

HOUSE BILL No. 2445

By Committee on Appropriations

3-18

AN ACT concerning the department of wildlife and parks; prescribing certain procedures for acquisition of land by such department.

Be it enacted by the Legislature of the State of Kansas:

Section 1. Notwithstanding the provisions of subsection (f) of K.S.A. 32-807, and amendments thereto, or any other provisions of law to the contrary, the secretary of wildlife and parks shall not acquire any land unless:

(a) An economic impact study has been conducted on the land proposed to be acquired for the secretary of wildlife and parks;

(b) the secretary of wildlife and parks has certified that the land proposed to be acquired is in compliance with the provisions of article 13 of chapter 2 of the Kansas Statutes Annotated, and amendments thereto, concerning control and management of noxious weeds after consultation with the county weed supervisor;

(c) the secretary of wildlife and parks has complied with the procedure for exercising eminent domain as prescribed by K.S.A. 26-501 *et seq.*, and amendments thereto, if applicable;

(d) (1) the secretary of wildlife and parks shall give notice of the proposed acquisition to the board of commissioners of every county in which such land is located. The board of county commissioners shall call and hold a public hearing on the proposed acquisition. If the land is located in two or more counties, a joint public hearing may be held if approved by a majority of the boards of county commissioners of such counties. Notice of the time, date and location of the hearing shall be published once each week for two consecutive weeks in the official county newspaper. The cost of publishing such notice shall be paid by the secretary of wildlife and parks. The second publication shall be no sooner than 10 days prior to the public hearing. At such hearing, the secretary or the secretary's designee shall give a description of the land proposed to be acquired and the reasons for the acquisition.

(2) Following such hearing, the board of county commissioners may adopt a resolution recommending an intent to approve acquisition of the land described in such notice.

(3) Any resolution adopted pursuant to this subsection shall be pub-

1 lished at least once each week for two consecutive weeks in a newspaper
2 of general circulation in the township. The cost of publishing the reso-
3 lution shall be paid by the secretary of wildlife and parks. If within 30
4 days following the date of last publication a petition signed by at least 5%
5 of the qualified electors of the township is filed with the county election
6 officer, no land shall be acquired pursuant to this section unless the ques-
7 tion is submitted to and approved by a majority of the qualified electors
8 of the township voting at an election thereon. Such election shall be called
9 and held in the manner provided by the general bond law. If an election
10 is held on such question, the cost of conducting such election shall be
11 paid by the secretary of wildlife and parks.

12 (e) the secretary of wildlife and parks has received legislative ap-
13 proval; and

14 (f) the secretary of wildlife and parks has entered into a contract for
15 the payment of moneys in lieu of taxes comparable to surrounding lands
16 ad valorem tax payments with the owner or owners of property which is
17 exempt from the payment of ad valorem taxes under the laws of the state
18 of Kansas.

19 Sec. 2. This act shall take effect and be in force from and after its
20 publication in the statute book.

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