

Approved: 3-23-98  
Date

## MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairman Janice Hardenburger at 1:30 p.m. on March 17, 1998 in Room 529-S of the Capitol.

All members were present:

Committee staff present: Dennis Hodgins, Legislative Research Department  
Mike Heim, Legislative Research Department  
Theresa Kiernan, Revisor of Statutes  
Graceanna Wood, Committee Secretary

Conferee appearing before the committee: Randy Allen, Exec. Director, Kansas Association of Counties  
Ted Ensley, Shawnee County Commissioner  
Mike Sease, Shawnee County Public Works Director  
Penny Evans, Miami County Engineer  
Judy Moler, Kansas Association of Counties  
Willie Martin, Sedgwick County Board of Commissioners

Others attending: See attached list

Chairman Hardenburger opened the hearing on SB 679 relating to county roads; concerning certain construction and repair thereon.

Legislative staff explained the bill to the Committee.

Randy Allen, Executive Director of the Kansas Association of Counties testified in favor of the bill. (Attachment #1)

Ted Ensley, Shawnee County Commissioner explained to the Committee that the passage of this bill would help the County in trying to correct some deficiencies in the bridge and road programs. Bridges closed in the County causes increases in the cost of busing programs for the schools.

The Committee discussed the load limits of bridges and how often are checked in the County.

Mike Sease, Shawnee County Public Works Director explained to the Committee the importance of passing the bill favorably. (Attachment #2)

The Committee discussed the funding source for the bridge and road programs.

Penny Evans, Miami County Engineer spoke in support of this bill. (Attachment #3)

The Committee discussed the reason for the original limit of \$250,000 for repairs for bridges and roads.

Chairman Hardenburger closed the hearing on SB 679.

Senator Praeger moved that SB 679 be passed out favorably, seconded by Senator Becker. Motion carried.

Chairman Hardenburger opened the hearing on HB 2902 concerning townships; relating to the powers and duties thereof.

Judy Moler, Kansas Association of Counties explained the bill to the Committee.

Willie Martin, Sedgwick County Board of Commissioners testified in favor of the bill. (Attachment #4)

Chairman Hardenburger explained to the Committee that SB 657 has been passed out in this Committee and that it is identical to HB 2902. SB 657 currently is in House Election and Local Government Committee. The balloon amendments to HB 2902 will make it identical to SB 657. (Attachment #5)

Senator Becker moved that HB 2902 be passed out favorably as amended, seconded by Senator Praeger. Motion carried.

Chairman Hardenburger opened the hearing on HB 2806 concerning municipalities; relating to the payment of claims submitted by employees for reimbursement of travel expenses.

CONTINUATION SHEET  
Minutes of the Senate Election and Local Government Committee, March 17, 1998

Legislative staff gave briefing of **HB 2806** to the Committee.

Onan Burnett, USD 501 gave testimony in support of the bill. (Attachment #6)

Stacey Farmer, Kansas Association of School Boards also gave testimony to the Committee in support of the bill (Attachment #7)

Chairman Hardenburger closed the hearing on **HB 2806** and opened the hearing on **HB 2813** concerning public improvements; relating to public works bonds.

Legislative staff explained the bill to the Committee.

Jim Kaup, City of Garden City presented testimony in favor of the bill. (Attachment #8)

The Committee discussed if this bill would cover public works improvements other than Garden City.

Don Moler, Kansas League of Municipalities testified in favor of this bill. (Attachment #9)

Chairman Hardenburger closed the hearing on **HB 2813**.

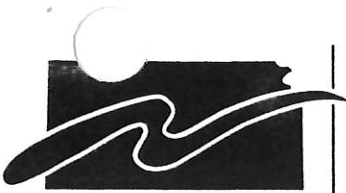
Senator Becker moved that both **HB 2806** and **HB 2813** be passed out favorably and put on the Consent Calendar, seconded by Senator Steineger. Motion carried.

Senator Gooch moved that the minutes of March 11 and 12 be approved as written, seconded by Senator Becker. Motion carried.

