

MINUTES OF THE HOUSE ELECTIONS AND GOVERNMENTAL ORGANIZATION COMMITTEE

The meeting was called to order by Chairman Mike Burgess at 3:30 P.M. on March 20, 2007 in Room 231-N of the Capitol.

All members were present.

Committee staff present:

Martha Dorsey, Legislative Research Department  
Matt Spurgin, Legislative Research Department  
Mike Heim, Revisor of Statutes Office  
Maureen Stinson, Committee Assistant

Conferees appearing before the committee:

Senator Jim Barone  
Representative Shirley Palmer  
Dale Bunn  
Dean Mann  
Gary Emry  
Mark Tomb

Others attending:

See attached list.

**SB 321** Fort Scott/Bourbon county river front authority act

Chairman Burgess opened the hearing on **SB 321**.

Senator Barone testified in support of the bill. No written testimony was submitted.

Representative Shirley Palmer testified in support of the bill (Attachment 1). She explained that the bill was recently introduced in the Senate and that it passed by a vote of 39 to 0.

Mark Tomb, League of Kansas Municipalities, testified in support of the bill (Attachment 2). He submitted written testimony from Kimberly Winn, Director of Policy Development and Communications for the League of Kansas Municipalities.

Dale Bunn, Director of Economic Development for the City of Fort Scott, testified in support of the bill (Attachment 3). He explained that the River Front Authority will have the ability to manage donated property and funding with integrity. He said that the improvements that it provides will convert an overgrown, dismal former dump in a troubled flood plain into an attractive recreation center, a beautiful northern gateway into the historic downtown.

H. Dean Mann, Co-Convener, Develop the River as an Asset Committee, testified in support of the bill (Attachment 4). He explained that the goal is to create a park between National Avenue and U.S. Highway 69 on both sides of the river. He said that the park will include a lake between the Marmaton River and Mill Creek.

Written testimony in support of the bill was submitted by Gary Emry, President, Fort Scott Area Chamber of Commerce (Attachment 5).

Chairman Burgess closed the hearing on **SB 321**.

**SB 169** Voters; photo identification required

Questioning of conferees who appeared at the hearing on **SB 169** on Monday, March 19, 2007 continued.

Chairman Burgess closed the hearing on **SB 169**.

CONTINUATION SHEET

MINUTES OF THE House Elections and Governmental Organization Committee at 3:30 P.M. on March 20, 2007 in Room 231-N of the Capitol.

Representative Metsker made a motion for the favorable approval of the minutes for March 19, 2007. Representative Sawyer seconded the motion. The motion carried.

The meeting was adjourned.

The next meeting is scheduled for Wednesday, March 21, 2007.





TOPEKA

HOUSE OF  
REPRESENTATIVES

SHIRLEY PALMER  
REPRESENTATIVE, DISTRICT  
HOME ADDRESS:  
1862 EAGLE ROAD  
FORT SCOTT, KANSAS 66701  
(620) 223-4105  
OFFICE ADDRESS:  
DOCKING STATE OFFICE BUILDING  
7TH FLOOR, ROOM 760  
TOPEKA, KANSAS 66612  
(785) 296-7698  
e-mail: palmers@house.state.ks.us  
DURING SESSION: 1-800-432-3924  
TOLL FREE HOTLINE

March 20, 2007

The Honorable Mike Burgess, Chairman  
House Committee on Elections and Governmental Organizations  
Topeka, Kansas. 66612

Dear Representative Burgess and Committee:

**SUBJECT: SENATE BILL 321**

My name is Shirley Palmer and I am State Representative of the 4<sup>th</sup> District in Kansas which involves all of Linn County and most of Bourbon County. I am a life-long Kansan and have lived near Fort Scott, Kansas most of my life.

