

STATE OF KANSAS  
HOUSE OF REPRESENTATIVES

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COMMITTEE ASSIGNMENTS  
MEMBER: EDUCATION  
GOVERNMENT EFFICIENCY  
GENERAL GOVERNMENT BUDGET

**JIM HOWELL**

82ND DISTRICT

Special Joint Committee on Elections

Hearing on

**HB 2780, Relating to ballot language statements.**

Dear Madam Chair Huntington and committee members,

I will start with a little background information to explain why this important legislation needs to go forward.

Earlier this year, Wichita had a special election on the Ambassador Hotel, whether or not to agree with the city councils' decision regarding an incentive offered by the city.

Here is the question that appeared on the ballot:

Shall charter ordinance 216 entitled: "A charter ordinance amending and repealing section 1 of charter ordinance No. 213, of the city of Wichita, Kansas, which amended and repealed section 1 of charter ordinance No. 183 of the city of Wichita which amended and repealed section 1 of charter ordinance No. 174 of the city of Wichita, Kansas pertaining to the application of revenues from the transient guest tax" take effect? YES or NO

We should agree that voters become frustrated when government makes things confusing and difficult. What is a voter supposed to do in this case? Poll workers and the election office cannot help because attempting to explain verbiage could be construed as biased or leading a voter. Information surrounding the ballot question is typically propagated by the media and advertisements regardless of whether this information is accurate or not. The voter must remember the details and their intent as they enter the voting booth. Remember the voter cannot bring newspapers or flyers with information about the question to the polling site.

Regarding understanding the issue at hand, what is the best method for voters to learn about the subject and understand the question before entering the voting booth? Perhaps they do not have access to internet or have time to watch news stories on television. Are these sources biased when they present the information? People may stumble upon a media story that helps a bit but many people are not reached through these means and many are disenfranchised, trying to engage the political process but are at the mercy of happenstance.

I spoke with one poll-site supervising judge that said some voters would come in to vote, see the example ballot posted on the table, get confused and have to leave the poll site to go study the issue and then return later to vote. Some unsuspecting voters went into the voting booth, read the question for the first time, and then ask for assistance. When the poll worker informed the voter that they were not allowed to explain the question, the voter

Special Committee on Elections  
October 16, 2012  
Attachment 1

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presumably guessed or abstained. I believe this disenfranchises voters with unnecessary complexity. There is no simple explanation legally available at the poll site in the status quo.

Other questions on other elections have had similar controversies. This problem is not unique to this one election. See the attached stories regarding the ballot questions in Hutchinson and Salina.

Officials that write these questions do not know what they are allowed to do or say which is why a clarifying solution is needed. They usually state that they do not have authority or are limited by state law. The permission granted under this bill would simply allow for election officials to create an official explanation for confusing ballot questions when they appear. This would be a general authority option given to an election commissioner allowing a process to develop and certify in a simple, elementary PLAIN LANGUAGE explainer that could be posted on a website or be available to voters when they vote. It would not appear be on the ballot. It would supplement the ballot question, whether sent in the mail or at the poll sites. This is not intended to be a mandate however. If a commissioner has a confusing question and does not create the explainer, we are no worse off than we are presently. If the simple language explainer is developed for a seemingly simple ballot question, then the explainer may not be as beneficial but will not make the situation worse either.

It is difficult to find the balance. Considering the potential hundreds of questions appearing on ballots across the state during a big election such as the one in three weeks, I don't want to create a mandate to provide this extra process on every question. I think the best small government solution is to grant permission and not create unnecessary regulation. I want to trust election officials to do their jobs as best they can knowing they too have to answer to the public. They have a vested interest in doing their job well.

Missouri currently does allow for ballot language explainers. Unfortunately, a party that advocates for a position and loses may turn to the courts to claim the results were a result of biased language or leading language in the ballot language explainer. This is why the process we develop with this legislation needs to have a liability protection included as well as certification as unbiased by two agencies, whether it is a local expert and the Secretary of State or other similar organizations.