Meeting was adjourned at 2:20 p.m.

Next meeting will be at 1:30 p.m. March 18, 1998.





**KANSAS**  
ASSOCIATION OF  
**COUNTIES**

**TESTIMONY**

**SB 679**

**concerning County Roads and Bridges**

*Presented by Randy Allen, Kansas Association of Counties*

*Senate Elections and Local Government Committee*

March 13, 1998

Senator Hardenburger and members of the Senate Elections and Local Government Committee. I am Randy Allen, Executive Director of the Kansas Association of Counties. I appreciate the opportunity to testify on SB 679, a bill which removes barriers to counties effectively maintaining their roads and bridges.

K.S.A. 68-1103 **currently** allows counties to 1) levy taxes to build or repair bridges or culverts but only when the county's share of the cost is less than \$250,000; and 2) issue bonds to build or repair bridges or culverts, but only if the cost per bridge does not exceed \$250,000.

**SB 679 would amend K.S.A. 68-1103** to 1) allow counties to levy taxes to build or repair roads, bridges, or culverts with no dollar limitation (except the limitations of the aggregate tax lid in counties where the lid applies), and 2) authorize counties to issue general obligation bonds to construct, repair, or reconstruct roads, bridges, or culverts, subject to the board of commissioners providing notice.

**Justification:**

1) According to KDOT, counties are responsible for maintaining 19,928, or 76.5% of the state's 26,021 bridges. Of the bridges maintained by counties, 6,015 or 30.1% are either structurally deficient or functionally obsolete. As such, of the 7,374 bridges statewide deemed by KDOT to be either structurally deficient or functionally obsolete, 81.6% are under the responsibility of counties. *The inattention is not purposeful; rather, it reflects a lack of financial tools to address the problem.*

2) A large, and in some cases, growing percentage of our population is in areas outside the corporate limits of cities. The following counties describe this emerging trend:

County	Total Population Outside Cities	Total Population	% of Population Outside Cities
Butler	20,880	55,736	37.5
Jackson	6,601	11,634	56.7
Jefferson	10,174	16,822	60.4
Miami	11,683	24,722	47.3
Pottawatomie	7,861	17,407	45.2
Riley	26,709	73,119	36.5
Shawnee	40,930	165,122	24.8

700 SW Jackson  
Suite 805  
Topeka KS 66603  
785•233•2271  
Fax 785•233•4830  
email kac@ink.org

**Elec. & Local Gov.**

**Date:** 3-17-98

**Attachment:** #1

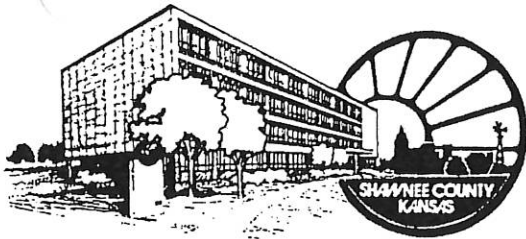
More and more counties are developing, or are seeking to develop, multiple-year Capital Improvement Programs (CIPs) to schedule orderly replacement and maintenance of roads and bridges. However, boards of county commissioners are precluded from taking advantage of the economies of scale which would likely result if a series of road/bridge projects were done at the same time.

3) Economic Development: A sound infrastructure is a prerequisite for economic development. Counties are responsible for the construction of roads and bridges adequate to facilitate and sustain residential, commercial and industrial development. The current statutory ceilings on the financing per bridge are archaic, and not consistent with modern needs.

**RECOMMENDATION:**

The Kansas Association of Counties urges your favorable consideration of SB 679.

The Kansas Association of Counties, an instrumentality of member counties under K.S.A. 19-2690, provides legislative representation, educational and technical services and a wide range of informational services to its member counties. Inquiries concerning this testimony should be directed to the KAC by calling (785) 233-2271.



