

Approved: March 9, 1993
Date

MINUTES OF THE SENATE COMMITTEE ON LOCAL GOVERNMENT.

The meeting was called to order by Chairperson Mark Parkinson at 9:00 a.m. on February 25, 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, The League of Kansas Municipalities
Linda Schreppel, Kansas County Clerk's Association

Others attending: See attached list

Continued hearing on SB 173, concerning public officers; relating to public employer-employee relations.

Chris McKenzie, The League of Kansas Municipalities, testified in opposition to the bill, presenting written testimony dated February 23 which opposes eliminating the local option for PEER, and February 25 giving information regarding actions by Kansas cities to achieve greater employee participation in recent years which he feels demonstrates there is no need for SB 173. (See Attachments 1 and 2).

The Chairman asked Mr. McKenzie if he feels there are communities where there is no communication with employees at all. Mr. McKenzie answered that, as in everything, some are better than others, however, there are mechanisms in place such as employee committees that do create a dialogue with local units of government. He added, if local units are forced to do things, it will create ill will and will be counterproductive.

Sen. Ranson asked if cities would have to eliminate systems already in place if the bill is passed. Mr. McKenzie answered that he does not think this would be the case, however, there would be a great deal of anger and resistance at being told what to do by the state. Sen. Downey began a discussion with Mr. McKenzie as to her feeling that expression of a resistant attitude by local units of government is non-productive and contradicts what they are asking of their employees.

The Chairman noted that Gerry Ray, representing Johnson County and Overland Park, could not appear today due to the road conditions. He called the committee's attention to written testimony in opposition to the bill which had been submitted by her yesterday. (See Attachments 3 and 4). With this, the hearing on SB 173 was concluded.

SB 273--Relating to counties; publication of summary of expenditures.

Linda Schreppel, Kansas County Clerk's Association, testified in support of the bill. (See Attachment 5). She also submitted written testimony in support from William Leach, Cheyenne County Commissioners, and Rosalie Seemann, Thomas County Clerk. (See Attachments 6 and 7).

Ms. Schreppel clarified for the Chairman that at present County Clerks must itemize, but under this bill they would be allowed to summarize which would save both time and money. Also, the information will still be on file and available at the county clerk's office. The Chairman informed the committee that he had received a FAX from Ellis County which stated that their county would save \$4,000.00 per year.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON LOCAL GOVERNMENT, Room 531-N Statehouse, at 9:00 a.m. on February 25, 1993.

Sen. Reynolds made a motion to report SB 273 favorable for passage, Sen. Tillotson seconded, and the motion carried.

SCR 1613--Approving the creation of the City of Coffeyville-City of Chanute, Kansas, Joint Port Authority.

Sen. William Brady had submitted testimony from Robert H. Walker, City Manager of Chanute, Kansas. (See Attachment 8). Staff briefly explained the bill. The Chairman confirmed that the bill would not involve any cost to the state but simply allows these two communities to work together.

Sen. Feleciano made a motion to report SCR 1613 favorable for passage, Sen. Ranson seconded, and the motion carried.

SB 116--Concerning planning and zoning; relating to plat approval.

The bill had been previously heard, and the Chairman recalled for the committee that it involves the subdivision of plats not in city limits. Sen. Martin had asked for an amendment in his testimony which would make the bill apply statewide. Staff had prepared a balloon and explained it. (See Attachment 9).

Sen. Reynolds made a motion to so amend SB 116, Sen. Feleciano seconded, and the motion carried.

Sen Feleciano made a motion to report SB 116 as amended favorable for passage, Sen. Ramirez seconded, and the motion carried.

The minutes of February 23 were approved.

The meeting was adjourned at 9:50 a.m.

The next meeting is scheduled for a time to be announced.

Date: Feb. 25, 1993

GUEST REGISTER

SENATE

LOCAL GOVERNMENT

[illegible]



**THE LEAGUE
OF KANSAS
MUNICIPALITIES**

**Municipal
Legislative
Testimony**

AN INSTRUMENTALITY OF KANSAS CITIES 112 W. 7TH TOPEKA, KS 66603 (913) 354-9565 FAX (913) 354-4186

Memo

TO: Senate Local Government Committee
FROM: *CM* Chris McKenzie, Executive Director
DATE: February 23, 1993
RE: Mandated Coverage of All Local Units Under the Kansas Peer Act

I appreciate the opportunity to appear today on behalf of the League's 540 member cities in opposition to SB 173. This bill would repeal subsection (c) of K.S.A. 75-4321, thus eliminating the local option provision which has been in the Kansas Public Employer-Employee Relations (PEER) Act since its enactment in 1972. The effect of SB 173 is to authorize the formation of employee organizations under PEER in all governmental units, and to require the governing bodies of these units to meet and confer with such "recognized employee organizations". We also interpret the thrust of the act as effectively nullifying any locally-established employee relations procedures other than under the Kansas PEER Act.

There are two sections of the League's convention-adopted "Statement of Municipal Policy" dealing with this basic issue. These sections provide as follows:

"The governing bodies of cities should have full authority to establish comprehensive personnel programs, including authority to determine hours of work, compensation, overtime, leave policies, residency requirements, training requirements, fringe benefits, promotion, firing and all other terms, conditions and qualifications of city employment. We urge local governing bodies to adopt comprehensive personnel programs and policies, including grievance procedures, which are fair to employees, respect their legal rights, protect the public interest and are consistent with adopted policies of affirmative action."

"The state and federal government should not intervene in local government employee relations. Neither should city officials, employees or employee organizations seek state or federal legislative determination of such local affairs. Because personnel management must remain a local responsibility, we oppose any federal or state legislation which would mandate collective bargaining or the recognition of employee organizations. The local option provisions of the Kansas public employer-employee relations law (PEER act) should be retained."

The elected city officials of Kansas believe the matter before you is essentially a matter of home rule and local self-determination, and that state government should not intervene in local employee relations by mandating the procedures and requirements for dealing with employees and their organizations. The League was active in the development of the PEER Act and actively supported its passage, with the inclusion of the local option provision. The League's policy position at that time was taken after thoughtful consideration. We believed that some cities and counties would elect to come under the law, in order to take advantage of the procedures and processes established by the PEER Act, as has occurred. We also believed, at that time, that some local units would not elect to come under the act, for a variety of reasons, including the disinterest of their employees, the absence of need,

*Senate Local Gov't
2-25-93
Attachment 1*

ie attitude of the general public, or the desire to establish a local process separate and distinct from the state act.

We do not believe this general environment has changed since 1972. We suggest that locally elected governing bodies are responsive to community needs and interests, and recognize the need to have good employee relations. We suggest to you that if local employees find it difficult or impossible to convince their locally elected governing body to come under the PEER Act, one can question whether the state legislature should take it upon itself to mandate the inclusion of that local unit within the PEER Act.

We remind you that the bill applies to public employers, not private businesses. In our judgment, the state has filled its responsibilities to the public, and to local public employers and public employees, by making the PEER Act available. We believe the public policy decision as to whether a local government is within or without the PEER Act should continue to be a local government decision, based on local conditions.