In the end, status quo is broken so I urge you to sympathize with the frustrated voters and implement a good solution. I urge your support of HB270.

Representative Jim Howell

The Wichita Eagle, Sunday, Feb. 26, 2012, Posted on Sat, Feb. 25, 2012

*Ambassador Hotel ballot, more questions and answers*

By RICK PLUMLEE

Q. What is the question on the ballot?

A. Here is what you'll see on the ballot:

Shall charter ordinance 216 entitled: "A charter ordinance amending and repealing section 1 of charter ordinance No. 213, of the city of Wichita, Kansas, which amended and repealed section 1 of charter ordinance No. 183 of the city of Wichita which amended and repealed section 1 of charter ordinance No. 174 of the city of Wichita, Kansas pertaining to the application of revenues from the transient guest tax" take effect? YES or NO

Q. What is the question asking?

A. It's asking whether a voter wants the city to rebate to the developers of the Ambassador Hotel 75 percent of the bed tax paid by the hotel's guests for 15 years. The total amount is estimated at \$2.25 million. A "yes" vote means you do, a "no" vote means you don't.

Q. Who wrote the question?

A. City Attorney Gary Rebenstorf.

Q. Why is the wording so confusing?

A. Rebenstorf is required to follow specific legal guidelines set by Article 12 of the Kansas Constitution when a charter ordinance question is on a ballot. Article 12's requirement is pretty short and simple. It says the question shall begin with the wording "Shall charter ordinance No. \_\_\_\_ entitled (title of the ordinance) take effect?" It's the wording that's required for the title of the ordinance that can make it sound confusing.

Rebenstorf was required to put the exact title of ordinance No. 216 in the question. The title became more complex because it includes three references to amendments and repeals. Article 12 also requires those changes be listed in the charter ordinance's new title, Rebenstorf said.

Q. Can't some clarification be added to the question?

A. The only words added that might give a voter a hint of what the question is about is at the tail end: "pertaining to the application of revenues from the transient guest tax."

Rebenstorf said he doesn't think he can legally add any more clarification because Article 12 doesn't say he can. He said clarification has been offered to the public at the city's website, [www.wichita.gov](http://www.wichita.gov).

"From the strict legal standpoint, what we were trying to do was make sure we were following the constitution," he said. "I want to make sure I follow it to the 'T.'"

He also said explanatory wording could do more harm than good.

"You have to be careful," Rebenstorf said. "You could spend a whole lot of conversation trying to explain it, and it still might not help answer the question. You don't want to be perceived as taking sides one way or other in fashioning some explanation."

Other ballots asking questions about charter ordinance changes in Wichita and around the state have followed the same interpretation that Rebenstorf has in writing Tuesday's question.

(Deleted part of the remaining article unrelated to the ballot language explainer issue)

## Article Twelve: Corporations

**1: Corporate powers.** The legislature shall pass no special act conferring corporate powers. Corporations may be created under general laws; but all such laws may be amended or repealed.

**2: Liability of stockholders.** Dues from corporations shall be secured by the individual liability of the stockholders to the amount of stock owned by each stockholder, and such other means as shall be provided by law; but such individual liability shall not apply to railroad corporations nor corporations for religious or charitable purposes.

**4: Rights of way; eminent domain.** No right of way shall be appropriated to the use of any corporation, until full compensation therefor be first made in money, or secured by a deposit of money, to the owner, irrespective of any benefit from any improvement proposed by such corporation.

**5: Cities' powers of home rule.**

(a) The legislature shall provide by general law, applicable to all cities, for the incorporation of cities and the methods by which city boundaries may be altered, cities may be merged or consolidated and cities may be dissolved: Provided, That existing laws on such subjects not applicable to all cities on the effective date of this amendment shall remain in effect until superseded by general law and such existing laws shall not be subject to charter ordinance.