SHAWNEE COUNTY  
DEPARTMENT of PUBLIC WORKS  
1515 N.W. SALINE STREET • SUITE 200 • TOPEKA, KANSAS 66618-2844  
913-233-7702 FAX 913-291-4920

MIKE SEASE, P.E.  
DIRECTOR OF PUBLIC WORKS

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## MEMORANDUM

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DATE: March 16, 1998

TO: The Senate Election and Local Government Committee  
The Honorable Janice Hardenburger, Chair Person  
The Honorable Rich Becker, Vice Chair  
The Honorable U. L. "Rip" Gooch, Ranking Minority Member  
The Honorable Committee Members

FROM: Mike Sease  
Public Works Director of Shawnee County

RE: Funding for Road & Bridge Projects

My name is Mike Sease and I am the Public Works Director for Shawnee County. I have a hand out which I would like for each of you to have which helps you see the problem we have in our County. While I can not speak for other Counties, I know many if not most of the Counties in Kansas have similar problems. The first page shows in 10 year increments the age of our bridges. The normal life expectancy of a bridge is 50 years. We currently have 117 bridges in excess of 50 years old. The two maps are color coded to show bridges that are posted for loads of less than 10 tons (shown in purple) and those which will carry loads greater than 10 tons (shown in yellow). School buses and fire trucks can only use bridges which have a load capacity in excess of ten tons. We have a total of 53 that are rated at less than 10 tons.

The second page shows all of the bridges in our County that need to be replaced and a list of high priority road improvement projects that are needed at the present time to handle the increased traffic demand that new development has created. All of the roads in need of improvement are typical of County roads in that they are narrow, usually 20 - 22 feet in width with no shoulders and open ditches. At the very least some of these projects require widening the pavement to 24- 26 feet in width with shoulders. Several of these projects are to widen the existing roads to four lanes. As you see in the right hand column there is a sizable price tag for these projects.

At the present time we are limited to projects of \$250,000.00 if bonding is to be the funding source. It is not possible to levy for these projects and pay as you go because of constraints placed on us by the tax lid. With completion nearing on our jail addition and new juvenile detention facility we will be very near our maximum bonded indebtedness limit, so we really have no options for funding unless legislation such as SB679 is passed. Thank you for your time. I would be happy to try and answer any questions you might have.

**Elec. & Local Gov.**

**Date:** 3-17-98

**Attachment:** # 2



# Shawnee County Department of Public Works

1515 N.W. SALINE STREET • SUITE 200 • TOPEKA, KANSAS 66618-2844  
913-233-7702 FAX 913 291-4920

MIKE SEASE, P.E.  
DIRECTOR OF PUBLIC WORKS

Shawnee County has 66 Fas Bridges and 167 off-system bridges. FAS bridges are those bridges on Federal Aid Secondary System Routes. These routes have been designated by the County and approved by the Kansas Department of Transportation and Federal Highway Administration. Off-system bridges represent all other bridges on the County road system. Listed below is a breakdown of the ages for Shawnee County bridges:

90 years	80 years	70 years	60 years	50 years	40 years	30 years	20 years	10 years	under 10
2	14	23	31	43	17	26	43	31	3

## Bridge Replacements

Weight Limit	On System (66 Structures)		Off System (167 Structures)		Total (233 Structures)	
	No. of Structures	Cost Estimate	No. of Structures	Cost Estimate	No. of Structures	Cost Estimate
< 10 tons	4	\$ 2,238,000	49	\$ 12,664,000	53	\$ 14,902,000
10 < 15 tons	13	\$ 4,105,000	25	\$ 6,229,000	38	\$ 10,334,000
≥ 15, F.O.	8	\$ 1,300,000	30	\$ 6,375,000	30	\$ 7,675,000
<b>Totals</b>	<b>25</b>	<b>\$ 7,643,000</b>	<b>104</b>	<b>\$ 25,268,000</b>	<b>121</b>	<b>\$ 32,911,000</b>