Finally, since additional administrative costs would accompany this mandate, it would fall into the category of being yet another unfunded mandate. Municipal taxpayers simply cannot afford any more unfunded state or federal mandates.

Thank you for your consideration.

Cities and Counties Under the PEER Act January, 1992

Cities

Burlington (may have no organization)
Chanute
Coffeyville
Derby
Ellis
Hays
Hutchinson
Junction City
Kansas City
Manhattan
McPherson (may have no organization)
Osawatomie
Russell (may have no organization)
Topeka
Wichita

Counties

Ellis
Norton
Phillips
Reno
Saline
Sedgwick
Shawnee
Wyandotte



THE LEAGUE OF KANSAS MUNICIPALITIES

Municipal Legislative Testimony

AN INSTRUMENTALITY OF KANSAS CITIES 112 W. 7TH TOPEKA, KS 66603 (913) 354-9565 FAX (913) 354-4186

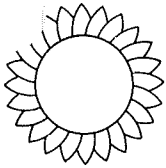
TO: Senate Local Government Committee
FROM: Chris McKenzie, Executive Director
RE: SB 173--Supplemental Information
DATE: February 25, 1993

In separate testimony, dated February 23, 1993 (but delivered on this date), I provided the Committee with the reasons for the League's opposition to SB 173. In this supplemental testimony, I wanted to share with some information about some innovative actions by Kansas cities in recent years to achieve greater employee participation in determining the terms and conditions of their employment. In the last 24 hours the following information has been shared with me:

- (1) City of Fort Scott--the City established an Employee Council within the past two years that meets monthly. The Council consists of representatives of each department, and its role is to obtain employee input on the policies, procedures and administration of the City. The Council also meets with the City Commission to discuss employee concerns and interests.
- (2) City of Lawrence--the City established an Employment Relations Council years ago to garner employee input on matters relating to employer-employee relations. Issues that have been or are expected to be discussed include health insurance, the employee suggestion program, sick leave, grievance procedures, performance evaluation forms and the merit system, employee feedback on supervisor performance, etc.
- (3) City of Leavenworth--the City established a 12 member Employee Council which meets on a regular basis with the City Manager and Assistant City Manager regarding terms and conditions of employment. All City departments are represented by elected employees to the Council.
- (4) City of Lenexa--the City has established: (a) a city-wide health benefit task force to develop ways to make the City-sponsored employee health insurance program remain affordable and available; (b) a city-wide safety committee to discuss safety issues, reduce employee injuries and lower workers compensation costs; and (c) established a fire chief's advisory committee to enhance communication within the department, provide accurate information directly to all employees, and to clarify policies within the department.
- (5) City of Pittsburg--the City also has an Employee Committee consisting of 19 city employees that meets monthly. The agenda for the Wednesday, February 24, 1993 meeting included the following items: (a) aerobic fitness classes for city employees; (b) review of '92 sick leave usage; (c) discussion of smoking policy for city buildings; and (d) items from Committee members. In addition, the City Manager personally conducts "all employee" meetings at least twice a year to provide an "open forum" to discuss concerns the employees may have. Finally, the City has initiated an Employee Social Club which organizes employee social activities without City control which are financed by the employees.

These are but a few of the examples of how city governments are reaching out to their employees in order to improve communication and employee involvement in policy making by the city administration and governing body.

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Attachment 2*



Johnson County
Kansas

FEBRUARY 23, 1993

SENATE LOCAL GOVERNMENT COMMITTEE

HEARING ON SENATE BILL 173

TESTIMONY OF GERRY RAY, INTERGOVERNMENTAL COORDINATOR
JOHNSON COUNTY BOARD OF COMMISSIONERS

Mr. Chairman, members of the Committee, my name is Gerry Ray, representing the Johnson County Board of Commissioners. I am appearing today to express the County's opposition to Senate Bill 173.

The bill removes the authority of counties and cities to make decisions on recognizing employee organizations. The Commission opposes the bill because it is an encroachment, by the State, in an area that should remain under the authority of the County as the employer. Decisions on employee/employer relations in the public sector should be left to the local people to make.

About ten years ago, Johnson County contracted with the Hay Company to develop a pay plan for the county that is fair and equitable. When it was determined some positions were being paid too high and some to low, the appropriate adjustments were made. No one's salary was reduced, the adjustments were made over an extended period of time by modifying salary increases.

The County also has an grievance procedure that begins with the immediate supervisor, through the department head, the division director and finally with a committee made up of the County elected officials. After those administrative remedies are exhausted, the aggrieved employee has the option of going to the district court.

Johnson County is committed to providing the highest level of service at the lowest cost possible. Our citizens expect and deserve to receive these services without any potential interruption or unnecessary costs. We believe the current system works and urge the Committee to defeat Senate Bill 173.

*Senate Local Gov't
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City Hall • 8500 Santa Fe Drive
Overland Park, Kansas 66212
913/381-5252 • FAX 913/381-9387

Testimony of Gerry Ray, City of Overland Park

Senate Local Government Committee

Hearing on Senate Bill 173

February 23, 1993

Chairman Langworthy, members of the Committee, my name is Gerry Ray, representing the City of Overland Park, and presenting testimony in opposition to Senate Bill 173.

The bill would eliminate the authority of city officials to make their own determinations on the acceptance of employee organizations. The Overland Park officials feel this would have a negative impact on their ability to manage the city government in a way that produces results that are best suited to that community.

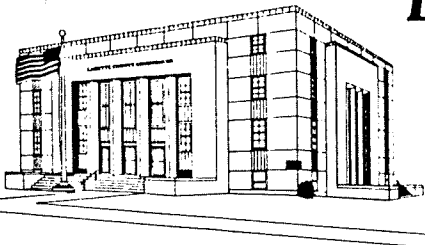
The city has an equitable pay plan and a reasonable benefit package that serves the employees well and utilizes the city's tax dollars in a prudent manner. Additionally, the city has a grievance process that includes the various levels of management to assure the aggrieved employee will have ample opportunity to find a solution to the problem.

Overland Park is a well managed city, that has a low employee turnover. It is unnecessary for the State to intervene in what is a strictly local affair. The passage of SB 173 can cause a "we and they" relationship to develop between the employees and the city management and reduce the ability of the city to achieve the results it now enjoys. In other words, the current method is working and there is no need to make changes.

The City of Overland Park respectfully requests the Committee to recommend against the passage of Senate Bill 173.

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Attachment 4*

Office of
Labette County Clerk



Labette County, Kansas
Oswego, Kansas 67356
316-795-2138

LINDA SCHREPPEL, County Clerk

PEGGY HOSTETTLER, Deputy Clerk

DATE: February 25, 1993
TO: Senate Committee on Local Government
FROM: Linda Schreppel, V.P. Kansas County Clerk's Assn.
Chairperson for the Legislative Committee
RE: Proponent of SB-273 - Publication of County Expenditures

I support SB-273 for the following reasons: A few months ago the County Clerk from Cheyenne County called with some alarming news. The Cheyenne County Board of Commissioners and Clerk are being taken to court for not publishing in the manner currently prescribed in KSA 19-228.

