

Approved Ivan Sand

Date

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT

The meeting was called to order by REPRESENTATIVE IVAN SAND at
Chairperson

1:30 ~~xxx~~/p.m. on FEBRUARY 16, 1984 in room 521-S of the Capitol.

All members were present except: Representative R. D. Miller (Excused)
Representative Elizabeth Baker (Excused)
Representative Darrel Webb

Committee staff present:

Mike Heim, Legislative Research Department
Theresa Kiernan, Revisor of Statutes Office
Gloria Leonhard, Secretary to the Committee

Conferees appearing before the committee:

Mr. Fred Allen, Kansas Assn. of Counties, HB 2826
Mr. Scott Lambers, City of Overland Park, HB 2834
Representative Richard L. Harper, HB 2843
Mr. Arden Endsley, Revisor of Statutes, HB 2843

The minutes of the meeting of February 15, 1984, were approved as presented.

Chairman, Ivan Sand, called for hearings on the following House Bills:

HB 2826, concerning tax levies; relating to the notice of the amount thereof; - By Committee on Local Government

Mike Heim of the Staff gave a brief overview of the bill. He stated the bill had been requested by the Kansas Assn. of Counties and would clarify how a mill levy would be expressed. (See Attachment I.)

Mr. Fred Allen, Kansas Assn. of Counties, appeared in support of the bill. Allen stated that the new legislation would be easier understood by taxpayers; that it was requested on behalf of several county officers. Allen proposed two amendments to Kansas Statutes 79-2001 and 80-1203 which might possibly be included under HB 2826. (See Attachment II.)

Discussion regarding the amendment to 80-1203 followed. It was noted that the Agriculture Committee is currently working on a related bill and it was the concensus of the committee to refer the proposed amendment to the Agriculture Committee.

Representative Kenneth D. Francisco made a motion to amend 79-2001 and Representative L. V. Roper seconded the motion. Motion carried.

Representative Dorothy Nichols moved and Representative Burt DeBaun seconded that HB 2826 be passed as amended. Motion carried.

HB 2834, concerning municipalities; relating to the regulation of trees and shrubbery; - By Representative Kline

Mike Heim of the Staff gave a brief overview of the bill. (See Attach.III)

Mr. Scott Lambers, City of Overland Park, appeared in support of the bill and gave background and intent.

Representative Burt DeBaun moved and Representative Steve Schweiker seconded that HB 2834 be passed. Motion carried.

HB 2843, relating to the levy of special assessments for certain sewer improvements by the city of Ft. Scott, Bourbon county, Kansas; providing for the staying of certain foreclosure proceedings; authorizing the redetermination and recertification of such special assessments and the payment of portions of the cost thereof. - By Representative Harper
(See Staff Attachment IV.)

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT,

room 521-S, Statehouse, at 1:30 ~~am~~/p.m. on FEBRUARY 16, 1984

Representative Richard L. Harper, sponsor of the bill, appeared to give background and intent of the bill. (See Attachment V.)

Mr. Arden Endsley, Revisor of Statutes, appeared in support of the bill. Endsley pointed out that this legislation does not apply to any other assessment or city; that the county commissioners and city officials may negotiate for any portion to be paid by the fairgrounds.

Mr. Harper distributed a proposed amendment to HB 2843. (See Attachment VI.)

An objection was noted to giving authority not to charge interest, as provided for in the amendment, as negotiations should be conducted between the two parties involved.

Representative Arthur W. Douville made a motion that HB 2843 be amended as set out in Attachment IV (CRH2843pl). Representative Robert S. Wunsch seconded the motion. Motion carried.

It was suggested that the committee sunset the bill in one year. Discussion followed.

Representative W. Edgar Moore moved and Representative Clinton C. Acheson seconded that the bill be passed as amended. Motion carried.

Chairman Sand called for discussion and possible action on the following House Bills:

HB 2773, concerning improvement districts; relating to the powers thereof;
- By Representatives Braden and Sand

Theresa Kiernan, Staff, provided copies of balloon to committee members and explained changes incorporated into the original version of the bill. (See Attachment VII.)

The provision for the improvement district to be located five miles from the boundaries of an incorporated city was questioned. Staff explained that this had been a suggestion of the League.

On Page 5, the removal of (v) "grading, etc." was questioned. Staff stated that this had been removed to avoid controversy.

It was suggested that the committee be given additional time to study the proposed amendments to the bill.

