

MINUTES OF THE HOUSE LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chair Sharon Schwartz at 3:30 p.m. on February 25, 2010, in Room 144-S of the Capitol.

All members were present except:

Representative Michael Peterson, Absent

Committee staff present:

Mike Heim, Office of the Revisor of Statutes  
Kristen Kellems, Office of the Revisor of Statutes  
Martha Dorsey, Kansas Legislative Research Department  
Jill Shelley, Kansas Legislative Research Department  
Carol Bertram, Committee Assistant

Conferees appearing before the Committee:

Representative Tom Hawk, 67<sup>th</sup> District  
James Patrick Cox, P.E., City of Ogden  
Sherri Smiley, Staff Attorney, Secretary of State's Office  
Representative John Faber, 120<sup>th</sup> District  
John Miller, Norton County Commissioner

Others attending:

See attached list.

Chair Schwartz opened the hearing on **HB 2698 - Secretary of state; authorizing real property conveyance to the city of Ogden.**

Martha Dorsey, Legislative Research Department, reviewed the bill for the Committee. She pointed out that the bill specifies the exact tract of land that will be granted to the City of Ogden, and that the easement will terminate if the land is no longer used for the purpose for which the easement was granted.

Proponents

Representative Tom Hawks, 67<sup>th</sup> District, presented testimony in support of **HB 2698** (Attachment #1). He stated the City of Ogden has been required, through the recommendations of a study, to construct improvements on its treatment facility and to convert the non-discharging lagoons into a continuously discharging lagoon facility. KDHE has approved the study and the recommendations.

James Patrick Cox, P.E., appeared before the Committee on behalf of the City of Ogden. He stated the City of Ogden is requesting an easement for the construction and maintenance of an outfall pipe and headwall for the City of Ogden's sanitary sewer treatment facility discharge pipe on a parcel of property deeded to the State of Kansas, Office of the Secretary of State. The City of Ogden requires this easement in order to construct required improvements to its existing wastewater treatment facility (Attachment #2).

Questions and answers followed.

Chair Schwartz recognized Sherri Smiley, Secretary of State's Office, who answered questions presented by the Committee. She stated that the Secretary of State's office stands neutral and would grant the easement with the approval of the Attorney General's Office.

There being no one else to testify on **HB 2698**, Chair Schwartz closed the hearing on **HB 2698**.

Mike Heim, Office of the Revisor of Statutes, informed the Committee of a technical amendment which needed to be acted upon. At the end of line 29, a comma needs to replace the period and the word "Such" at the beginning of line 30 needs to begin with a lowercase "s". It was moved by Representative Mah, seconded by Representative Otto to amend HB 2698 with a technical amendment on lines 29 and 30. The motion carried. It was moved by Representative Garcia and seconded by Representative Slattery that HB 2698 be recommended favorably for passage as amended. The motion carried.

## CONTINUATION SHEET

Minutes of the House Local Government Committee at 3:30 p.m. on February 25, 2010, in Room 144-S of the Capitol.

Representative Tom Hawk agreed to carry the Bill during session.

Chair Schwartz opened the hearing on **SB 463 - Counties; bonded debt limit; Norton County.**

Chair Schwartz recognized Ms. Dorsey to explain **SB 463** to the Committee. Ms. Dorsey stated **SB 463** would add Norton County to a small group of counties that are authorized to have a bonded indebtedness limit of 30 percent. Most counties are limited to a 3 percent bonded indebtedness level.

### Proponents

Representative John Faber, 120<sup>th</sup> District, appeared in support of **SB 463**. He stated Norton County has been exploring the possibility of a joint law enforcement center and infrastructure to accommodate business growth in the county. Currently state statute limits county bonded indebtedness to 3 percent and city bond indebtedness to 30 percent of assessed valuation. Norton County is seeking authorization to increase to the 30 percent level. He asked the Committee to favorably support this bill and requested that it be placed on the House consent calendar (Attachment #3).

Questions and answers followed.

John Miller, Norton County Commissioner, appeared before the Committee in support of **SB 463** (Attachment #4). He stated raising the limit for bond indebtedness in Norton County would not affect the state budget, and that the projects the county would be able to accomplish would help ease the burden on the state budget by facilitating more efficient delivery of public services.

Written-only testimony from Senator Ralph Ostmeyer, 40<sup>th</sup> District, was submitted in support of **SB 463** (Attachment #5).

There being no further proponents and no opponents to testify, Chair Schwartz closed the hearing on **SB 463**.

It was moved by Representative Holmes, seconded by Representative Huebert that the Committee recommend **SB 463** favorably for passage and that it be put on the House consent calendar. The motion carried.

The next scheduled meeting is for March 4, 2010.

The meeting was adjourned at 4:00 p.m.

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Representative Sharon Schwartz, Chair