Over the years many of the counties have relaxed the process in order to save cost by summarizing in different formats or not publishing the report at all.

A survey was taken from certain counties over the past few days just to see how many were in compliance with this statute and what the cost is if they are. Of the 58 counties surveyed 26 summarize, 26 itemize, 16 publish monthly, 38 publish quarterly, and 5 nothing at all. The cost to publish this report in itemized form ranges from \$ 8,000.00 to \$ 480.00. In summary form it ranges from \$ 1400.00 to \$ 230.00.

Counties are the only taxing entity required to publish this report. It is not fair and equitable to require one entity to publish their expenses and accounts, and not the other. All of the information printed in the papers is on file in the county clerk's office and very accessible, within minutes. This is the space age!! We have mail, transportation, fax machines, telephones and computers. I know most of the 105 county clerks in Kansas. Even if by law, it wasn't required for us to give access to this information, I know none of them would deny it.

We appreciate your attention to this issue and would ask that you give considerable thought to abolishing KSA 19-228, effective upon publication in the Kansas Register.

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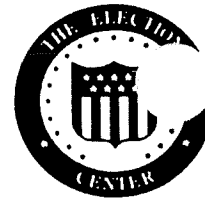


MEMBER
IACROT

Dorothy Hauk Sanborn

County Clerk / Election Officer

Seward County Courthouse
415 N. Washington
Liberal, Kansas 67901
Phone 316-626-3201
FAX 316-626-3211



MEMBER
ELECTION CENTER
WASHINGTON DC

February 19, 1993

To Linda Schreppel
Labette County Clerk
P.O. Box 387
Oswego, KS 67356

Dear Linda:

In reference to Senate Bill 273 concerning Legal Notice of Itemized Account of Expenditures which we have been required to publish on a regular basis.

As you know this has been an expense to counties all over the state and many do not comply with KSA 19-228 as it is presently written. I strongly feel that complying should be done uniformly state wide. I have complied with this statute religiously for 20 years that I have worked in Seward County Courthouse, but have felt that:

1. If cities and other taxing entities do not have to publish their itemized expenditures this is an unjust liability to the counties.
2. I strongly agree in the right to know of county expenditures and I am sure that this was a bill to sign for that purpose. If this was the case then I think all taxing entities should do the same.
3. Every resident of Seward County has the right under the open records law to come in the County Clerk's office and personally inspect any expenditures and or obtain a copy of such expenditures.

I would have no objection to publishing a condensed list of expenditures by fund totals enabling the tax payer to see the amount from each and every account and when they have a question enable them to call or come in the office as per open records law. Seward County publishes monthly, twice in December because of the amount of expenditures and spent approximately \$10,000.00 in 1992. The months vary from \$695.00 to \$1,000.00 or more if we have lengthy publications. I am strongly in favor of changing KSA 19-228 as we would not be eliminating the taxpayers right to know. If there is anything more I can do let me know.

Sincerely yours,

Dorothy Hauk Sanborn
Dorothy Hauk Sanborn
Seward County Clerk



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GRAHAM COUNTY
HILL CITY, KANSAS 67642

(SIONERS
1st. LT - ROBERT "BOB" PAXSON
2nd DISTRICT - ALVIN F. DENK
3rd DISTRICT - DEE W. SWAYNE

February 16, 1993

COUNT
DARLEN
TELEPHONE NUMBER
913-674-3453

Mrs. Linda Schreppel
Labette County Clerk
P. O. Box 387
Oswego, Kansas 67356

Dear Linda:

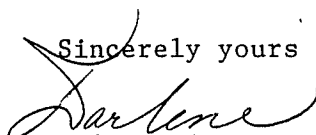
I am writing in regard to Senate Bill 273 "Publication of Summary Expenditures".

First I want to say that the publication of claims for counties in itself is not a "fair and equitable" bill in that no other taxing entity is required to publish expenditures even though they too operate on tax monies.

Itemization of the claims when publishing is very expensive. Our vouchers, checks and records all reflect individual items and are open for public inspection and any person interested need only contact us, either in person or by phone, for information.

By summarizing the expenditure, publication costs would be considerably less but still keep the public informed as to expenses.

Sincerely yours


Darlene Riggs

County Clerk

Marshall County, Kansas

Marysville, Kansas 66508

Gayle Landoll
County Clerk

Phone (913) 562-5361

February 12, 1993

Linda Schreppel
Labette County Clerk
KCCA Legislative Chairman
P.O. Box 387
Oswego, KS 67356

Re: Senate Bill 273

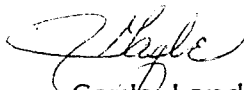
Dear Linda:

Since January, 1991, Marshall County has paid \$4,602.19 to our local newspaper to publish the "statement of all sums allowed in excess of \$50". In addition, during the same length of time, this same local newspaper was paid \$11,221.00 for other types of legal publications for the county.

Counties are the only taxing entity that is required to publish an itemized list of expenditures. Townships, at one time, were also required to publish in itemized form, but that was changed in 1984 as a cost saving measure for the townships.

I hope this information is of help to you. Call me if I can do anything else.

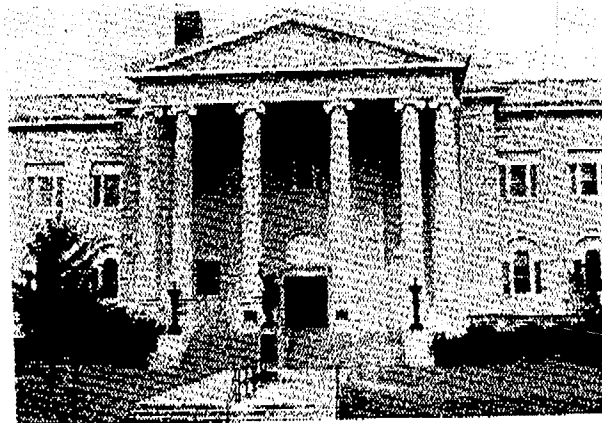
Yours truly,



Gayle Landoll
Marshall County Clerk

COUNTY OF LEAVENWORTH

COURTHOUSE
4th & WALNUT
LEAVENWORTH, KANSAS 66048
Area Code (913) 684-0400

**FROM THE OFFICE OF:**

Linda A. Scheer
County Clerk

DATE: February 23, 1993
TO: Linda Schreppel, Labette County Clerk
RE: Senate Bill 273

Linda, this is in response to your letter concerning the legal notices of itemized account of expenditures. You can relate as much as you want from this memo to assist you in your testimony.

In the early 1980's, Leavenworth County and the official newspaper began a disagreement over these itemized expenditures. I suppose the county was trying to find ways of cutting our expenses and this state mandate was one way we felt was a unnecessary expense. Instead of providing the newspaper with monthly itemized expenditures, we started with quarterly reports. This became a even more time consuming project, that the commissioners finally told the newspaper that all of our books, ledgers and records where public information and if they wished to publish all of the counties expenses, they were welcome to come and obtain all the information they wanted. The newspaper came one time and we don't think they ever completed one quarter before they decided it entailed too many hours. We have not heard from the newspaper since.