The discussion on HB 2773 was closed.

HB 2812, relating to the issuance of general obligation bonds by municipalities; requiring the publication of notice and the submission to election upon the receipt of a sufficient petition prior to the issuance of certain bonds.
- By Rep. Guldner and Rep. Moomaw

Some of the concerns expressed at the 2/7/84 hearing of the bill were discussed.

Representative Dorothy Nichols made a motion to report HB 2812 adversely. Representative Robert S. Wunsch seconded the motion. Motion carried.

HB 2813, relating to land surveys; concerning the payment of the cost incurred in establishing corners and boundaries of property;
-By Rep. Guldner, et al.

Representative Jim Patterson moved and Representative George R. Dean seconded that HB 2813 be passed. Motion carried.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT,

room 521-S, Statehouse, at 1:30 ~~xxx~~ a.m./p.m. on FEBRUARY 16, 1984.

HB 2819, concerning county extension councils; relating to the budget thereof; - By Rep. David Webb

Upon request of the Chairman, in accordance with instructions from the sponsor of the bill, it was the unanimous decision of the committee that HB 2819 be killed.

Mr. Jim Kaup, League of Kansas Municipalities, appeared before the committee and requested that legislation which would amend K.S.A. 15-204 relating to the appointment of officers in mayor/council cities of the third class be accepted as a committee bill. (See Attachment VIII.)

Representative Clinton C. Acheson moved and Representative Mary Jane Johnson seconded that the legislation proposed by Mr. Kaup be introduced as a committee bill. Motion carried.

Meeting adjourned.

MEMORANDUM

February 15, 1984

TO: House Local Government Chairman
FROM: Legislative Research Department
RE: H.B. 2826

H.B. 2826 amends a statute concerning the manner in which a tax levy is required by law to be stated to require it be stated in terms of a rate in dollars upon each \$1,000 (instead of \$100) of assessed valuation.

(ATTACHMENT I)

80-1203. Same: report of expense to county commissioners; tax levy. The trustees of the several townships infested by prairie dogs shall appear before the board of

county commissioners of their respective counties at their annual meeting in August of each year, when they convene to make the annual tax levy, and make a report of the probable expense to exterminate the prairie dogs in their respective townships. And the commissioners of the respective counties, after receiving said reports, shall cause to be levied on real estate assessed for taxation in each township thus infested by prairie dogs the approximate amount estimated by the several trustees as herein provided, or any part thereof: *Provided, however,* That no assessment for this purpose shall be greater than seventy cents on each one hundred dollars valuation as herein provided.

History: L. 1909, ch. 181, § 2; April 3, R.S. 1923, 80-1203.

Source or prior law:

L. 1903, ch. 378, §§ 2, 3

79-2001. Entry of unpaid real property taxes; publication notice of all taxes; mailing of tax statements; contents of statements. As soon as the county treasurer receives the tax roll of the county, the treasurer shall enter in a column opposite the description of each tract or parcel of land the amount of unpaid taxes and the date of unredeemed sales (if any) for previous years on such land. The treasurer shall cause a notice to be published in the official county paper once each week for three consecutive weeks, stating in the notice the amount of taxes charged for state, county, township, school, city or other purposes for that year, on each \$100 of valuation.

Each year after receipt of the tax roll from the county clerk and before December 15, the treasurer shall mail to each taxpayer, as shown by the rolls, a tax statement which indicates the taxing unit, assessed value of real and personal property, the mill levy and tax due. The tax statement may also include the intangible tax due the county. All items may be on one statement or may be shown on separate statements and may be on a form prescribed by the county treasurer. The statement shall be mailed to the last known address of the taxpayer or to a designee authorized by the taxpayer to accept the tax statement, if the designee has an interest in receiving the statement. When any statement is returned to the county treasurer for failure to find the addressee, the treasurer shall make a diligent

effort to find a forwarding address of the taxpayer and mail the statement to the new address. All tax statements mailed pursuant to this section shall be mailed by first-class mail. The requirement for mailing a tax statement shall extend only to the initial statement required to be mailed in each year and to any follow-up required by this section.

History: L. 1876, ch. 34, § 88; L. 1886, ch. 30, § 1; R.S. 1923, 79-2001; L. 1972, ch. 366, § 1; L. 1981, ch. 173, § 78; L. 1982, ch. 166, § 1; July 1.

