatible Use: Striking a Balance Between Community Growth and the Military Mission

by Alex Beehler

Encroachment on U.S. military installations and training ranges is a serious and growing problem for the Department of Defense. It stops night training when light from nearby shopping centers interferes with soldiers' night vision. It stops parachute training when new housing developments are built near drop zones. And it shrinks

training and testing areas when it forces endangered species to migrate inside military installation fence lines to the only natural habitat remaining for them.

Encroachment—a term used by the Department of Defense to refer to incom-

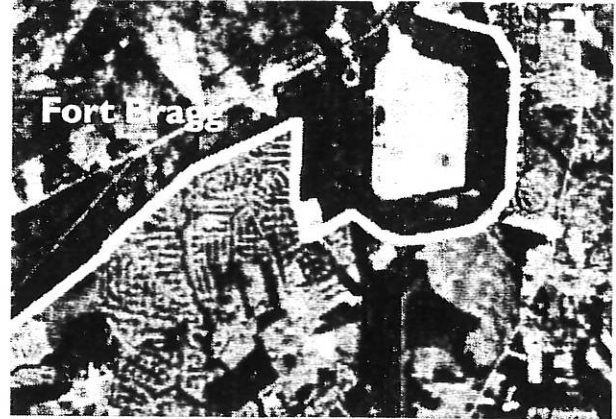
patible uses of land, air, water and other resources near military installations—is the cumulative impact of uncontrolled urban development that disrupts military training or testing on military installations. Unchecked growth and restrictions represent a progressive loss of training capability and now jeopardize the ability of many U.S. military installations to perform their principal missions.

Growth of training needs

DoD is a major user of land, sea and air space. The Army, Navy, Air Force and Marine Corps together manage nearly 30 million acres of land on more than 425 major military installations. DoD requires unfettered access to the lands it manages to train and test its soldiers, sailors, airmen and marines, and to maintain mission readiness.

Readiness is perishable. Skills must be maintained through regular training that simulates actual combat conditions as closely as possible. Further, the ability to test and field advanced military technology is fundamental to warfare. And modern weapons and their accompanying tactics require increasingly large battle spaces.

Most military installations in the United States were established before World War II and were located far from urban areas; however, this is no longer the case. In 2002,



Residential development surrounding Fort Bragg, NC not only threatens to limit military training opportunities, but also diminishes habitat for wildlife, including the endangered Red-cockaded Woodpecker. (Photo: Department of the Army)

the General Accounting Office reported that nearly 80 percent of the nation's military bases were witnessing growth around their fence lines at a rate higher than the national average. At the same time, the activity level of the 21st century military has expanded. While the demands of modern military training call for heavily used training spaces, incompatible resource uses and uncoordinated development near military bases are reducing available military testing and training spaces. The military's increased activity also exposes installation neighbors to more aircraft over-flights, artillery fire, dust and noise.

Real estate developers and local communities generally do not encroach upon their neighboring military bases by design, nor do most regulators aim to curb military operations by promulgating punitive regulations. Most commercial and residential development around bases occurs with little or no coordination with the military base commander—and it may occur one house or building at a time, without the knowledge that a fence-line development might impact a parachute drop zone or that high-impact lighting of a shopping center might affect nighttime training at the base. Encroachment most frequently occurs as local and state communities and the military go about

In this issue...

Ecosystem Connections

Survey: Environmental Trends and State Responses 3

Clean Air Compliance in the South 5

CSG Environmental Task Force

Meetings 6

Green Developments

Harnessing Asian Environmental Opportunities 9

Got Green? CSG Environmental Partnership Projects Deliver in Asia 11

Editor's Letter 12



Volume 11, No. 4

The purpose of Ecos is to present new ideas in state environmental management—including planning, budgeting and legislation—and to serve as a forum for ideas about the roles of states in protecting the environment.

Ecos is published quarterly by the policy department at The Council of State Governments.

CSG Executive Director **Daniel M. Sprague**

Executive Editor **Scott Richards**

Editor **Ron Scott**

Contributing Staff Writer **Karen Marshall**

Contributing Staff Writer
Sundaresan Subramanian

Contributing Writer **Alex Beehler**

Former Staff Writer **Todd Edwards**



The Council of State Governments
Preparing states for tomorrow, today...

