

MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairperson Barbara Allen at 1:30 p.m. on January 27, 2004 in Room 423-S of the Capitol.

All members were present.

Committee staff present:

Mike Heim, Legislative Research
Martha Dorsey, Legislative Research
Ken Wilke, Revisor of Statutes
Nancy Kirkwood, Committee Secretary

Conferees appearing before the committee:

Brad Bryant Deputy Assistant, Secretary of State
Senator Barnett
Senator Schmidt
Representative Peggy Long-Mast
Bill Walker, Fire Administrator, Coffey County Dist #1, representing Kansas State Association of Fire Chiefs
Pat Lehman, Kansas Fire Service Alliance
Elmer Ronnebaum, Representing Kansas Rural Water Association
Ron Appletoft, Governmental Affairs Coordinator, Water Dist#1, Johnson County
Ed Jaskinia, Representing, The Associated Landlords of Kansas
Kim Gulley, League of Municipalities
Walter L. Myers

Others attending:

See Attached List.

Chairperson Allen called for bill introductions. Brad Bryant on behalf of the Secretary of State requested a committee bill to put Kansas state laws into compliance with the Help America Vote Act of 2002 (Attachment 1). Senator Schmidt made a motion to introduce, seconded by Senator O'Connor. The motion carried.

Chairperson Allen asked for a committee bill to address the "Cole v. Mayans", allowing candidates to transfer funds from one campaign committee to another campaign committee if you chose to run for a different office. It includes state to state, state to local, local to state, and would be retroactive, Senator Buhler moved and Senator O'Connor seconded, to introduce a bill. The motion carried. Chairperson Allen informed the committee it would be hearing the bill next week.

Hearing on:

SB 292 - Purchase or installation of fire hydrants by fire districts

Senator Barnett testified in support of **SB 292**. He stated **SB 292** would allow rural fire districts to purchase fire hydrants as firefighting equipment and contract with rural water districts to obtain an adequate water supply (Attachment 2).

Senator Schmidt handed out written testimony on **SB 292** in support (Attachment 3).

Representative Peggy Long-Mast recognized by Chairperson Allen spoke in support of **SB 292** (Attachment 4).

Chairperson Allen welcomed Bill Walker, to the committee. Mr. Walker testified with the continuous rapid growth within the rural area is the growth in capability of the rural water districts to supply these residences and businesses with their day to day needs. He is in support of **SB 292** (Attachment 5).

Chairperson Allen recognized Pat Lehman representing the Kansas Fire Service Alliance. Mr. Lehman stated **SB 292** is important for authorizing fire districts and townships to use resources to enhance their

CONTINUATION SHEET

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ability to fight fires effectively ([Attachment 6](#)).

Elmer Ronnebaum recognized by Chairperson Allen testified in support of **SB 292** with an amendment. Mr Ronnebaum testimony suggests that the words “and/or flush hydrants” be inserted after “fire hydrants” ([Attachment 7](#))

There being no other proponents to speak to **SB 292**, Chairperson Allen welcomed Ron Appletoft, Governmental Affairs Coordinator to the committee. He appeared as neutral and offered an amendment with slight wording change to clarify the bill. The language that **SB 292** adds is repeated 11 times in the bill. The Water District #1 asks that in each instance the language be amended to clarify 1) this bill applies to rural water districts, 2) any changes as to acquisition, installation and maintenance of fire hydrants are mutually agreeable to both the fire district and the rural water district ([Attachment 8](#)).

Chairperson Allen asks the interested parties to join Senator Schmidt to come to an agreement and furnish the committee when action on **SB 292** is taken.

There being no others to testify on **SB 292**, Chairperson Allen closed the hearing.

SB 328 - Cities and Counties - limitations on lien for unpaid sewer charges

Chairperson Allen opened the hearing on **SB 328**. Senator Schmidt, recognized by the Chair, testified **SB 328** would eliminate the option to obtain a lien against rental property for unpaid sewer and water bills that are contracted for and owed by the tenant ([Attachment 9](#)). Senator Schmidt’s testimony included written testimony from Walter L. Myers in support of **SB 328** ([Attachment 10](#)).

Chairperson Allen recognized Ed Jaskinia to testify before the committee. Ed presented testimony in support of **SB 328** ([Attachment 11](#)).

There being no other proponents to **SB 328**, Chairperson Allen called for opponents.

Kim Gulley, recognized by Chairperson Allen spoke in opposition to **SB 328**. Ms. Gulley said under state law, and most city ordinances, cities are allowed to collect water and sewer charges from landlords if a particular tenant refuses to pay their bill. There are three key reasons for this policy 1) water and sewer service run with the land, 2) equity, 3) landlords have alternatives. **SB 328** would amount to a subsidy of landlords by property owners who pay their bills appropriately ([Attachment 12](#)).

Senator Buhler asked for more information regarding a list of cities who have local ordinances or codes. Chairperson Allen made a request to the League of Municipalities to furnish the committee with this information before the committee takes any action on **SB 328**.

There being no others to testify on SB 328, Chairperson Allen closed the hearing.

The next meeting is scheduled for Thursday, January 29.

The meeting adjourned at 2:30 p.m.