

MINUTES OF THE SENATE COMMITTEE ON LOCAL GOVERNMENT.

The meeting was called to order by Chairperson Mark Parkinson at 9:00 a.m. on January 12, 1993 in Room 531-N of the Capitol.

All members were present except:

Committee staff present: Michael Heim, Legislative Research Department
Theresa Kiernan, Revisor of Statutes
Shirley Higgins, Committee Secretary

Conferees appearing before the committee:

Chris McKenzie, League of Kansas Municipalities
Gerry Ray, Johnson County Commission

Others attending: See attached list

The chairman began the meeting by noting that the reason for meeting today was for the purpose of briefing the committee on Kansas local government and for introduction of committee members and staff. A copy of the schedule for upcoming informative meetings had been distributed. (See Attachment 1) After a brief outline of his expectations for committee meetings this session, he began introductions with himself, giving brief information as to where he is from and his experience in local government. Other committee members followed with the same. Staff followed with similar brief comments, and also information was given on how to get a bill drafted.

Chris McKenzie, League of Kansas Municipalities, outlined the background and functions of his organization. (See Attachment 2)

Gerry Ray, Johnson County Commission, briefly discussed the impact of bills and introduced Willie Martin of the Sedgwick County Board of Commissioners.

Mr. McKenzie introduced Harry Herington, the attorney from his organization who will be working with him this session.

The meeting was adjourned at 9:30 a.m.

Legislative Briefing on Kansas Local Government

House Local Government Comm.

Rep. Nancy Brown, Chair

1:30 P.M., Room 521-S

Senate Local Government Comm.

Sen. Mark Parkinson, Chair

9:00 A.M., Room 531-N

Objective

1. Provide an introduction to the organization, functions, sources of legal authority and constraints, and methods of financing local units of government in Kansas.

Day 1--January 12, 1993

- Committee introductions
- Committee procedures
- Introductions of and discussion of role of local government lobbyists

Day 2--January 13, 1992

Overview of Local Government Structure--Panel Discussion

- (a) Number and types of local governmental units.
- (b) Basic forms, organization and functions of city governments.
- (c) Basic forms, organization and functions of county governments.
- (d) Basic forms, organization and functions of township governments.
- (e) Statutory and common law limitations on city and county officials and governments
--conflict of interest laws, incompatibility of offices, open meetings, and open records.
- (f) Opportunities for Intergovernmental cooperation.

Day 3--January 14, 1993

Legal Framework of Local Government--Panel Discussion

- (a) State statutes as a basis for local government action--enabling, limiting and mandatory statutes
- (b) Constitutional City Home Rule
- (c) Statutory County Home Rule
- (d) Practical Examples of City and County Home Rule

Day 4--January 19th (House) and January 20th (Senate)

Financial Overview of Local Government--Panel Discussion

- (a) Overview of county revenues, expenses, mandated costs and property tax administration duties.
- (b) Overview of city revenues, expenses and mandated costs.
- (c) Financial procedural requirements, e.g., budget and cash basis laws, bidding requirements, etc.
- (d) Debt financing, e.g., bonds, temp. notes, lease-purchase agreements.

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Attachment 1*



October 1992

The League of Kansas Municipalities

-- an instrumentality of its member cities --

Headquarters: 112 West Seventh Street, Topeka, Kansas 66603 (913) 354-9565 FAX (913) 354-4186

What Is the League?

Established by municipal officials in 1910, the League of Kansas Municipalities is a voluntary, non-partisan federation of Kansas cities. It operates as a public agency and is defined by state laws as an instrumentality of its member cities. The powers and duties of the League are prescribed by state law and in bylaws adopted by the voting delegates of its member cities. The primary mission of the League is to assist its member cities in strengthening local government in order to advance the general welfare and promote the quality of life of the people who live within our cities.

General Functions

The general functions and services of the League are summarized in this report. League bylaws outline the functions as: a) to provide local government information, research services and technical assistance; b) to develop, promote and implement a statement of municipal policy; c) to hold an annual conference and other meetings to accomplish its objectives; and d) to perform such other services as may be necessary to secure the mission and goals of the League.

Goals and Objectives

The goals and objectives of the League are set forth in the convention-adopted bylaws as follows:

Capacity Building. To strengthen the effectiveness and efficiency of local government, and its responsiveness to present and future public needs, by providing programs and services designed to increase the governing, administrative and operating capacity of local governments and their officers and employees.

Policy Development. To strengthen the role and effectiveness of cities within our intergovernmental system, by representing and advocating the interests of its members in the development, implementation and administration of federal, state and interlocal policies and programs affecting cities.

Organization and Financing

Membership. The League currently has 540 member cities, which collectively represent over 99% of the population of incorporated areas and about 78% of the population of the state. All cities are eligible for League membership.

Research Subscribers. In addition to member cities, other governmental units may become subscribers to the League's research and publications service. All counties and many school districts are research subscribers.

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City Voting Delegates. Under state law, each member city may elect voting delegates to represent the city in League affairs. The city voting delegates adopt bylaws governing the League, establish the membership dues, elect League officers and adopt the official policies of the League.

Governance. A governing body of municipal officials supervises and controls the affairs of the League, as authorized by state law and League bylaws. The 15-member governing body is elected at the annual convention of the voting delegates of member cities.

Administration. The day-to-day operations and administrative management of the League are charged to an executive director, who is appointed by and responsible to the governing body. The full-time professional and support staff is headquartered in Topeka.

Financing. The organizational services of the League are financed primarily from member dues and research subscriptions, and from special service projects. City membership dues are based on a schedule approved by the voting delegates of member cities, and generally consist of a base charge, a 7¢ per capita fee, a 10 percent surcharge for each municipal utility and a charge based on the city's assessed valuation. The League's proposed budget and annual audit report are published in the *Kansas Government Journal*.