The Council of State Governments (CSG), the multibranch organization of the states and U.S. territories, prepares states for tomorrow, today, by working with state leaders across the nation and through its regions to put the best ideas and solutions into practice. To this end, CSG:

- Interprets changing national and international conditions to prepare states for the future.
- Advocates multistate problem-solving and partnerships.
- Builds leadership skills to improve decision-making.
- Promotes the sovereignty of the states and their role in the American federal system.

The Council of State Governments
P.O. Box 11910 • Lexington, KY 40578-1910
Phone: (859) 244-8000 • Fax: (859) 244-8001
Email: rscott@csg.org • Internet: www.csg.org

Compatible Use: Striking a Balance...

continued from page 6

their business independently, without regular communication or coordination.

Partnerships, laws and sustainability programs

To counter the effects of encroachment and establish compatible uses of military lands, the military has begun developing partnerships with state and local governments and nonprofit conservation organi-

zations. Partners work to acquire “buffer zones” around installations that allow the military to continue its training mission, allow plant and animal species to maintain their habitats, and allow growing communities access to open space.

These partnerships range from the Northwest Florida Greenway initiative near Eglin Air Force Base, to the Prairie to Pines Part-

continued on page 7

State Councils to Study Impact of Possible Base Closures

Anticipating the next round of base closures, legislators across the country are organizing military planning councils to measure just how big an impact their military installations have on local economies. Among them is the Maryland Military Installation Strategic Planning Council, established by legislation signed by Governor Robert Ehrlich in June 2003. Maryland Delegate John Bohanan co-sponsored the legislation, basing it on similar bills in other states. “Maryland needs a focused, coordinated federal military installation retention effort within the state in order to protect existing defense installations and facilities within the state,” reads the legislation.

Maryland has 12 major military installations with a combined civilian and military payroll of about \$5 billion, according to the Maryland Department of Business and Economic Development (DBED). The state’s installations also generate about \$15 billion in contracts to Maryland businesses, making them a strong economic engine that state officials don’t want to lose when the Department of Defense recommends base closures in 2005.

“If we didn’t do this, we’d just be more vulnerable,” said Maryland Delegate Mary Dulany James, who co-sponsored the bill and now serves on the council. “I do believe that if the Assembly is vocal and the community is vocal, it will have an impact. We may not save everything we need to save, but it will have impact.”

The Maryland council consists of the presidents of all the state organizations that support military installations in Maryland, including the Army Alliance (representing Aberdeen Proving Ground) and the Southern Maryland Navy Alliance (representing Patuxent River Naval Air Station). Also on the council are community members selected by the governor, and the Maryland secretaries of transportation, business and economic development, and environment. The DBED secretary chairs the council. Members meet monthly before submitting a final report to Governor Ehrlich in December 2004.

“It’s too early to tell how effective it will be,” said James. The president and ultimately Congress determine which installations will close. “But it had to be done. The General Assembly has to have a voice.”

11-8

nership at the Army's Camp Ripley in Minnesota, to the Sandhills Partnership at Fort Bragg, North Carolina. Other state-local-DoD partnerships exist, from the Marine Corps' Camp Pendleton, California to the Army's Fort A.P. Hill, Virginia.

In recent years, states also have begun to pass legislation that aims to minimize encroachment and build compatible uses of air, land and water resources around military installations. In 2004 alone, 11 state legislatures introduced 32 bills relating to compatible land use near military facilities. Each state's unique legislative efforts reflect that state's culture, but the efforts all share common themes: ensure compatible land uses for the military and community, and increase coordination and communication between local governments and military bases.

The most commonly introduced and enacted approaches include variations on the following:

- Acquiring protected conservation areas around military installations through third-party state or local property easements.

