

SESSION OF 2005

## SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2007

As Recommended by House Committee on  
Governmental Organization and Elections

### Brief\*

HB 2007 would amend legislation, adopted last session, which required a mail-ballot election in order to impose a sales tax for the newly created Horsethief Reservoir Benefit District.

Specifically, the bill would:

- ! Require the sales tax election be held at any general election, at a special election called for that purpose, or via a mail-ballot election as provided for in state law.
- ! Eliminate the reference to another statute's election notice publication procedure and replace it with explicit language requiring notice of the sales tax election be published at least once a week for two consecutive weeks in the official county newspaper of each county in the new district.
- ! Become effective upon publication in the *Kansas Register*.

### Background

The Legislature passed HB 2582 in 2004, which created the Horsethief Reservoir Benefit District. The district consists of Finney, Ford, Gray, and Hodgeman counties. The bill created an eight-member governing board, including seven members appointed by the city, county, and watershed district governing bodies involved, as well as the Secretary of Wildlife and Parks or the Secretary's designee. The board was given the authority to impose a district-wide sales tax, issue bonds

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

to finance the project, and manage recreational facilities within the district. If approved at a mail-ballot election, the sales tax could be imposed in increments of 0.05 percent, not to exceed 0.25 percent, and could be used to pay the costs of the project, pay the costs to manage and operate the project, and make debt service payments on bonds related to the project. If the sales tax is not imposed by December 31, 2008, the act will expire. The bill also allowed the district to set the fee schedule for recreational facility use at a reduced rate for residents of counties which are part of the district.

Representative Larry Powell was the sole conferee on the bill. Representative Powell testified the legislation inadvertently required the vote for a sales tax be taken via a mail-ballot election. The mail ballot election would cost the district \$50,000 to \$60,000. The intent, he added, is to pass the bill quickly so the proposition may be placed on the April 5, 2005 ballot.

No fiscal note was available at the time of the Committee hearing.