## Road Reconstruction

Route	From	To	Distance	Cost Estimate
SW Wanamaker Road	37th Street	61st Street	3.0 miles	\$ 7,500,000
SW 21st Street	K-4 Hwy (Auburn)	Topeka City Limits	2.6 miles	\$ 5,200,000
SW 29th Street	Auburn Road	Topeka City Limits	2.5 miles	\$ 5,000,000
SE 29th Street	Croco Road	Tecumseh Road	1.5 miles	\$ 3,000,000
SE 45th Street	East of Topeka Ave	California Ave	1.7 miles	\$ 3,400,000
SE 45th Street	Croco Road	Tecumseh Rd	1.5 miles	\$ 1,200,000
SE 45th Street	McMahon Ct	Stubbs Road	2.7 miles	\$ 2,000,000
SE Croco Road	45th Street	US 40 Hwy	4.0 miles	\$ 8,000,000
NW Topeka Avenue	Menninger Road	46th Street	2.0 miles	\$ 5,000,000
NW Topeka Avenue	46th Street	62nd Street	2.0 miles	\$ 3,000,000
		<b>Totals</b>	<b>23.5 miles</b>	<b>\$ 43,300,000</b>



ROAD MAP OF SHAWNEE COUNTY IS IN THE OFFICE OF  
SENATOR JANICE HARDENBURGER, STATE CAPITOL,  
ROOM 143-S

**Miami County Courthouse  
120 South Pearl, Suite #5  
Paola, Kansas 666071**



**Office of the County Administrator  
Alan Morris  
Phone: 913-294-9500  
Fax: 913-294-9163**

March 16, 1998

Chairperson Hardenburger and Members of the Senate Elections and Local Government Committee:

Thank you for permitting me to present this testimony on Senate Bill No. 679. The intent of this testimony is to request your support of this important and necessary Bill. This Bill amends K.S.A. 68-1103 by lifting the artificial \$250,000 limit placed upon counties for building or repairing bridges or culverts. Passage of Senate Bill No. 679 will be of great assistance to county commissions in addressing the needs of their constituents who depend on county roads and bridges for transportation.

Miami County is one of the fastest growing counties in the State of Kansas, with much of the population increase residing outside of incorporated cities. A 1994 County Transportation Plan determined that the County was responsible for 241 bridges, 95 of which were eligible for Federal Replacement funds. Forty-four of those eligible bridges had estimated construction costs in excess of \$250,000, with total replacement costs being 28.5 million dollars. The average projected cost of those 44 bridges is \$407,000 with 12 projected to cost more than \$500,000 and five projected to cost more than \$1,000,000.

While Miami County has adopted five and ten-year plans for replacement of such bridges, it will take decades to replace all of the bridges even without considering emergency situations. As you are well aware, unexpected circumstances may necessitate the replacement of a bridge long before its planned replacement. While not every bridge will be replaced, others must be replaced or rural residents will be left without a means of transporting their goods to market or themselves to their places of employment. Paragraph (b) of Senate Bill No. 679 permits county commissions to replace such bridges with costs in excess of \$250,000 in a timely fashion without having to defer necessary replacement for years.

Your support of Senate Bill No. 679 will be appreciated and be of great assistance in allowing locally-elected commissioners to serve the needs of their constituents.

Sincerely,

Alan Morris  
Miami County Administrator

As Presented by: Penny L. Evans, P.E.  
Director of Engineering Services  
Miami County, Kansas

**Elec. & Local Gov.**  
**Date:** 3-17-98  
**Attachment:** # 3



## SEDGWICK COUNTY, KANSAS

### INTERGOVERNMENTAL RELATIONS

WILLIE MARTIN

COUNTY COURTHOUSE • 525 N. MAIN • SUITE 315 • WICHITA, KANSAS 67203 • TELEPHONE (316)383-7552

To: Senate Elections and Local Government  
From: Willie Martin  
Date: March 16, 1998  
Subj: House Bill 2902

Madam Chair and members of the Committee, I am Willie Martin representing the Sedgwick County Board of Commissioners. Thank you for the opportunity to speak in support of House Bill 2902.

Just as counties and cities have a wide diversity in population, needs and services, the same is true of individual townships within a given county.

