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SENATE CHAMBER

DAVID B. HALEY
SENATOR
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BEFORE THE HOUSE
COMMERCE, LABOR & ECONOMIC DEVELOPMENT COMMITTEE
IN NEUTRALITY TO HOUSE BILL 2314 (2019)
AN ACT CONCERNING CITIES;
QUALIFICATIONS & REHABILITATION OF ABANDONED PROPERTIES
Friday, February 22nd, 2019 1:30 p.m.

Chair Tarwater ; Vice-Chair Corbet ; Ranking Member Frownfelter & Distinguished
Fellow Members of the House Commerce, Labor & Economic Development Committee:

Thank you for scheduling a hearing on yesterday and today to consider several sides to this perennial topic; a concept which was spawned, according to sincere testimony, over a few beers at a local bar several years ago. Although I TOO have come up with some diabolical ideas myself after one too many beers, usually none have come nearly as close to undermining basic rights and becoming law as this now annual, once even gubernatorially-vetoed, plot has become.

Despite having vehemently OPPOSED these measures for almost every year, today I register as a NEUTRAL Conferee to HB 2314; On Rehab of "Abandoned" Properties. I'll be brief here.

Over the years, I have patiently responded to the neighborhood groups who have asked me about my previous opposition to other incarnations of what is now HB 2314 when it was HB 2506, then HB 2404 and HB 2075 and HB 2646 then SB 31 and at one time SB 338, etc., etc., etc.

I, David Haley, join the Proponents who contend that their motivation in promulgating and diligently pursuing this legislation is the easing of blight due to abandoned structures. No responsible public servant would, or should, contend otherwise. Blight IS rampant in parts of our State and any REASONABLE effort to put blighted property in progressive hands makes sense.

In my opinion, HB 2314, in its current forms, is **almost** one of those provisions. With a few amendments including those previously encouraged by the Americans For Prosperity (a think-tank, policy oriented organization dedicated in this matter to defending the real property rights of all people), I will be in support. Further, I encourage the Members of this Committee to visit some of the theoretical premises of the US Supreme Court's UNANIMOUS decision on Wednesday of this week in a civil asset forfeiture case (In RE: Tyson Timbs) in which a minor illegal drug sale amount (\$400) resulted in a government seizure & taking of a (\$42,000) personal property. The heavy-handedness of this instant bill, i.e. a tax-delinquent OR empty OR "blighted" real property, whose "offenses" might be addressed for a nominal amount can instead allow for governmental seizure & taking of an exponentially greater amount; the **entire** property.

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I hope to also see amended the definition of “owner” to not include a specific timetable for improvements to be in order considered vested in an ownership interest AND further amended to declare void any ordinance that taxes mere vacancy of a property.

In closing, gentle Members, please expand your thinking beyond the potential pretext of this legislation’s alleged “public good” intent (easing blight) to, in FACT, permit elasticizing of eminent domain; a smoke screen to take, with no compensation, real property from fragile owners to benefit developers and, by inside deals and new property taxes, certain municipalities.

These are part of the concerns that have at least one quarter of the House, and ALL the legislative Black and Tri-Caucuses, CONSISTENTLY voting against all incarnations of this diabolical but ingenious concept. I hope this Committee will ease some of our angsts with appropriate amendments and that then this measure is implemented.

Thank you. Cheers.