Fort Scott, Kansas has lots of history including a National Historic "Old Fort" Site and we enjoy many tourists every year from all over the world. I am excited to have the opportunity of introducing to you a bill that has to do with my district. We would like to create a Fort Scott / Bourbon County Riverfront Authority as proposed in Senate Bill 321. This Bill was introduced recently in the Senate by Senator Jim Barone and it passed by a vote of 39 to 0.

Senate Bill 321 is very close to Senate Bill 575 that created the Topeka / Shawnee County Riverfront Authority last year.

I had the opportunity of visiting this Fort Scott site over this past weekend with two co-conveners, Dean Mann and Jerry Witt, two very dedicated civic leaders in our historic community. Observing first hand the condition of this location at the present time and listening to long-range plans and goals for the future was most exciting.

I truly believe this project will add to the increased tourism of our community. It will also enhance the use of this area with hiking and biking trails, equestrian trails, botanical gardens and arboretum to name a few of the many projects planned. These projects will definitely improve the appearance of this location. With the improvements made that are planned, I'm sure it will definitely attract even more people to our area and encourage capital investment, create recreational retail business, entertainment, economic development, and housing.

People in our community are very excited about this new project and to my knowledge are all very supportive. There are NO opponents that I am aware of.

I am proud to say Fort Scott is my hometown. I am an enthusiastic supporter of this Bill and respectfully request your approval of Senate Bill 321 which would allow the creation of a Riverfront Authority in Fort Scott, Kansas.

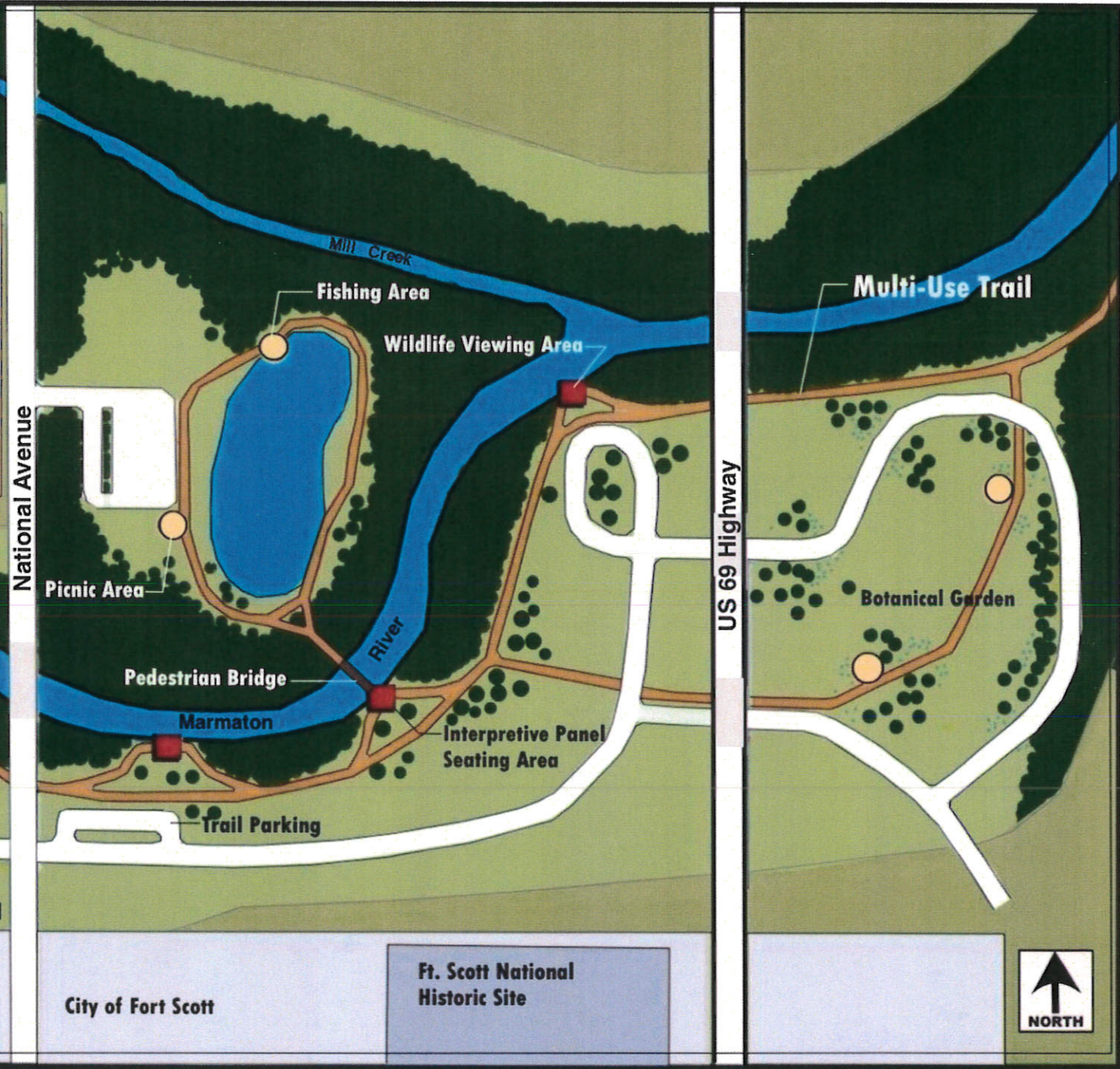
Thank you very much.