The Sedgwick County Commission has been asked by trustees of several townships to assist with legislation which would allow dissolution of individual townships. This request was prompted by a number of circumstances. Several of the townships now have a significant portion of the township located within city limits; those areas located outside but adjacent to these cities have an increased demand for road construction and maintenance. The requirements for equipment, personnel, and finances to meet these new demands are, in some cases, difficult if not impossible for some townships to sustain.

The trustees have requested legislation which would allow the proposal for dissolution of a township to be placed on the ballot for voter approval. If approved by a majority of township residents, dissolution of the township would proceed leaving in place township levies for road maintenance, construction and equipment and for specific functions which must continue such as a cemetery. The county would assume responsibility for these functions and the revenue from applicable levies to support these functions.

I would like to stress that Sedgwick County is only trying to assist those township board members who requested help. House Bill 2902 would only give township boards the authority to place dissolution on the ballot, the only authority counties would have would be the responsibility for functions and levies after dissolution was approved by electors of the township.

**Elec. & Local Gov.**

**Date:** 3-17-98

**Attachment:** # 4

**HOUSE BILL No. 2902**

By Representative Welshimer

2-12

10 ~~AN ACT concerning certain roads and highways; relating to the maintenance and supervision thereof.~~

12 **AN ACT concerning townships; relating to the powers and duties thereof.**

15 *Be it enacted by the Legislature of the State of Kansas:*

16 Section 1. (a) The township board of any township may adopt a resolution proposing to transfer all powers, duties and functions of the township board to the board of county commissioners of the county in which such township is located. Such resolution shall be submitted to the qualified electors of the township at an election called and held thereon. Such election shall be called and held in the manner provided by the general bond law. If a majority of the voters voting thereon vote in favor thereof, all powers, duties and functions of such township board shall be transferred to the board of county commissioners of the county in which such township is located.

26 (b) Upon approval of the resolution by the voters, the township board shall pay over to the county treasurer of such county any and all unused money or funds or surplus funds in the hands of such township board which have been received or acquired by such township from any source. Upon receipt of the funds and moneys, the county treasurer shall credit the same to a special fund for each such township. The board of county commissioners shall expend the moneys in such special fund for the exercise of the powers, duties and functions imposed by law upon township boards in the township from which it was received. The county treasurer shall credit and transfer to such special fund of each township all tax moneys in the treasurer's hands on the date the resolution was approved by the voters which were received by the treasurer in payment of taxes levied by such township for such purposes and all such taxes thereafter collected by the treasurer. The treasurer shall credit and transfer all other moneys in the treasurer's hands on the date the resolution was approved by the voters which were received by the treasurer for the use of such township for such purposes.

43 (c) Upon approval of the resolution by the voters, the township board

**Elec. & Local Gov.**  
**Date: 3-17-98**  
**Attachment: # 5**

1 shall turn over and deliver to the board of county commissioners of such  
2 county any and all assets and property such township has acquired.

3 (d) On or before the first Monday in July of each year the board of  
4 county commissioners shall prepare and submit to the township board a  
5 budget of expenditures for the exercise of the powers, duties and func-  
6 tions transferred to the county. The board shall itemize the expenses and  
7 amounts and the purposes therefor. ~~The township board shall~~ Subject  
8 to the same limitations imposed by law on township boards, the  
9 board of county commissioners are hereby authorized to levy a tax  
10 upon all assessed taxable tangible property of the township sufficient to  
11 raise the amount for such expenditures. The money derived from such  
12 levy shall be deposited in the county treasury and credited to the special  
13 fund established pursuant to subsection (b).

14 (e) ~~Any township which has transferred powers, duties and functions~~  
15 ~~pursuant to this section may~~ Upon presentation of a petition, signed  
16 by at least 20% of the qualified electors of the township, to the  
17 board of county commissioners requesting the board to adopt a  
18 resolution to return to the township board the powers, duties and  
19 functions transferred pursuant to this section, the board shall adopt  
20 a resolution to return to the township board the powers, duties and func-  
21 tions so transferred. Such resolution first shall be submitted to approval  
22 of the qualified electors of the township. Such election shall be called  
23 and held in the manner provided by the general bond law. No such  
24 resolution shall be adopted petition shall be submitted to the board  
25 for at least two years following approval of a resolution pursuant to sub-  
26 section (a).

