

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT.

The meeting was called to order by Chairperson Nancy Brown at 1:30 p.m. on January 19, 1994, 1994 in Room 521-S of the Capitol.

All members were present except: Representative Bryant (excused)
Representative Pettey (excused)

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

Conferees appearing before the committee: Jim Jones, Director of Operations, KDOT

Others attending: See Attachment 1.

The Chairman distributed Subcommittee assignments and advised that subcommittees will meet on Mondays and Wednesdays at 1:30 p.m. (See Attachment 2.)

The Chairman distributed a Committee Action Update to reference bills status and list subjects of bills being developed. Chairman Brown asked members to review the bills and proposed action so bills will move as quickly as possible.

Chairman Brown then re-opened the hearing on **HB 2606** (concerning road and bridge repairs resulting from disaster). Jim Jones, KDOT's Director of Operations, briefed the sequence of that department's emergency repair procedures: (1) determine if the project meets their standard of "emergency;" (2) if standard is met, estimate costs; (3) ordinarily, private contractors are contracted with who have the capacity to perform within the timetable required; (4) decide how project will actually be specified in negotiated fixed contracts; (5) follow the statutes--notify Department of Administration and fill them in with timetable. KDOT prepares the final agreement. (6) the project proceeds. Many times the work is done prior to finalization of the documentation.

The Chairman asked about KDOT's definition of "disaster." Mr. Jones replied that KDOT refers to it as an "emergency" rather than as a "disaster." Representative Grant reminded that some counties do not have a County Engineer and wondered how counties can protect themselves from price gouging; i.e., will KDOT engineers assist in estimating costs for those without an engineer? Mr. Jones responded that KDOT assists local units whenever requested and he recommended that consideration be given to providing authority to local units to speed the process, because of the provisions of the Federal Highway Emergency Fund, to avoid the loss of federal funding possible under the state's current process.

Representative Wootton asked if there is an updated statewide/city/county report available rating the safety of bridges. Mr. Jones replied that County Engineers are required to file regular reports with KDOT. He will check on the availability of the report.

The hearing on **HB 2606** was closed. After discussion, on motion of Representative Grant, seconded by Representative Ballard, the committee unanimously approved amending the bill to require input from the

county engineer or KDOT (if there is no county engineer) to obtain estimates of projects. Representative Grant expressed an interest to amend the bill to remove the clause that specifies the disaster must be declared by the Governor, thus leaving the discretion up to the County Commissioners. After discussion, on motion of Representative Macy, seconded by Representative Mays, the committee favorably passed **HB 2606**, as amended.

The Chairman reported that former State Representative Dorothy Flottman, of Winfield, has requested this committee to sponsor legislation concerning unclaimed property specific to the city of Oxford. After discussion, on motion of Representative Alldritt, seconded by Representative Ballard, the committee approved introduction of the bill.

On motion of Representative Watson, seconded by Representative Wootton, the minutes of the meeting of January 18, 1994 were approved.

The meeting was adjourned at 2:22 p.m. The next meeting is scheduled for Wednesday, January 20, 1994 at 1:30 p.m. in Room 521-S of the Capitol.

GUEST LIST

COMMITTEE: House Local Government

DATE: January 19, 1994

[illegible]

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TOPEKA
HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS

LOCAL GOVERNMENT, CHAIRMAN
TAXATION

COMMUNITY DEVELOPMENT BLOCK GRANT
ADVISORY BOARD

EMERGENCY MEDICAL SERVICES BOARD
NCSL, STATE-LOCAL-TRIBAL RELATIONS,
CHAIRMAN

NCSL, THE WOMEN'S NETWORK BOARD

January 19, 1994

To: Local Government Members

From: Nancy Brown

Re: Subcommittee Assignments and Considerations

Attached is the preliminary subcommittee list for your review. I attempted to take your first or second choice (which I believe is done in every case) and then balance it out among the choices of the other committee members attempting to achieve a balance. I believe this goal has been accomplished, but if you have any particular problems or concerns, please see me.