(b) Cities are hereby empowered to determine their local affairs and government including the levying of taxes, excises, fees, charges and other exactions except when and as the levying of any tax, excise, fee, charge or other exaction is limited or prohibited by enactment of the legislature applicable uniformly to all cities of the same class: Provided, That the legislature may establish not to exceed four classes of cities for the purpose of imposing all such limitations or prohibitions. Cities shall exercise such determination by ordinance passed by the governing body with referendums only in such cases as prescribed by the legislature, subject only to enactments of the legislature of statewide concern applicable uniformly to all cities, to other enactments of the legislature applicable uniformly to all cities, to enactments of the legislature applicable uniformly to all cities of the same class limiting or prohibiting the levying of any tax, excise, fee, charge or other exaction and to enactments of the legislature prescribing limits of indebtedness. All enactments relating to cities now in effect or hereafter enacted and as later amended and until repealed shall govern cities except as cities shall exempt themselves by charter ordinances as here in provided for in subsection (c).

(c)

(1) Any city may by charter ordinance elect in the manner prescribed in this section that the whole or any part of any enactment of the legislature applying to such city, other than enactments of statewide concern applicable uniformly to all cities, other enactments applicable uniformly to all cities, and enactments prescribing limits of indebtedness, shall not apply to such city.

(2) A charter ordinance is an ordinance which exempts a city from the whole or any part of any enactment of the legislature as referred to in this section and which may provide substitute and additional provisions on the same subject. Such charter ordinance shall be so titled, shall designate specifically the enactment of the legislature or part thereof made inapplicable to such city by the adoption of such ordinance and contain the substitute and additional provisions, if any, and shall require a two-thirds vote of the members-elect of

the governing body of such city. Every charter ordinance shall be published once each week for two consecutive weeks in the official city newspaper or, if there is none, in a newspaper of general circulation in the city.

(3) No charter ordinance shall take effect until sixty days after its final publication. If within sixty days of its final publication a petition signed by a number of electors of the city equal to not less than ten percent of the number of electors who voted at the last preceding regular city election shall be filed in the office of the clerk of such city demanding that such ordinance be submitted to a vote of the electors, it shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon. An election, if called, shall be called within thirty days and held within ninety days after the filing of the petition. The governing body shall pass an ordinance calling the election and fixing the date, which ordinance shall be published once each week for three consecutive weeks in the official city newspaper or, if there be none, in a newspaper of general circulation in the city, and the election shall be conducted as elections for officers and by the officers handling such elections. The proposition shall be: "Shall charter ordinance No. \_\_\_\_\_, entitled (title of ordinance) take effect?" The governing body may submit any charter ordinance to a referendum without petition by the same publication of the charter ordinance and the same publication of the ordinance calling the election as for ordinances upon petition and such charter ordinance shall then become effective when approved by a majority of the electors voting thereon. Each charter ordinance becoming effective shall be recorded by the clerk in a book maintained for that purpose with a statement of the manner of adoption and a certified copy shall be filed with the secretary of state, who shall keep an index of the same.

(4) Each charter ordinance enacted shall control and prevail over any prior or subsequent act of the governing body of the city and may be repealed or amended only by charter ordinance or by enactments of the legislature applicable to all cities.

(d) Powers and authority granted cities pursuant to this section shall be liberally construed for the purpose of giving to cities the largest measure of self-government.

(e) This amendment shall be effective on and after July 1, 1961.

**6: Definition of corporations; suits.** The term corporations, as used in this article, shall include all associations and joint stock companies having powers and privileges not possessed by individuals or partnerships; and all corporations may sue and be sued in their corporate name.

Wichita Eagle

Posted on Tue, Aug. 28, 2012

## Fluoride ballot item is more clear than others

By Dion Lefler  
The Wichita Eagle

If Wichita's last ballot measure was as clear as mud, the next one will be as clear as a glass of drinking water.

The upcoming initiative on whether to fluoridate the city's drinking water shouldn't give voters headaches figuring out what they're voting for, unlike the Feb. 28 special election ballot on tax subsidies for the downtown Ambassador Hotel.

The state Senate has appointed a committee to work on a way to avoid incomprehensible ballot measures in the future. But that could be complicated because half the Senate Republicans on the committee —including the appointed chairwoman — are leaving the Legislature.