MEMORANDUM

February 15, 1984

TO: House Local Government Chairman
FROM: Legislative Research Department
RE: H.B. 2834

H.B. 2834 adds "public rights-of-way" to areas cities may regulate and provide for the planting, maintenance, treatment, and removal of trees and shrubbery. The statute currently lists these areas as streets, alleys, avenues, and boulevards. Cities have the power under current law to require owners of property abutting these areas to comply with city regulations or be liable for expenses of the city in trimming, maintaining, or removal of trees in these areas.

(ATTACHMENT III)

MEMORANDUM

February 15, 1984

TO: House Local Government Chairman
FROM: Legislative Research Department
RE: H.B. 2843

H.B. 2843 would stay all actions for foreclosure and sale of property and further proceedings regarding certain property owned by the Bourbon County Fair Association for delinquent special assessments for sewer improvements by the city of Fort Scott.

The bill requires the Bourbon County Commissioners to negotiate with the city of Fort Scott on behalf of the Fair Association for a redetermination of the special assessments and the bill cancels all previous penalties assessed for failure to pay.

STATE OF KANSAS

RICHARD L. HARPER
REPRESENTATIVE, ELEVENTH DISTRICT
BOURBON, CRAWFORD, AND LINN COUNTIES
R.F.D. NO. 3
FORT SCOTT, KANSAS 66701



TOPEKA

COMMITTEE ASSIGNMENTS
CHAIRMAN: ELECTIONS
MEMBER: JUDICIARY
TRANSPORTATION

HOUSE OF
REPRESENTATIVES

February 16, 1984

Mr. Chairman and Members of the Committee

HB 2843 is a local bill that is introduced to address the levy of special assessment levied by the City of Fort Scott, Bourbon County, Kansas.

I will attempt to give you the history of this problem as it has been related to me by a former city commissioner and former members of the Bourbon County Fair Association.

in 1971 The people along 23rd Street, which is to the South of the Fairgrounds, decided that they wanted to form a sewer district. The Fairboard when asked if they would like to be a part of the new sewer district, declined since the two restrooms on the Fairgrounds, one in the 4-H Building and the one in the grandstand area, were already hooked on the sewer district to the North of the Fairgrounds.

In order to get the trunk line to the 23rd Street district, the Fairboard gave the city an easement to run the trunk line across the East side of the Fairgrounds. The Fairboard understood that if they gave the city the easement, the city would not include the Fairgrounds in the 23rd Street district.

Mr. Albert Price, former Street Commissioner, represented the City of Fort Scott in the negotiations with the Fairboard over the easement and the fact that the Fairgrounds would not be included in the new sewer district. I contacted Mr. Price by telephone yesterday, and Mr. Price tells me he still remembers the negotiations and he feels that the Fairgrounds should not have been assessed.

The negotiations apparently were not documented or recorded which was a mistake on the Fairboard's part.

(ATTACHMENT V)

When the sewer construction was completed the first assessment, which did not include the Fairgrounds, was sent to the lot owners, the cost was more than they had anticipated. The lot owners along 23rd Street at this point ask the city to include the Fairgrounds so their individual assessments would be lowered.

A hearing was held at City Hall concerning adding the Fairgrounds to the sewer district. The Fairboard appeared at the hearing, but were booed down by the people from along 23rd Street. The City Commissioners voted after hearing that the Fairgrounds would be included in the 23rd Street sewer district.

The Fairboard was told privately by some of the Commissioners that the Fairboard could just ignore the assessment. As you know, there are Kansas statutes that prohibit just ignoring assessments and taxes.

The Fairboard has never had the funds to make this annual payment and therefore the total sewer assessment is outstanding. The assessment when spread over 10 years amounted to \$28,292.90. Since none of this has been paid, the interest has added to another \$22,132.28 for a total assessment and interest of \$50,425.18.

The Fairboard has met with the Bourbon County Commissioners and the City of Fort Scott Commissioners concerning the problem. Both are sympathetic with the problem, but their hands are tied by our Kansas statutes.

HB 2843 will allow the Fort Scott County Commissioners, City Commissioners and the Fair Association to negotiate the assessment and the accrued interest, and clear the records on this assessment.