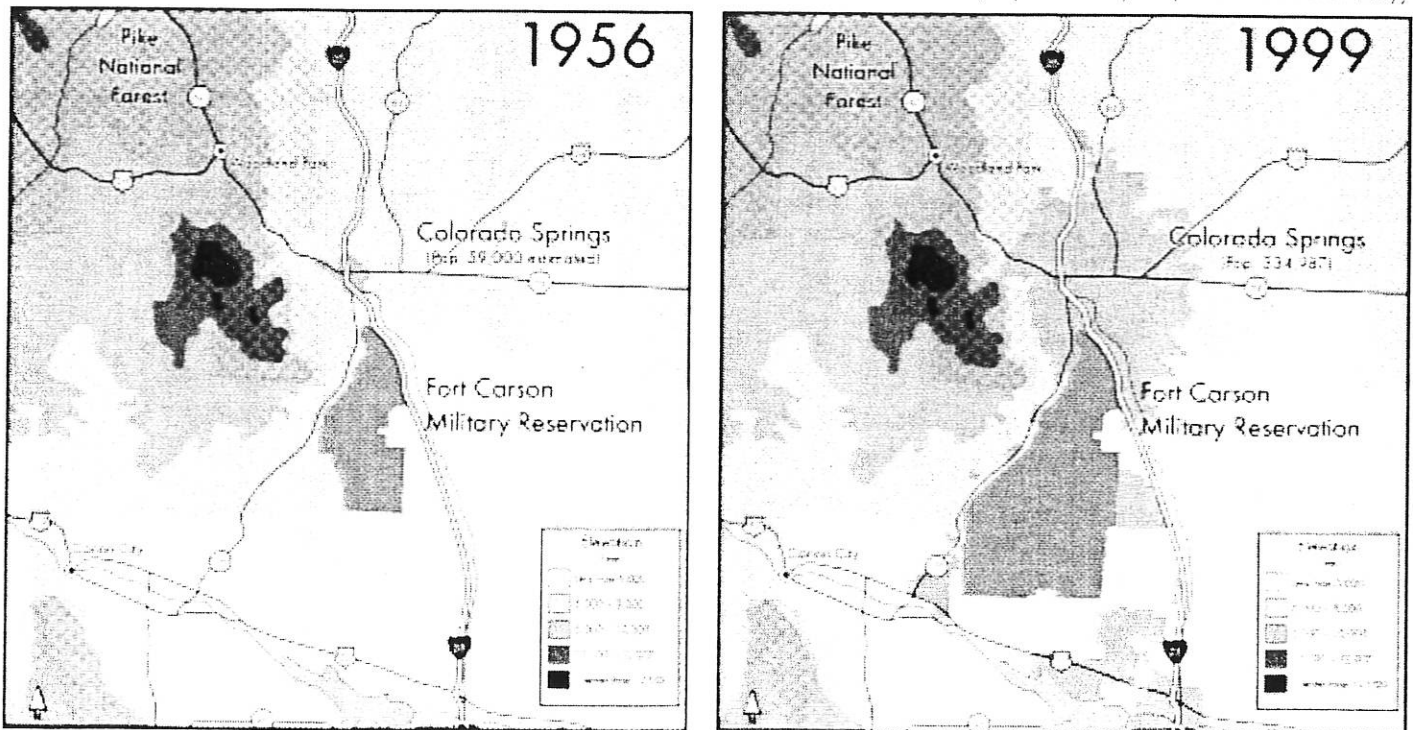
- Requirements that communities and local and state governments coordinate with installation commanders on resource uses and commercial or residential development around military installations.
- Requirements that communities ensure that resource use plans and commercial development and zoning requirements are compatible with the operations and missions of neighboring military installations.
- Requirements that implementation of zoning, land use, noise and nuisance regulations is consistent with the operations and missions of neighboring installations.
- Requirements that local communities perform an impact assessment of land or resource use activities and commercial and residential development on military installations before development proceeds.
- Designating military installations as "areas of critical concern" to raise awareness about installation sustainability challenges.

In 2002, the General Accounting Office reported that nearly 80 percent of the nation's military bases were witnessing growth around their fence lines at a rate higher than the national average.

continued on page 8

With six times as many residents as it had four decades ago, Colorado Springs has expanded to the boundary of the once-remote Fort Carson. Rapid residential and commercial development adjacent to military installations is of increasing concern to the military and state government officials alike.

