

MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT.

The meeting was called to order by Chairman Senator Janice Hardenburger at 1:30 p.m. on January 18, 2000, in Room 529-S of the Capitol.

All members were present except: Senator Praeger
Senator Petty

Committee staff present: Dennis Hodgins, Legislative Research Department
Mike Heim, Legislative Research Department
Ken Wilke, Revisor of Statutes
Graceanna Wood, Committee Secretary

Conferees appearing before the committee: Janet Stubbs, Kansas Building Industry Association
Carol Williams, Exec. Dir., KGEC
Gary Haller, Director, Johnson Ct. Park & Rec. District
Dana Fenton, IRC for Johnson County
Mike Jurkovich, Chairman, Johnson Ct. Park & Rec. District

Others attending: See attached list

Chairman Hardenburger called the meeting to order and requested introduction of bills.

Janet Stubbs, Kansas Building Industry Association requested the introduction of a bill relating to excise tax. She informed the Committee that the city of Derby has implemented an excise tax, therefore, the proposed bill would merely provide guidelines to be followed, and also provide information before the implementation of the excise tax.

Senator Lawrence moved that the bill be introduced, seconded by Senator Becker. Motion carried.

Carol Williams, Executive Director, KGEC, asked the Committee to consider a discussion concerning the state's contracting provisions which relates to the conflict of interest statutes. She said the conflict of interest statutes deal with competitive bidding and not negotiated bidding.

The Committee discussed if this was a state or county situation.

Chairman Hardenburger opened hearings on **SB 371—concerning parks; relating to the Johnson county park and recreation district.**

Senator Becker, sponsor of the bill informed the Committee that **SB 371** was proposed due to a recent bond issue in Johnson County that caused unnecessary expense to the county. Senator Becker introduced Gary Haller, Director, Johnson County Parks and Recreation District and requested that he explain the bill.

Mr. Haller presented testimony in favor of **SB 371**, which is relating to the issuance of bonds by the District. He stated that current statute creates difficulty in acquiring the property as it provides the location and creates immediate speculation on the land to be acquired prior to the passage of the ballot question. (Attachment #1)

The Committee discussed whether the referendum should be published before the acquisition of the land.

Mike Jurkovich, Chairman, Johnson County Parks and Recreation District, informed the Committee that their Department does have to identify the boundaries of any acquisition, by street.

Dana Fenton, Intergovernmental Relations Coordinator for Johnson County, testified in favor of **SB 371**. He informed the Committee that the bill would simplify the boundary requirements in ballot issues pertaining to land acquisition. (Attachment #2)

CONTINUATION SHEET

Senator Becker moved that the bill be moved out favorably, seconded by Senator Gooch.

The Committee discussed the bill further regarding the proposed area involved in the bond issue. Senator Huelskamp asked staff to find out if any local authorities have to describe the location of land prior to the issuance of bonds.

Chairman Hardenburger called the motion out of order due to not calling opposition to the bill. She asked if there were any opponents to the bill. There were no conferees who testified in opposition. She asked that further information be brought before the Committee and advised **SB 371** would be discussed further next week.

Chairman Hardenburger closed the hearing.

Meeting was adjourned at 2:15 p.m. Next meeting is scheduled for January 19, 2000.



Testimony
to
Kansas Senate
Elections & Local Government Committee

by
Gary L. Haller, Director
Johnson County Park and Recreation District
January 18, 2000

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NATIONALLY
ACCREDITED



SENATE BILL 371

Honorable Chairperson Hardenburger and Committee Members:

Thank you for the opportunity to appear before you today regarding Senate Bill 371.

As noted in the title, the Johnson County Park and Recreation District is a Special District created by the Kansas Legislature in 1955 under K.S.A. 19-2859 through 19-2885. As we have progressed through time, there HAS been need for changes and additions to the enabling statues requiring the District to address the legislature regarding those needs.

S.B. 371 represents one of those changes to the original statutes. S.B. 371 refers to Section K.S.A. 19-2874 of the District statutes relating to the issuance of bonds by the District. Currently the statute calls for the District to describe in detail the land to be acquired as part of the referendum language. The change requested would require the District only to describe the general purpose of the acquisition and the estimated amount.

The current statute creates difficulty in acquiring the property as it provides the location and creates immediate speculation on the land to be acquired prior to passage of the ballot question. This knowledge of location and speculation accelerate the price of the land in the immediate area of the property identified making it more costly to acquire the lands after the ballot issue has passed. The current statute can also establish immediate adverse reaction by those affected by the known location prior to the passage of the ballot question.

The change recommended is the same language used in school district statutes, which only provides the general purpose of the proposed acquisition and the estimated dollar amount of the acquisition.

The Johnson County Board of County Commissioners has endorsed this statute change as part of its current legislative platform.

The Johnson County Park and Recreation District would sincerely appreciate the committee's favorable endorsement of S.B. 371. We thank you for the opportunity to appear before you and would be happy to answer any questions.

Senate Elections & Local Government
Date: 1-18-00
Attachment # 1



Johnson County, Kansas

Office of the County Administrator

JANUARY 18, 1999

SENATE ELECTIONS & LOCAL GOVERNMENT

TESTIMONY OF DANA FENTON
INTERGOVERNMENTAL RELATIONS COORDINATOR FOR JOHNSON COUNTY

SUPPORT FOR SENATE BILL 371

Madame Chair, members of the Committee, thank you for the opportunity to testify today. My name is Dana Fenton, Intergovernmental Relations Coordinator for the Johnson County Board of Commissioners.

I am here today to testify in support of SB 371, which has been requested by the Johnson County Park & Recreation District.

In October 1999, the Johnson County Commission reviewed this request of the Park & Recreation District and promptly provided its support for this measure. This measure would simplify the boundary requirements in ballot issues pertaining to land acquisition. The proposed amendment would enable the ballot to list the general proximity and use of the land instead of the more detailed description that leads to land speculation. Such speculation often results in higher prices to the taxpayer and fewer acres of land that can be obtained for use by future generations.

The Johnson County Commission respectfully requests favorable consideration of SB 371 by the Senate Elections and Local Government Committee.

Again, thank you for this opportunity to testify. I will be glad to stand for any questions.

Senate Elections & Local Government
Date: 1-18-00
Attachment # 2