Representative Richard L. Harper
District # 11

OFFICE OF THE
BOURBON COUNTY ATTORNEY
COURTHOUSE
FORT SCOTT, KANSAS 66701

DANIEL F. MEARA
COUNTY ATTORNEY

TELEPHONE 316 223-2910

GERALD W. HART
ASSISTANT COUNTY ATTORNEY

September 30, 1983

The Bourbon County Fair Association
c/o William Endicott
Citizens National Bank
Fort Scott, Ks. 66701

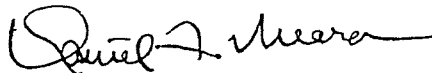
In Re: Tract No. 7977-4

Dear Sirs:

Please be advised that delinquent and unpaid taxes have accumulated against the above described property in the amount of \$ 50,425.18, excluding interest.

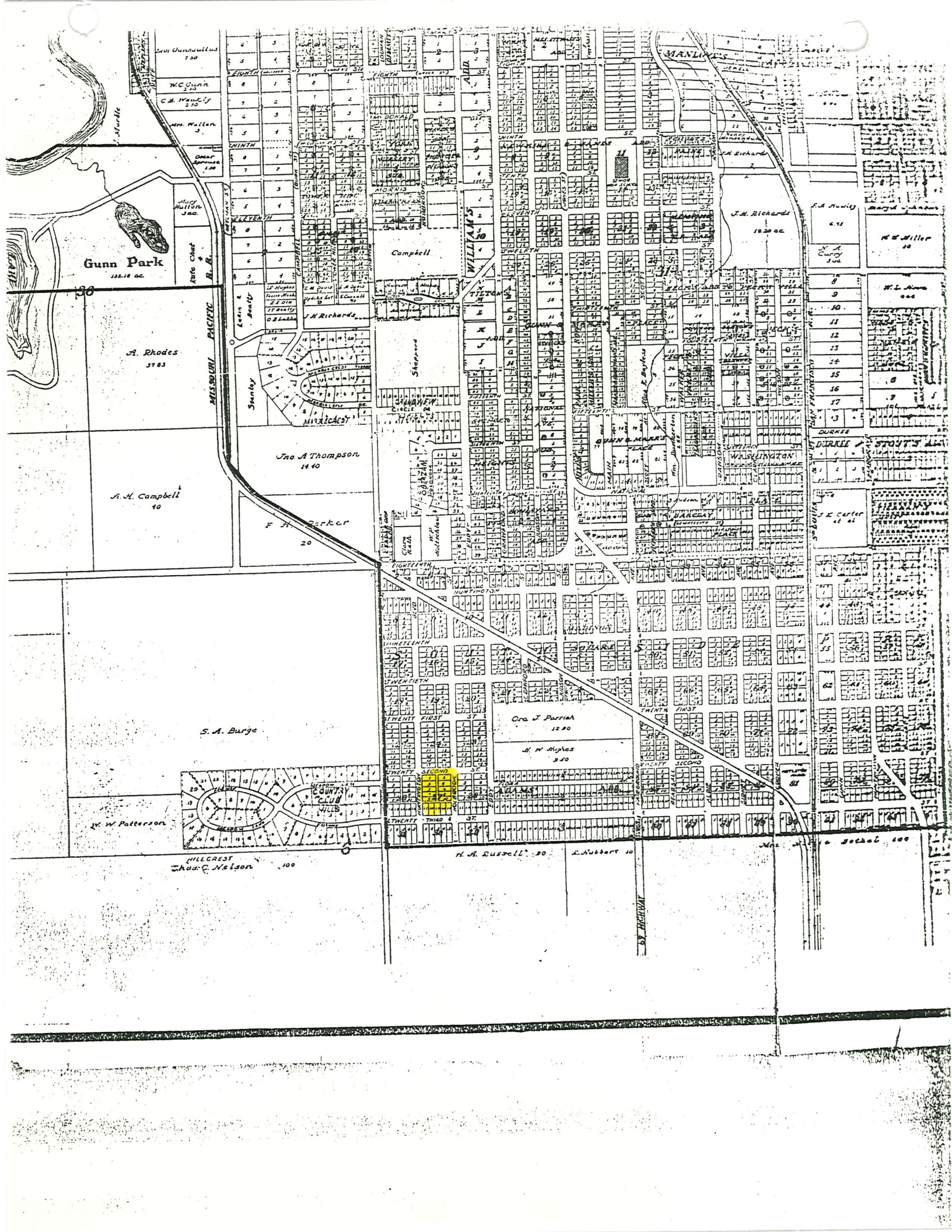
As County Attorney of Bourbon County, I have been ordered, by the County Commissioners of Bourbon County, to institute tax foreclosure proceedings against all property in our County upon which there are due and unpaid delinquent taxes. Take notice that unless you pay the delinquent taxes on the above described property, plus accumulated interest, on or before October 14, 1983, it will be included in the tax foreclosure proceeding and you will be assessed a pro rata portion of the cost of the proceeding.

