

SESSION OF 2008

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 574**

As Amended by Senate Committee of the Whole

**Brief\***

SB 574 would allow for the creation of a new, consolidated fire district between the City of De Soto and Johnson County Fire District No. 3. The bill also would increase the number of governing body members for Johnson County Fire District No. 2, and it would increase the maximum mill levy and make other changes for consolidated fire districts in general.

In detail, the bill would:

- Name the new district (involving the City of De Soto and Johnson County Fire District No. 3) the Northwest Consolidated Fire District (NCFD).
- Require NCFD to have a five-member governing body and specify the membership.
- Require the NCFD governing body members to serve staggered, three-year terms.
- Increase from five to seven the number of governing body members for Johnson County Fire District No. 2, by requiring the Board of County Commissioners to appoint the two additional members on July 1, 2008.
- Increase the maximum mill levy for consolidated fire districts from 11 to 15 mills.
- Remove the requirement that all funds in a consolidated fire district's treasury, at the time of consolidation, be

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

applied to the payment of any outstanding indebtedness, making this provision permissive instead. Further, the bill would allow these funds to be transferred to the treasury of the new consolidated fire district as determined by the board of county commissioners. Provisions also are made relating to any debt service fund of a consolidated fire district.

## **Background**

Senator Julia Lynn and the De Soto City Administrator testified in favor of the bill. The De Soto official indicated current law does not provide acceptably for the consolidation of a city and county fire department.

The Senate Committee amended the bill to:

- Name specifically the two entities – the City of De Soto and Johnson County Fire District No. 3 – that are consolidating into the new fire district, and name the new district.
- Remove revisions to current law, contained in the original bill, that would have addressed governing board membership when consolidating any fire districts governed by more than one political or taxing subdivision. These provisions were replaced with new language addressing board membership for the specific consolidation between the City of De Soto and Johnson County.
- Add the changes to current law dealing with a consolidated fire district's treasury and debt service fund.
- Make technical and clarifying changes.

The Senate Committee of the Whole amended the bill to increase the membership of the Johnson County Fire District No. 2 governing body.

The fiscal note indicates there would be no additional expenditures to counties from the passage of SB 574. However, due to the increase on the mill levy cap, additional revenues could result. Insufficient information was available to determine an accurate estimate of the bill's fiscal effect at this time.