

MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT COMMITTEE.

The meeting was called to order by Chairperson Barbara P. Allen at 1:30 p.m. on March 11, 2003 in Room 245-N of the Capitol.

All members were present.

Committee staff present: Ken Wilke, Revisor of Statutes  
Dennis Hodgins, Legislative Research  
Mike Heim, Legislative Research  
Nancy Kirkwood, Committee Secretary

Conferees appearing before the committee: Judy Moler, Association of Counties  
David Yearout, Baughman & Co.  
John Todd, citizen of Wichita  
Kelly Wendeln, citizen of Chanute  
Tom Wiggins, citizen of Valley City  
Gary Simpson, citizen of Sumner County  
Robert Goode, citizen of Sumner County  
Cole Smith, citizen of Wellington  
Gary Hansen, Kansas Rural Water Association  
Gayle Bayless, Manager; Water District #7  
Meryl Dye, Special Assistant to City Manager, Hutchinson  
Karl McNorton, Chief Deputy State Fire Marshal  
Neil Dobler, Director Department of Public Works, Topeka  
Don Rankin, Superintendent Water Division For Department  
Public Works, Topeka

Others attending: See attached list.

**Hearing on:**

**HB 2112 - Enforcement of county codes and resolutions**

Chairperson Allen started the meeting by announcing the opening of the hearing on **HB 2112**.

Judy Moler from the Association of Counties testified on behalf of **HB 2112** (Attachment 1), stressing that this bill does not give counties any more power that they already have. David Yearout of Baughman & Company appeared before the committee representing Kansas Association of Planning and Zoning Officials, also reiterating this provides for no increase in county power as part of his support for **HB 2112** (Attachment 2). The committee members asked a few questions of the proponents and then Chairperson Allen asked for any additional proponents wishing to testify; no one came forward. In opposition to the bill, the following citizens testified against the passage of **HB 2112**: John Todd testified and discussed possible changes (Attachment 3), Kelly Wendeln (Attachment 4), Tom Wiggins (Attachment 5), Gary

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Simpson (Attachment 6), Robert Goode (Attachment 7), and Cole Smith (Attachment 8). The common theme in their testimony was concern for the amount of power the counties would then have to infringe on property rights of the rural populations. Chairperson Allen requested that Mr. Todd provide the committee with balloons for the amendments he mentioned in his testimony. Chairperson Allen called for anyone else wishing to testify as an opponent of **HB 2112**; no one came forward. Chairperson Allen asked for any questions of the committee. Senator O'Connor raised a question regarding the mill levy and the ability of the counties to raise taxes and fines and now make money off of this bill should it pass. After numerous conferees attempted to speak, the question was directed to staff member, Mike Heim. Mr. Heim attempted to explain that power to tax and fine already belongs to the local areas, this could possibly be seen as making it easier to enforce and collect on these fines. Once all questions were answered the hearing was closed.

**Hearing on HB 2003 - Rural water supply districts; acquisition of system by adjoining municipality**

Chairperson Allen announced the opening of the hearing and the distribution of written testimony provided by Representative Sloan, who was unable to be present, the testimony is given to support the passage of **HB 2003** (Attachment 9). Gary Hansen, General Counsel for Kansas Rural Water Association was the first to appear as a proponent to **HB 2003** (Attachment 10). Gayle Bayless, Manager for Water District #7 in Shawnee County also testified her support of **HB 2003** (Attachment 11), pointing out the discrepancy in water costs which currently exist and the benefit this bill will bring to those most in need of this cost reduction.

Due to Chairperson Allen's concern for time, and the conferee on the next bill had driven in from Hutchinson, Kansas, she announced that the hearing on **HB 2003** was being held open and at this time the committee opened the next hearing.

**Hearing on HB 2201 - Fires and explosions; persons who may investigate**

Meryl Dye, Special Assistant to the City Manager for the City of Hutchinson, testified in favor of **HB 2201** (Attachment 12). In addition, Karl McNorton, Chief Deputy State Fire Marshall, provided testimony to support the passage of **HB 2201** (Attachment 13) including a slight amendment which was also given to committee members. Chairperson Allen called for anyone else wishing to testify for or against the bill or for any questions. No response. Chairperson Allen closed the hearing on **HB 2201**.

Chairperson Allen announced the return to the hearing on **HB 2003 - Rural water supply districts; acquisition of system by adjoining municipality**.

Neil Dobler, Director Department of Public Works for the City of Topeka was recognized. He testified in support of **HB 2003** (Attachment 14). Don Rankin, Superintendent for Water Division of the Department of Public Works, Topeka, also promoted the passage of **HB 2003** (Attachment 15).

Chairperson Allen announced that the hearing on **HB 2003** would remain open, there would be no meeting on March 12, 2003, but when the committee meets on Thursday, March 13, 2003 the first few

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minutes will be devoted to addressing any questions of the committee on **HB 2003** so the hearing can be concluded then.

**Adjournment**

Meeting Adjourned at 2:30 p.m.