(Maps courtesy: Department of the Army)



New Laws Seek to Increase Notification about Land Use Plans

Several states have enacted legislation designed to minimize the effects of incompatible land and resource use. Among them are Arizona, California, Florida, Georgia, Illinois, Kentucky, North Carolina, Oklahoma, Texas, Virginia and Washington.

Virginia's HB 714, signed by the governor in April 2004, is one of the simplest new compatible-use laws. It requires a planning commission to give at least ten days advance notice to a military installation commander and an invitation to provide comments or recommendations before any hearing on a proposed change to a comprehensive land use plan, a proposed zoning change, or an application for a special exception for a change in use involving a parcel of land within 3,000 feet of the installation. The law also requires that comprehensive plans and accompanying maps include the location of military bases and military airports and their adjacent safety areas.

Kentucky's HB 357, signed by the governor in March 2003, amends Kentucky's existing law concerning minimum requirements for comprehensive plans. The amended law adds a requirement for accommodation of all military installations greater than or equal to 300 acres that are within or adjacent to the planning unit's boundaries. The goal is to minimize conflicts between the installation and the planning unit's residential population. The provisions are to be made in consultation with command authorities at the installation to determine the installation needs.

Georgia's SB 26, signed by the governor in June 2003, requires that when a zoning proposal or zoning decision involves land near a military base, the appropriate planning department or other agency charged with reviewing zoning proposals and the commander of the affected military installation make recommendations with regard to compatible use. The bill requires that the commander's investigation and recommendations be provided to the planning agency and the governor.

Florida's SB 1604, signed by the governor in May 2004, provides for the exchange of information relating to proposed land use decisions between county and local governments and military installations. It also provides for consideration by the county or local planners of comments by the commanding officer on local land use decisions affecting the installation. In addition, the bill provides for a representative of a military installation to serve as an ex-officio, non-voting member of the county or local government's land planning or zoning boards and encourages the commanding officer to provide information on community planning assistance grants. Finally, SB 1604 requires the future land use plan element of comprehensive plans to include compatibility with military installations.

Washington's SB 6401, signed by the governor in March 2004, makes protecting land around Washington military installations from incompatible development a state priority. The bill provides that comprehensive plans, development regulations and their amendments should not allow incompatible development in the vicinity of a military installation; that the commander of a federal military installation of 100 or more personnel shall be notified by a city or county of its intent to amend its comprehensive plan or development regulations to address lands adjacent to the installation; and that the installation commander will have 60 days to provide written comments and supporting facts.

North Carolina's SB 1161 was signed by the governor in July 2004. The law gives military commanders an opportunity to provide input on local land use and zoning decisions. It requires city and county planning agencies that are considering adopting or modifying zoning ordinances that would affect use of land within five miles of a military base to provide written notice of their proposal. Local agencies must notify the installation commander not less than ten days before the date of the public hearing on the ordinance. The planning agency then must consider military comments or analysis regarding the proposal's compatibility before making a final determination.

- Creating military advisory boards composed of state and local officials, military liaisons and other stakeholders to facilitate discussion and develop policy to minimize encroachment around military installations.

Success on the battlefield is critically linked to realistic, live training on military installations. A nation at war requires its

installations to provide trained and tested soldiers, sailors, airmen and marines. By increasing coordination and communication and working out compatible use issues, local and state governments and the military can—and do—work together to sustain installation training and testing missions over the long run and to improve the quality of life for surrounding communities.

For more information, contact Jan Larkin, Office of the Assistant Deputy Undersecretary of Defense at Janice.larkin@osd.mil.

Alex Beehler is Assistant Deputy Undersecretary of Defense for Environment, Safety and Occupational Health.

Excerpt from the Statement of Mr. Raymond F. DuBois, Deputy Under Secretary of Defense (Installations and Environment) before the Subcommittee on Readiness and Management Support of the Senate Armed Services Committee, April 1, 2004

Range Sustainment

Another key initiative is our effort to ensure access to needed test and training ranges and installations to support both current and future requirements. This involves mitigating the effects of encroachment around these facilities, and posturing our test and training infrastructure for sustainable operations.