Sincerely yours,



Daniel F. Meara

DFM:emc



Gunn Park
132.18 ac.

A. Rhodes
3783

J. H. Campbell
10

Jno A Thompson
1440

F. H. Parker
20

S. A. Burge

Ora J Parriek
1280

H. W. Hughes
320

HILLCREST
Thos. C. Nelson 100

H. A. Russell 20

L. Hubbard 10

W. J. ...
W. J. ... 100

MISSOURI PACIFIC

Campbell

WILLIAMS

Sherman

J. H. Richards
1820 ac.

F. A. Husky
6.75

H. E. Miller
10

H. L. ...
100

DURKEE

W. K. Carter
10.41

W. J. ...
W. J. ... 100

BOURBON COUNTY FAIR ASSOCIATION
ANNUAL FINANCIAL STATEMENT

Bank Balance -----December 2, 1981 \$1,194.70

| | |
|-------------------------------|------------|
| INCOME: United Way of Bo. Co. | \$1,500.00 |
| Bo. Co. Treasurer | 4,750.00 |
| Tractor Pull | 662.50 |
| Horse Pull | 285.00 |
| Jaycees Rodeo & Concessions | 250.55 |
| Tobys Carnival | 1,069.75 |
| Booth Rentals | 859.00 |
| Frizzell-West Show Gate | 3,002.65 |
| Frizzell-West Advance Tickets | 1,631.20 |
| Advertising | 200.00 |
| Southwestern Bell - Donation | 80.00 |
| Misc. Income | 192.00 |

\$ 14,482.65

Total Money Accounted For \$15,677.35

EXPENSES:

| | |
|----------------------------|------------|
| Judges | \$1,060.61 |
| MICAR Lights & Sound | 1,250.00 |
| CNB Note Payoff | 3,810.68 |
| CNB Premiums | 2,632.50 |
| Farm Bureau Insurance | 831.63 |
| Mid Am. Sanitation Toilets | 120.00 |
| George Ashford Security | 140.00 |
| KG&E Electricity | 1,029.26 |
| Printing & Ribbons | 1,560.65 |
| State Meeting Expenses | 188.28 |
| Showcases | 120.00 |
| Repair & Maintenance | 1,344.48 |
| Advertising | 818.17 |
| Trophies | 198.60 |
| Misc. Expense | 25.85 |
| Ken Flaten Tune Piano | 55.00 |

\$15,185.71

Bank Balance as of December 1, 1982 \$491.64

TW 19

PLAINTIFF for its.....cause of action alleges and states: that on the.....day of September, 19....., the following described real estate situated in the County of Bourbon, in the State of Kansas, to-wit:

| DESCRIPTION | (Twp.-City) | Sec. or Lot | Twp. or Blk. | Rge. | No. of Acres | Assessed Value | Sch. Dist. No. | 19 Sale No. |
|---|-------------|-------------|--------------|------|--------------|----------------|----------------|-------------|
| South Side Park add. 1/2 W 1/2 Sec 10, Twp 27 N, R 10 E, Mo. | | 10 | 27 | | | | 234 | |

was sold as provided by law, for delinquent taxes due thereon for the year A. D., 19....., and was bid in by the County of Bourbon at such delinquent tax sale, and the same has remained unredeemed for the period of more than three years after such sale or any extension thereof, as provided in Section 79-2401A of the General Statutes of Kansas, for 1949. That the amount of taxes, charges, and interest and penalties chargeable to said described property, for the following years as follows, viz.:

| Year Of Tax | Amount Of Tax | Interest, Charges And Penalties To Date of Sale | Amount Bid In By County | Interest To | | Total |
|-------------|---------------|---|-------------------------|-------------|-------------|-------|
| | | | | 19..... | | |
| 1971 | \$ 2,829.29 | \$ 3,394.80 | \$ | \$ 50 | \$ 6,224.59 | |
| 1972 | \$ " | \$ 3,111.90 | \$ | \$ 50 | \$ 5,941.69 | |
| 1973 | \$ " | \$ 2,829.00 | \$ | \$ 50 | \$ 5,658.79 | |
| 1974 | \$ " | \$ 2,546.10 | \$ | \$ 50 | \$ 5,375.89 | |
| 1975 | \$ " | \$ 2,263.20 | \$ | \$ 50 | \$ 5,092.99 | |
| 1976 | \$ " | \$ 1,980.30 | \$ | \$ 50 | \$ 4,810.09 | |
| 1977 | \$ " | \$ 1,697.40 | \$ | \$ 50 | \$ 4,527.19 | |
| 1978 | \$ " | \$ 1,414.50 | \$ | \$ 50 | \$ 4,244.29 | |
| 1979 | \$ " | \$ 1,357.92 | \$ | \$ 50 | \$ 4,187.71 | |
| 1980 | \$ " | \$ 1,527.66 | \$ | \$ 5.00 | \$ 4,361.95 | |
| 1981 | \$ " | \$ 1,018.14 | \$ | \$.00 | \$ 3,852.03 | |
| 1982 | \$ " | \$ 509.22 | \$ | \$ 5.00 | \$ 3,343.51 | |
| | \$ | \$ | \$ | \$ | \$ | |

Making the aggregate due on the.....day of....., 19....., the sum of \$ 57,621.42
 7,196.24
 50,425.18

That there is an additional lien for unpaid 19.....taxes in the sum of \$.....

That the name of the owner—of said property is/are
 The Bourbon County Fair Association
 Inc. a corp.
 c/o William S. Wilson
 4000 1/2 W. Park

And that
 claims some interest therein and thereto, the exact nature and extent of which is unknown to said plaintiff.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

Your Committee on Local Government

Recommends that House Bill No. 2843

"AN ACT relating to the levy of special assessments for certain sewer improvements by the city of Ft. Scott, Bourbon county, Kansas; providing for the staying of certain foreclosure proceedings; authorizing the redetermination and recertification of such special assessments and the payment of portions of the cost thereof."

Be amended:

On page 2, in line 49, after the word "penalties" by inserting "and accrued interest"; in line 52, by striking "shall be" and inserting "are hereby";

And the bill be passed as amended.

Chairperson

HOUSE BILL No. 2773

By Representatives Braden and Sand

1-24

0016 AN ACT concerning improvement districts; relating to the
0017 powers thereof; amending K.S.A. 1983 Supp. 19-2765 and
0018 repealing the existing section.

0019 *Be it enacted by the Legislature of the State of Kansas:*

0020 Section 1. K.S.A. 1983 Supp. 19-2765 is hereby amended to
0021 read as follows: 19-2765. Every improvement district incor-
0022 porated under the terms of this act shall have the power to:

0023 ~~First, to (a)~~ Adopt a seal.

0024 ~~Second, to (b)~~ Be sued and to sue by its corporate name.

0025 (c) Adopt and enact resolutions prescribing the manner in
0026 which the powers of the district shall be carried out, and
0027 generally regulating the affairs of the district.

0028 ~~Third, to (d)~~ Plan and construct or to purchase public works
0029 and improvements necessary for public health, recreation, con-
0030 venience or welfare within the limits of the improvement dis-
0031 trict. Also to construct or purchase works outside the limits of the
0032 district which may be necessary to secure outlets, disposal, etc.,
0033 and permit satisfactory performance of the works within the
0034 district.

0035 ~~Fourth, to (e)~~ Purchase, hold, sell and convey real estate and
0036 other property, ~~to employ engineers and attorneys.~~

0037 ~~Fifth, to (f)~~ Take private property for public use by exercise
0038 of the right of eminent domain as provided by law.

0039 ~~Sixth, to (g)~~ Annually levy and collect a general tax not
0040 exceeding five mills on all taxable tangible property within the
0041 district, to create a general fund. Unless consented to in writing
0042 by the owners of at least 90% of the total area of land in the
0043 improvement district, no such levy shall be made by any im-
0044 provement district where the density of population thereof, as