Sincerely,  
Shirley Palmer, State Representative

*Shirley Palmer*

House Elections & Gov. Org.  
Date: 3-20-2007  
Attachment # 1

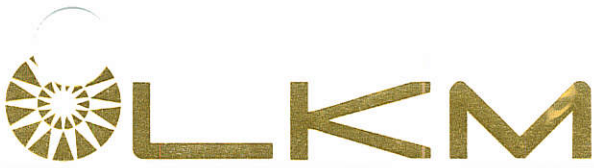
# FORT SCOTT RIVERFRONT DEVELOPMENT CONCEPT PLAN



1-2

2-2





League of Kansas Municipalities

Presented by: Mark Tomb

To: Elections and Governmental Organization  
From: Kimberly Winn, Director of Policy Development & Communications  
Date: March 20, 2007  
Re: SB 321

On behalf of the 576 member cities of the League of Kansas Municipalities (LKM), thank you for the opportunity to appear today regarding SB 321. We appear in full support of this legislation.

SB 321 would authorize the City of Fort Scott and Bourbon County to form a riverfront authority. While each of these entities may have the authority to individually initiate efforts aimed toward developing their riverfront, the cooperative nature of this venture is truly laudable. In addition, because they are seeking to establish a separate legal entity, the legislation that you have before you today is necessary in order for this authority to be established.

Economic development efforts are often difficult and must be customized to each community. We stand in complete support of the cooperative efforts which are being considered by Fort Scott and Bourbon County.

For these reasons, we ask for your favorable consideration of SB 321. I would be happy to stand for questions at the appropriate time.



March 20, 2007

The Honorable Representative Mike Burgess, Chairperson  
House Committee on Elections and Government Organization  
Capital Building, Room 519-S  
Topeka, KS 66612

Dear Chairman Burgess and Committee Members:

I am Dale Bunn, the Director of Economic Development for the City of Fort Scott. Today I have the honor of representing the City of Fort Scott Commissioners and the Bourbon County Board of Commissioners. I am also a member of the board of the Bourbon County Economic Development Council.

The City of Fort Scott Commissioners and the Bourbon County Commissioners have unanimously passed resolutions in support of the creation of the Fort Scott/Bourbon County RiverFront Authority as described in SB 321. Copies of those resolutions, 3-2007 and 10-07 respectively, are provided.

In late 2005, the City Management of Fort Scott and the Chamber of Commerce created the Fort Scott Community Visioning Program. Community Visioning, we believe, is an excellent program, supported by matching grants from Kansas Department of Commerce. It facilitates community collaboration and teamwork throughout the public square of government, education, business and health/human services.

