AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

106TH CONGRESS
2d Session
HOUSE OF REPRESENTATIVES
REPORT
106–769

TO GRANT THE CONSENT OF THE CONGRESS TO THE KANSAS AND MISSOURI METROPOLITAN CULTURE DISTRICT COMPACT

JULY 20, 2000.—Referred to the House Calendar and ordered to be printed

---

Mr. HYDE, from the Committee on the Judiciary, submitted the following

R E P O R T

[To accompany H.R. 4700]

The Committee on the Judiciary, to whom was referred the bill (H.R. 4700) granting the consent of the Congress to the Kansas and Missouri Metropolitan Culture District Compact, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

TABLE OF CONTENTS

	Page
Purpose and Summary	1
Background and Need for the Legislation	2
Hearings	2
Committee Consideration	3
Committee Oversight Findings	3
Committee on Government Reform Findings	3
New Budget Authority and Tax Expenditures	3
Committee Cost Estimate	3
Constitutional Authority Statement	3
Section-by-Section Analysis and Discussion	3

PURPOSE AND SUMMARY

H.R. 4700 grants congressional consent to changes made by the Kansas and Missouri legislatures in 2000 to the Kansas and Missouri Metropolitan District Culture Compact between those States. The amendments broaden the definition of cultural programs to include sports-related facilities and institutions, and adjust the composition of the commission established by the original compact to ensure balanced representation from both States.

79–006

BACKGROUND AND NEED FOR THE LEGISLATION

Article I, section 10, clause 3 of the United States Constitution provides that: "No State shall, without the Consent of Congress . . . enter into any agreement or Compact with another State, or with a foreign power. . . ." Congressional consent to interstate compacts and agreements is necessary to ensure that these agreements do not work to the detriment of another State or conflict with Federal law or Federal interests.

In 1994, Congress granted its consent to the Kansas and Missouri Metropolitan Culture District Compact.[1] The Compact created a special taxing district to facilitate the cultural development of the greater Kansas City metropolitan area in Kansas and Missouri.[2] In addition, the Compact permitted residents of the culture district to raise up to a quarter cent sales tax to support voter-approved cultural programs "which contribute to or enhance the aesthetic, artistic, historical, intellectual or social development or appreciation of members of the general public."[3] The Compact also provided for the establishment of a Commission consisting of Kansas and Missouri representatives to serve as the governing body of the culture district.[4]

In 1996, voters in the district approved a .125 % sales tax to renovate the historic Grand Union train station and to develop a science museum in Kansas City, Missouri. In 2000, Kansas and Missouri overwhelmingly approved a slightly amended Metropolitan Culture District Compact between the States.[5] The new Culture District Compact broadens the definition of cultural programs to include sports activities and facilities,[6] and changes the composition of the Commission to assure balanced representation from both States. Both the original and the amended Kansas and Missouri Metropolitan Culture Compacts obtained broad bipartisan support and were approved by overwhelming legislative margins in their respective States.

HEARINGS

The committee's Subcommittee on Commercial and Administrative Law held 1 day of hearings on H.R.4700 on July 18, 2000. Testimony was received from U.S. Representative Karen McCarthy and Kansas State Senator Audrey Langworthy, with additional material submitted by Missouri State Senator Harry Wiggins; Robert J. Marcusse, President and CEO of the Kansas City Area Development Council; and Missouri State Representative Thomas J. Hoppe.

COMMITTEE CONSIDERATION

On July 18, 2000, the Subcommittee on Commercial and Administrative Law met in open session and ordered favorably reported without amendment the bill H.R. 4700 by voice vote, a quorum being present. On July 19, 2000, the committee met in open session

---

[1] Pub. L. No. 103–390, 108 Stat. 4085 (1994).
[2] *Id.* at art. IV.
[3] *Id.* at art. III (d).
[4] *Id.* at art. V & VI..
[5] MO. STAT. § 70–500 (2000); KAN. STAT. § 72–116 (2000).
[6] H.R. 4700 (106th Cong.) art. III.

and ordered favorably reported without amendment the bill H.R. 4700 by voice vote, a quorum being present.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the committee reports that the findings and recommendations of the committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

COMMITTEE ON GOVERNMENT REFORM FINDINGS

No findings or recommendations of the Committee on Government Reform were received as referred to in clause 3(c)(4) of rule XIII of the Rules of the House of Representatives.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of House Rule XIII is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures

COMMITTEE COST ESTIMATE

In compliance with clause 3(d)(2) of rule XIII of the Rules of the House of Representatives, the committee believes that the bill will have no cost for the current fiscal year 2000, and that there would be no cost incurred in carrying out H.R. 4700 for the next five fiscal years.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the committee finds the authority for this legislation in Article I, section 10 clause 3 of the Constitution.

SECTION-BY-SECTION ANALYSIS AND DISCUSSION

Section 1. Consent. Gives congressional consent to the interstate Compact between Kansas and Missouri. The remaining portions of section 1 sets forth the Metropolitan Culture District Compact agreed to by the Kansas and Missouri State legislatures.

Article I. Agreement and pledge. Provides that each State agrees to cooperation with the other in the planning and development of the district.

Article II. Policy and purpose. Defines the purpose of the Compact, which is to provide for the creation of a bi-State metropolitan culture district.

Article III. Definitions. Defines key terms used in the Compact.

Article IV. The District. Defines counties that are both eligible and required to participate in the district within the States of Kansas and Missouri. The Compact authorizes counties within the District to allow their residents to decide whether to participate in the district and whether to levy a sales tax to support the goals of the district. The Article also provides the ballot language to be placed before voters when considering whether to join the district or

whether to raise a sales tax to support cultural development in the district.

Article V. The Commission. Defines the membership and method of appointment for members of the metropolitan culture commission ("the Commission"). The Article defines how officers are selected, specifies the terms of office for Commission members, and provides for the hiring of employees and general operation of the Commission.

Article VI. Powers and duties of the Commission. Among others things, the Commission is empowered to contract, receive and solicit donations and grants of money, equipment, and supplies from any State, organization, person or corporation; provide donations to cultural activities in counties that are part of the district; purchase, lease or devise cultural facilities within the territory of the district; and borrow money 5 years after the creation of the district for such things as repair and maintenance of any cultural facilities. The Commission is required to publish an annual report on operations and transactions conducted during the preceding year, and must appoint an advisory committee of an equal number of persons from both States who are members of the general public with interest in cultural organizations or activities.

Article VII. Finance. Outlines financial requirements and organization of the Culture District. Requires that all commission appropriations be reviewed by the governing bodies of the counties comprising the district. Also requires the commission's accounting be open for audit by representatives from all branches of State government involved in the district.

Article VIII. Entry into Force. Defines when the Compact becomes effective and provides for future amendments.

Article IX. Termination. Provides for the termination of the Compact. Either State legislature may terminate the Compact by enacting a statute repealing it.

Article X. Construction and Severability. Provides that provisions of the Compact be liberally construed and severable from the remainder of the Compact if they are determined to be invalid. Also limits the sales tax to be levied for cultural projects within the district to .25 % and establishes collection guidelines for these taxes.

Section 2. Reservation of Rights. Reserves the right to Congress to amend or repeal the Act.

○