Att. VII

0046 determined by the county clerk of the county in which the
0047 district is located, on the basis of the assessment rolls for the last
0048 assessment made for the county, does not exceed one resident for
0049 each five acres of land, including platted land and unplatted
0050 land, located within the district. In lieu of the levy not exceeding
0051 five mills hereinabove provided for, any improvement district
0052 located in a county having a population of more than 150,000 and
0053 less than 180,000 and having an assessed taxable tangible valua-
0054 tion in such district of more than \$300,000, may annually levy
0055 and collect a tax not exceeding 15 mills on all taxable tangible
0056 property within the district to provide moneys for the general
0057 fund and, in addition, may annually levy and collect a tax of not
0058 to exceed seven mills on all taxable tangible property within the
0059 district to provide moneys for law enforcement and fire protec-
0060 tion for all property located within the district, if, in either case,
0061 51% of the qualified electors of the improvement district, as
0062 determined and verified by the governing body of the district,
0063 shall petition the directors requesting that such levies be made.
0064 Any improvement district may annually levy and collect a gen-
0065 eral tax not exceeding six mills on all taxable tangible property
0066 within the district to create a general fund, but no levy in excess
0067 of five mills may be made unless the board of directors of such
0068 improvement district has published a resolution authorizing a
0069 levy in excess of five mills once each week for three consecutive
0070 weeks in a newspaper of general circulation within the district. If
0071 within 30 days after the last publication of such resolution, a
0072 petition protesting such levy, signed by qualified electors of the
0073 improvement district equal in number to not less than 10% of the
0074 electors voting at the last improvement district election for
0075 directors, is filed with the county clerk of the county in which
0076 such improvement district is located, no levy in excess of five
0077 mills may be made. If no petition protesting the levy in excess of
0078 five mills is filed within the prescribed time, the improvement
0079 district may, annually thereafter, levy such general tax not ex-

0080 *Seventh; to (h)* Levy assessments and special taxes, if
0081 deemed expedient by the directors, upon all of the real estate in

the district that may be benefited by special works and improvements including the improvement and maintenance of roads in the district, which will be conducive to the public health, convenience or welfare.

Eighth, to (i) Authorize the issuance of bonds to pay the cost of constructing public works and improvements that will benefit all property located within the district and be conducive to the public health, convenience, or welfare and be beneficial to all of the inhabitants of the district. No such bonds shall be issued unless consented to in writing by the owners of all of the land in the improvement district or until authorized by a vote of the taxpayers as hereinafter provided. The total amount of such bonds outstanding shall not, unless consented to in writing by the owners of all of the land in the improvement district, exceed 25% of the assessed valuation of the district as shown by latest assessment rolls. Unless consented to in writing by the owners of at least 90% of the total area of land in the improvement district, no such bonds shall be issued for the payment of the cost of any improvement within any improvement district where the density of population thereof, as determined by the county clerk of the county in which the district is located, on the basis of the assessment rolls for the last assessment made for the county does not exceed one resident for each five acres of land, including platted land and unplatted land, located within the district. Any improvement district having a population of more than 2,000 and an assessed taxable tangible valuation of more than \$2,000,000 and located within a county having a population of more than 300,000 is hereby authorized to issue revenue bonds the proceeds of which shall be used only to purchase, construct, reconstruct, equip, maintain or repair buildings and to acquire sites therefor, and to enlarge or remodel such buildings and equip the same for the purposes set out in and pursuant to the provisions of K.S.A. 12-1740 *et seq.*, and amendments thereto.

Ninth, to (j) Contract with other improvement districts or with other public corporations for cooperation or joint action in the construction of public works or improvements. Also to contract for and receive aid, contributions and loans from the United

0119 States government or any agency thereof.

0120 ~~Tenth, to (k)~~ Establish by resolution of the board of directors
0121 reasonable rates on charges for the use of the sewage disposal
0122 system of the district and provide for the manner of the making
0123 and collection of the same. "Sewage disposal system" for the
0124 purposes of this act shall include the system of sewers and the
0125 sewage disposal plant of the district.

0126 ~~Eleventh, to (l)~~ Make all contracts and do all other acts in
0127 relation to the affairs of the district necessary to the proper
0128 exercise of its corporate legislative or administrative powers and
0129 to the accomplishment of the purpose of its organization.

0130 ~~(m) Furnish street lighting and to create taxing therefor in~~
0131 ~~the manner provided for counties by K.S.A. 19-2716 to 19-2730,~~
0132 ~~and amendments thereto.~~

0133 ~~(n) Regulate traffic on all streets, roads and highways within~~
0134 ~~the district in a manner not inconsistent with state law.~~

0135 ~~(o) Regulate the use of streets and roads by utilities and~~
0136 ~~adjoining property owners.~~

0137 ~~(p)~~ Adopt and enact resolutions to secure the general health
0138 of the district, to prevent, abate and remove nuisances and to
0139 provide for taxing the cost of abating or removing any nuisances
0140 as a separate assessment against any lot or tract of ground upon
0141 which the same is located or maintained.