As you may know, the members of the Visioning Committee went to the community and conducted extensive surveys, interviews and public meetings

Dale Bunn, Director of Economic Development, City of Fort Scott  
P.O. Box 151, 1 East Third Street, Fort Scott, KS 66701  
620-223-0550 dbunn@fscity.org

House Elections & Gov. Org.  
Date: 3-20-2007  
Attachment # 3

to identify priorities that the citizens wanted to direct attention.

Out of that dynamic process have come six Projects and Action Teams:

- The completed Heritage Park Pavilion in downtown Fort Scott brings entertainment and attractiveness to a former empty lot.
- The Economic Development Action Team to assist the City and County efforts with incremental talent.
- The Neighborhood Revitalization Action Team is creating clean-up/fix-up programs, including promotion of low cost loans and property tax rebates, to promote and help bring pride to the city house-by-house, street-by-street.
- The Youth Parks and Recreation Action Team is developing and encouraging programming so that young people “will have something to do in Fort Scott”.
- The AquaVision Action Team will have a proposal for an Aquatic Center on the ballot this summer.
- **And then, this activity we are about, showing our support for it before you today—the Development of the River as an Asset Project. Its Action Team has generated our request for your approval today to create the Fort Scott/Bourbon County RiverFront Authority.** Their vision proposal is generated by the survey results gathered from the community. It is based on local interests, regional and local assets, and similar developments that have worked well.

The Economic Development support that I testify is based on the Quality of Life values we must have to maintain current industries and our workforce, and to attract jobs to Kansas.

The Authority will have the ability to manage donated property and funding with integrity. The improvements that it provides will convert an overgrown, dismal former dump in a troubled flood plain into an attractive recreation center—a beautiful northern gateway into our historic downtown

- A greenbelt and park expanse with arboretum and botanical garden
- Comfortable fishing in a small lake and on the river banks
- Miles of walking and biking trails



- A historic tour with markers utilizing the old railroad and cavalry trails to complement the Historic Downtown and National Historic

Dean Mann, the Chairman of Citizens Bank and its seven locations headquartered in Fort Scott, has avidly and deftly led *The RiverFront As An Asset* team. They have put together an excellent plan from the input of the community they gathered and an understanding of what makes it attractive for economic development. I and the commissioners and the citizens of the City of Fort Scott and of Bourbon County are excited about seeing this bill move through the Kansas Legislature.

Thank you, Chairman Burgess and members of this committee, for your time and honored favor of SB 321. With your support it will clear a serious blemish off the face of our state, transforming it into an educational and activity rich emerald gem that attracts tourism and business and good employees to Fort Scott, Kansas.

Respectfully,



Bunn

cc: Fort Scott City Manager Richard U. Nienstedt, Mayor Garold Billionis, County Commission Chairman Terry Graham

RESOLUTION NO. 3-2007

A RESOLUTION REQUESTING THE KANSAS STATE LEGISLATURE TO ENACT A BILL TO CREATE THE FORT SCOTT/BOURBON COUNTY RIVERFRONT AUTHORITY

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FORT SCOTT, KANSAS:

SECTION 1: Is requesting that the Kansas State Legislature enact a bill to create the Fort Scott/Bourbon County Riverfront Authority.

SECTION 2: The purpose of the Authority would be to encourage capital investment to create recreational, retail, entertainment, economic development, and housing within the riverfront area. During the first three years of its existence, the authority would engage in planning and design of the riverfront. The Authority could acquire by purchase, lease, gift, or other means any real property or the rights to real property, but would not have the power to acquire property by eminent domain. The Authority could acquire other types of property, riparian rights, dams and docks, recreational equipment, and public improvements and could execute agreements, leases, and equipment trust certificates. Operating capital would be provided from revenue or income derived from the riverfront authority or from grants. The Bill would give the Authority the other powers necessary to accomplish the purposes of this act.

