

STATE OF KANSAS



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AND ENVIRONMENT

Testimony on HB 2062 Local Government Committee January 29, 2013

Mr. Chairman, Members of the Committee:

I appreciate the opportunity to provide you additional information in support of HB 2062, a bill to permit residents of a fire district to withdraw after either: a) approval of the petition by the fire district's ruling body (current law), or b) upon petition and an election of affected residents.

Key components of the bill are: a) that if the fire district's governing body does not approve the withdrawal, an election of eligible residents must be held; b) if a majority of eligible residents approve of the withdrawal, those residents remain legally liable for their share of the fire district's indebtedness at the time of withdrawal.

The decision to withdraw is collectively based on insurance premium rates that are based on such factors as distance from fire hydrants and fire stations, response time of the responding fire equipment, and number of volunteer fire fighters within close proximity to the fire station.

The Douglas County Commissioner recognized that a petition signed by 25 percent of the eligible residents is inadequate and asked for an amendment to raise that number to 51 percent. I have requested the Revisor of Statutes to draw such an amendment for your consideration. The Osage County Commissioner's objection to the bill was based on the inadequacy of the initial 25 percent requirement.

The County Commissioners of Douglas and Osage County will be working to resolve the issue, but HB 2062 remains important because: a) it has applications in other counties and fire districts, and b) provides the impetus for Douglas and Osage County Commissioners to resolve the Marion Township-Osage County Fire District #4 coverage and response time problems. I ask you to approve HB 2062, with the proposed amendment, because it is responsible public policy that protects the interests of home owners and fire districts.

Thank you for your consideration.