

MINUTES OF THE HOUSE LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairperson Steve Huebert at 1:30pm on Tuesday, February 24, 2015, 281-N of the Capitol.

All members were present except:

Representative Mike Kiegerl – Excused

Representative John Alcala – Excused

Committee staff present:

Cindy Lash, Legislative Research Department

Martha Dorsey, Legislative Research Department

Maureen Stinson, Kansas Legislative Committee Assistant

Daniel Yoza, Office of Revisor of Statutes

Mike Heim, Office of Revisor of Statutes

Conferees appearing before the Committee:

Joe Knopp; G. Kent Stewart; Ralph Wahl; Larry Tawny; William Czapanskiy; Mike Taylor, Unified Government Public Relations, Kansas City, Kansas; Melissa Wangemann, Kansas Association of Counties

Others in attendance:

[See Attached List](#)

Chair Huebert called the meeting to order.

Hearing on: HB2296 — Cities and counties; public building commission; revenue bonds; election required.

Chair Huebert opened the hearing on the bill.

Mike Heim, Senior Assistant Revisor, presented a brief overview of the bill.

Joe Knopp appeared as a proponent of the bill. ([Attachment 1](#)) He testified that under current law, a county or city commission can establish a public building commission, appoint themselves as the Public Building Commission (PBC) and then, with a majority vote of this small group, impose multi-million dollar projects which commit the tax base of the community to the repayment of this debt for decades without a public vote. He explained that the powers of the Public Building Commission include:

- Acquire land through an eminent domain action
- Issue bonds for up to 50 years
- No restrictions on the amount (Current law has a limit of 3% of county assessed valuation).
- Broad Range of Building Projects

G. Kent Stewart appeared as a proponent of the bill. ([Attachment 2](#)) He testified that the bill will do three things:

- Automatically involve voters in making big decisions about large capital improvements.

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- Ease pressure on commissioners in counties that need major capital improvements.
- Help commissioners avoid the pitfalls that can accompany capital improvement planning.

He explained that enacting the proposed legislation will assure that county commissioners can be a lot more relaxed and face a lot less controversy over capital improvement construction projects because the bill allows them to obtain public understanding followed by approval at the polls before committing dollars for construction.

Ralph Wahl appeared as a proponent of the bill. He testified that under current law, public corporations, known as PBC's, can enter into contracts to lease or rent properties to local governments. He explained that under current law cities from 175,000 to 200,000 have the right to vote on PBC projects and that all Kansans should have this right. ([Attachment 3](#))

Larry Tawny appeared as a proponent of the bill. He testified that the proposed legislation does not curtail the use of the financial tool known as the PBC and that it will allow greater input by the public (the voters) within their communities. ([Attachment 4](#))

William Czapskiy appeared as a proponent of the bill. He testified that a PBC was established in Cloud County in August 2011 and used to fund and build a county jail. He explained that individuals felt that adequate information was not available before, during, and even after the PBC was formed. ([Attachment 5](#))

Written testimony in support of the bill was submitted by: Wynn Butler, Mayor, City of Manhattan ([Attachment 6](#))

Jerry Mayo, Clay County Commissioner ([Attachment 7](#))

Board of County Commissioners, Clay County ([Attachment 8](#))

Lee & Michelle Porter ([Attachment 9](#))

Evan Parsons ([Attachment 10](#))

John Ford ([Attachment 11](#))

Terasa Hanson ([Attachment 12](#))

Gary Gurney/Larry Osthoff ([Attachment 13](#))

Mike Taylor, Public Relations Director, Unified Government Public Relations, Unified Government of Wyandotte County/Kansas City appeared as an opponent of the bill. He testified that it is critical for the Unified Government to have the ability to finance public building improvements, especially to address health and safety concerns and maintain public buildings. He stated that the proposed legislation is unneeded and will damage the ability of elected leaders to take care of the community they were

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

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elected to lead. ([Attachment 14](#))

Melissa Wangemann, General Counsel, Kansas Association of Counties, appeared as an opponent of the bill. She testified that the proposed legislation concerns PBC's and their ability to issue revenue bonds to construct, reconstruct, equip or furnish facilities and then lease them to a public entity or nonprofit entity. She explained that they believe the existing protest petition language and the low threshold to trigger an election (5%) combine to adequately protect the public from unwarranted revenue bond issuances by a PBC. She said requiring every revenue bond issue to gain approval by the electorate is unnecessary. ([Attachment 15](#))

Written testimony opposing the bill was submitted by:

Ronald Wells, Board of Riley County Commissioners ([Attachment 16](#))

Whitney Damron, City of Topeka. ([Attachment 17](#))

Chair Huebert closed the hearing.

Final action on: HB2246 — Municipalities; payment of claims, notice of claims procedures; employees added.

Representative Carmichael made a motion that **HB 2246** be passed favorably. Representative Phillips seconded the motion. Motion carried.

Draft Minutes from the January 20th, January 27th, and February 3rd meetings were distributed to the Committee.

Representative Campbell made a motion to approve the minutes for all three dates (January 20th, January 27th, and February 3rd). Representative Phillips seconded the motion. The motion carried.

Chair Huebert adjourned the meeting.