Although both the hotel and fluoridation ballot measures resulted from citizen petition drives, the difference is in the way that the two measures came to be on the ballot, said Wichita City Attorney Gary Rebenstorf.

In the hotel vote, petitioners were challenging a City Charter ordinance that the City Council had already passed — and the state Constitution is explicit in how such ballot measures have to be worded, Rebenstorf said.

In contrast, the fluoridation measure was brought to the council by residents who want to put it in the municipal code, which means the ballot wording is not dictated by the Constitution.

"The attorney that drafted the ordinance, he just drafted it real simple," Rebenstorf said. "He did a good job."

Ballot wording

The fluoridation measure, set to appear on the Nov. 6 general election ballot reads:

**Shall Section 17.12.340 of the code of the city of Wichita be adopted which provides:**

**(1) The City of Wichita's Director of Public Works & Utilities is authorized and directed to fluoridate the City of Wichita's public drinking water supply to the optimal levels beneficial to reduce tooth decay and promote good oral health as recommended by the Kansas Department of Health and Environment and is thereafter responsible for the fluoridation of that public drinking water supply.**

**(2) Upon the direction of the Director of Public Works & Utilities, the Wichita Water Department is authorized and directed to install, operate, and maintain the equipment necessary to introduce fluoride compound sufficient to raise the**

**fluoride concentration in the public drinking water supply to the optimal levels as set forth in the previous paragraph.**

A “yes” vote is clearly in favor of putting fluoride in the water, a “no” vote is clearly against it.

Although Wichita supplies water to surrounding communities, only registered voters in Wichita will be allowed to vote on the issue.

The wording on the fluoride question is a far cry from the Ambassador Hotel subsidy question, where voters were asked to decide:

“Shall Charter Ordinance 216 entitled: “A charter ordinance amending and repealing Section 1 of Charter Ordinance No. 213, of the city of Wichita, Kansas, which amended and repealed Section 1 of Charter Ordinance No. 183 of the city of Wichita which amended and repealed Section 1 of Charter Ordinance No. 174 of the city of Wichita, Kansas, pertaining to the application of revenues from the transient guest tax” take effect?”

That dense legalese prompted some lawmakers to try to look for a way to avoid ballot questions that can only be interpreted with a lawyer and/or a well-stocked library of past and present city codes.

Neutral ‘explainers’

Rather than try to change the Constitution — a complicated process requiring a vote of the electorate — legislators have focused on giving voters additional information, which they believe they can do by a simple statute.

In the waning days of this year’s legislative session, the House approved a measure to allow local election officials to provide voters with neutral “explainers” telling them what they’re voting on.

Under the House plan, local election officials could ask the county or district attorney to draft an explainer. It would then be reviewed by the secretary of state, or in some cases the attorney general, to ensure neutrality.

The explainer would be included with absentee ballots and posted at polling places.

(Rest of story is does not relate to the issue directly and is omitted for clarity)

## **Ballot questions - Issues of readability of ballot questions could be resolved by legislative action**

By Jason Probst - Hutchinson News editorial board

Hutchinson residents who haven't kept up on the efforts to expand the city's anti-discrimination ordinance might want to do a little research before Election Day.

The ballot question - one of three voters will decide on - is lengthy and full of legal language that is commonly found in state statutes and city ordinances. While some voters will have no trouble understanding the difference between a "yes" and "no" vote, some voters likely will struggle to understand exactly what their vote will mean.

Such confusion, however, could've been avoided had the Kansas Legislature adopted a law last session to allow municipalities to include an explanatory statement on a local ballot question.

State issues - such as the constitutional amendment to change the tax basis for watercraft that will also be on the Nov. 6 ballot - include language that simply explains the issue and what a "yes" and "no" vote will mean.

Last session, a House bill sought to allow similar explanatory statements for local issues. Kansas Secretary of State Kris Kobach's office testified in support of the bill, but the legislation never made it out of committee.