27 Sec. 2. This act shall take effect and be in force from and after its  
28 publication in the statute book.

Following the transfer of all assets and property to the board of county commissioners, the township board of such township shall be and is hereby abolished.

5-2

If the resolution is approved by a majority of the qualified electors of the township voting at such election, the board of county commissioners shall appoint a township board who shall hold office until successors are elected and qualified at the next regular general election of the township.

U. S. D. 501  
TESTIMONY IN SUPPORT OF HB 2806  
18 MARCH 1998

With the current claims payment law (K.S.A. 12-105b) municipalities, which includes school districts, must obtain governing board approval for each claim prior to payment. With school districts this means employee travel reimbursements take 10 to 60 days to move from filing the claim to receiving the check.

K.S.A. 12-105b(e) allows municipalities to appoint an officer to pay claims in advance of Board approval, if waiting for approval would result in a loss of a discount or in a late payment penalty. The officer is required to keep an accounting of all claims paid prior to the Board's approval and to present them to the Board at their next meeting. This is the process school districts use to avoid late payment penalties to KP&L, Southwestern Bell, the I.R.S., etc.

HB 2806 would simply give municipalities the ability to treat their employees as well as they treat K.P.& L. and the I.R.S.

The amendments to K.S.A. 12-105b would make it optional for municipalities to appoint an officer to pay ahead of board approval and would allow the appointed officer to pay any travel claim that could not be paid through the regular payment process within 15 days. The officer would have to provide a listing of all such "early" payments to the Board for their approval at their next meeting. The same financial controls would apply that currently provide security for proper payment to firms like the K.P.& L. and the IRS.

School district employees are frequently required to travel between school buildings to provide music, nursing, counseling, social worker services etc. HB 2806 would be well received by the Districts' employees and would not require any additional expenditure by the State or the Municipalities. We ask for your thoughtful consideration and passage of HB 2806. THANK YOU

**Elec. & Local Gov.**

**Date:** 3-17-98

**Attachment:** #6

KANSAS  
ASSOCIATION



OF  
SCHOOL  
BOARDS



1420 S.W. Arrowhead Rd, Topeka, Kansas 66604  
913-273-3600

To: Senate Elections and Local Government  
From: Stacey Farmer, Coordinator of Governmental Relations  
Date: March 17, 1998

Madam Chairman, members of the Committee:

Thank you for the opportunity to appear before you today as a proponent of HB 2806. We support the timely reimbursements for incurred travel expenses and this bill would give local boards some added flexibility to do that for their employees.

Currently, to take any action on matters such as this, the local boards must find specific authorization within the law. School boards are not allowed to take action simply because that action is not prohibited by law; the action must be specifically permitted by law as well.

We urge your favorable consideration of this bill so that school districts may provide this benefit to their employees.

**Elec. & Local Gov.**  
**Date:** 3-17-98  
**Attachment:** # 7

LOGAN RILEY CARSON & KAUP, L.C.

CATHERINE P. LOGAN\*  
DOROTHEA K. RILEY\*\*  
MARY F. CARSON  
JAMES M. KAUP  
QUENTIN L. BROWN, OF COUNSEL\*

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Jayhawk Tower Building  
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9200 Indian Creek Parkway  
Suite 230  
Overland Park, KS 66210  
(913) 661-0399  
Facsimile (913) 661-9757

\* Admitted in Kansas and Missouri  
\*\* Admitted in Missouri  
All others admitted in Kansas

Facsimile (785) 233-9247

1500 Merchants Bank Bldg.  
1125 Grand Avenue  
Kansas City, MO 64106  
(816) 221-7757  
Facsimile (816) 842-9704

LEGISLATIVE TESTIMONY

**TO:** Senator Hardenburger and Members of the Senate Elections and Local Government Committee  
**FROM:** Jim Kaup, on behalf of Garden City  
**RE:** **HB 2813; Increasing the Threshold for Requiring Public Works Bonds**  
**DATE:** March 17, 1998

HB 2813, amending K.S.A. 60-1111, was introduced at the request of Garden City.

