

SENATE BILL No. 120

By Committee on Natural Resources

1-29

1 AN ACT concerning wildlife, parks and tourism; relating to land
2 purchases; amending K.S.A. 2014 Supp. 32-833 and repealing the
3 existing section.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2014 Supp. 32-833 is hereby amended to read as
7 follows: 32-833. (a) (1) Notwithstanding the provisions of ~~subsection (f) of~~
8 K.S.A. 32-807(f), and amendments thereto, or any other provisions of law
9 to the contrary, the secretary of wildlife, parks and tourism shall not
10 purchase any land unless:

11 (A) The secretary of wildlife, parks and tourism has certified that the
12 land proposed to be purchased is in compliance with the provisions of
13 article 13 of chapter 2 of the Kansas Statutes Annotated, and amendments
14 thereto, concerning control and management of noxious weeds after
15 consultation with the county weed supervisor and has developed a written
16 plan for controlling and managing noxious weeds on the land to be
17 purchased;

18 (B) the secretary of wildlife, parks and tourism shall agree to make
19 payment of moneys in lieu of taxes comparable to the ad valorem tax
20 payments of surrounding lands for any land purchased which is exempt
21 from the payment of ad valorem taxes under the laws of the state of
22 Kansas; and

23 (C) the secretary of wildlife, parks and tourism has developed a
24 management plan for the property proposed to be purchased.

25 (2) In addition to the requirements prescribed by this section and
26 otherwise by law, any proposed purchase of a tract or tracts of land which
27 are greater than ~~320~~ **{160}** acres in the aggregate shall be subject to
28 approval by act of the legislature, either as a provision in an appropriation
29 act pertaining to the specific property to be purchased or by any other act
30 of the legislature that approves the acquisition of the specific property
31 proposed to be purchased, or by approval by the state finance council
32 acting on this matter which is hereby characterized as a matter of
33 legislative delegation and subject to the guidelines prescribed in ~~subsection~~
34 ~~(e)~~ of K.S.A. 75-3711c(c), and amendments thereto.

35 (3) The provisions of this subsection shall not apply to any purchase
36 of land by the secretary, which is less than 640 acres in the aggregate and

1 owned by a private individual, if the purchase price is an amount less than
2 such land's appraised valuation.

3 (b) (1) Notwithstanding the provisions of ~~subsection (f)~~ of K.S.A. 32-
4 807(f), and amendments thereto, or any other provisions of law to the
5 contrary, the secretary of wildlife, parks and tourism shall adopt guidelines
6 and procedures prescribing public notice requirements that the secretary
7 shall comply with before the selling of any land which shall include, but
8 not be limited to, the following:

9 (A) A written notice shall be posted in a conspicuous location on such
10 land stating the time and date of the sale, or the date after which the land
11 will be offered for sale, and a name and telephone number of a person who
12 may be contacted concerning the sale of such land;

13 (B) the secretary shall cause to be published in a newspaper of
14 general circulation in the county the land is located once a week for three
15 consecutive weeks, the secretary's intent to sell the land which shall
16 include a legal description of the land to be sold, the time and date of the
17 sale or the date after which the land will be offered for sale, the general
18 terms and conditions of such sale, and a name and telephone number of a
19 person who may be contacted concerning the sale of such land; and

20 (C) the secretary shall publish in the Kansas register public notice of
21 the secretary's intent to sell the land which shall include a legal description
22 of the land to be sold, the time and date of the sale or the date after which
23 the land will be offered for sale, the place of the sale, the general terms and
24 conditions of such sale, and a name and telephone number of a person who
25 may be contacted concerning the sale of such land.

26 (2) The secretary shall have the land appraised by three disinterested
27 persons. In no case shall such land be sold for less than the average of its
28 appraised value as determined by such disinterested persons.

29 (3) The secretary shall list such land with a real estate agent who is
30 licensed by the Kansas real estate commission as a salesperson under the
31 real estate brokers' and salespersons' license act, and who shall publicly
32 advertise that such land is for sale.

33 (4) Prior to closing the transaction on a contract for the sale of such
34 land, the secretary shall cause a survey to be conducted by a licensed land
35 surveyor. Such survey shall establish the precise legal description of such
36 land and shall be a condition precedent to the final closing on such sale.

37 (c) Any disposition of land by the secretary shall be in the best
38 interest of the state.

39 (d) *The provisions of ~~paragraphs~~ {paragraph} (a)(2) and (a)(3) shall*
40 *not apply to lands {of less than 640 acres} purchased with natural*
41 *resource damage and restoration funds {in the southeast Kansas counties*
42 *of Cherokee, Crawford, Labette and Neosho}.*

43 Sec. 2. K.S.A. 2014 Supp. 32-833 is hereby repealed.

1 Sec. 3. This act shall take effect and be in force from and after its
2 publication in the statute book.