

Approved Ivan Sand 3/19/85
Date

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT

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

7:30 ~~a.m.~~ ^{a.m.} on MARCH 8, 1985 in room 526-S of the Capitol.

All members were present except: All Present.

Committee staff present: Mike Heim, Legislative Research Department
Mary Hack, Revisor of Statutes Office
Gloria Leonhard, Secretary to the Committee

Conferees appearing before the committee: None

Chairman Ivan Sand called for action on the following bills:

HB 2383, relating to revenue bonds for economic development; concerning issuance of such bonds by counties.

Rep. Dorothy Nichols made a motion to amend HB 2383 as proposed by the Revisor's office. Rep. Clyde Graeber seconded the motion. The motion carried. (See Attachment I.)

Rep. Burt DeBaun proposed an additional amendment which would involve a new Section I regarding unfair competition.

Chairman Sand suggested amending the bill on the floor of the House. Rep. DeBaun agreed.

Rep. Mary Jane Johnson made a motion that HB 2383 be passed as amended. Rep. LeRoy F. Fry seconded the motion. The motion carried.

HB 2180, concerning cemetery corporations; relating to permanent maintenance funds.

Rep. Robert D. Miller, Chairman of Sub-Committee on HB 2180, reported that the Sub-Committee had recommended certain changes which had been incorporated into a balloon bill prepared by Staff. Rep. Miller explained the balloon bill. (See Attachment II.)

Rep. Robert D. Miller made a motion that HB 2180 be amended as proposed in the balloon bill. Rep. Mary Jane Johnson seconded the motion. The motion carried.

Rep. Mary Jane Johnson made a motion to table the bill. Rep. Samuel Sifers seconded the motion. The motion carried.

HB 2480, amending the Kansas retailers' sales tax act; relating to the definition of political subdivision.

Rep. Clinton C. Acheson made a motion that HB 2480 be passed. Rep. Clyde Graeber seconded the motion. The motion carried.

HB 2508, relating to recreation systems in cities and school districts; concerning tax levies therefor.

Rep. Arthur W. Douville made a motion that HB 2508 be passed. Rep. Robert D. Miller seconded the motion. The motion carried.

HB 2506, concerning real and personal property taxes; relating to interest paid thereon.

Rep. Arthur W. Douville made a conceptual ^{/motion for an} amendment which would authorize the board of county commissioners and the governing body of a taxing subdivision to enter into agreements for the distribution of interest monies.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT,
room 526-S, Statehouse, at 7:30 ~~xxxxxx~~ ^{a.m.} _{a.m./p.m.} on MARCH 8, 1985

Rep. Mary Jane Johnson seconded the motion. The motion carried.

Rep. LeRoy F. Fry made a motion that HB 2506 be passed as amended. Rep. Mary Jane Johnson seconded the motion. The motion carried.

The meeting was adjourned.

3-8-85

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

Your Committee on Local Government

Recommends that House Bill No. 2383

"AN ACT relating to revenue bonds for economic development; concerning issuance of such bonds by counties; amending K.S.A. 12-1741b and repealing the existing section."

Be amended:

On page 1, in line 39, before "within", by inserting "within the corporate limits of a city or within three miles of the corporate limits of a city or"; in line 41, before "county", by inserting "city or"; in line 42, after the period, by inserting "Approval of a city governing body shall not be required to finance the construction of facilities located on real estate, the title to which is in the county issuing the revenue bonds."; in line 45, by striking "statute book" and inserting "Kansas register"

And the bill be passed as amended.

Chairperson

HOUSE BILL No. 2180

By Committee on Local Government

2-5

0017 AN ACT concerning cemetery corporations; relating to perma-
0018 nent maintenance funds; amending K.S.A. 17-1311 and re-
0019 pealing the existing section.

0020 *Be it enacted by the Legislature of the State of Kansas:*

0021 Section 1. K.S.A. 17-1311 is hereby amended to read as fol-
0022 lows: 17-1311. Such corporation shall maintain, in a trust com-
0023 pany, a bank within the state of Kansas or a savings and loan
0024 association incorporated under the laws of this state, a percent-
0025 age of the purchase price of each burial lot hereafter sold by it, or
0026 any payment thereon, not less than ~~fifteen percent (15%)~~ 15%
0027 thereof, for the permanent maintenance of the cemetery within
0028 which ~~said~~ the burial lot lies, but the total amount so set aside
0029 shall not be less than ~~twenty-five dollars (\$25)~~ \$25 for each burial
0030 lot at the time of conveyance of such lot. *For each permanent*
0031 *monument, tombstone, burial lot marker or other memorial*
0032 *installed on a burial lot after July 1, [1985], such corporation*
0033 *prior to such installation shall collect on a nondiscriminatory*
0034 *basis from the burial lot owner or other person authorized to*
0035 *install such memorial* an amount determined by such corpora-
0036 *tion but at least \$.10 per square inch of the memorial's founda-*
0037 *tion area; and such corporation shall deposit the amounts so*
0038 *collected into the permanent maintenance fund for the perma-*
0039 *nent maintenance of the cemetery in which such burial lot lies.*
0040 Deposits to the permanent maintenance fund shall be made
0041 within ~~forty-five (45)~~ 45 days of receipt of moneys for which
0042 deposits are required to be made. Moneys placed in such fund
0043 under the provisions of K.S.A. 17-1308, and amendments
0044 thereto, shall be credited for the purposes of fulfilling such
0045 requirement. Moneys in such fund may be held and invested to

purchased and

1986

the amount of \$.15

(ATTACHMENT II)

3-8-85

Attachment 2

0046 the same extent as is provided in K.S.A. 17-5004, and any
0047 amendments thereto, but the total amount of money invested in
0048 any mortgage upon real property shall not exceed an amount
0049 equal to ~~seventy-five percent (75%)~~ 75% of the market value of
0050 such property at the time of such investment. The income of the
0051 ~~said~~ permanent maintenance fund shall be used exclusively for
0052 the maintenance of ~~said the~~ cemetery. No part of the principal of
0053 ~~said the~~ fund shall ever be used for any purpose except for such
0054 investment. In no event shall any loan of ~~said the~~ funds be made
0055 to any stockholder in such corporation. The treasurer of such
0056 corporation may deposit, to the credit of such fund, donations or
0057 bequests for ~~said the~~ fund and may retain property so acquired
0058 without limitation as to time and without regard to its suitability
0059 for original purchase. As used in this section, the term "burial
0060 lot" shall mean a plotted space for one grave. Such maintenance
0061 shall include, but not be limited to, mowing, road maintenance
0062 and landscaping, but shall not include administrative costs, ex-
0063 pense of audits or the portion of any capital expense for equip-
0064 ment used to maintain portions of a cemetery not sold for burial
0065 purposes or in use for grave sites.

0066 Sec. 2. K.S.A. 17-1311 is hereby repealed.

0067 Sec. 3. This act shall take effect and be in force from and
0068 after its publication in the statute book.

and memorial