

MINUTES OF THE SENATE LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairman Roger Reitz at 9:30 a.m. on March 14, 2011, in Room 159 S of the Capitol. Senator Kelsey moved to accept the minutes of February 21st and February 22nd. Senator Marshall seconded the motion. The motion carried.

All members were present except:

Senator Oletha Faust-Goudeau--excused
Senator Kelly Kultala--excused
Senator Pete Brungardt--excused

Committee staff present:

Mike Heim, Office of the Revisor of Statutes
Jill Shelley, Kansas Legislative Research Department
Noell Memmott, Committee Assistant

Conferees appearing before the Committee:

Kathy Sachs, Deputy Assistant Secretary of State
Kathy Olson, Kansas Bankers Association
Pam Scott, Executive Director, Kansas Funeral Directors Association
Julie Ketchum, Director of Government Affairs, Waste Management in Kansas
Larry R. Baer, Assistant General Counsel, League of Kansas Municipalities

Others attending:

See attached list.

The discussion and possible action on **SB 131 Making methamphetamine precursors schedule III prescription drugs** was postponed due to weather until Tuesday, March 15th.

The hearing opened on **HB 2240 Cemetery corporations; trust funds; secretary of state; attorney general enforcement.** Jill Shelley, Legislative Research, gave an overview of the bill. The bill would establish additional requirements for cemetery trust funds.

Kathy Sachs, Deputy Assistant Secretary of State, spoke in favor of **HB 2240**. She stated three principles the study group operated from in forming this bill. (1.) Protect consumers of burial products and services; (2.) protect the cemetery's ability to make a profit; and (3.) create a system that is easy to audit (attachment 1). Kathy Olson, Kansas Bankers Association, also spoke in favor of the bill. She noted that it is important to the banking industry to know who a "trustee" is before these funds can be retained (attachment 2). Written testimony in favor of the bill was submitted by: Mark McGilley, Service Corporation International (attachment 3). Pam Scott, Kansas Funeral Directors Association, gave neutral testimony expressing concern involving the provision in Section 5 (c) of the bill, which allows a cemetery corporation entering into a preneed merchandise contract to retain all installment payments until it receives an amount equal to 25% of the purchase price of the prepaid merchandise contract. She provided an amendment for Section 5 (c) (attachment 4).

The hearing was closed.

The hearing opened on **HB 2195 Municipalities; organized solid waste and recycling collection service act.**

Julie Ketchum, Director of Government Affairs for Waste Management in Kansas, testified in support of **HB 2195**. This bill sets up a process that requires public input as well as input from businesses like Waste Management that are affected by a city's decision to franchise (attachment 5). She requested changes in the bill: page 3 line 11 change "implementation" to "development"; and worded so the bill does not apply to waste tires. Steve Kearney, Kearney and Associates, answered questions and explained why waste tires should be deleted.

CONTINUATION SHEET

Minutes of the Senate Local Government Committee at 9:30 a.m. on March 14, 2011 in Room 159 S of the Capitol.

Written testimony in favor of the bill was submitted by: J. Marvin Nisly, President, Nisly Brothers, Inc. ([attachment 6](#)); Larry W. Smith, L. & K. Services, Inc. ([attachment 7](#)); Melissa Wangemann, General Counsel and Director of Legislative Services ([attachment 8](#)); and Shawn Herrick, Executive Director, Mid-America Tire Dealers Association ([attachment 9](#)).

Larry Baer, Assistant General Counsel, provided neutral testimony ([attachment 10](#)).

The hearing was closed.

The meeting was adjourned at 10:20 a.m.