

SESSION OF 2002

SUPPLEMENTAL NOTE ON SENATE BILL NO. 527

As Recommended by Senate Committee on
Elections and Local Government

Brief*

SB 527 alters the procedure for the transfer of territory from one drainage district to another. The bill establishes a procedure whereby one or more of the affected drainage districts may petition the board of county commissioners for a hearing following proper notice to decide the transfer issue.

The petition shall:

- ! Describe the territory to be transferred;
- ! State from what drainage district and to what drainage district the transfer is sought;
- ! State that the proposed transfer has been recommended by at least one of the drainage districts;
- ! State either that:
 - " the proposed transfer of territory will result in more efficient or more adequate protection of the territory described in the petition from overflow or damage and injury or will be conducive to the public health, convenience, and welfare; or
 - " the district requesting the transfer of territory is obligated to operate or maintain one or more dikes, levees, or other flood control works previously constructed by the United States Army Corps of Engineers or other agencies of the United States government on the territory requested for transfer;

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org/cgi-bin/fulltext/bills.cgi>

- ! Contain a prayer that the territory described in the petition be transferred from one drainage district to another; and
- ! Contain any other information in support of the proposed transfer.

If the board of county commissioners determines that the petition conforms to the requirements of the act, and that the allegations in the petition are true, then the board of county commissioners must declare the territories described to be detached from the one drainage district, and attached to the other drainage district and fix the date that such transfer shall become effective. The board may order the transfer of all or part of the territory described in the notice of hearing.

Background

The bill was supported by Senator Jackson and representatives of the North Topeka Drainage District. The bill was opposed by representatives of the Kaw River Drainage District.

Current law dealing with transfer of territory requires both drainage districts to agree to the transfer.

The bill has no fiscal impact on the state.