It is my thought that the subcommittees will meet two days a week, Monday and Wednesday, with hearings and committee action on Tuesdays and Thursdays. Please note that I believe it will be necessary for your subcommittee to meet two days a week (with the exception of the two committees who are merely reviewing existing legislation and can complete their work in a shorter period of time). The study committees have their work cut out for them, although there are some proposals on several of the topics.

I would like to share my expectations of the subcommittees' work so there will be no questions as to where I am coming from. First of all, Local Government has seldom had the opportunity to address significant and challenging issues. The Local Government Committee mainly reacts to constituents or municipalities when a problem needs to be addressed. Seldom is there an opportunity to address challenging issues in a proactive attempt to modernize government in a positive and thoughtful manner. Second, our committee was assigned several of the topics and I believe we have a responsibility to pursue them to our utmost ability. In each topic, there have been ongoing concerns (some for years); as experts in the Legislature on local government issues, you and your committee now have the opportunity to make a difference.

As Chairman I would be less than honest if I did not tell you I would like to see the codification and consolidation of fire district statutes, legislation establishing a process for the creation of special districts, state standards for a training program for emergency response personnel, and much-needed modernization of the Division of Emergency Preparedness to a Division of Emergency Management with a de-emphasis on civil defense and an emphasis on mitigation, preparation, response and recovery. So, now you have my personal and Chairman's agenda. But it is up to you to determine how to proceed, as well as the committee's recommendations. I have the utmost faith in your abilities to come forth with some new and creative thoughts, ideas and solutions.

HOUSE LOCAL GOVERNMENT
Attachment # 2-1
1 / 19 / 94

Please do not be deceived. There is a time commitment which I am requesting of each of you. We need to have a report from your subcommittee by the middle of February. . . not too many weeks from now. (The committees on HB 2103 and 2570 should have their work completed in the next few weeks.) Therefore, I urge you to use your time wisely. I have numerous files available in my office on each of the above mentioned topics. In addition, I have requested information from various sources and, of course, we have our own best sources. . . our very capable staff, Mike Heim and Theresa Kiernan. They will be available to provide you with some support.

I would like to meet with each one of the subcommittee chairs prior to Monday, so please call my office to arrange for a time to meet.

Again, thank you and I look forward to a productive session for Local Government.



Nancy Brown

LOCAL GOVERNMENT SUBCOMMITTEES

Dept. of Emergency Preparedness

Chair: Rep. Barbara Ballard
Vice-Chair: Rep. Gary Hayzlett
Members: Rep. Carl Holmes
Rep. Pat PettEy

Hazardous Materials Training

Chair: Rep. Les Donovan
Vice-Chair: Rep. Bob Grant
Members: Rep. Ted Powers
Rep. Greg Packer

Special Districts

Chair: Rep. Bob Tomlinson
Vice-Chair: Rep. Gwen Welshimer
Members: Rep. J. G. Novak
Rep. John Toplikar
Rep. Bob Wooton

Fire District Consolidation

Chair: Rep. Doug Mays
Vice-Chair: Rep. Richard Alldritt
Members: Rep. Gayle Mollenkamp
Rep. Russell Mills
Rep. Bob Watson

Do Not Resuccitate - HB 2103*

Chair: Rep. Judy Macy
Vice-Chair: Rep. Greg Packer
Members: Rep. Bill Bryant
Rep. Pat Petty

Leavenworth/VS - HB 2570*

Chair: Rep. Doug Mays
Members: Rep. Bob Grant
Rep. Ted Powers
Rep. Bob Tomlinson
Rep. Russell Mills

*Because these two committees have specific bills, it is anticipated that most of the preliminary work is already completed and only refinement and amendments will be considered. Therefore, members have been assigned to two committees to help share the decision-making on the study committees.

1/18/94