The other issue that the Commissioners felt strong about was that if county government had to publish all of our expenditures, why not make the cities and schools do the same. After all, many cities and all schools spend more tax money than the County does. Why enforce this law on only county government. I think that by us stating that our books were open records, and they were welcome to come help themselves, they finally realized the man hours and expenses involved in such a task.

Might be best if you do not mention that this is the Leavenworth County does things -- I did not get to run this by the Commissioners. We may be better remaining quiet or this instead of rocking the boat.

City-County Probation
684-0760

Council on Aging
684-0777

Emergency Medical Service
684-0788

Noxious Weeds
684-0494

Community Corrections
684-0775

County Infirmary
684-1010

Health Department
684-0730

Sheriff
682-5724

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COMMITTEE MEMBERS, FELLOW OFFICIALS AND AUDIENCE

I have been asked by the Clerk's legislative committee to testify today on behalf of Cheyenne County and all other counties on Senate Bill No. 273. I was very pleased to be asked and appreciate the opportunity afforded me to speak. I'm always concerned about controlling county expenses.

Cheyenne County has had first hand experience with the cost of publication of expenditures. We had always published our expenditures in detail, until the decision was made to save money and was published in summary form for the 3rd quarter of 1992. I have attached copies of the 3rd and 4th quarter expenditures for 1992. You will notice that we have designated two official newspapers, which I feel is necessary to serve our taxpayers. The east half of the county subscribe to the Bird City Times and the west half to the St. Francis Herald. The detailed expenditures cost \$119.04 in each paper and the summary \$11.81 in one and \$9.94 in the other. I feel, along with my fellow commissioners, that this is a tremendous savings when you are working with a low valuation and tight budgets. The approximate cost of the detailed summary to my county is \$3,000.00 a year. While this doesn't seem like a large amount of money it is when you consider that our total county mill levy is 36.45 and a mill is \$27,493.23.

I believe SB No. 273 is a relief from future prosecution against County Commissioners and the County Clerk for violation of K.S.A. 19-228, which mentions detail listings of all vendors who are paid sums of \$50.00 or more.

In a time of tax lids on county governments, isn't it prudent and even desirable that we cut unnecessary spending in all areas possible? We desire to live within the law and we believe that the summary of quarterly expenditures is sufficient and reasonable. If a taxpayer wants to know what is being spent they can contact the clerk and receive the information in more detail than is being published now, because they are able to see the vouchers and see exactly what was purchased and in the detailed accounting all they know is a dollar amount and what it was for, such as supplies. The detailed accounting still gives no indication as to what supplies were

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2-25-93
Attachment 6

After nineteen years as a county commissioner and eight years as a school board member, I've always asked in my own mind, "WHY COUNTY GOVERNMENT"? Welfare recipients used to be published, "WHAT HAPPENED TO THAT"? Schools receive approximately 51% of the tax dollars state-wide and still they don't have to publish any accounting, not even in the minutes that are published. I would guess that the state average of county levies would represent less than 25% of tax dollars. In my county the county levy is 36.45 mills, City of Bird City has 17.69, City of St. Francis has 32.51 levy, USD #103 has 33.01 levy and USD #297 has 36.96 levy, which in Cheyenne County is fairly equal, and yet no government but the county is required to publish and use \$3,000.00 of a budget that is already squeezed as tight as possible.

Some of you may be aware that Cheyenne County was served with a MOTION FOR WRIT OF MANDAMUS by Robert T. Stephan, Attorney General of the State of Kansas, by and through Steven W. Hirsch, Special Assistant Attorney General for the State of Kansas, because of our failure to publish 3rd quarter expenditures. In my county attorney's ANSWER OF DEFENDANTS, he stated "that the prosecution thereof by the Attorney General against Cheyenne County and not other counties in the State for the same acts is selective and arbitrary prosecution in violation of due process of law". I feel that SB #273 would eliminate this problem and allow counties to publish the way their voters want it done.

Lastly, I don't want to seem combative or argumentative and try to fight the law or courts, but do feel SB #273 would solve our problem and any problems that other counties are having, that I am not aware of. Thank you for an affirmative passage of Senate Bill No. 273.

Respectfully submitted,

William W. Leach

WILLIAM W. LEACH

Chairman, Cheyenne County Commissioners

cc: Senator Sheila Frahm
Representative Fred Gatlin

Cheyenne County 3rd Quarter Expenditures July 1. to September 30 1992		
Fund	Payroll	Expenditures
General	\$52,418.80	\$38,905.31
Road & Bridge	63,208.48	44,485.00
Special Machinery	0.00	486.76
Bridge Building	5,951.89	6,788.31
Noxious Weed	4,377.51	7,763.83
Solid Waste	4,071.42	184.08
Appraiser	8,573.55	2,461.06
Ambulance	2,250.00	3,019.41
Health	1,991.10	573.25
Employee Benefit	0.00	58,821.74
Election	2,849.42	4,733.88
Rural Fire #1	0.00	8,776.88
Hospital	0.00	42,736.91
Extension Council	0.00	25,843.26
Mental Health	0.00	2,354.63
Mental Retardation	0.00	4,169.18
Community College		
Tuition	0.00	408.00
Historical Society	0.00	3,000.00
Fair	0.00	20,260.00
Airport	0.00	3,200.00
Special Alcohol & Drug	0.00	998.58
Aging	0.00	4,099.25
Payroll withholding Fund	0.00	30,750.29
Calhoun Township	0.00	1,873.88
Total	145,790.17	316,733.55
A detailed accounting of the above expenditures is available for inspection in the County Clerk's office.		

This is the third quarter publication of county expenditures that resulted in a lawsuit. The cost of this publication was \$11.81 for the St. Francis Herald and \$9.94 for the Bird City Times, a combined cost of \$21.75 for both county newspapers.

AFFIDAVIT OF PUBLICATION
STATE OF KANSAS, CHEYENNE COUNTY, ss:

Randall C. Braden

Being first duly sworn, Deposes and says: That

He

is

Publisher

of The St. Francis Herald, a Weekly Newspaper printed in the State of Kansas, and published in said of general circulation in Cheyenne County, Kansas, with a general paid circulation on a weekly basis in Cheyenne County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a Weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of St. Francis in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for... 1... consecutive weeks, the first publication thereof being made as aforesaid on the... 4... day of Feb., 19... 93., with subsequent publications being made on the following dates:

_____, 19_____, 19_____
 _____, 19_____, 19_____
 _____, 19_____, 19_____

Randall C. Braden

Subscribed and sworn to before me this 4 day of

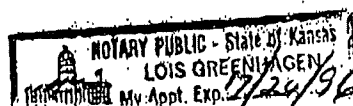
February, 1993.

Lois Greenlinden
 Notary Public

My commission expires: 7/26/96

Printer's fee \$ 119.04

Additional copies \$ _____



(First published in The St. Francis Herald, St. Francis, Kansas, Thursday, February 4, 1993.) 11

Cheyenne County Warrants

The following warrants were paid for the three-month period ending December 31, 1992. The publication shows only the amounts above \$50. Complete records are on file in the office of the County Clerk.

