

SESSION OF 2012

**SUPPLEMENTAL NOTE ON SUBSTITUTE FOR HOUSE
BILL NO. 2555**

As Recommended by House Committee on
Local Government

Brief*

Sub. for HB 2555 deals with recreation systems and commissions. The bill would create a new section of law allowing the governing body of a school district, which previously established a recreation system, to take joint action with the governing body of the city in which the school district is located, to initiate the conversion of the existing recreation system to a city recreation system under the following stipulations and procedures:

- The school district would have to be located completely inside the boundaries of the city.
- A joint ordinance and resolution would be required, proposing to change the existing school district system to a city recreation system, and the joint ordinance and resolution must authorize publication of a notice of intent. The notice must be published once a week for two consecutive weeks in the official city newspaper.
- A protest petition could be filed which, if it met the criteria established in the bill, would subject the measure to an election.

If a new city recreation system is established pursuant to the new law, the following stipulations would apply:

*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>

- The mill levy rate of the new system would not be subject to the one-mill levy limitation for a new recreation system established in KSA 12-1927.
- The conversion to the new system must provide for the transfer of assets of the existing school district system to the city system, as well as the assumption of liabilities from one to the other.
- The members of the school district recreation system would be required to serve the balance of their respective terms in office as members of the new, city system, at which time the members of the city recreation commission must be appointed by the city governing body.

Background

The original bill was sponsored by Speaker of the House Mike O'Neal, and Speaker O'Neal requested the substitute bill language as a better way to address the issue. At the House Committee on Local Government, Speaker O'Neal and the Superintendent of USD 308 in Hutchinson testified in favor of the bill. No neutral or opposing testimony was received. Testimony indicated that the boundaries of the City of Hutchinson had grown beyond the boundaries of USD 308, a situation quite different than when the Hutchinson Recreation Commission was founded as a school-sponsored commission in 1947. A study commission, formed to consider the situation, recommended expansion of the tax base to the city, as this would allow services to expand as the city continues to expand.

The House Committee on Local Government adopted the substitute bill as requested by Speaker O'Neal.

According to the fiscal note, passage of the original bill would have no fiscal effect on state government. However, the recreation commissions that call the elections would incur

costs, charged to the recreation commissions, that would depend on the size of the recreation district, the number of voters, and the number of polling places required.