

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS AND LOCAL GOVERNMENT.

The meeting was called to order by Chairperson Barbara P. Allen at 1:30 p.m. on February 24, 2003 in Room 245-N of the Capitol.

All members were present except:

Committee staff present: Ken Wilke, Revisor of Statutes  
Mike Heim, Legislative Research  
Dennis Hodgins, Legislative Research  
Nancy Kirkwood, Committee Secretary

Conferees appearing before the committee:

Others attending: see attached list

**Action on**

**SB 209 - Allows counties to seek reimbursement from prisoners for cost of fire district response to fire**

Chairperson Allen turned the committee's attention to **SB 209**.

At the hearing Wednesday, February 19, 2003, on **SB 209**, the Chair had requested the Fire Marshall's office work with Ken Wilke, Revisor of Statutes to agree on language to allow the parent taxing authority for the fire department, out of cost because of responding to an arson fire. The authority to go after the arsonist to reimburse part of that cost.

Chairperson recognized Ken Wilke, Revisor of Statutes to come before the committee. He explained the balloon language states: to allow apparent taxing authority for the fire department that is out of costs because of responding to an arson fire the authority to go after the arsonists to reimburse part of that costs. **Sub SB 209** takes the language from **SB 209** KSA 19-3601a, which allows authority to seek reimbursement of expenses occurred by a fire district responding to a fire, when it is determined to be arson and allows going after the arsonist for expenses. This proposed substitute basically utilizes the provisions in **SB 543** from 2002, regarding fire district statutes, and adds a provision allowing them to establish a pay rate for volunteers. It also adds the reimbursement of expenses for arson inspection into all of the existing statutes; plus, at the request of fire Marshall's office, Jim Clark, the former district attorney, also added similar language in the criminal code statute KSA 46-03d which requires restitution as part of the criminal sentence for arson. **Sub SB 209** basically amends all of the other appropriate fire district, fire department statutes, and the specified criminal code. Mike Heim suggested the inclusion of *city* in the sentencing requirement, whereas currently restitution would only be due to fire districts, fire departments, or a fire company..

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS AND LOCAL GOVERNMENT at on February 24, 2003 in Room 245-N of the Capitol.

Senator O'Connor suggested on page 3, line 4, where it states tangible property in the district for the purpose of paying, the word *seek* and add the word *paying*. Want it to say *paying expenses incurred*.

Senator Schmidt made a motion to amend **SB 209** by adopting instead of **SB 209** the substitute that is before us, the following changes to the substitutes: (1) inserting city provision in the appropriate spot, (2) the grammatical provision that Senator O'Connor referenced, Senator Jackson seconded the motion. The motion carried.

Moved by Senator Huelskamp, the **Sub SB 209** pg 17, delete sub section C starting at the 6<sup>th</sup> line, if a petition through the rest of section, seconded by Senator Clark. The motion carried.

Senator Schmidt move to report **Sub SB 209** favorable as amended, seconded by Senator Buhler, The motion carried.

**SB 178 - Cities; payment for certain improvements**

Senator Buhler made a motion to pass **SB 178** out favorably. Senator Schmidt seconded the motion and the motion carried.

**SB 69 - Concerning elections; relating to the date when certain primary elections are held**

Senator Schmidt moved to amend SB 69 by adopting the Secretary of State's amendment (Attachment 1) and pass as amended. Senator Jackson seconded the motion. The motion failed.

**Adjournment**

The meeting adjourned at 2:30 p.m. The next meeting is scheduled for tomorrow, Tuesday, February 25, 2003