Payroll Publication

Oct., Nov., Dec.

General	\$57,871.29
Road & Bridge	62,220.03
Bridge Building	6,431.34
Noxious Weed	4,377.51
Solid Waste	4,071.42
Appraiser	8,249.41
Ambulance	1,640.00
Health	1,683.00
Election	2,952.13
Total	\$149,290.13

Claims Publication

GENERAL

AT&T 812.82; Southwestern Bell 1,917.95; Leibbrandt Oil 109.80; Thomas County Clerk 726.96; Sherman Co. Sheriff 5,960.00; Sharon Elliott, 452.53; K N Energy Inc. 1,008.98; Western Uniform & Towel 249.60; Heinz Office Supply 2,096.02; Xerox Corporation 113.00; Four Circle Coop 657.52; NW KS Electric Coop 63.06; Van Allen Inc. 112.03; St. Francis Herald 531.87; Wm. Leach 157.04; Ideal Super Market 168.46; Lampe Hardware 173.60; Owens True Value 572.33; Hill's Inc. 59.78; Norvin Anderson 366.60; League KS Municipalities 310.87; Lockwood Company Inc. 3,218.47; Western Office Supply Co. 95.98; IBM Corporation-SVZ 759.75; Ben Franklin & Pharmacy 82.78; Municipal Light & Water 3,202.67; Moken Manufacturing Co. 51.92; Great Western Tire 390.50; Yost Farm Supply 595.73; William Hook 80.00; Kramer Chapel 400.00; NW KS Planning & Dev. Com. 1,375.00; Sargent-Sowell Inc. 144.74; Walz Welding 320.00; Wohltz-Marriott 83.68; Michael D. Irvin 70.00; J.W. Gildewell 60.90; Western KS Policy Dev. Bd. 64.86; Dover Elevator Co. 1,644.00; Malpert Drug Co. 126.40; Ray Lee 678.65; James Milliken Chartered 2,528.43; Speedograph Inc. 92.90; Lawyers Cooperative Pub. 613.20; Topoka Capitol Journal 123.00; Frederick J. Hammar 160.07; KS Assoc. of Counties 590.00; Floyd E. Jensen 3,475.08; Gary Rogers 199.86; Frewen Insurance Agency 456.00; Racal-Datacom, Inc. 122.00; NW KS Regional Med. Center 93.00; Crain Chemical Co. 80.47; Computer Services of KS 9,217.66; Prairie States Comm. 508.30; Holiday Inn & Holiday 178.78; Roger Faulkender 265.42; Elaine Kehilbeck 92.04; Marriott Hotel 389.76; Philling Station 237.47; Wm. Reynolds 100.00; F and S Supply Co. Inc. 140.28; Archem Inc. 70.48; Thomas County Sheriff 300.00; Tim E. Poling DDS 78.00; Doubloree Hotel 666.67; Calvin Ralle 300.00; Fund Total 51,922.43

ROAD & BRIDGE

Southwestern Bell 424.08; Leibbrandt Oil 1,065.25; Thomas County Clerk 82.50; K N Energy Inc. 617.89; St. Francis Equity Coop 1,805.00; Four Circle Coop 9,530.97; Van Allen Inc. 2,068.72; Lampe Hardware 54.90; Owens True Value 137.62; Western Office Supply Co. 84.00; Municipal Light & Water 350.27; Great Western Tire 853.92; Yost Farm Supply 7,078.95; Miller's Electronics Inc. 166.83; Walz Welding 78.45; Big "A" Auto Parts 1,000.00; Fund Total 24,444.44

1,332.00; Valley Farm 1,24.35; Knorr Bakers 144.30; H & H 184.04; McGowan-Ooker Farm 2.00; Fund Total 66,997.83

BRIDGE BUILDING

Tri-State Lumber 65.30; St. Francis Sand-Red Mix 426.38; Yost Farm Supply 675.60; Big "A" Manuf. & Dist. Inc. 549.00; D-C Wholesale 798.48; Melvin Confer 210.00; Bernice Gonthy Kehilbeck 84.00; Penco Engineering PA 5,620.00; Earle O. Scott 484.64; Sherman Co. Highway Dept. 100.00; Fund Total 9,833.84

NOXIOUS WEED

Southwestern Bell 92.59; Leibbrandt Oil 359.94; St. Francis Equity Coop 59.00; Yost Farm Supply 55.97; Check Point Cycle Center 233.97; Big "A" Auto Parts 218.34; West Dist. Weed Assn. 125.00; Holiday Inn of Hays 62.63; Computer Services of KS 1,537.67; Keller Auto Parts 217.85; Gary Cooper 339.54; Helena Chemical Company 3,412.80; Fund Total 6,849.98

SOLID WASTE

Leibbrandt Oil And 108.20; St. Francis Equity Coop 830.56; NW KS Electric Coop 343.14; Owens True Value 70.85; Walz Welding 52.21; Big "A" Auto Parts 182.68; Ken Gardea Equipment 400.00; Fund Total 2,014.42

APPRAISER

Southwestern Bell 152.39; Heinz Office Supply 354.10; St. Francis Equity Coop 75.85; KS Co. Appraisers Assn. 300.00; Mid-Kan Blueline Inc. 97.41; Gladys Cook 450.00; Intertec 210.96; Barbara Sample 1,189.32; International Assoc. of 105.00; Holiday Inn 92.73; Lexmark International 250.50; Fund Total 3,507.64

AMBULANCE

Dyna Med 670.10; Four Circle Coop 115.24; Majestic Service 429.22; Colby Community College 1,040.00; Elizabeth Gabel 1,379.70; Larry Gabel 83.03; Prairie States Comm. 2,175.00; KS State Board of EMS 120.00; James Leach 153.98; Carol Gamblin 159.98; Derrick Inn Motel 106.12; Fund Total 6,608.25

HEALTH

Southwestern Bell 95.35; Don Hollman 160.00; Lillian Anderson 83.63; Fund Total 375.78

EMPLOYEE BENEFIT

Kansas Group Life Ins. Co. 604.10; Cheyenne Co. State Bank 11,420.59; KS Employment Sec. Fund 1,407.86; KS Public Employees Ret. 2,150.51; Cheyenne Co. Health Trust 42,225.82; Fund Total 57,814.88

ELECTION

Lockwood Company Inc., 680.59; Fund Total 1,072.25

RURAL FIRE # 1

Wells American Fire Equip. 652.33; Steve Jenkins 60.00; City of St. Francis 1,200; Melvin Confer 55.00; Chief Fire and Safety Co. 1,205.81; Steve Onh 80.00; Scott Schultz 80.00; St. Francis Fire Dept. 963.28; Fund Total 5,156.91

HOSPITAL

Cheyenne Co. Hospital 9,169.23; Fund Total 9,169.23

EXTENSION COUNCIL

Cheyenne Co. Ext. Council 3,973.75; Fund Total 3,973.75

MENTAL HEALTH

High Plains Comm. Health 605.42; Fund Total 605.42

COMM. COLLEGE TUITION

Colby Community College 9,780.00; Dodge City Comm. College 312.00; Cloud Co. Comm. College 384.00; Garden City Comm. College 384.00; Johnson Co. Comm. College 288.00; Pratt Comm. Jr. College 720.00; Butler County 408.00; Fund Total 12,348.00

HISTORICAL SOCIETY

6-4

... was also published in the Bird City Times at an additional cost of \$119.04, a combined cost of \$238.08.

