

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT.

The meeting was called to order by Chairman Vickrey at 3:30 p.m. on January 28, 2003 in Room 519-S of the Capitol.

All members were present except:

Committee staff present: Mike Heim, Legislative Research Department  
Kathie Sparks, Legislative Research Department  
Theresa Kiernan, Office of the Revisor of Statutes  
Maureen Stinson, Committee Secretary

Conferees appearing before the committee:

Rep. Candy Ruff	
Rick Huhn	Delaware Township Fire Department
Kenneth Bernard	City of Lansing
David Van Parys	Leavenworth County
Pat Shaffer	Butler County Rural Water District # 5
Dennis Schwartz	Shawnee County Rural Water District # 8
Lois Fulkerson	Leavenworth County Rural Water District # 1
Randall Allen	Kansas Association of Counties
*Rep. Tom Sloan	

\*written testimony only

Others attending: See attached list

Judy Moler, Kansas Association of Counties requested the following bill:

- proposed legislation that would amend K.S.A. 19-101d to extend to **all** counties the authority to have a local code court system

Without objection, the bill request was adopted as a committee bill.

Chairman Vickrey opened the hearing on:

**HB 2044 fire districts; board of trustees**

Rep. Candy Ruff appeared as a proponent of the bill (Attachment 1). She stated that members of the Delaware Township Fire Department, the City of Lansing, the High Prairie Township and the Leavenworth County Commissioners asked legislators for assistance in changing State law concerning appointment of members to local fire districts.

Rick Huhn, Fire Chief, Delaware Township Fire Department, testified in support of the bill (Attachment 2). He testified that the following were benefits associated with forming a fire district:

- provides lower costs to participants - mil levy would be equalized
- all entities get daytime coverage that they would not necessarily want or able to fund individually
- all entities to be represented in the new fire board

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Kenneth Bernard, Mayor, City of Lansing, appeared as a proponent of the bill (Attachment 3). He said that passage of the proposed legislation would greatly enhance plans for future growth of the City of Lansing and the corresponding fire protection to facilitate that rapid growth. He urged passage of the bill.

David Van Parys, County Counselor, Leavenworth County, testified in support of the bill (Attachment 4). He stated that it is the desire of all governmental entities involved, including the Board of County Commissioners of Leavenworth County, that the authority to appoint the board of trustees of the proposed Fire District be devolved to a joint board formed by the City of Lansing and Delaware and High Prairie Townships. He said the bill serves as an encouragement for the formation of Fire Districts by agreement between local governmental units by offering the option of devolution of the control of the Fire District to the most local level of government.

There were no opponents of the bill.

The Chairman closed the hearing on **HB 2044**.

The Chairman opened the hearing on:

**HB 2045 rural water districts; relocating water lines for county road and highway projects.**

Written testimony only in support of the bill was received from:

Rep. Tom Sloan

He testified that the bill extends the reimbursement policy now available for rural water districts on state highway projects.

Pat Shaffer, Manager, Rural Water District # 5, Butler County, testified in support of the bill (Attachment 6). She stated that the bill would ensure that rural water districts would be reimbursed for costs associated with pipeline relocations on county projects where state or federal funding is involved.

Dennis Schwartz, General Manager, Rural Water District # 8, Shawnee County, appeared as a proponent of the bill (Attachment 7). He stated that most road improvement projects are planned to benefit the general motoring public, and as such, they logically and equitably are support by some State and frequently, some Federal monies. He said that affected rural water districts are supported locally only by their member consumers and do not normally plan for the type of expenses that might be caused by road and highway projects.

Lois Fulkerson, Manager, Consolidated Rural Water District # 1, Leavenworth County, testified in support of the bill (Attachment 8). She testified that money spent for relocation costs could be better utilized through the installation of new mains, fire hydrants or new water towers, ensuring an adequate supply of water.

There were no opponents to the bill.

Randall Allen, Executive Director, Kansas Association of Counties, provided neutral testimony on the bill (Attachment 8). He stated concern with the retroactive nature of the bill's application, with the new standard

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for reimbursement or nonreimbursement to projects currently in progress. He asked for the following amendment:

- striking the language in line 23 (“including any projects currently in progress”)

The Chairman closed the hearing on **HB 2045**.

**HB 2003 rural water districts; providing procedures for acquisition of such districts’ water supply and distribution systems by certain municipalities**

Rep. Campbell made a motion to amend the bill on page 2, in line 8, by striking “10%” and inserting “20%.” Rep. Yonally seconded the motion. The motion carried.

Rep. Campbell made a motion for the favorable passage of the bill as amended. Rep. Reitz seconded the motion.

Rep. Campbell made a substitute motion to amend the amended bill by inserting language in line 15, “Each participating member shall be entitled to a single vote, regardless of the number of benefit units to which such member has subscribed.” Rep. Reitz seconded the substitute motion. The motion carried.

Rep. Campbell made a motion for the favorable passage of the bill as amended. Rep. Reitz seconded the motion. The motion carried.

Mike Heim, Research Analyst, Legislative Research Department, made a presentation concerning the impact of State budget cuts on city and county budgets. Copies of selected pages of “The Governor’s Budget Report FY 2004” (Attachment 10) and a table titled “Office of Kansas State Treasurer - Distributions to Counties” (Attachment 11) were distributed to the committee members.

The meeting was adjourned at 4:55 p.m.

The next meeting is scheduled for February 4, 2003.