

MINUTES OF THE HOUSE LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairman Steve Huebert at 3:30 p.m. on March 3, 2011, in Room 144-S of the Capitol.

All members were present except:  
Representative Otto - excused.

Committee staff present:  
Martha Dorsey, Kansas Legislative Research Department  
Eunice Peters, Office of Revisor of Statutes  
Florence Deeter, Committee Assistants

Conferees appearing before the Committee:  
Gary Rosewicz, Assistant County Engineer, Riley County  
Clancy Holoman, Riley County Counselor  
Melissa Wangemann, General Counsel & Director of Legislative Services, Kansas Association of Counties  
Corey Peterson, Associated General Contractors of Kansas, Inc.

Others attending:  
See attached list.

The Chairman opened the hearing on **SB 40 – Concerning counties; relating to bidding requirements on certain contracts.**

Staff Eunice Peters explained the bill, stating that it allows a county to repair or replace a county building without having to choose the lowest or best bid when the county commission has declared an emergency. She indicated that emergency is defined as severity of damage to the extent the facility is unsafe for its intended use.

Gary Rosewicz, Assistant County Engineer, Riley County spoke as a proponent of **SB 40**, stating that when repairs need to be conducted quickly, and the county is forced to use competitive bidding, time is of the essence in providing for the safety of those using public buildings (Attachment 1).

Clancy Hollman, Riley County Counselor, speaking as a proponent of **SB 40** indicated the compromise represented in the bill provides a reasonable balance for competitive bidding requirements (Attachment 2). He noted that the bill addresses only counties and does not include cities. Answering a question, Mr. Hollman said that 60 days is the approximate time frame for bid letting. He noted that the \$25,000 threshold, which was raised from \$10,000, provided important cost savings to the county for this specific emergency--a \$100,000 replacement of electrical equipment.

Melissa Wangemann, General Counsel and Director of Legislative Services, Kansas Association of Counties, indicated the agency supports the intent of **SB 40**, which includes an impartial method of selection of contractors for repairs of county buildings (Attachment 3). She indicated the bill also provides exception to the rule when emergency situations are apparent. Ms. Wangemann requested the committee consider the bill favorable for passage.

Corey Peterson, Associated General Contractors of Kansas, Inc., provided written testimony maintaining a neutral position on **SB 40** (Attachment 4).

Staff Eunice Peters answered a member's question pertaining to the adjustment of the money requirement. She noted that in 2008, **K.S.A. 2010 Supplemental 19-214**, was changed from \$10,000 to \$25,000 and language was inserted to include highways, roadways, turnpike-related structures and parking lots. She will provide additional information for the committee on Rep. Worley's question regarding cities and their bidding process at the next meeting.

The Chairman closed the hearing on **SB 40**.

The meeting was adjourned at 4:00 p.m. The next meeting is scheduled for March 8, 2011.

CONTINUATION SHEET

Minutes of the House Elections Committee at 3:30 p.m. on March 8, 2011, in Room 144-S at the Capitol.