1,012.21; Lightner Welding 167.65; D-C Wholesale 3,110.96; Newman Sign Inc. 876.00; KS Dept. of Revenue 483.60; Bowman Distribution 282.33; Martin Tractor Co. Inc. 6,485.44; Inland Truck Parts Co. 1,087.43; Midwest Energy Inc. 80.38; Goodland Motor Co. 66.74; Dependable Glass Service 283.61; Swede's Solvent Service 60.60; Sowers Super Service 263.40; Goodland Greenline Inc. 900.47; KS Assoc. of Counties 140.00; Berry Tractor & Equip. 236.30; Knorr Repair Service 338.42; Computer Services of Ka 1,537.67; Keller Auto Parts 2,253.61; Dave Flemming 231.80; Fairview Farms 438.00; BANKWEST St. Francis 32,386.59; Truck Parts and Equip. 450.00; Wels Oil Company 9,114.54; Willie's Tire Sales & Serv. 116.51; Sellers Tractor Co. Inc. 1,043.18; Tom Keller 400.00; Viole Thomas 1,184.00; Janice Phipps 1,184.00; Harvey Holzwarth 584.00; Cheyenne Co. Implement Inc. 630.19; Krien Steel Building 97.30; Mike's Equipment Co. 500.00; Hobert Nonhrup

Cheyenne Co. Hist. Society 2,490.00; Fund Total 2,490.00
SOIL CONSERVATION
 Cheyenne Co. Soil C 1,3625.39; Fund Total 3,625.39
SPECIAL ALCOHOL UG
 Spec. Alcohol & Drug 1,047.70; Fund Total 1,047.70
SPECIAL PARKS & REC.
 Special Parks & Rec. 1,165.69; Fund Total 1,165.69
AGING
 Bird City Sr. Citizens 59.38; Fund Total 59.38
PAYROLL WITHHOLDING FUND
 KS Dept. of Revenue 3,420.35; Cheyenne Co. State Bank 22,818.62; Occidental Life Ins. Co. 546.00; KS Public Employees Ret. 5,184.68; KS Public Employees Ret. 232.65; Fund Total 32,200.18
JAWS OF LIFE TRUST FUND
 Chief Fire and Safety Co. 10,920.25; Fund Total 11,000.66
REPORT TOTAL
 Report Total 318,020.81

TESTIMONY FOR SENATE BILL NO. 273

Committee members, fellow county officials and audience.

Thank you for allowing me to present my information in this way. Thomas County has been publishing their expenditures as a summary since the last quarter of 1991. When I saw in a newspaper how one county had printed theirs, I took the publication to the County Commissioners, they said to try it and if the public did not complain to continue publishing as a summary. Our publication cost for the summary was \$40.96 as opposed to \$141.12 for the previous quarterly publication. I have enclosed copies of the two mentioned quarterly publications. As of today we have not had one person question the publication or anyone ask to see a voucher.

Rosalie Seemann

Thomas County Clerk

*Senate Local Gov 4
2-25-93
Attachment 7*

AFFIDAVIT OF PUBLICATION

State of Kansas, Thomas County, ss:

Christina Brogan, being first duly sworn, deposes and says:
That she is the legal secretary of

THE COLBY FREE PRESS

a daily newspaper printed in the state of Kansas, and published in and of general circulation in Thomas County, Kansas, with a general paid circulation on a yearly basis in Thomas County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Colby, Kansas, in said county as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for _____ consecutive weeks, the first publication thereof being made as aforesaid on the 13th day of January, 1992, with subsequent publications being made on the following dates:

_____, 19_____, _____, 19_____
_____, 19_____, _____, 19_____
_____, 19_____, _____, 19_____

Christina Brogan

Legal Secretary

Subscribed and sworn to before me this 14 day of

January, 1992

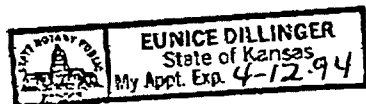
Eunice Dillinger

Notary Public

My commission expires: 4-12, 1994

Printer's fee \$ 40.00

additional copies \$ _____



THOMAS COUNTY 1991 EXPENDITURES OCTOBER-DECEMBER

FUND	PAYROLL	EXPENDITURES	TOTAL
General	\$120,154.43	\$125,183.65	\$245,338.0
Road and Bridge	60,804.17	205,177.10	265,981.2
County Road Levy	.00	14,155.96	14,155.9
Noxious Weed	5,927.10	23,664.35	29,591.4
Historical	16,050.60	.00	16,050.6
Home for Aged	.00	6,402.92	6,402.9
Health Fund	14,445.82	4,178.22	18,624.0
Healthy Start	.00	3,243.48	3,243.4
Election	352.65	1,952.53	2,305.1
Employee Benefit	.00	79,935.96	79,935.9
Ambulance	15,542.45	10,804.48	26,346.9
Mental Retardation	.00	847.00	847.0
M. & I Fund	.00	1,633.40	1,633.4
Services for the Elderly	.00	12,395.36	12,395.3
Community Van	.00	116.95	116.9
Reappraisal	4,231.75	7,758.69	11,990.4
Attendant Care	.00	80.39	80.3
Jr. College Tuition	.00	24.00	24.0
Special Auto	14,456.38	1,727.88	16,184.2
PATF	.00	175.03	175.0
Payroll W/H Fund	.00	32,205.47	32,205.4
Fair Fund	3,000.00	.00	3,000.0
TOTAL	\$254,965.35	\$531,662.82	\$786,628.3

(Published in The Colby Free Press on January 13, 1992.)

FEB 24 1993
15:13 No. 001 P. 03

AFFIDAVIT OF PUBLICATION

State of Kansas, Thomas County, ss:

Christina Brogan, being first duly sworn, deposes and says:
That she is the legal secretary of

THE COLBY FREE PRESS

newspaper printed in the state of Kansas, and published in and of general
in Thomas County, Kansas, with a general paid circulation on a yearly
Thomas County, Kansas, and that said newspaper is not a trade, religious
mal publication.

wspaper is published at least 50 times a year; has been so published contin-
and uninterruptedly in said county and state for a period of more than five
rior to the first publication of said notice; and has been admitted at the post
of Colby, Kansas, in said county as second class matter.

o attached notice is a true copy thereof and was published in the regular and
issue of said newspaper for.....1.....consecutive weeks, the first publica-

tercof being made as aforesaid on the.....4th.....day of October.....

L., with subsequent publications being made on the following dates:

.....19..... 19.....
.....19..... 19.....
.....19..... 19.....

Christina Brogan

Legal Secretary

Subscribed and sworn to before me this.....4.....day of
October.....1991.....