Training provides our soldiers, sailors, airmen and marines the combat skills they need to win and return safely to their families. Experience has taught us that realistic training saves lives. Training, however, requires substantial resources; air, land and water where military forces can train as they would fight – replicating the challenges, stress, discomfort, physical and psychological conditions of actual combat.

Encroachment at installations, training ranges and test sites, however, interferes with the ability of our military to train and execute their missions. Encroachment comes from many sources – environmental, urban and suburban sprawl, airspace restrictions, and the frequency spectrum. Endangered species and their critical habitats in or near gunnery or bombing ranges also can reduce test and training access. As access is restricted due to encroachment, training opportunities for our men and women in uniform become increasingly limited in terms of time, scope, or realism with cumulative impact on military readiness.

The Department deeply appreciates the action of Congress in adopting key provisions in both the fiscal year 2003 and fiscal year 2004 National Defense Authorization Acts that were part of the Administration's Readiness and Range Preservation Initiative (RRPI). These provisions are key enablers of range sustainability. For example, one of the most useful provisions for countering physical encroachment due to incompatible development is Section 2811 of the 2003 Act. This provision allows the Services to take a proactive role in developing programs to protect installations and ranges from urban sprawl by working with states and non-governmental organizations to promote sound land use.

To assist the Services in implementing this authority and forming compatible land use partnerships at the state and local level, the President's FY 2005 Budget request includes a new initiative of \$20 million targeted to our new authority – to assist in developing new policies, partnerships, and tools to assist communities and other interested stakeholders in executing compatible land use partnerships around our test and training ranges and installations. The new request is intended to build upon ongoing efforts – innovative win/win partnerships with our neighbors to enhance conservation and compatible land use on a local and regional basis.

11-11

Clearly, to protect our military we must also protect our all important test and training ranges. Substantial urban growth and other "encroachment" around previously isolated ranges have strained our ability to conduct necessary testing and training essential to maintaining readiness. In response to this challenge, we are working to expand efforts to sustain our training mission and protect the valuable natural resources entrusted to our care. Both are required as we endeavor to ensure that our men and women in uniform get the best training available. Our troops deserve the best.