SECTION 3: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED THIS 6th day of February, 2007  
By the Fort Scott City Commission.

Garold R. Billionis

Garold R. Billionis, Mayor  
Fort Scott City Commission

Diane K. Clay  
Diane K. Clay, City Clerk

RESOLUTION 10-07  
BOURBON COUNTY, KANSAS

A RESOLUTION REQUESTING THE KANSAS STATE LEGISLATURE TO ENACT A BILL TO CREATE THE FORT SCOTT/BOURBON COUNTY RIVERFRONT AUTHORITY

BE IT ORDAINED BY THE GOVERNING BODY OF THE COUNTY OF BOURBON, KANSAS:

SECTION 1: Is requesting that the Kansas State Legislature enact a bill to create the Fort Scott/Bourbon County Riverfront Authority.

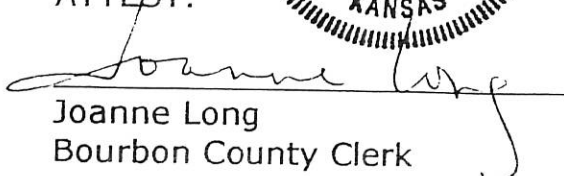
SECTION 2: The purpose of the Authority would be to encourage capital investment to create recreational, retail, entertainment, economic development, and housing within the riverfront area. During the first three years of its existence, the authority would engage in planning and design of the riverfront. The Authority could acquire by purchase, lease, gift, or other means any real property or the rights to real property, but would not have the power to acquire property by eminent domain, within the defined riverfront area. The Authority could acquire other types of property, riparian rights, dams and docks, recreational equipment, and public improvements and could execute agreements, leases, and equipment trust certificates. Operating capital would be provided from revenue or income derived from the riverfront authority or from grants. The Bill would give the Authority the other powers necessary to accomplish the purposes of this act.

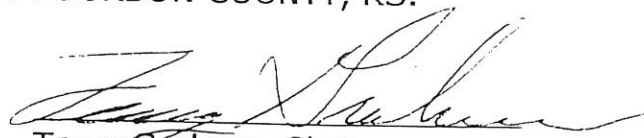
SECTION 3: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED THIS 5th day of February, 2007 By the Board of County Commissioners of BOURBON COUNTY, KS.



ATTEST:

  
Joanne Long  
Bourbon County Clerk

  
Terry Graham, Chairman  
Bourbon County Commissioners

March 20, 2007

The Honorable, Mike Burgess, Chairperson  
House Committee on Elections and Governmental Organization  
Statehouse, Room 519-S  
Topeka, Kansas 66612

Dear Representative Burgess:

**SUBJECT: OUTLINE OF POINTS FOR DISCUSSION FOR SENATE BILL 321**

**BACKGROUND**

In February 2006, citizens of Fort Scott met in connection with the development of a vision for Fort Scott and as a result created five goals for the community. One of the goals was to "Develop the River as an Asset". Currently the Marmaton River, which runs along the west and north sides of Fort Scott, is overgrown with vegetation, has little to no water flow, and is inaccessible to the general public. We believe that this area can be developed into an asset for Fort Scott.

Fort Scott City Council and Bourbon County Commissioners have unanimously voted to request that the State Legislature create a Riverfront Authority to assist in the completion of this project and the Kansas State Senate has passed the bill with a 39 to 0 vote.

Our goal is to create:

1. A park between National Avenue and U S Highway 69 on both sides of the river. The park will include a lake between the Marmaton River and Mill Creek.
2. Hiking and biking trails along with a parallel equestrian trail which will eventually extend along the river from the park up stream to Gunn Park and down stream to the Old Military Bridge at 240<sup>th</sup> Street in the county.
3. The park and trails will have historical panels reflecting the history of our area. We will also have wildlife and nature panels and plant identification programs that will add interest to the experience of visiting the park or using the trails.
4. A weir (low water dam) on the Marmaton in order to maintain a constant level of water that will enable recreational use of the river.
5. An arboretum and botanical garden that will be part of a plan for the park.
6. Funding for the project that will come from grants and donations from state and federal programs as well as from private and public foundations and individuals.

