

Approved: March 28, 2012

MINUTES OF THE HOUSE LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairperson Steve Huebert at 3:30 PM on Tuesday, March 1, 2012, in 144-S of the Capitol.

All members were present except Representative LeDoux, who was excused.

Committee staff present:

Martha Dorsey, Kansas Legislative Research Department
Jay Hall, Kansas Legislative Research Department
Eunice Peters, Office of Revisor of Statutes
Florence Deeter, Committee Assistant

Conferees appearing before the Committee:

Melissa Wangemann, General Counsel & Director of Legislative Services, Kansas
Association of Counties
Clancy Holeman, Riley County Counselor, Board of Riley County Commissioners

Others in attendance:

See attached list.

The Chairman opened the meeting and announced the appointment of Representatives Grosserode, Mah, Sloan and Otto to a sub-committee for the purpose of clarification on **HB 2662 - Limiting authority of counties to restrict certain waste material from privately owned landfills.**

Hearing on **SB 207 – Counties; acceptance of credit cards, debit cards, payment of taxes, fees, other exactions.**

The Chairman opened the hearing on **SB 207**. Staff Eunice Peters briefed the committee, saying that the bill creates new law. She explained that subsection (a) proposes to authorize counties to accept credit or debit cards for the payment of any taxes, utility fees or other fees. Each county would decide which types of cards to accept and could also set a transaction fee for credit card charges. She said that transaction fee must be equal to the charge paid by the county for use of the credit card and the payer would have to receive notice of such fee. Ms. Peters further explained that subsection (b) exempts the credit card transaction from **K.S.A. 16a-2-403**, which prohibits retailers from imposing a surcharge on credit or debit card transactions.

CONTINUATION SHEET

Minutes of the HOUSE LOCAL GOVERNMENT Committee at 3:30 PM on Tuesday, March 1, in 144-S of the Capitol.

Melissa Wangemann, General Counsel & Director of Legislative Services, Kansas Association of Counties, spoke as a proponent of **SB 207**, saying that the bill brings clarification for the authority of Kansas counties to accept payment of fees and transactions by credit and debit cards. She noted that currently under **K.S.A.121-16,125**, cities are granted authority to receive payment by credit and debit cards and asked that counties be granted the same consideration (Attachment 1).

Clancy Holeman, Riley County Counselor, Board of Riley County Commissioners, said that the bill is modeled on existing exemption statutes already in place and enjoyed by other Kansas governmental entities and that the same benefits should be granted to counties in Kansas that choose to receive payments by credit or debit cards (Attachment 2). Mr. Holeman submitted additional information quoting three Kansas statutes, which delineate those exemptions (Attachment 3).

Written testimony in support of **SB 207** was submitted by the following:

Alvan D. Johnson, Chairman of the Board of Riley County Commissioners (Attachment 4).

Joe Grisolano, President Kansas County Officials Association (Attachment 5).

The hearing on **SB 207** was closed.

The meeting was adjourned at 3:50 p.m. The next meeting is to be announced later.