

SESSION OF 2022

SUPPLEMENTAL NOTE ON SENATE BILL NO. 405

As Amended by House Committee on Federal
and State Affairs

Brief*

SB 405, as amended, would authorize and direct the Executive Director of the Kansas State Historical Society (KSHS), on behalf of the KSHS, to convey by quitclaim deed, a 0.52-acre parcel of land in Johnson County to the Shawnee Tribe. The legal description of the parcel is provided in the bill.

The bill would provide the conveyance would not require appraisal, bid, or publication, and the conveyance would not be subject to appraisal requirements in continuing law. The Attorney General would be required to review and approve the deeds and conveyances.

The bill would state the Shawnee Tribe agrees to pay all costs related to the conveyance and would grant the State a historic preservation easement that would reflect current federal preservation laws regarding properties listed in the National Register of Historic Places.

The bill also would prohibit the development of a casino or other gaming facility on the land.

Background

The bill was introduced by the Senate Committee on Federal and State Affairs at the request of Senator Olson.

*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>

Senate Committee on Federal and State Affairs

In the Senate Committee hearing on February 8, 2022, Representatives Neighbor and Victors and a representative of the Shawnee Tribe testified as **proponents**, stating the land is a historic cemetery for the Shawnee Tribe, and the bill would preserve property that is important to the history of Shawnee Tribe. Senator Thompson and a representative of the City of Shawnee provided written-only proponent testimony. No other testimony was provided.

House Committee on Federal and State Affairs

In the House Committee hearing on March 14, 2022, Representatives Byers, Neighbor, and Victors and a representative of the Shawnee Tribe provided **proponent** testimony, discussing the importance of the cemetery to the Shawnee Tribe and their intentions to preserve the site. A representative of the City of Shawnee provided written-only proponent testimony.

A representative of the Office of the Attorney General provided written-only neutral testimony, indicating concern that the land transfer to the Shawnee Tribe could open the door for casinos to be developed on or nearby the site.

No other testimony was provided.

The House Committee amended the bill to prohibit a casino or other gaming facility from being developed on the land.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill as introduced, KSHS estimates enactment of the bill would have no fiscal effect.

Kansas State Historical Society; Shawnee Tribe; Johnson County