Despite the lengthy question on the ballot, the issue for voters is simple: A yes vote will prohibit discrimination on the basis of sexual orientation in housing, employment and public accommodation; a no vote will keep city code the way it currently is, which limits protection from discrimination to the classes of race, religion, color, age, sex, disability, national origin or ancestry.

Next session, the Kansas Legislature should revisit the issue of local ballot questions and allow cities, counties and school boards the freedom the state has to offer a clear, concise explanation about the issues for which they'll be voting.



## **Challenge of readability marks ballots**

### **Size of typeface on words, length of questions an issue for special questions.**

Hutchinson voters may squint their eyes when they flip to the backside of the Nov. 6 paper ballot.

It contains three ballot questions. In short:

- \* Should the Kansas Constitution be amended to allow the Legislature to change watercraft classification and taxation?
- \* Should Hutchinson extend its 0.25 percent city sales tax for the city/Cosmosphere/Salt Museum by another five years?
- \* Should Hutchinson make changes to add "sexual orientation" to an anti-discrimination ordinance?

For the ballot, those three questions collectively require more than a thousand words.

Reno County Deputy Election Officer Jenna Fager said it wasn't easy to squeeze the questions onto a single page, 8.5 inches by 14 inches. The front side of the ballot lists candidates and races in 10-point type. The ballot questions appear in 9-point type, with less white space.

On touch-screen voting machines, there won't be a distinction in type.

The longest question is the constitutional proposal regarding boat taxes, spurred by an interest to lower such taxes.

It has an introductory "explanatory statement" that says a vote for the proposition will permit the Legislature to change classification and taxation for watercraft. A vote against the proposition would continue taxation as is.

**There are no explanatory statements, though, for Hutchinson's ballot questions. That's because it's against the law.**

"There is a state law requiring an explanatory statement for Kansas Constitutional amendments," wrote Kay Curtis, director of public affairs for the Kansas Secretary of State's office, in an email.

**No statute allows for local explanatory statements, she said.**

The question on the city sales tax extension is one long sentence and includes the date the existing 0.25 percent sales tax would end - March 31, 2019 - if extended by voters.

The Hutchinson question regarding the anti-discrimination ordinance is word-for-word the language that was contained in a petition and runs hundreds of words long.

**"We don't have the authority to change it," said City Attorney Paul Brown, citing state laws on initiative and referendum.**

A "yes" vote adds "sexual orientation" as a class protected from discrimination in housing, employment and public accommodations. A "no" vote leaves the already existing protected classes - such as prohibiting discrimination based on race, religion, color, age and disability - on city books, and does not add sexual orientation.

Jon Powell, leader of the Hutchinson chapter of the Kansas Equality Coalition and proponent of passage of the city ballot, said the language is not confusing.

He noted that the question refers at different points to Kansas statute. If it had included the language in the Kansas law instead of merely citing the number, that would have resulted in a "15-page ballot," Powell said.

In the last session of the Legislature, a House bill sought to allow explanatory statements on local ballots, according to Curtis.

A prior Wichita ballot that contained repeated references to "charter ordinance" but no description of how the ballot would affect a downtown hotel project had prompted lawmakers to seek explanations for local ballot questions.

The Secretary of State's office testified in support and helped draft it, Curtis said, of the House bill, but it died in committee.