**Current Law:** In K.S.A. 60-1111(a) sets at \$10,000 the current threshold amount for projects for which private contractors post a public works bond, This amount has not changed for at least 20 years. Inflation for construction costs makes the comparable value in today's dollars significantly higher.

**Problem:** Since 1993, Garden City has entered into 140 construction contracts, totaling nearly \$30,000,000. Of these contracts, 68 were for under \$40,000. At an average bond cost of 1.5% of contract amount, bonding on these small contracts cost the City \$25,000.

While bond costs are a relatively minor expense in a construction project (usually 1-2% of contract price) the City believes the bond requirement acts as an impediment to competition in smaller public projects. Many small contractors, including local contractors quite capable of handling these types of projects, do not participate in the bidding process due to the inordinate time and paperwork involved in becoming bondable. (This is a particular problem in Garden City where exceptional growth in recent years has provided local contractors with plenty of private opportunities that do not involve the hassle of working on public projects.)

Unless there is a large amount of public work available to bid on, the small contractor who might only

**Elec. & Local Gov.**  
**Date:** 3-17-98  
**Attachment:** # 8



do one or two city jobs per year will not expend the time and trouble to meet bonding company requirements. At the least, the contracting business may be required to open its books to the bonding company for the previous 2-3 year period and may be required to change its accounting procedures.

Therefore, if a small contractor wishes to work on city projects, it is usually in the role of subcontractor working under a larger general contractor. The general contractor adds 5-10% cost for administration and overhead to the subcontractor's price, which is then compounded by the bonding costs.

Request for Change: The existing \$10,000 threshold is too low. Few public projects are built for this amount. A 500 foot city block's worth of curb and gutter (without pavement) will exceed \$10,000. A 500 foot sanitary sewer extension will also cost more than \$10,000.

Raising the bonding threshold on public projects from \$10,000 to \$40,000 will not appreciably increase the risk to public agencies with privately contracted projects. The City believes the proposed change will result in the following benefits: 1) more small contractors will bid on such projects, thus generating more competition, and lower costs to the taxpayer; 2) public agencies will not incur the direct pass-through costs for bonding these smaller projects, again resulting in lower overall project costs; and 3) the turnaround time on contract paperwork will be reduced by eliminating bonding company involvement, thus enabling public projects to be undertaken on a more timely basis.

HB 2813 passed the House on February 26 on a vote of 110-13.

The City respectfully requests the Committee's favorable action on HB 2813.



**League  
of Kansas  
Municipalities**

PUBLISHERS OF KANSAS GOVERNMENT JOURNAL 300 S.W. 8TH TOPEKA, KS 66603-3896 (785) 354-9565 FAX (785) 354-4186

**TO:** Senate Elections and Local Government Committee

**FROM:** Don Moler, General Counsel

**DATE:** March 17, 1998

**SUBJECT:** Support for HB 2813

Thank you for the opportunity to appear today in support of HB 2813. By action of the League's Convention of City Voting Delegates, the League's *Statement of Municipal Policy* formally endorses amending K.S.A. 60-1111 to raise the total value of any public works project for which a public works bond is required to \$50,000. As you know, HB 2813 would increase the amount to \$40,000.

We believe there are at least two compelling reasons to raise the threshold in current law of \$10,000. First, the consumer price index (CPI) has increased by approximately 102% since the limit was last raised in 1980 from \$1,000 to \$10,000, and a change based on inflation alone is long overdue. Second, raising this limit will allow cities and other local units to experience increased competition (and hopefully lower costs) for smaller contracts from contractors who may find the current threshold prohibitive due to the cost of public works bonds.

**RECOMMENDATION:** We urge your favorable consideration of HB 2813.

**Elec. & Local Gov.**  
**Date:** 3-17-98  
**Attachment:** # 9