Eunice Dillinger

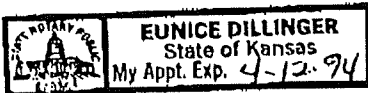
Notary Public

4-12 1994

Commission expires:.....

atter's fee \$.....141.12.....

ditional copies \$.....



December 1991 Third Quarter as required by K.S.A. 19-228, 19-229, 19-230, 19-231, 19-232, 19-233, 19-234, 19-235, 19-236, 19-237, 19-238, 19-239, 19-240, 19-241, 19-242, 19-243, 19-244, 19-245, 19-246, 19-247, 19-248, 19-249, 19-250, 19-251, 19-252, 19-253, 19-254, 19-255, 19-256, 19-257, 19-258, 19-259, 19-260, 19-261, 19-262, 19-263, 19-264, 19-265, 19-266, 19-267, 19-268, 19-269, 19-270, 19-271, 19-272, 19-273, 19-274, 19-275, 19-276, 19-277, 19-278, 19-279, 19-280, 19-281, 19-282, 19-283, 19-284, 19-285, 19-286, 19-287, 19-288, 19-289, 19-290, 19-291, 19-292, 19-293, 19-294, 19-295, 19-296, 19-297, 19-298, 19-299, 19-300, 19-301, 19-302, 19-303, 19-304, 19-305, 19-306, 19-307, 19-308, 19-309, 19-310, 19-311, 19-312, 19-313, 19-314, 19-315, 19-316, 19-317, 19-318, 19-319, 19-320, 19-321, 19-322, 19-323, 19-324, 19-325, 19-326, 19-327, 19-328, 19-329, 19-330, 19-331, 19-332, 19-333, 19-334, 19-335, 19-336, 19-337, 19-338, 19-339, 19-340, 19-341, 19-342, 19-343, 19-344, 19-345, 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19-721, 19-722, 19-723, 19-724, 19-725, 19-726, 19-727, 19-728, 19-729, 19-730, 19-731, 19-732, 19-733, 19-734, 19-735, 19-736, 19-737, 19-738, 19-739, 19-740, 19-741, 19-742, 19-743, 19-744, 19-745, 19-746, 19-747, 19-748, 19-749, 19-750, 19-751, 19-752, 19-753, 19-754, 19-755, 19-756, 19-757, 19-758, 19-759, 19-760, 19-761, 19-762, 19-763, 19-764, 19-765, 19-766, 19-767, 19-768, 19-769, 19-770, 19-771, 19-772, 19-773, 19-774, 19-775, 19-776, 19-777, 19-778, 19-779, 19-780, 19-781, 19-782, 19-783, 19-784, 19-785, 19-786, 19-787, 19-788, 19-789, 19-790, 19-791, 19-792, 19-793, 19-794, 19-795, 19-796, 19-797, 19-798, 19-799, 19-800, 19-801, 19-802, 19-803, 19-804, 19-805, 19-806, 19-807, 19-808, 19-809, 19-810, 19-811, 19-812, 19-813, 19-814, 19-815, 19-816, 19-817, 19-818, 19-819, 19-820, 19-821, 19-822, 19-823, 19-824, 19-825, 19-826, 19-827, 19-828, 19-829, 19-830, 19-831, 19-832, 19-833, 19-834, 19-835, 19-836, 19-837, 19-838, 19-839, 19-840, 19-841, 19-842, 19-843, 19-844, 19-845, 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19-971, 19-972, 19-973, 19-974, 19-975, 19-976, 19-977, 19-978, 19-979, 19-980, 19-981, 19-982, 19-983, 19-984, 19-985, 19-986, 19-987, 19-988, 19-989, 19-990, 19-991, 19-992, 19-993, 19-994, 19-995, 19-996, 19-997, 19-998, 19-999, 19-1000, 19-1001, 19-1002, 19-1003, 19-1004, 19-1005, 19-1006, 19-1007, 19-1008, 19-1009, 19-1010, 19-1011, 19-1012, 19-1013, 19-1014, 19-1015, 19-1016, 19-1017, 19-1018, 19-1019, 19-1020, 19-1021, 19-1022, 19-1023, 19-1024, 19-1025, 19-1026, 19-1027, 19-1028, 19-1029, 19-1030, 19-1031, 19-1032, 19-1033, 19-1034, 19-1035, 19-1036, 19-1037, 19-1038, 19-1039, 19-1040, 19-1041, 19-1042, 19-1043, 19-1044, 19-1045, 19-1046, 19-1047, 19-1048, 19-1049, 19-1050, 19-1051, 19-1052, 19-1053, 19-1054, 19-1055, 19-1056, 19-1057, 19-1058, 19-1059, 19-1060, 19-1061, 19-1062, 19-1063, 19-1064, 19-1065, 19-1066, 19-1067, 19-1068, 19-1069, 19-1070, 19-1071, 19-1072, 19-1073, 19-1074, 19-1075, 19-1076, 19-1077, 19-1078, 19-1079, 19-1080, 19-1081, 19-1082, 19-1083, 19-1084, 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Golemboski 1000.00; American Family Ins 722.99; Ohio Humilier 8.38; Barry
 Tractor & Equip 2275.64; Brewster Auto Parts 10.04; Brown & Brown Inc 2640.00;
 Central Detroit Diesel 1099.21; Chief Oil Co 166.98; City of Browster 165.00;
 City of Colby 243.57; City of Colby 28168.50; Coastal & Mkg-Asphalt
 19938.77; Colby Automotive 500.68; Colby Bearing & Supply 8.13; Colby
 326.25; Colby Implement 650.68; Colonial Inc 66.00; Colby
 Super Mkt 10.35; Colby Supply 15.00; Colby True Value 9; Colby Wrecking
 235.00; Computer Resource Ctr 167.60; Card Center 1406.60; Ross Cranston
 240.00; B C Wholesale 1325.70; Dir of Taxation 513.76; Dougherty Implement
 352.02; Echon-A-Gall 63.38; ELY Asphalt 41882.48; Farmers Coop 49.43; Golden
 Wholesale 175.55; James Haral 5.38; Hays Asphalt 65796.28; HI Plains Co-op
 3292.98; Gerald Hutches 162.08; J J Oil 3693.92; Ks Dept of Rev 34.56; Kansas
 Group Life Ins 79.65; Ks Dept of Trans 10.20; K M Communications 236.00; KJ
 Energy 44.68; Koch Materials Co 92558.25; KJ Transportation 15.00; Local Equip
 510.00; Lamar Life Ins 204.68; Lawton Products 905.82; Logan Co Hwy Dept
 27.50; Martin Tractor 1634.48; McKee Sheet Metal 118.00; Menlo-Rexford Coop
 16.28; Wesley Moore 5.38; Jack Fargman 5.35; Raynor Doors of Colby 10.00;
 Kiesel Precision Mach 25.00; Wesley Rummel 5.35; S & W Supply 977.99; Schwarz
 Auto Electric 3.50; Service Oil Co 5071.80; Southwestern Bell 140.71; Sroufe
 Oil 109.60; Evans Automotive 1161.78; Steven Cleaners 4.70; Thomas County
 Employees 8542.17; Th Co Treas 7608.21; Th Co Waud Dept 2037.21; Tubbs & Son
 Ford Sales 594.25; Union Pacific Railroad 100.00; US Post Office 87.00; Jack
 Weed 5.35; Voss Western Auto 42.24; Western Office Supply 116.91; Levi
 Engineering 1000.00; American Family Life 42.00; Convenience Card 243.49;
 Echon-A-Gall 14.46; HI Plains Coop 148.41; Helena Chemical Co 22270.38; HI
 Plains Implement 264.95; HW Automotive Ser 68.61; Ron Shore 1702.00; Sroufe
 Oil 1422.12; Southwestern Bell 136.93; Stane Automotive 3.31; Thomas County
 Employee Trust Fd 513.63;
 THOMAS COUNTY COMMISSIONERS
 John P. Breenkamp, Chairman
 J.H. Michel, Member
 Ernest S. Kietler, Member
 Rosalie Seemann
 County Clerk