Questions Submitted Vote Yes or No	City of Hutchinson
<b>Constitutional Amendment</b>	Shall the following be adopted?
<p><b>Explanatory statement.</b> This amendment would allow the legislature to classify and tax waterfront upon a basis different from other property.</p>	<p>Shall the Hutchinson City Council be authorized to amend the existing City/Cosmosphere/S&amp;M Museum one-fourth of one percent (.25%) retailers' sales tax levy on April 1, 2014 by changing the expiration date of said tax to March 31, 2019 and by allowing City usage of said tax for street and sidewalk improvements, property tax reduction and for the Kansas Cosmosphere and Space Center and the Kansas Underground Sat. Museum for ongoing operations and capital improvements?</p>
<p>A vote for this proposition would permit the legislature to provide for separate classification and taxation of waterfront or to exempt such property from property taxation and impose taxes in lieu thereof.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p>
<p>A vote against this proposition would continue the taxation of waterfront in the same manner as all other property.</p>	<p>Shall the following be adopted?</p>
<p>Shall the following be adopted?</p>	<p>Shall the following be adopted?</p>
<p><b>§ 1. System of taxation classification; exemption.</b> (a) The provisions of this subsection shall govern the assessment and taxation of property on and after January 1, 1993 (2013), and each year thereafter. Except as otherwise hereinafter specifically provided, the legislature shall provide for a uniform and equal basis of valuation and rate of taxation of all property subject to taxation. The legislature may provide for the classification and the taxation uniformly as to classes of recreational vehicles and watercraft, as defined by the legislature, or may exempt such class from property taxation and impose taxes upon another basis in lieu thereof. The provisions of this subsection shall not be applicable to the taxation of motor vehicles, except as otherwise hereinafter specifically provided, mineral interests, money, mortgages, notes and other evidence of debt and grain. Property shall be classified into the following classes for the purpose of assessment and assessed at the percentage of value prescribed therefor:</p>	<p>An Ordinance repealing a Pardon for repeat of a City of Hutchinson, Kansas Ordinance relating to sexual orientation and amending an existing Ordinance relating to the Human Relations Commission.</p>
<p><b>Class 1 shall consist of real property.</b> Real property shall be further classified into seven subclasses. Such property shall be defined by law for the purpose of subclassification and assessed uniformly as to subclass in the following percentages of value:</p>	<p>ORDINANCE NUMBER: _____</p>
<p>(1) Rural property used for residential purposes including multi-family residential real property and real property necessary to accommodate a residential community of mobile or manufactured homes including the real property upon which such homes are located... 11 7/8%</p>	<p>An Ordinance of the City of Hutchinson, Kansas repealing Ordinance 2012-11 which is titled "AN ORDINANCE AMENDING CHAPTER 3 - HUMAN RELATIONS COMMISSION OF THE HUTCHINSON CITY CODE TO ADD ARTICLE 1A. SEXUAL ORIENTATION", passed by the Governing Body of Hutchinson, Kansas on June 5, 2012 to be effective on June 8, 2012, and amending Chapter 3 of the Hutchinson City Code;</p>
<p>(2) Land devoted to agricultural use which shall be valued upon the basis of its agricultural income or agricultural productivity pursuant to section 12 of article 11 of the constitution... 30%</p>	<p>BE IT ORDAINED by the governing body of Hutchinson, Kansas:</p>
<p>(3) Vacant lots... 12%</p>	<p>Section 1 - Ordinance Number 2012-11 of the City of Hutchinson, Kansas is repealed.</p>
<p>(4) Real property which is owned and operated by a not-for-profit organization not subject to federal income taxation pursuant to section 501(c) of the federal internal revenue code, and which is included in the subclass by law... 12%</p>	<p>Section 2 - Chapter 3, Section 3-101 is amended to read:</p>
<p>(5) Public utility real property, except railroad real property which shall be assessed at the average rate that all other commercial and industrial property is assessed... 33%</p>	<p>"Sec. 3-101 Declaration of Policy.</p>
<p>(6) Real property used for commercial and industrial purposes and buildings and other improvements located upon land devoted to agricultural use... 25%</p>	<p>The practice or policy of discrimination against individuals in employment relations, in relation to free and public accommodations, in housing by reason of race, religion, color, age, sex, sexual orientation, disability, national origin or ancestry or in housing by reason of familial status is a matter of concern to the city since such discrimination creates not only the rights and privileges of the inhabitants of the City of Hutchinson but menaces the institutions and foundations of a free democratic state. It is hereby declared to be the policy of the City of Hutchinson to eliminate and prevent discrimination in all employment relations, to eliminate and prevent discrimination, segregation, or separation in all places of public accommodation covered by this section and to eliminate and prevent discrimination, segregation or separation in housing.</p>
