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House Federal and State Affairs Committee
Kansas State Legislature
300 SW 10th St
Topeka, Kansas 66612

REF: House Bill 2208

Pursuant to the bylaws of the Kansas House Committee on Federal and State Affairs, the following represents my written testimony regarding House Bill 2208. This is being submitted as written testimony instead of verbal testimony as the circumstances surrounding the hearing of this bill prevent my in-person and oral testimony. Had I not been assured by the chair of this committee that his intention was to not hear this bill, I would have potentially had the opportunity to adjust my obligations to be present. Furthermore, had I not been assured that this was not to be heard, then I would have continued to work on my position opposing this legislation. However, due to those assurances, my voice has been diminished and position lessened. I hope that these factors are taken into consideration when weighing the gravity of my concerns.

For the reasons that follow, I strongly and adamantly oppose House Bill 2208 regarding the status of the Shawnee Indian Mission. I know that the Shawnee Indian Mission Foundation has prepared material regarding their opposition to this bill; however, as a private citizen I feel compelled to express my own opposition and rationale for this opposition. As a constituent of the state, taxpayer of the city in which this site is managed, and voter in the city of Fairway, KS, I implore you to consider my position in this matter.

First and foremost, this bill has been introduced without any consultation with the citizenry most impacted by this legislation – the neighbors of the site. As a direct neighbor to the site, I can attest firsthand that at no time have we been approached by either the sponsors of this bill or the people most likely to benefit from said transfer of ownership – the Shawnee Tribe (or their representative Chief Barnes). Meanwhile the City of Fairway and the Shawnee Indian Mission Foundation actively engage the citizenry and apprise us of any anticipated changes to the site. As a tax paying member of the city and state that supports this site, I find it appalling and frankly disrespectful that legislation directly benefitting a non-tax paying and non-voting member of this community would move to a hearing without consultation – specifically when members of this committee were informed last year of my engagement on this issue.

Second, while there is legal language which may protect the city (and thereby the voting citizenry) from development of the site – if the Shawnee Tribe were to claim sovereignty on the site, state and municipal law would no longer govern or restrict potential development. If the state of Kansas is going to introduce legislation which benefits a third party and protects that third party, then this legislation needs to include provisions and protections for the neighbors of the site who could experience real and tangible damages if the site is developed beyond what is proscribed in the bill. As currently managed, my property is protected from these potential damages by the public nature of the current management of the site. Furthermore, the description of this property must be confirmed if this bill is to pass – there

are real properties adjacent to the site that error in description could result in inappropriate conveyance.

Finally, and perhaps most importantly, this bill is premature. As far as I have been able to ascertain there have been no arguments made by parties not directly benefiting from this bill (the Shawnee Tribe nor the Shawnee Mission Historical Society and associates) that clearly show the site is in need of conveyance. Additionally, there have been no ascertainments that the Shawnee Tribe is able to administer the site. Currently – as a direct observation daily – the site has periodic cosmetic needs but has never been a source of concern or urban blight. There are a number of avenues that could be considered prior to the more absolute action of conveyance. For example, benchmarks could be established that the mission need meet – failure of which would support conveyance. The Shawnee Indian Mission Foundation, the Kansas Historical Foundation, and the City of Fairway who have partnered with the voting populace, cared for the site, and manage it daily and have preserved this historical treasure, deserve an opportunity to meet reasonable – and publicly available defined – expectations of the state prior to any conveyance. Alternatively, collaboration could be mandated, and any bad faith efforts by either party would suggest the appropriate party to manage the property. Regardless, due diligence does not appear to have been completed, and in light of the real damages that could ensue from development of the site on conveyance, failure to complete due diligence by the state to protect their tax paying constituents is inappropriate and frustrating.

I would be more than happy to discuss this further at any time by phone, email, or in-person. Certainly, this is an issue that I will be monitoring closely and will influence voting decisions in future elections. To close and to be perfectly clear, I am opposed to this bill and I find how this was handled to represent bad faith politics and has contributed to my disenfranchisement as a tax paying and voting citizen of this state.

Sincerely,

William P. Parker