CITY OF CHANUTE

Testimony on Senate Concurrent Resolution No. 1613

City of Coffeyville-City of Chanute, Kansas, Joint Port Authority

Senate Local Government Committee

Chairperson: Senator Mark Parkinson
Vice-Chairperson: Senator Marian Reynolds

MEMBERS

Audrey Langworthy
Alfred Ramirez
Pat Ranson
Carolyn Tillotson
U.L. Gooch
Christine Downey
Paul Feleciano, Jr.

February 25, 1993

Robert H. Walker - City Manager
City of Chanute, Kansas

Senate Local Gov't

2-25-93

Attachment 8



City of...

CHANUTE, KANSAS

MUNICIPALLY OWNED GAS, WATER, AND ELECTRIC UTILITIES

February 25, 1993

Senator Mark Parkinson, Chairman
Senate Local Government Committee

Honorable Chairman and Members of the Committee:

Since August, 1990, efforts have been underway to establish a Port Authority to acquire the rail right-of-way and trackage sold by Santa Fe to the South Kansas and Oklahoma Railroad. Rail service is essential to communities and businesses dependent upon rail access to move products to and from markets outside the Southeast Kansas region.

The primary purpose of establishing the Coffeyville-Chanute Joint Port Authority, is to acquire and preserve rail facilities serving Southeast Kansas. Creation of the Port Authority has broad support from cities and counties in Southeast Kansas and from the South Kansas and Oklahoma Railroad, which currently owns the rail facilities.

State law, K.S.A. 12-3401 et. seq., permits two or more cities and/or counties to join together to create a Joint Port Authority to promote economic development by fostering the growth of intrastate and interstate commerce. Under the Port Authority Act, the Port may acquire and operate a variety of industrial facilities, including railroad facilities.

The Port Authority Act encourages the creation of joint port authorities and requires Legislative approval as a part of the process. Preservation and improvement of rail service is essential to the Southeast Kansas economy and in turn, is important to the State's overall prosperity. There are many companies and jobs dependent upon rail service and we believe the Port Authority is the best way to ensure retaining rail access in the future. The cities of Coffeyville and Chanute respectfully request approval of SCR No. 1613 by the Legislature as required by K.S.A. 12-3402 (a).

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SENATE BILL No. 116

By Senator Martin

1-28

AN ACT concerning planning and zoning; relating to plat approval; amending K.S.A. 12-752 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 12-752 is hereby amended to read as follows:
12-752. (a) The owner or owners of any land located within an area governed by regulations subdividing the same into lots and blocks or tracts or parcels, for the purpose of laying out any subdivisions, suburban lots, building lots, tracts or parcels or any owner of any land establishing any street, alley, park or other property intended for public use or for the use of purchasers or owners of lots, tracts or parcels of land fronting thereon or adjacent thereto, shall have a plat drawn as may be required by the subdivision regulations. Such plat shall accurately describe the subdivision, lots, tracts or parcels of land giving the location and dimensions thereof and the location and dimensions of all streets, alleys, parks or other properties intended to be dedicated to public use or for the use of purchasers or owners of lots, tracts or parcels of land fronting thereon or adjacent thereto. All plats shall be verified by the owner or owners thereof. All such plats shall be submitted to the planning commission or to the joint committee for subdivision regulation.

(b) The planning commission or the joint committee shall determine if the plat conforms to the provisions of the subdivision regulations. If such determination is not made within 60 days after the first meeting of such commission or committee following the date of the submission of the plat to the secretary thereof, such plat shall be deemed to have been approved and a certificate shall be issued by the secretary of the planning commission or joint committee upon demand. If the planning commission or joint committee finds that the plat does not conform to the requirements of the subdivision regulations, the planning commission or joint committee shall notify the owner or owners of such fact. If the plat conforms to the requirements of such regulations, there shall be endorsed thereon the fact that the plat has been submitted to and approved by the planning commission or joint committee.

(c) The governing body shall accept or refuse the dedication of

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Attachment 9

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land for public purposes within 30 days after the first meeting of the governing body following the date of the submission of the plat to the clerk thereof. The governing body may defer action for an additional 30 days for the purpose of allowing for modifications to comply with the requirements established by the governing body. No additional filing fees shall be assessed during that period. If the governing body defers or refuses such dedication, it shall advise the planning commission or joint committee of the reasons therefor.

(d) The governing body may establish a scale of reasonable fees to be paid to the secretary of the planning commission or joint committee by the applicant for approval for each plat filed with the planning commission or joint committee.

(e) No building or zoning permit shall be issued for the use or construction of any structure upon any lot, tract or parcel of land located within the area governed by the subdivision regulations that has been subdivided, resubdivided or replatted after the date of the adoption of such regulations by the governing body or governing bodies but which has not been approved in the manner provided by this act.

(f) Any regulations adopted by a governing body with reference to subdividing lots *located within the corporate limits of a city* shall provide for the issuance of building permits on lots divided into not more than two tracts without having to replat the lot, provided that the resulting tracts shall not again be divided without replatting. Such regulations shall provide that lots zoned for industrial purposes may be divided into two or more tracts without replatting such lot. Such regulations shall contain a procedure for issuance of building or zoning permits on divided lots which shall take into account the need for adequate street rights-of-way, easements, improvement of public facilities, and zoning regulations if in existence.

(g) The regulations shall provide for a procedure which specifies a time limit within which action shall be taken, and shall further provide, where applicable, for the final decision on the issuance of such building permit to be made by the governing body, except as may be provided by law.

(h) The register of deeds shall not file any plat until such plat shall bear the endorsement hereinbefore provided and the land dedicated for public purposes has been accepted by the governing body.

~~(i) The provisions of this section shall become effective on and after January 1, 1992.~~

Sec. 2. K.S.A. 12-752 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

of a city

Any regulations adopted by a board of county commissioners with reference to subdividing lots located outside the corporate limits of a city may provide for the issuance of building permits on lots divided into not more than two tracts without having to replat the lot, provided that the resulting tracts shall not again be divided into tracts of less than 10 acres without replatting.