FORT BRAGG ENCROACHMENT

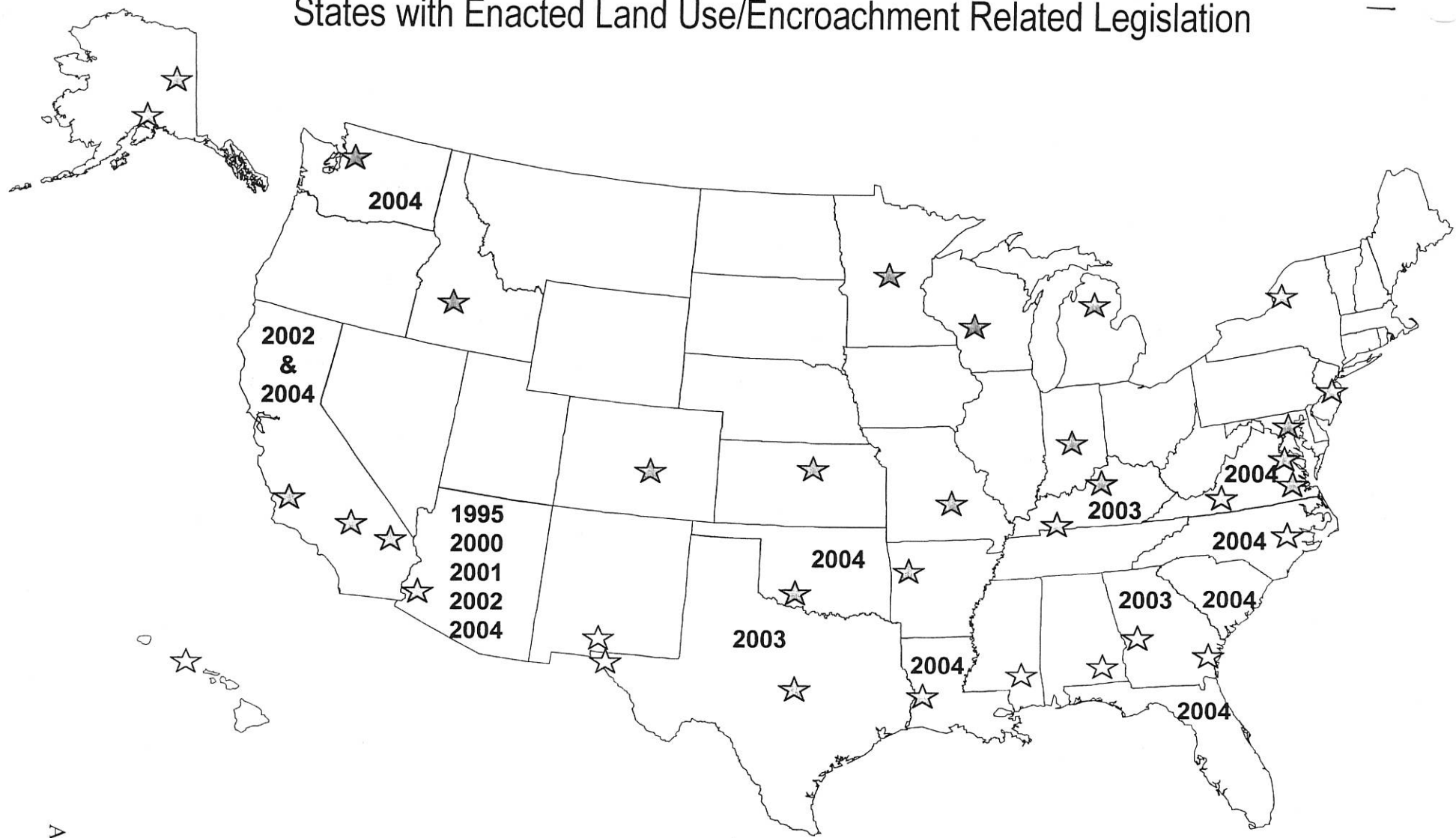


11-13

Attachment 4

11-13

States with Enacted Land Use/Encroachment Related Legislation



□ Legislation Enacted

□ Legislation Introduced/Pending

★ Major training installations with strategic or significant training value to the Army - Tier 1 & 2 installations*

* HQDA, Army Range and Training Land Strategy, Army Publication, 30 January 2004



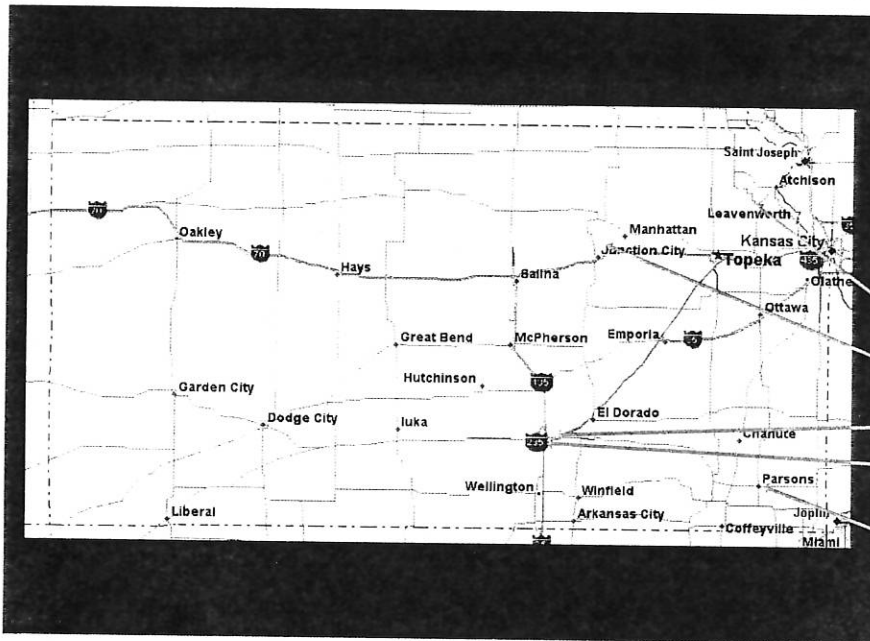
**U.S. Army Environmental Center
Central Regional Environmental Office**