0142 ~~(q)~~ Remove or destroy grass, weeds or other vegetation from
0143 any lot or parcel of land located within the district. The secre-
0144 tary of the board of directors shall send notice to the owner of
0145 the property to remove the grass, weeds or vegetation within a
0146 period of time not to exceed 10 days. If the owner fails to remove
0147 the grass, weeds or vegetation within the time specified, the
0148 board may provide for the removal thereof and assess the cost of
0149 removal against the property on which the same was located.
0150 Any unpaid costs assessed pursuant to this subsection shall
0151 become a lien upon the property from the date of assessment

0152 thereof. ~~(r)~~ Regulate and prohibit the running at large of
0153 domestic animals.

0154 ~~(s)~~ Adopt and enact resolutions for the preservation of the
0155 peace and order of the district and to prevent injury, destruction

(m) Employ any person necessary to carry out the provisions of this act.
(n) The governing body of any improvement district the boundaries of which are located more than five miles from the boundaries of any incorporated city also shall have the power to:
(1)

(2)

(3)

(4)

56 or interference with public or private property.

57 (1) Establish, equip and maintain a police force and define
0158 the duties of the same; the members of the police force shall
0159 have the same powers, duties and jurisdiction within the district
0160 as do the marshal and policemen in cities of the third class.

0161 (u) Open, widen, extend or otherwise improve any street,
0162 avenue or alley, and vacate the same in the manner provided for
0163 cities of the third class; to appropriate private property for the
0164 opening, widening or extending any street or alley, or to con-
0165 demn private property or easement therein for the use of the
0166 district for any district purpose whatsoever in the manner
0167 provided by K.S.A. 26-501 to 26-516, inclusive, and amendments
0168 thereto.

0169 (v) Grade, regrade, pave, repave, curb, recurb, gutter, re-
0170 gutter, macadamize, remacadamize or otherwise improve any
0171 street or avenue in the manner provided for cities by K.S.A.
0172 12-601 to 12-609, and amendments thereto. Such power shall not
0173 affect the powers and duties of the board of county commis-
0174 sioners to create a benefit district which may include territory
0175 within the improvement district for the improvement of streets,
0176 avenues and roads therein.

0177 (w) Classify and license by resolution for the purpose of
0178 regulation or revenue any and all occupations, businesses or
0179 professions in the manner provided by law for cities of the
0180 second or third class.

0181 (x) Grant franchises and exercise other powers to the extent
0182 and in the manner provided for cities by K.S.A. 12-2001 and
0183 12-2002, and amendments thereto. Every person, firm and cor-
0184 poration is prohibited from operating in the district without a
0185 franchise to the extent and subject to the penalties provided by
0186 K.S.A. 12-849 and 12-850, and amendments thereto.

0187 (y) Impose a lien on property for unpaid bills or charges for
0188 utility services.

0189 Twelfth; to (z) Do all other acts that may be necessary to
0190 carry out and execute the general powers hereinbefore or here-
0191 inafter granted, although not hereinbefore specifically enumer-
0192 ated.

(5)

provided by the district

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0193 Sec. 2. K.S.A. 1983 Supp. 19-2765 is hereby repealed.

0194 Sec. 3. This act shall take effect and be in force from and
0195 after its publication in the statute book.

AN ACT relating to appointment of officers in mayor/council cities of the third class; concerning terms of office of appointive officers and providing for their removal or suspension; amending K.S.A. 15-204 and repealing the existing section.

Section 1. K.S.A. 15-204 is hereby amended to read as follows: The mayor, with the consent of the council, may appoint, at the first regular meeting of the governing body in May of each year, the following city officers, to-wit: A municipal judge of the municipal court, a clerk, a treasurer, a marshal-chief of police, policemen, street commissioner, and such other officers as deemed necessary; and may retain a licensed professional engineer to act in the capacity of city engineer for specifically defined duties. The duties and pay of the various officers provided for in this section shall be regulated by ordinance. A majority of all the members of the council may remove any such officer, or, for good cause, the mayor may remove any such officer, with the consent of the council.

[law enforcement officers

[Such persons shall hold their respective offices until their successors shall have been appointed and qualified.

[Any officer may be removed by majority vote of the members-elect of the council, and may be suspended, at any time, by the mayor.

Sec. 2. K.S.A. 15-204 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.