

MINUTES OF THE HOUSE LOCAL GOVERNMENT COMMITTEE.

The meeting was called to order by Chairperson Representative Gerry Ray at 3:30 p.m. on February 6, 2001 in Room 519-S of the Capitol.

All members were present except: Rep. Hermes - excused
 Rep. Kauffman - excused
 Rep. Toplikar

Committee staff present: Theresa Kiernan, Revisor
 Mike Heim, Research
 Kay Dick, Committee Secretary

Conferees appearing: Ashley Sherard, Johnson County
 Bill Tulley, District Legal Council
 Larry McAulay, Assistant County Counselor, Johnson Co.

Others attending: See attached list

Chair opened the Hearing on HB 2119

Bill Tulley, Legal Council for Johnson County Park and Recreation District offered testimony in support of **HB 2119**. He indicated that specific issue to be addressed was a revision to change a requirement that the Park Districts' Board of Commissioners receive an open bids. Then evaluate, accept or reject such bid "immediately" by such Board. He addressed particular problems and concerns as outlined in his written testimony. Mr. Tulley told of the time restraint that this causes and why this issue needs legislative resolution. He also indicated that this particular statute only applies to the Johnson County Park and Recreation District. (attachment #1) Mr. Tulley answered questions asked by committee members.

Ashley Sherard, Johnson County Intergovernmental Relations Manager, appeared before the committee testifying in favor of **HB 2119**, which would amend the Johnson County Park & Recreation District's purchasing statute to enable the Park Board and staff to evaluate bid proposals prior to contract award. She also stated that the Johnson County Commission believes this change would make for a more efficient and more effective bid process, which would ultimately benefit taxpayers. (attachment #2)

Chair Ray closed the hearing on HB 2119.

The hearing on HB 2157- relating to computer software was opened by the Chair

Larry McAulay, Assistant County Counselor for Johnson County, testified in support of **HB 2157**. He stated that this bill would give all Kansas counties, not just Johnson County, the specific authorization to develop, own, sell, lease, license and market computer software. Enabling to adopt fees and prices, obtain and enforce software copyrights and trademarks. He pointed out that Johnson County recognized its statutory Home Rule authority, but in supporting **HB 2157** it removes any doubt about such authority and avoids any future legal challenges to the County's authority. (attachment #3) Mr. McAulay answered questions posed by the committee members.

Hearing was closed on HB 2157.

Action on: HB 2086 - depositories for public funds.

Chair asked for presentation of two proposal for amendments.

Chuck Stone, Kansas Bankers Association, presented the first proposal. He referred to previous written testimony which contained the amendment from his organization, that was given at the hearing on January 30, 2001 for **HB 2086**. He said, "it was significantly different enough from the original bill that

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it would need to be a substitute bill, but that was beside the point at this time". He explained that this amendment does one main thing, in that it divides out what is referred to as "idle funds from the active account" and allows the active account to be bid by all banks, both out of state banks and in state banks. It would maintain the current law on the idle money or the CD money.

Don Moler, League of Kansas Municipalities, handed out LKM's proposed amendment to **HB 2086**, which appeared in **bold**. (attachment #4)

Committee members posed question that were answered by Mr. Stone, Mr. Moler and Randy Allen, Kansas Counties Assoc.

There were more questions from the committee members and following the discussion a motion was made by Rep. Hayzlett to not pass the bill. Rep. Minor seconded.

The Chair opened again for discussion. Following more intense discussion and comments regarding this bill, its amendments, and the motion already posed on the floor, a substitute motion was made by Rep. Campbell to report the bill out favorably with the following amendments: 1. Requires public funds to be re-bid at each maturity. 2. Banks must maintain a satisfactory Community Reinvestment rating. 3. Banks must have a main bank facility or a branch facility located in the state of Kansas. Rep. Barnes seconded the motion. **HB 2086** was passed out of committee as amended.

The meeting was adjourned at 5:05. Next scheduled meeting is February 8, 2001.