601 E. 12th Street, Suite 647
Kansas City, MO 64106-2896
Contact: Stanley Rasmussen
Regional Counsel
(816) 983 3448

<http://www.denix.osd.mil/denix/State/Partnering/REC/rec.html>



DoD Economic Contribution to the State of Kansas



Key Military Facilities

- Fort Leavenworth
- Fort Riley
- McConnell Air Force Base
- US Army Reserve, 89th Regional Support Command
- Kansas Army Ammunition Plant
- 73 National Guard Facilities and 37 Reserve Training Centers

- Personnel (Military and Civilian): 37,434*
- DoD Expenditures: \$2,589,854,000*
- Kansas is home to:
 - Fort Leavenworth, the primary school for training military officers who will lead the Army in the future and the location of the only disciplinary barracks for the Department of Defense .
 - Fort Riley, the Headquarters for the 24th Infantry Division (Mechanized); host to the 1st Brigade Combat Team, 1st Infantry Division, 3rd Brigade Combat Team, 1st Armored Division and the 937th Engineer Group (Combat); headquarters for the 6th Brigade, 25th Infantry Division (to be established in FY2006); and host to a "Top of the Line" Battle Simulation Center that utilizes "State of the Art" equipment used to conduct Brigade/Battalion Battle Simulation exercises.
 - McConnell Air Force Base, the home to one of only three supertanker wings that provide global reach to the Air Force.
- Highlights
 - Federal facilities are subject to all applicable federal and state environmental laws and regulations.
 - DoD is implementing Environmental Management Systems at all appropriate installations.
 - The Army has mandated that all new construction will be to the "gold" criterion for green construction.
 - DoD has been reducing waste streams for approximately 10 years and is continuing to do so.
- Issues
 - Sustainability of installations.
 - Land use and local planning

* Data are for 2003. For more details see the back of this page.

DoD Economic Contribution to the State of Kansas FY 2003

	Total	Army	Navy & Marine Corps	Air Force	Other Defense Activities
I. Personnel	37,434	28,596	1,454	7,014	370
Active Duty Military	16,547	13,264	163	3,120	0
Civilian	5,925	4,456	1	1,098	370
Reserve and National Guard	14,962	10,876	1,290	2,796	0
II. Expenditures in Thousands of Dollars	\$2,589,854	\$1,408,082	\$128,857	\$968,442	\$84,473
A. Payroll Outlays - Total	1,340,690	923,873	66,283	335,045	5,489
Active Duty Military Pay	645,807	504,032	6,439	135,336	0
Civilian Pay	251,949	188,252	17	48,191	15,489
Reserve & National Guard Pay	108,773	71,289	1,618	35,866	0
Retired Military Pay	334,161	160,300	58,209	115,652	0
B. Contracts – Total	1,222,024	459,106	61,675	632,272	68,971
Supply/Equipment Contracts	636,373	94,189	53,378	427,087	61,719
RDT&E Contracts	93,002	12,456	3,689	76,433	424
Service Contracts	372,285	32,328	4,608	128,521	6,828
Construction Contracts	109,046	108,815	0	231	0
Civil Function Contracts	11,318	11,318	0	0	0
C. Grants	27,140	25,103	899	1,125	13

Expenditures (\$000) Major Locations	Total	Payroll Outlays	Grants/Contracts	Military & Civilian Personnel Major Locations	Total	Active Duty Military	Civilian
Wichita	\$731,156	\$74,107	\$657,049	Fort Riley	12,773	10,662	2,111
Fort Riley	661,147	489,748	171,399	Fort Leavenworth	4,501	2,832	1,669
Fort Leavenworth	311,910	203,618	108,292	McConnell AFB	3,820	2,906	914
McConnell AFB	217,898	173,813	44,085	Wichita	311	55	256
Arkansas City	87,590	1,584	86,006	Topeka	304	26	278
Topeka	78,087	33,821	44,266	Forbes Field	280	5	275
Leavenworth	39,643	33,663	5,980	Lawrence	59	33	26
Forbes Field	35,111	35,063	48	Olathe	57	1	56
Manhattan	33,266	20,776	12,490	Salina	44	2	42
Olathe	27,161	11,966	15,195	Manhattan	41	3	28

