



SEDGWICK COUNTY BOARD OF COUNTY COMMISSIONERS

Pete Meitzner • Jeff Blubaugh • Stephanie Wise • Ryan Baty • Jim Howell

100 N. Broadway - Suite 660, Wichita, KS 67202 • Phone (316) 660-9300 • Fax (316) 660 9345

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Dear Chair Bergquist, Vice Chair Blex, and Committee members:

I am writing on behalf of the Sedgwick County Board of County Commissioners (“Commission”) neutrally as to HB 2769. Our Commission also sits as the Board of Sedgwick County Fire District Number One (“Fire District”). While we believe HB 2769, as it is currently drafted, would still allow our Commission to sit as the Board of the Fire District, we would like to see an amendment to exempt fire districts from the requirements of HB 2769.

The current draft of HB 2769 requires that a governing body for a subordinate service taxing area be made up of residents of such taxing area if:

1. A municipality (city, county, or unified city and county government) *appoints* the governing body for such taxing area; and
2. Said governing body is authorized by the municipality to impose a property tax on such taxing area; and
3. Said governing body is authorized by the municipality to establish its own budget.

To be clear, we do not believe the Commission appointed itself as the governing body of the Fire District. Rather, K.S.A. 19-3601 establishes the Commission as the governing body of the Fire District. Given this, we do not believe HB 2769, as drafted, applies to the Fire District. However, that is our interpretation, and it would be cleaner to not leave this up to interpretation and exempt Fire Districts from HB 2769 to avoid potentially conflicting statutes.

As such, our Commission would like to see an exception made for fire districts to avoid varying interpretations of the language currently found in HB 2769 and to avoid conflicting statutes.

Thank you for considering our testimony in this matter.

Sincerely,

Jeff Blubaugh, Chairman
Board of County Commissioners of Sedgwick County