

February 2, 2005

CORRECTED

The Honorable Jene Vickrey, Chairperson
House Committee on Governmental Organization & Elections
Statehouse, Room 115-S
Topeka, Kansas 66612

Dear Representative Vickrey:

SUBJECT: Corrected Fiscal Note for HB 2007 by Representative Powell

In accordance with KSA 75-3715a, the following corrected fiscal note concerning HB 2007 is respectfully submitted to your committee.

HB 2007 would change the notice requirements and allow for a general election so that residents can vote to impose a retail sales tax as part of the Horsethief Reservoir Benefit District. Legislation passed during the 2004 Legislative Session established the benefit district so that local residents can finance a portion of the costs for construction and operations of the Horsethief Reservoir project. Upon completion of a public hearing on the issue, the governing board would be required to publish a first and second notice concerning a general election on the sales tax issue. The first notice would be published at least once a week for two consecutive weeks in the official county newspaper of each county with boundaries located within the district. The second notice would have to be published in the same newspapers at least seven days prior to the election date. Currently, the special election requirement follows KSA 10-120, which requires that notice be published in a newspaper of general circulation once each week for two consecutive weeks at least 21 days prior to the election.

The State Conservation Commission indicates that the bill contains procedural issues that relate to notification and the election by local voters, and, as such, would have no state fiscal effect. Current law would require a special election on the sales tax issue, which is estimated to cost between \$50,000-\$60,000. The bill would allow the issue to be included on the general election ballot, which would save the local governing board the special election costs. In

The Honorable John Ballou, Chairperson

February 2, 2005

Page 2—2007

addition, if the voters do not vote to support local revenue for the project, the Horsethief Reservoir project, estimated at a total cost of \$3.9 million, would not be constructed.

Sincerely,

Duane A. Goossen
Director of the Budget

cc: Mark Heim, SCC
Steve Neske, Revenue