

## HOUSE BILL No. 2641

By Representative Tafanelli

1-18

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9 AN ACT concerning recreation commissions; relating to the powers and  
10 duties thereof; amending K.S.A. 2005 Supp. 12-1928 and repealing  
11 the existing section.  
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13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 2005 Supp. 12-1928 is hereby amended to read as  
15 follows: 12-1928. Every recreation commission appointed pursuant to ~~this~~  
16 ~~act~~ K.S.A. 12-1926, and amendments thereto, shall have the power to:

17 (a) Make and adopt rules and regulations for the operation of the  
18 recreation system;

19 (b) conduct the activities of the recreation system on any property  
20 under its custody and management, or, with proper consent, on any other  
21 public property and upon private property with the consent of the owners;

22 (c) receive any gift or donation from any source;

23 (d) receive, accept and administer any money appropriated or  
24 granted to it by the state or federal government or any agency thereof;

25 (e) purchase insurance. The city or school district to which the rec-  
26 reation commission certifies its budget shall levy an annual tax upon all  
27 taxable tangible property within the taxing district in an amount necessary  
28 to pay for insurance purchased for those purposes authorized by K.S.A.  
29 75-6111, and amendments thereto, and to pay a portion of the principal  
30 and interest on bonds issued pursuant to K.S.A. 12-1774, and amend-  
31 ments thereto, except that no levy shall be made under this subsection  
32 which, when coupled with any levy made pursuant to subsection (j), is in  
33 excess of one mill without the approval of the city or school district. Taxes  
34 levied pursuant to this subsection shall be in addition to all other taxes  
35 authorized or limited by K.S.A. 12-1927, and amendments thereto, or any  
36 other provisions of law;

37 (f) sue and be sued;

38 (g) enter contracts;

39 (h) enter lease or lease-purchase agreements for real and personal  
40 property. The term of any such lease shall not exceed 10 years. Any such  
41 lease agreement shall be subject to the approval of the city or school  
42 district to which the recreation commission certifies its budget;

43 (i) employ a superintendent of recreation and any other employees

- 1 which may be necessary for proper operation of the recreation system;
- 2 (j) create and establish employee benefits contribution funds for the  
3 purpose of paying the employer's share of any employee benefits, exclu-  
4 sive of any salaries, wages or other direct payments to such employees,  
5 as may be prescribed in the resolution creating such funds. The recreation  
6 commission may receive and place in such funds any moneys from any  
7 source whatsoever which may be lawfully utilized for the purposes stated  
8 in the resolution creating such funds, including the proceeds of tax levies  
9 authorized by law for such purposes. The city or school district to which  
10 is certified the budget of any recreation commission which has established  
11 employee benefits contribution funds pursuant to this subsection shall  
12 levy an annual tax upon all taxable tangible property within the taxing  
13 district in an amount determined by the recreation commission to be  
14 necessary for the purposes for which such funds were created and to pay  
15 a portion of the principal and interest on bonds issued pursuant to K.S.A.  
16 12-1774, and amendments thereto, except that no levy shall be made  
17 under this subsection which, when coupled with any levy made pursuant  
18 to subsection (e), is in excess of one mill without the approval of the city  
19 or school district. Taxes levied pursuant to this subsection shall be in  
20 addition to all other taxes authorized or limited by K.S.A. 12-1927, and  
21 amendments thereto, or any other provisions of law. For the purposes of  
22 this subsection, employee benefits shall include social security as provided  
23 by subsection (c) of K.S.A. 40-2305, and amendments thereto, workers'  
24 compensation as provided by K.S.A. 44-505c, and amendments thereto,  
25 unemployment compensation as provided by K.S.A. 44-710a, and amend-  
26 ments thereto, health insurance and retirement benefits;
- 27 (k) acquire title to *real or* personal property by purchase, bequest,  
28 gift or other donation ~~and acquire title to real property by devise, gift or~~  
29 ~~other donation~~. Whenever property owned by a recreation commission is  
30 sold, the proceeds shall be used for recreation purposes;
- 31 (l) ~~make construct buildings or make other~~ improvements for recre-  
32 ation system purposes; and
- 33 (m) perform any other acts necessary to carry out the provisions of  
34 ~~this act~~ K.S.A. 12-1922 *et seq.*, and amendments thereto.
- 35 Sec. 2. K.S.A. 2005 Supp. 12-1928 is hereby repealed.
- 36 Sec. 3. This act shall take effect and be in force from and after its  
37 publication in the statute book.