

MINUTES OF THE Senate COMMITTEE ON Local Government

The meeting was called to order by Senator Don Montgomery at _____
Chairperson

9:05 a.m. ~~XXXX~~ on Tuesday, March 19, 1985 in room 531-N of the Capitol.

All members were present except: Senators Mulich and Winter who were excused

Committee staff present: Emalene Correll, Theresa Kiernan, Mike Heim, Lila McClaflin

Conferees appearing before the committee: Representative Richard Harper, Fort Scott, KS.
Representative Dale Sprague, McPherson, KS.

The chairman called the meeting to order.

The hearing was opened on H.B. 2183. H.B. 2183, as amended, authorizes the board of directors of health care facilities and services hospital district No. 1, in Linn and Bourbon Counties to borrow money by contract from an individual for an addition to an existing nursing home. It would be subject to a 5% protest petition. The sponsor of the bill, Rep. Harper, said a nursing home at Prescott, KS. in Linn County, wants to build an addition and a private individual is willing to loan them the money for the addition interest free.

Mike Heim explained the statutes require this bill in order for the nursing home to borrow the money.

The Hearing was opened on H.B. 2029. Rep. Sprague, sponsored this bill and he was present to testify for it. H.B. 2029, amends the improvement district law to permit improvement districts in McPherson County to levy not to exceed 20 mills to provide street lights for Roxbury, KS. a small community in McPherson County. The Roxbury Improvement District currently pays the monthly charges for its street lighting system by voluntary contributions. This system has become extremely difficult to maintain. Rep. Sprague presented a letter from William E. Gusenius to him and a letter to Rep. Baker from him, both letter are in reference to bill, they are a part of these minutes (attachment 1).

Rep. Sprague, also, sponsored H.B. 2287, this bill would permit any city, upon request to the county treasurer, to handle the tax monies for payment of the emergency no fund warrants. Under current law, this procedure is available only for certain cities of the first class. This bill was introduced as a requested from Bill Gearing, City Clerk of McPherson, KS. He stated there was no controversy with this bill in the House. A brief discussion followed.

The chairman referred back to H.B. 2183 and Senator Allen moved to recommend the bill for passage. Senator Daniels seconded the motion. The motion carried.

H.B. 2029, Senator Daniels moved to recommend the bill for passage. Senator Allen seconded the motion. The motion carried.

Senator Daniels moved to accept the minutes of the March 11, 1985 meeting. Senator Bogina seconded the motion. The motion carried.

The chairman announced the annexation bill, H.B. 2117, will be heard next Tuesday, March 26, 1985.

The meeting adjourned until Wednesday, March 20, 1985.

WILLIAM E. GUSENIUS

ATTORNEY AT LAW

120 E. LINCOLN, BOX 328

LINDSBORG, KANSAS 67456

(913) 227-3632

January 17, 1985

Mr. Dale Sprague
State Capitol Building
Room 112 South
Topeka, Kansas 66612

Dear Dale:

In response to our telephone conversation of yesterday, I am writing on behalf of the Roxbury Improvement District, concerning the pending house bill allowing improvement districts to levy general taxes up to 20 mills for public improvements.

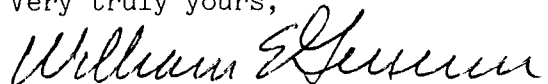
The facts in our situation are that the improvement district covers approximately 160 acres of ground, and includes the unincorporated community of Roxbury, Kansas, which is located in northeastern McPherson County. The improvement district was originally incorporated several years ago for the purposes of establishing and maintaining a sewage treatment facility for the citizens of the Roxbury community.

For many years the citizens of the community have been receiving the benefits of street lights which are located within the town and which are presently owned by Kansas Power & Light. There is a monthly service charge for these lights which has previously been paid simply by voluntary contribution of the citizens of the community. This has become extremely difficult to maintain contributions and it is the wish of the improvement district to take over the funding of the street light operation, as well as the sewer district.

There is relatively little assessed valuation within the boundaries of the 160 acre improvement district, and the current 5 mill general tax authorized by K.S.A 19-2765 will only cover approximately 25 to 30% of the annual cost of operating the street lights. It is for this purpose that we felt a special bill authorizing the improvement district to increase the general levy to 20 mills would be appropriate.

Obviously, this is somewhat a specialized situation, but we feel it is necessary to allow the improvement district to perform additional public interest acts for the benefit of the citizens of the Roxbury community. We would very much appreciate any assistance you can give us in seeing that this bill would be adopted. Thank you.

Very truly yours,



William E. Gusenius

WEG:ee

(attachment 1)

3/19/85



TOPEKA

HOUSE OF REPRESENTATIVES

COPY
84523-10

January 24, 1985

Representative Elizabeth Baker
Room 180W, State Capitol Building
Topeka, KS 66612

Dear Representative Baker:

In reference & answer to questions in Local Government regarding the Roxbury Improvement bill, I have assembled the following information from the McPherson County Clerk & Assessor.

Assessed Valuation Estimates:	
Platted & improved real property:	\$ 45,405.00
Unplatted real property:	\$ 30,765.00
Tangible personal property:	<u>\$ 37,085.00</u>
Total valuation estimated:	\$ 113,255.00
Size of improvement district:	Approx. (160) acres
Estimated population:	100
Electricity costs:	\$ 120 - 130.00 Mo. \$1440 - 1560.00 Yr.
Amount raised by 20 mills levy annually:	\$ 2,265.00

The District governing body will have to determine exactly the precise mill levy to meet the costs of electricity. The requested 20 mills are anticipated to meet the District's needs.

Should you have any futher questions, I'll be pleased to help in any way I can.

Very Truly Yours,

Dale M. Sprague
State Representative
District Seventy-Three

cc: File
Rep. Ivan Sands
Wm. Gusenius, Esq.

DMS/dc