<p>(7) All other urban and rural real property not otherwise specifically subclassified... 30%</p>	<p>It is also declared to be the policy of this city to assure equal opportunities and encouragement to every citizen regardless of race, religion, color, age, sex, sexual orientation, disability, national origin or ancestry, in securing and holding, without discrimination, employment in any field of work or labor for which a person is properly qualified, to assure equal opportunities to all persons within this city in full and equal public accommodations, and to assure equal opportunities in housing without distinction on account of race, religion, color, sex, disability, familial status, national origin or ancestry. It is further declared that the opportunity to secure and hold employment, the opportunity for full and equal public accommodations as covered by this act and the opportunity for full and equal housing are civil rights of every citizen.</p>
<p><b>Class 2 shall consist of tangible personal property.</b> Such tangible personal property shall be further classified into six subclasses, shall be defined by law for the purpose of subclassification and assessed uniformly as to subclass in the following percentages of value:</p>	<p>Section 3 - Chapter 3, Section 3-102 is amended by adding the following definition:</p>
<p>(1) Mobile homes used for residential purposes... 11 1/8%</p>	<p>"Sexual Orientation" - Actual, or perceived, male or female heterosexuality, homosexuality, or bisexuality by inclination, practice or expression.</p>
<p>(2) Mineral leasehold interests except oil leasehold interests the average daily production from which is five barrels or less, and natural gas leasehold interests the average daily production from which is 100 mcf or less, which shall be assessed at 25%... 30%</p>	<p>Section 4 - Chapter 3, Section 3-102 "Unlawful Act" is amended to read:</p>
<p>(3) Public utility tangible personal property including inventories thereof, except railroad personal property including inventories thereof, which shall be assessed at the average rate of all other commercial and industrial property is assessed... 33%</p>	<p>"Unlawful Act" means an unlawful discriminatory practice of unlawful employment practice by reason of race, religion, color, age, sex, sexual orientation, disability, national origin or ancestry or in housing by reason of familial status, and as defined by K.S.A. 44-1009 as amended, K.S.A. 44-1513 as amended, or a discriminatory housing practice as defined by K.S.A. 44-1015, 44-1017 or 44-1025 and amendments thereto. All other words shall have the meanings set forth in K.S.A. 44-1002 and K.S.A. 44-1015, as amended.</p>
<p>(4) All categories of motor vehicles not defined and specifically valued and taxed pursuant to law enacted prior to January 1, 1985... 30%</p>	<p>Section 5 - Chapter 3, Section 3-202(a) is amended to read:</p>
<p>(5) Commercial and industrial machinery and equipment which, if its economic life is seven years or more, shall be valued at its retail cost when new less seven-year straight-line depreciation, or which, if its economic life is less than seven years, shall be valued at its retail cost when new less straight-line depreciation over its economic life, except that the value so obtained for such property, notwithstanding its economic life and as long as such property is being used, shall not be less than 20% of the retail cost when new of such property... 25%</p>	<p>Sec. 3-202 Functions, powers and duties of the commission.</p> <p>a. The commission shall act in a policy making and advisory capacity and its function shall be to further amicable relations among the various segments of the population, which comprise the city of Hutchinson, to help preserve and further the good name of Hutchinson for tolerance and fairness and promote better relations among its people to help make it possible for each citizen regardless of race, sex, sexual orientation, religion, color, age, national origin, ancestry or disability to develop talents and abilities without limitations, and to aid in permitting the community to benefit from the fullest realization of its human resources.</p>
<p>(6) All other tangible personal property not otherwise specifically classified... 30%</p>	<p>Section 6 - This Ordinance shall be in full force and effect after its adoption by the Governing Body of the City of Hutchinson, Kansas, or after approval of a majority of the qualified voters of the City of Hutchinson, Kansas.</p>
<p>(b) All property used exclusively for state, county, municipal, library, educational, scientific, religious, benevolent and charitable purposes, farm machinery and equipment, merchants' and manufacturers' inventories, other than public utility inventories included in subclass (3) of class 2, livestock, and all household goods and personal effects not used for the production of income, shall be exempted from property taxation.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p>