



Date: March 18, 2013
To: Senate Commerce Committee
From: Larry R. Baer
Legal Counsel
Re: HB 2069
Testimony in Opposition

Thank you for allowing me to appear before you and testify in opposition to House Bill 2069 on behalf of the League of Kansas Municipalities and its member cities.

As written, HB 2069 would prohibit a city from enacting any type of local legislation or regulation that requires any employer, except a public employer, to set conditions of employment, to establish certain levels of compensation, provide for paid leave, pay at a rate in excess of minimum wage, or offer benefits not required by state or federal law. In addition, HB 2069 would invalidate any existing local legislation or regulation on the subject.

The League of Kansas Municipalities supports the Constitutional home rule authority of Kansas cities. The Kansas Constitution, Article 12, §5, as adopted in 1961, provides that “cities are hereby empowered to determine their own local affairs and government ... cities shall exercise such determination by ordinance...”. Thus, self-governance , i.e. local control, is the rule. Locally elected officials are authorized to handle local issues and problems. Local issues and problems are best handled at the government closest to the citizens that they represent.

HB 2069 intrudes upon local control. It substitutes the judgment and will of others for those that are closest to the issues and problems being addressed at local level. Local leaders are elected to legislate, regulate and set public policy as they believe is in the best interest of the welfare of their citizens, the electors.

For these reasons the League stands in opposition to HB 2069.

Thank you for allowing me to submit this testimony. I will stand for questions at the appropriate time.