

GEM PROPERTIES, INC.

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Placed on
National Register
of Historic Places
U.S. Department of Interior
November 1, 2006

March 12, 2013

Members of the Senate
and the Committee
Ethics, Elections and Local
Government

attached please find an outline of
my arguments strongly opposing the
approval of H.B. 2118. Especially its
an ad hoc amendment eroding the
intent and purpose of KSA 75-2715.

Thank you for
your consideration.

Sincerely
Gem Properties Inc
by Jan W Leuenberger
President

3/11-13

To members of the Senate and to the Committee
Ethics, Elections, and Local Governments.

Thank you for the opportunity to oppose
the repeal of K.S.A. 75-2724 and to
oppose H.B. 2118

(1) Purpose of Historical Property in Kansas

(A) House Bill (H.B. 2118) goes to the heart of
eroding historical preservation in Kansas.
Please, I ask you read the preamble to the
Kansas Preservation Act, KSA 75-2715. This
has stood the test of time since 1977 with few
changes.

(B) To paraphrase: The legislature
finds that historical preservation and maintenance
should be among the highest priorities of
government. Historic preservation should be
fostered and promoted. (note that maintenance
is given the same priority as preservation)

(C) To adopt HB 2118 would delineate
the very core of K.S.A. 2715 and KSA 75-2724.

(2) Preservation and Maintenance

(A) To repeal KSA 75-2724 not only
contradicts the desire to protect and preserve

historical ^{property}, as stated in K.S.A. 2715, but it also undermines the maintenance of historical property. The historical property placed on a national or state registry are "jewels" of the local community and deserved to be maintained.

(b) If the environs of historically registered property are not reasonably protected the undesirable encroachments will lessen objective and intuitive value, will make renting more difficult and undesirable to tenants, and the owner is less able to generate income to protect and maintain the property at a high level of preservation. The property deteriorates and is subsequently ^{of} "re-modeled" or torn down as an "improvement" this generates a "loss" to local communities who have pride in their landmarks. So many have already been destroyed for "parking lots".

(3) Heart of Justice for Historical Property.

(A) K.S.A. 75-2724 is the heart of justice for local communities. The Act does not impose criteria for opposing or encouraging local development.

It is just because it leaves to the local community the right and duty, if they choose, to weigh the benefits and consequences of protecting or not protecting historical property at the local level. The State itself is not imposing standards rather it shifts to the local community to weigh the benefits and consequences of development. The local community, not its developer alone, decides the fate of historical property.

(b) not all developments or developers are created equal, and because the state of Kansas recognizes the importance of historic property, since 1977, the united communities weigh the benefits and detriments of the project. This is the highest form of ^{exercise} local democracy. Why remove it now?

(c) The act and KSA 75-2724 is not broken. It has been relied upon by cities since 1977. The consequences of change now far out weigh any benefits for the preservation and maintenance of historic property.

(4) affect on Jobs + Revenue
To diminish the importance of maintaining historic property may affect jobs and revenue in local communities. If tax credits are not available, if the income tax is repealed, then historical property maintenance will diminish value. If property taxes are increased again the desire to acquire, maintain and preserve historical property may be diminished.

In conclusion, I again urge you read KSA 75-2715. I know you will, as the act contemplates, that preservation and maintenance be defined to the individual cities and communities to do the right thing for the good of their citizens, developers and their own communities. It may inconvenience some, but historic preservation is so important the benefit exceeds any inconvenience.

Respectfully Submitted
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