Prime Contract Awards (\$000) (Prior 7 Fiscal Years)	Total	Army	Navy & Marine Corps	Air Force	Other Defense Activities
2002	\$1,222,936	\$448,721	\$31,402	\$684,209	\$58,604
2001	930,042	324,832	27,889	515,396	61,926
2000	890,728	291,884	21,894	466,961	109,989
1999	887,380	266,966	6,627	528,875	84,912
1998	1,007,244	342,877	43,209	542,191	78,967
1997	688,413	251,228	7,768	367,464	61,953
1996	762,594	283,552	31,986	386,102	60,955

Top 10 Contractors Receiving the Largest Dollar Volume of Prime Contract Awards in this State	Total Amount (\$000)
The Boeing Company	\$291,811
Raytheon Company	273,846
General Electric Company, Inc	82,286
Northrop Grumman Corp	50,551
MMC Corp	32,546
Kansas Building Systems	16,361
Westar Energy, Inc	14,807
Cubic Corporation	14,250
Envision	13,921
Day & Zimmerman, Inc	13,441

Source: Department of Defense, Directorate for Information Operations and Reports (DIOR), Statistical Information Analysis Division (SIAD), http://web1.whs.osd.mil/MMID/L03/fy03/ATLAS_2003.pdf

TESTIMONY

HB 2019 House Govt. Org. & Elect. Committee January 18, 2005

Mr. Chairman and members of the Committee, my name is Art Brown and I represent the lumber and building material dealers in the State of Kansas through the Mid-America Lumbermens Association. I stand before you today to express our support of House Bill # 2019.

Our members fall into a category of needing a large physical plant to adequately handle the inventory our business requires, not so unlike farm implement dealers or some cases automobile dealers. Generally, in the community our members serve, we need to locate our businesses in the area outside of posted city limits. The land is usually less expensive and in many cases the tax base is lower. As time goes on, the community grows and at some point development ends up in proximity of our business location. This is all well and good until issues start to arise about the aesthetics of the inventory of our business or other issues not in concert with those living in proximity of our members location. This bill allows for protection for us to maintain our business at that location as long as certain safeguards mandated by the local unit are in place. We feel if we meet the criteria of being

House Gov. Org. & Elections
Date: 1-18-05
Attachment # 12

responsible business operators and can work to make sure our physical plant is within the environmental and regulatory requirements set down by the local municipality. that we should be able to maintain our location and be prevented from any zoning issues or lawsuits that would lead to a costly change in location that can decimate or possibly close that business.

The bill is straightforward and we thank the author of the bill for bringing it to the Legislature for your consideration. We are hopeful you as a Committee see the merit of this issue and move HB 2019 out of this Committee favorably.

Thank you for your time today to address you on this issue and I will address any questions or comments you may have regarding this testimony.



PUBLIC POLICY STATEMENT

HOUSE COMMITTEE ON GOVERNMENT ORGANIZATION AND
ELECTIONS

Re: HB 2019—Encroachment Restriction Districts.

January 18, 2005
Topeka, Kansas

Testimony provided by:
Terry D. Holdren
Local Policy Director
KFB Governmental Relations

Chairman Vickery, and members of the House Committee on Government Organization and Elections, thank you for the opportunity to appear before you today. I am Terry Holdren and I serve as the Local Policy Director—Governmental Relations for Kansas Farm Bureau. As you know, KFB is the state's largest general farm organization representing more than 40,000 farm and ranch families through our 105 county Farm Bureau Associations.

HB 2019 would allow local units of government authority to place restrictions on privately held property at the request of nearby landowners through the establishment of an encroachment restriction district. The bill lists potential restrictions on items such as light, noise, height and distance requirements, which could be regulated in any future use of nearby properties. Restrictions like these allow one landowner to control practices and to potentially limit the opportunities of his or her neighbors.

Kansas Farm Bureau has vigorously supported the rights of individual landowners to use their property as they see fit—this proposal would permit potentially perpetual limits on those rights. We cannot support this bill and ask that the committee take appropriate action. Thank you.