

MINUTES OF THE HOUSE COMMERCE, LABOR AND ECONOMIC DEVELOPMENT
COMMITTEE

The meeting was called to order by Chairperson Mark Hutton at 1:30 pm on Monday, March 16, 2015, 346-S of the Capitol.

All members were present

Committee staff present:

Reed Holwegner, Legislative Research Department
Jason Thompson, Office of Revisor of Statutes
Chuck Reimer, Office of Revisor of Statutes

Conferees appearing before the Committee:

Representative Steve Huebert
Melissa Wangemann, General Counsel, Kansas Association of Counties
Nicole Proulx Aiken, Legal Counsel, League of Kansas Municipalities
Jim DuBois, Saline County Treasurer
Representative J. R. Claeys
Mark Tallman, Associate Executive Director, Advocacy, Kansas Association of School Boards
John Lewis, Lewis Legal News
Dan Thalmann, Washington County News
Rudy Taylor, Montgomery County Chronicle
David Powls, Holton Recorder
Doug Anstaett, Kansas Press Association

Others in attendance:

[See Attached List](#)

Hearing on: HB2237 — Municipalities; use of internet as official publication.

Chairperson Hutton opened the hearing on this bill. Chuck Reimer explained the bill. It provides for cities and counties the option to post official publications on their internet sites rather than printed in the local newspaper. If the internet is selected, there are certain requirements to be met.

Representative Huebert gave neutral testimony ([Attachment 1](#)). This bill was originally introduced by the House Local Government Committee, which he chairs. A subcommittee was appointed to study the issue, and although a compromise was not reached, some ideas were brought forth. He added that current official publication requirements go back in time when local newspapers were the method of providing information to the public.

Melissa Wangemann also presented neutral testimony ([Attachment 1a](#)) noting that many counties support this bill because of the impact of publication fees on local budgets, but also recognize the importance of local newspapers in communities.

Nicole Proulx Aiken presented proponent testimony ([Attachment 2](#)) on behalf of the League of Kansas

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Municipalities. The League supports the bill because of the potential savings to cities and taxpayers. Publication costs for cities in 2014 varied from \$160.53 to \$47,375, with the average cost being \$4,738.23. There were several sections of the bill that the League felt needed to be amended. There is also a requirement that attorneys have to certify the summary publication, and that costs cities money.

Jim DuBois, Saline County Treasurer, provided proponent testimony ([Attachment 3](#)) indicating publishing on the internet would save Saline County thousands of dollars. He explained that most official notices require at least three postings, and the internet provides quick up-to-date information for free. This bill would allow the choice of posting legal notices in the local newspaper or through a website.

Representative J. R. Claeys testified ([Attachment 4](#)) in support of the bill. He noted this bill does not force communities to change their current process. It is an option for local governments that choose to take advantage of a less expensive, secure, and universally accessible publication medium for legal notices online.

Mark Tallman with the Kansas Association of School Boards (KASB) provided proponent testimony ([Attachment 5](#)). He explained KASB is not currently included in the bill, but would support amending it to include the option to school districts, which could be decided by local school boards.

Written-only proponent testimony ([Attachment 6](#)) was provided by Jason Gage, Saline County Manager.

John Lewis, Lewis Legal News, testified as an opponent ([Attachment 7](#)) noting that the public will not be aware of public hearings, i.e., a proposed landfill across the street. A daily search of the internet would be required. However, a public notice in the local newspaper is easily seen by the people in the community.

Don Thalmann, Washington County News, provided opponent testimony ([Attachment 8](#)) saying printing legal notices in small town newspapers provides revenue to pay salaries.

Rudy Taylor testified for Andy Taylor as an opponent ([Attachment 9](#)). He expressed concern that local governments will not carry the same passion for informing the public as the community newspaper does.

David Powls provided opponent testimony ([Attachment 10](#)). He noted that to cease publishing public notices in newspapers would expose local government entities to the risk that their constituents and taxpayers could/would file suits against them for not providing the public notice as required by state law.

Doug Anstaett testified ([Attachment 11](#)) against the bill. He believes the printed notice should always

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be the "official" one and that the internet notice should be supplemental in nature. Also, 25 to 40 newspapers in Kansas would be lost if public notice income went away.

Written-only opponent testimony was provided by:

Cliff Blackmore, Tri-State News, Elkhart ([Attachment 1](#))
Lloyd Craig, Winfield Courier, ([Attachment 13](#))
David A. Seaton, Winfield Publishing Co. ([Attachment 14](#))
Clarke Davis, Valley Falls Vindicator ([Attachment 15](#))
Mina S. DeBerry, Wilson County Citizen ([Attachment 16](#))
Sue Drennan, Citizen, Galena ([Attachment 17](#))
Olaf Frandsen, Salina Journal ([Attachment 18](#))
Dane Hicks, Anderson County Review ([Attachment 19](#))
Mary Hoisington, Great Bend Tribune ([Attachment 20](#))
Norma Immroth, Edwards County Sentinel ([Attachment 21](#))
Jackie Taylor, Linn County News ([Attachment 22](#))
Matthew Jorgenson, Clyde Republican ([Attachment 23](#))
Denice Kuhns, Meade County News ([Attachment 24](#))
Sandy Hattock, Leavenworth Times ([Attachment 25](#))
Susan Lynn, Iola Register ([Attachment 26](#))
Linda Mowery-Denning, Ellsworth Co. Independent-Reporter ([Attachment 27](#))
Kim Nussbaum, Wichita Eagle ([Attachment 28](#))
Paul Rhodes, Times-Sentinel Newspapers ([Attachment 29](#))
Rudy Taylor, Taylor Newspapers ([Attachment 30](#))
Dena Sattler, Garden City Telegram ([Attachment 31](#))
Tammy Seimears, Madison News ([Attachment 32](#))
John Settle, Larned Tiller & Toiler ([Attachment 33](#))
Jeanny Sharp, Ottawa (Herald) ([Attachment 34](#))
Machelle Smith, Sentinel-Times, Galena ([Attachment 35](#))
Scott Stanford, The World Co., Lawrence ([Attachment 36](#))
Ervan Stuewe, Wabaunsee Co. Signal-Enterprise ([Attachment 37](#))
Earl Watt, Leader & Times, Liberal ([Attachment 38](#))

The hearing on this bill was closed.

HB2357 - Department of Labor; employment security; disqualification for benefits, administrative review, personnel carrying out act, filing of wage reports.

Mr. Reimer explained the bill. The bill was open for discussion and action. After several questions, Chairperson Hutton suggested the bill be held over for discussion tomorrow.

Discussion and action on: HB2391 State employees; shared leave program limited to life

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

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threatening medical conditions; longevity bonuses only if moneys appropriated for such bonuses; classified positions converted to unclassified positions.

Mr. Reimer summarized the bill.

Representative Billinger moved, seconded by Representative Frownfelter, to amend the bill ([Attachment 39](#)). The motion passed.

Chairperson Hutton indicated discussion and action on **HB2391** will continue tomorrow.

Adjournment

The meeting adjourned at 3:02 p.m.