House Elections & Gov. Org.  
Date: 3-20-2007  
Attachment # 4

Senate Bill 321 is almost verbatim to Senate Bill 575 that created the Topeka/Shawnee County Riverfront Authority last year.

## **PURPOSE**

SB 321 will create the Fort Scott/Bourbon County Riverfront Authority. The purpose of the Authority would be to encourage capital investment, to create recreational, retail, entertainment, economic development, and housing within the riverfront. During the first three years of its existence, the Authority will engage in the planning and design of the riverfront. The Authority could acquire by purchase, lease, gift, or other means any real property or the rights to real property within the defined riverfront area. The Authority could acquire other types of property, riparian rights, dams and docks, recreational equipment, and public improvements and could execute agreements, leases, and equipment trust certificates. Operating capital would be provided from revenue or income derived from the riverfront authority or from grants. The bill would give the Authority the other powers necessary to accomplish the purposed of this act.

## **GOVERNANCE AND ADMINISTRATION**

The Riverfront Board of Directors will be the governing and administrative body and will consist of six members. No member will be an elected official. The members will not be paid a salary, but would be reimbursed for actual expenses incurred in the performance of their duties. The members will be citizens of Kansas. Three of the members will be appointed by the Mayor of Fort Scott, with the approval of the Fort Scott City Council, and three members would be appointed by the Bourbon County Commission. Of the first appointees, the Mayor and City Council will designate one member to a one-year term, one member to a two-year term, and one member to a three-year term. The Bourbon County Commission will designate its appointees' terms in the same manner. All successor member of the Board would be appointed to terms that last until three years from the date of appointment.

The Board could appoint a general manager and such other persons necessary to make the Authority succeed.

## **BUDGET AND EXPENDITURES**

The Board would establish a fiscal year and approve annual budgets. No expenditures in excess of the budget would be made without the affirmative vote of at least four of the six Board members. The bill would require that a damage reserve fund be established and capitalize this fund to a level that it feels is sufficient through withdrawals from gross receipts and charges to operating expenditures. The Board would have the power to create other special revenue funds as necessary.

SB 321 would make provision for payment of expenses through a private bank. It would allow the Authority to receive and make use of federal, state, and private grant funds and individual donations, and it would authorize the investment of idle funds. No other provision is made for financing the Authority.

Sincerely,

H. Dean Mann  
Co-Convener, Develop the River as an Asset Committee

March 20, 2007

"Written Only"

The Honorable, Mike Burgess, Chairperson  
House Committee on Elections and Governmental Organization  
Statehouse, Room 519-S  
Topeka, Kansas 66612

Dear Representative Burgess:

**SUBJECT: SENATE BILL 321**

The creation of the Fort Scott/Bourbon County Riverfront Authority as proposed in Senate Bill 321 will have a significant economic impact on the Fort Scott and Bourbon County area. We will be taking an area that is now over grown and unusable, to create a real asset that promotes quality of life and economic development.

We envision the park with its hiking, biking, and equestrian trails; and the access to the river and its recreational opportunities, will draw a larger number of people to our area. Currently, most of our visitors are day visitors. This additional attraction will complement our National Historic Site and our Victorian Downtown area. The park will add an additional area of interest that can extend their stay and therefore the use of our restaurants, hotels, etc.

The Greater Fort Scott Area Chamber of Commerce is an enthusiastic supporter of this project and respectfully asks that you approve Senate Bill 321.

Sincerely,

Gary Emry  
President, Fort Scott Area Chamber of Commerce

House Elections & Gov. Org.  
Date: 3-20-2007  
Attachment #: 5