Affiliate Associations. The League is a partnership of Kansas cities, not an association of local officials. However, it works closely with a number of state organizations of local officials. Groups which are affiliated with the League include: City Attorneys Association of Kansas; City Clerks and Municipal Finance Officers Association of Kansas; Kansas Chapter, APWA; Kansas Association of City Management; Kansas Association of Councilmembers and Commissioners; Kansas Mayors Association; Kansas Association of Chiefs of Police; Kansas State Association of Fire Chiefs; Kansas Recreation and Park Association; Kansas Municipal Judges Association; Kansas Chapter, International Conference of Building Officials; Kansas Human Relations Association; Kansas Association of Regional Planning Commissions; and Kansas Chapter, American Planning Association; Kansas Association for Court Management; and Administrative Assistants/Secretaries of Kansas cities.

Direct Services of the League

Inquiry Service

A major direct service of the League is to provide answers to questions about local government. The League staff annually answers over 3,500 inquiries from local officials, ranging from simple requests for a sample ordinance to complex questions requiring considerable research. A library and research files are maintained to help the professional staff promptly respond to requests for information and assistance.

Research and Publications

Research manuals, handbooks and other informational reports are continually prepared to help municipal officials meet their public responsibilities. Some examples include a manual for city clerks, handbook for the governing body and reports on such matters as home rule and annexation.

Kansas Government Journal

This official monthly magazine of the League is specifically edited for more than 7,400 readers who share a common interest--local government. The *Journal* includes articles, research reports and news items designed to assist local government officials in the conduct of public affairs.

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Meetings and Conferences

In addition to the annual fall League conference and spring area meetings, the League sponsors or assists other agencies in the conduct of schools, training courses, conferences and special meetings. These meetings serve as short courses on current or emerging local problems, providing an opportunity for local officials to exchange information and ideas and to hear experts on municipal affairs.

Advisory Legal Service

The League's legal staff renders advisory opinions on legal questions on request. Formal requests for advisory legal opinions should be requested by the governing body or its official attorney. Requests for informal opinions from cities not having an attorney may be submitted by any authorized official.

Ordinance Service

Sample copies of ordinances on nearly every conceivable subject are available on request from the League's extensive files. Model ordinances are periodically issued. The League also provides an ordinance modernization and codification service to member cities on a cost basis.

Special Services

The League provides special consultant-type services in selected areas to met local needs. In addition to ordinance codification, this includes a personnel classification and pay plan program. Also available is a utility rate analysis program. Each of these special service programs are provided on a contract basis.

Special Bulletins

In addition to its general research and publications program, the League frequently issues special reports on current subjects. About 30 Research/Information Reports are issued annually.

Court Briefs

The League's legal staff, on behalf of its member cities, periodically files briefs with the Kansas Supreme Court and Court of Appeals on cases of major concern to local governments. Special emphasis is given to court litigation affecting the constitutional home rule powers of cities.

Consultation

Local officials are always welcome to drop in at League headquarters in Topeka to discuss municipal problems. By special arrangement, League staff members can occasionally provide direct, on-site consultation service through field visits.

Other Special Services

Other services provided by the League to its supporting local governments include a directory of public officials, public service awards program for city employees and sponsorship of a Blue Cross-Blue Shield insurance Program. League staff members provide secretariat services to some of its affiliated associations. Staff members are available on occasion for presentations to local groups and represent the League and its members on a number of state councils and advisory agencies.

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Policy Services and Programs

Policy Development

One of the principal functions and services of the League is to advocate and represent the interests of its member cities in federal-state-local relations. A comprehensive Statement of Municipal Policy is annually revised and adopted to officially set forth the consensus of needs, program objectives and goals of municipal officials throughout the state. The statement is developed by the officers and standing committees of the League and then considered and adopted at the annual convention of city voting delegates.

State Legislation

During and between state legislative sessions, the staff of the League works closely with legislators and committees to promote and advocate the interests of its member cities and their residents. Over 100 city officials from throughout the state serve on various committees which help develop the League's policy positions and promote its legislative objectives, on behalf of all its member cities. Officials are kept informed of the status of important bills through regular and special legislative bulletins. The League attempts to serve as a responsible spokesman and advocate for its member cities, in accordance with convention-adopted policies and the decisions of representative committees. High priority is given to preservation of the home rule powers of local self-government and to the securing of financial resources to meet public needs at the local level.

Intergovernmental Relations

In addition to its policy development and state legislative program, the League endeavors to maintain an effective intergovernmental liaison service, with the objective of promoting the coordination and cooperation of all Kansas governments. Staff members frequently serve as advisory representatives in contacts between state agencies and local officials. The League monitors state and federal agencies and attempts to influence proposed state administrative rules and regulations and other actions affecting cities.

National Municipal Affairs

The League cooperates with other state Leagues and direct member cities on matters of national interest through membership in the National League of Cities, with headquarters in Washington, D.C. The League, and many Kansas city officials, are active in the NLC policy development process and in lobbying, through NLC, for the interest of cities in federal legislative and administrative developments. The publications, library and information services of NLC are generally available to League member cities.

League Staff

Christie Carney, Secretary/Personnel Services Assistant; David Cooper, Law Clerk; Anna DeBusk, Secretary/Receptionist; Paula Drummond, Assistant to the Executive Director; Harry Herington, Attorney; Bernie Hayen, Director of Special Services; Christopher McKenzie, Executive Director; Lisa McKinnon, Business Manager; Don Moler, Attorney; E. A. Mosher, Research Counsel; Jackie Rickard, Director of Special Services; Betty Wapp, Secretary

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