

MINUTES OF THE HOUSE LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairman Jene Vickrey at 3:30 p.m. on January 22, 2004 in Room 519-S of the Capitol.

All members were present except:

Representative Deena Horst- excused
Representative William Kassebaum- excused

Committee staff present:

Martha Dorsey, Legislative Research Department
Mike Heim Legislative Research Department
Theresa Kiernan, Office of the Revisor of Statutes
Maureen Stinson, Committee Secretary

Conferees appearing before the committee:

Representative Peggy Long-Mast
Bill Walker
Pat Lehman
Ron Appletoft

Others attending:

See Attached List.

Bill Introductions

Mike Pepoon, Government Relations, Sedgwick County, requested a committee bill on behalf of Sedgwick County, Johnson County, and the Kansas Association of Counties. The proposed legislation would repeal K.S.A. 19-211. He said the current statute creates numerous restrictions on a county's ability to dispose of real and personal property.

Without objection, the request will be introduced as a committee bill.

Theresa Kiernan, Office of the Revisor, requested a new committee bill on behalf of Representative Lane. The proposed legislation would make any convention and visitor's bureau or committee or similar organization or group which receives bed tax money subject to the open meetings act and open records act.

Without objection, the request will be introduced as a committee bill.

Rep. Toelkes, Ranking Minority Member, requested a committee bill concerning the public employer-employee relations act. The proposed legislation would eliminate the local action portion so that everyone follows the same statute.

Without objection, the request will be introduced as a committee bill.

Chairman Vickrey requested a committee bill seeking to exempt military veterans' personal information from the Kansas Open Records Act.

Without objection, the request will be introduced as a committee bill.

CONTINUATION SHEET

MINUTES OF THE HOUSE LOCAL GOVERNMENT COMMITTEE at 3:30 p.m. on January 22, 2004 in Room 519-S of the Capitol.

Chairman Vickrey opened the hearing on:

HB 2528 **Concerning fire protection: authorizing payment for acquisition, installation or maintenance of fire hydrants by fire districts**

Rep. Peggy Long-Mast said that the bill deals with allowing fire districts the opportunity to purchase rural fire hydrants if funds are available (Attachment 1). She said under current statutes, the law does not allow fire districts to spend money on anything that is not deemed to be fire equipment and after appealing to the Attorney General's office twice, the only option seems to be change the law. Rep. Long-Mast stated that the Attorney General has interpreted the current law as not including fire hydrants as fire fighting equipment thus excluding hydrants from being something that fire districts can purchase. She testified that the bill would allow individual districts to purchase fire hydrants in areas that currently do not have them and thus allowing businesses and homes in the area lower insurance premiums.

A fiscal note from Duane Goosen, Director of the Budget, concerning **HB 2528** was submitted to the Committee. As per the fiscal note, the bill does not have a fiscal effect on any state agency budget, but could affect city and county budgets if additional expenditures occur through the acquisition, installation, or maintenance of fire hydrants. Further noted was that this effect cannot be estimated with accuracy.

Bill Walker, Administrator, Coffey County Fire District # 1, representing the Kansas State Association of Fire Chiefs, presented testimony on the bill (Attachment 2). He said that there have been changes in rural areas and that citizens are now building large, expensive homes and businesses which are often located miles away from adequate fire emergency water supplies. He explained that rural water districts often utilize large diameter water lines and high capacity storage towers to supply their customers but that the lines and towers are often unusable by fire departments because there are no installed hydrants. Mr. Walker urged passage of the bill.

Pat Lehman, presented testimony on behalf of the Kansas Fire Service Alliance (Attachment 3). He explained that the bill is strictly permissive for all parties involved. He noted that the bill would allow the rural water district and fire department entities to work together to better serve the citizens in their area. Mr. Lehman urged the committee to pass the bill favorably.

Written testimony was received from Senator Jim Barnett in support of the bill (Attachment 4). He said that the bill will allow rural fire districts to purchase fire hydrants as firefighting equipment and contract with rural water districts to obtain an adequate water supply.

Written testimony in support of the bill was received from Elmer Ronnebaum on behalf of the Kansas Rural Water Association (Attachment 5). He said the bill would allow fire districts and townships to pay for hydrant and valve installations on public water systems. He testified that the water systems still must control where any such installation is made. Mr. Ronnebaum said that the proposed legislation does not preclude the water system or other beneficiaries to pay for hydrant installations.

Ron Appletoft, Governmental Affairs Coordinator, presented testimony on behalf of Water District # 1 of Johnson County (Attachment 6). He proposed amending the bill as follows:

- that this bill applies to rural water districts
- any changes as to acquisition, installation and maintenance of fire hydrants are mutually agreeable to both the fire district and the rural water district

The Chairman closed the hearing on: **HB 2528**

HB 2528 **Concerning fire protection: authorizing payment for acquisition, installation or maintenance of fire hydrants by fire districts**

Rep. Yonally made the motion to amend the language in **HB 2528** to reflect that the proposed legislation applies to rural water districts and, that any changes as to acquisition, installation and maintenance of fire hydrants are mutually agreeable to both the fire district and the rural water district. Rep. Siegfried seconded the motion. The motion carried.

Rep. Yonally made the motion for the favorable passage of the **HB 2528** as amended. Rep. Reitz

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seconded the motion. The motion carried.

Rep. Storm made the motion to approve the minutes of the January 15, 2004 meeting. Rep. Gilbert seconded the motion. The motion carried.

The Chairman adjourned the meeting at 4:10 p.m.

The next meeting is scheduled for January 27, 2004.