

MINUTES OF THE HOUSE LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chair Sharon Schwartz at 3:35 p.m. on March 9, 2010, in Room 144-S of the Capitol.

All members were present except:

Representative Lana Gordon, Excused
Representative Michael Peterson, Absent

Committee staff present:

Kristen Kellems, Office of the Revisor of Statutes
Martha Dorsey, Kansas Legislative Research Department
Jill Shelley, Kansas Legislative Research Department
Carol Bertram, Committee Assistant

Conferees appearing before the Committee:

Shawn Leisinger, Assistant Shawnee County Counselor and General Manager, Westlawn Memorial Gardens Cemetery
Joe Grisolano, Crawford County Treasurer, Kansas County Treasurers Association
Melissa A. Wangemann, General Counsel/Director of Legislative Services, Kansas Association of Counties
Diane Minear, Deputy Assistant Secretary of State, Legal Counsel

Others attending:

See attached list.

Martha Dorsey, Legislative Research Department, explained **HB 2679**, stating that the bill would amend laws regarding abandoned cemetery property after a municipality takes possession. She pointed out that on page two of the bill there are specific requirements concerning potential buyers that must be met before the municipality could sell the property.

Questions and answers followed.

Chair Schwartz opened the hearing on **HB 2679 - Cemeteries; abandoned; sale by municipalities; conditions.**

Proponent:

Chair Schwartz recognized Shawn Leisinger, Assistant Shawnee County Counselor and General Manager, Westlawn Memorial Gardens Cemetery, who appeared before the Committee in support of **HB 2679 (Attachment #1)**. He stated this bill addresses a concern of Shawnee County that he said could become a concern of all county and city governments in Kansas. If this bill is adopted, it would allow any county or city in the State of Kansas that is ordered to assume responsibility for care of an abandoned cemetery to be able to sell it to responsible new owners to get it taken care of (to benefit the lot owners) and to get it put back on the tax rolls (to benefit the taxpayers) while it can still be run in a financially responsible manner. Mr. Leisinger sees this bill as a win/win situation for both the citizens affected and all counties and cities put into this situation statewide.

Questions and answers followed.

The Chair asked Kristen Kellems, Office of the Revisor of Statutes, to do research and report back to the Committee on what happens to private rights for people who own plots in private cemeteries when the cemetery changes ownership or is abandoned.

Melissa A. Wangemann, Kansas Association of Counties, stated the Association of Counties supports **HB 2679** and submitted written-only testimony following the hearing (Attachment #2).

Diane Minear, Deputy Assistant Secretary of State, stated the Secretary of State's Office holds a neutral position on **HB 2679** and submitted written-only testimony following the hearing (Attachment #3).

CONTINUATION SHEET

Minutes of the House Local Government Committee at 3:30 p.m. on March 9, 2010, in Room 144-S of the Capitol.

Chair Schwartz closed the hearing on **HB 2679**.

Chair Schwartz opened the hearing on **SB 464 - Payment of taxes; cleanup**.

Ms. Dorsey, Legislative Research Department, explained **SB 464**. She stated this bill would clarify the "second half" property tax payment deadline date in three statutes to conform with legislation passed in a previous year.

Questions and answers followed.

Chair Schwartz recognized Joe Grisolano, Crawford County Treasurer and Vice President of the Kansas County Treasurers Association, who appeared before the Committee in support of **SB 464 (Attachment #4)**. He stated several years ago the due date for the payment of second half property taxes was changed from June 20 to May 10. The dates in three statutes did not get adjusted to reflect this change, and the Treasurers Association is asking the Committee's support to correct the language in the three statutes.

Questions and answers followed.

Chair Schwartz closed the hearing on **SB 464**.

A motion was made by Representative Slattery and seconded by Representative Garcia that the Committee recommend **SB 464** favorably for passage and that it be placed on the Consent Calendar. The motion carried.

There being no further business, Chair Schwartz adjourned the meeting at 4:20 p.m.

The next meeting of the House Local Government Committee is scheduled for March 11, 2010.

Representative Sharon Schwartz, Chair