

SESSION OF 2007

**CONFERENCE COMMITTEE REPORT BRIEF
HOUSE BILL NO. 2267**

As Agreed to April 3, 2007

Brief*

HB 2267 addresses benefit districts, regional library boards, Drainage District No. 2 of Finney County, and local government hospitals.

Benefit Districts

The bill would:

- Clarify current law dealing with the assessment of benefit fees to property owners, who benefit from “improvements” but who were not part of the original improvement district, to refer to those “improvements” as “water, stormwater or sanitary sewer” improvements.
- Add similar language for the assessment of benefit fees to property owners benefitting from arterial street improvements, but who were not part of the original improvement district. A partial list of these additions follows:
 - Allow a governing body to require the owners in these situations to pay a benefit fee at the time the owners of the property request, by petition, to construct a new street or improve an existing street that connects or will connect to an arterial street improvement and,

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/kldr>

hence, will benefit from the arterial street improvement.

- Limit the amount of the benefit fee to the amount of the assessment, including principal and interest, which would have been levied against the property if it had been included in the original improvement district.
 - Prescribe the application of the benefit fees paid pursuant to this requirement.
 - Allow the city's governing body to designate, by resolution, all or any portion of a street or proposed street as an arterial street.
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- Add a definition to clarify that "bonds" include general obligation or special obligation bonds.
 - Authorize a city to issue special obligation temporary notes to pay improvement costs, and allow a city to issue special obligation bonds to refund any bonds and repay any temporary notes previously issued.
 - Become effective upon publication in the *Kansas Register*.

Regional Library Boards

The bill also would amend current law regarding the appointment of members to the library board of a regional library. The bill would require the official head of each participating county or township to appoint a member of the governing body as an ex officio member of the library board.

Drainage District No. 2

The bill also would require the board of directors of Drainage District No. 2 of Finney County to pass a resolution to stagger the terms of the board members. At the next election, one director would be elected for a two year term and two directors would be elected for three-year terms. All subsequent terms would be for three years.

Local Government Hospitals and Court Costs

The bill also would clarify that city, county and district hospitals are exempt from paying court costs and fees, by amending KSA 12-105a to include in the definition of municipality, “city, county, or district hospital.”

Conference Committee Action

The Conference Committee deleted all language in HB 2267, as amended by the Senate Committee on Elections and Local Government. The contents of HB 2267 were amended into the Conference Committee Report on HB 2058.

The language from HB 2280, HB 2464, and the Senate Floor Amendment on SB 391 (including “city, county or district hospital” in the definition of municipality under KSA 12-105a) were included in HB 2267 by the Conference Committee.

Background

HB 2267 would have amended current law related to a city’s annexation of county owned land. The contents of HB 2267 were amended into HB 2058 by the Conference Committee on HB 2058. The Conference Committee Report on HB 2267 includes the language of HB 2280, HB 2464, and language that was amended into SB 391.

The contents of HB 2280 as amended into this bill were amended by the Senate Committee on Elections and Local Government to add the definition of “bonds,” make changes with respect to adding authority to issue special obligation temporary notes, make technical and conforming changes, and change the bill’s effective date to become effective upon publication in the *Kansas Register*. The fiscal note on the original HB 2280 indicated the fiscal effect would be confined to the specific property owners who benefit from these public improvements.

The contents of HB 2464 as amended into this bill were amended by the House Committee on Elections and Governmental Organization. Current law requires the head of each participating county commission or township board to serve as an ex officio member of the library board. Testimony on HB 2464 reflected that in Finney County, the County Commissioners rotate, and therefore the current chair does not have time to obtain understanding of the library board before a new commissioner becomes chair and, by law, becomes the ex officio member of the library board. The language in the bill would allow the chairperson to appoint the previous chair to continue to serve on the library board as the ex officio member. The bill would also provide for the staggering of the terms of members of the drainage district No. 2 of Finney County. The fiscal note on the original HB 2464 did not indicate any fiscal impact.

The language of a Senate Floor Amendment to SB 391 also was amended into HB 2267 by the Conference Committee. This language clarifies that a city, county, or district hospital is included in the definition of municipality under KSA 12-105a.

benefit districts