

SESSION OF 2015

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2296

As Amended by House Committee on Local
Government

Brief*

HB 2296 would amend statutes regarding public involvement in the issuance of revenue bonds by a public building commission. The bill would eliminate the requirement for a public vote on issuance of revenue bonds in a city with a population greater than 175,000 but not more than 200,000. It also would modify the criteria for a petition opposing the resolution of the public building commission to issue revenue bonds. (In current law, which would continue, a successful petition triggers a public vote.) Statutory criteria would be modified to do the following:

- Extend the time frame for filing a petition from 30 days to 60 days;
- Reduce the number of signatures required on the petition from not less than five percent of the electors in the county to not less than five percent of the electors of the county who voted in the last general election in November; and
- Specify the petition conform to the requirements of KSA 35-3601 *et seq.*

Background

The bill, as introduced, would have required an election precede issuance of revenue bonds by a public building commission for all cities and counties. Former Representative

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Joe Knopp testified as a proponent in the House Local Government Committee, stating current law allows a public building commission to commit a community to multimillion dollar projects without a public vote. Four individuals from Riley and Cloud Counties testified as proponents, citing the need for more input by the public. Written testimony in support of the bill was submitted by the Clay County Board of Commissioners, the Mayor of Manhattan (on behalf of himself), a Clay County Commissioner, and five individuals from Riley and Clay Counties.

Representatives of the Unified Government of Kansas City, Kansas and the Kansas Association of Counties testified in opposition to the bill, stating the requirement in the introduced version of the bill to vote on every project funded through a public building commission would be expensive, and current law allows citizens to force an election on issuance of debt. Written testimony in opposition to the bill was submitted by the Riley County Board of Commissioners and the City of Topeka. No neutral testimony was presented.

The House Committee on Local Government amended the bill to delete provisions that would have required a public vote on issuance of revenue bonds in a city with a population greater than 175,000 but not more than 200,000 (which was described as language applicable only to one city at the time it was enacted), change criteria for a petition by lengthening the time allowed to submit the petition and reducing the number of signatures needed, specify the statute with which petitions must comply, and delete a requirement that no construction contract could be let or approved by a public building commission without an election approving issuance of revenue bonds.

The fiscal note submitted by the Division of the Budget indicated passage of the bill, as introduced, would cause additional costs for cities with public building commissions due to the expense of conducting special elections to determine if bonds should be issued, but the fiscal effect could not be estimated. No information was provided on the potential cost to counties.