

SESSION OF 2002

**CONFERENCE COMMITTEE REPORT
HOUSE BILL NO. 2878**

As Agreed to May 9, 2002

Brief *

The Conference Committee agreed to all Senate amendments except decided to delete Section 8 dealing with transfer of territory from one drainage district to another and to add a provision allowing title to any county building used by a nonprofit organization to provide mental health services to vest in that organization.

HB 2878 deletes from the recreation commission law certain special provisions (enacted in 1994) that applied just to the Blue Valley Recreation Commission created by USD 229; amends the improvement district law to expand the powers of certain improvement districts; establishes procedures for the continuation of a recreation commission upon the consolidation of one school district with another; and authorizes the vesting of title of certain county buildings in nonprofit organizations providing mental health services.

In regard to the recreation commission law and the Blue Valley Recreation Commission, the bill deletes the following:

- The authority of the school district to modify the recreation commission budget;
- The requirement that the recreation commission be governed by a seven member commission (the bill permits any recreation commission having a seven member board to reduce the size to five or to continue with the seven member commission);
- Deletes an exclusion for the Blue Valley Recreation Commission from petition procedures to abolish the recreation commission; and

*Conference committee summary reports are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree.

- Deletes the power of the Blue Valley Recreation Commission to purchase real property if USD 229 approves.

Further, the bill clarifies that any recreation commission which is abolished, the authority of the taxing authority for the recreation commission may continue to levy a tax until all debts are paid and if real property is owned by a recreation commission, it shall vest in the taxing authority.

The bill also would delete a restriction in the improvement district law, KSA 19-2753 *et seq.*, which grants certain added powers to improvement districts located more than five miles from an existing city so that any improvement district could exercise these expanded powers. The bill permits the board of county commissioners to allow corporations providing mental health services to hold title to buildings used for this purpose; establishes a new procedure for transfer of drainage district territory to another drainage district; and amends the law regarding the Blue Valley Recreation Commission.

The added powers of any improvement district, regardless of location in reference to a city, include the ability to abate nuisances, require the removal of grass and weeds, regulate and prohibit domestic animals running at large, adopt regulations to insure peace and order, and assess unpaid utility bills against property.

The bill establishes procedures for a recreation commission which was established by a school district to continue in existence upon the consolidation of the school district with another school district.

The bill provides the recreation commission would continue to have a tax levied on its behalf against the property of the former USD upon the event of the consolidation of the two USDs. The bill also establishes a procedure for the expansion of the recreation district to include the full territory of the consolidated school district.

The option of expansion would require approval of the electors in the area not part of the current recreation commission.

Background

Section 8 of HB 2878 was added by the Senate Committee of the Whole to deal with a drainage district issue concerning transfer of land

between drainage districts. These provisions came from SB 527 and are also in HB 2727.

Due to many overlapping or duplicated sections between HB 2878 and HB 2727 as amended by the Senate Committee of the Whole, the Conference Committee elected to remove the existing Section 8 and replace it with Section 2 of HB 2727 as amended by the Senate Committee of the Whole in order to put the drainage district issues into one bill and place all other local government issues contained into this bill to eliminate duplication.