

Date: March 8, 2017

To: House Committee on Federal and State Affairs

From: Larry R. Baer
General Counsel

Re: House Bill 2201
Oral/Written Testimony in Opposition

Thank you for allowing me the opportunity to appear before the Committee and present testimony in opposition to House Bill 2201 on behalf of the League and our member cities.

HB 2201 establishes many tracking and reporting requirements regarding contracting and privatization of any function, operation or service performed by personnel employed by an agency, as that term is defined in the bill. HB 2201 requires that the Department of Administration (DoA) establish an online data base to track a long list of elements that may be included in the contract for services subject to the bill. The language in the bill is very perplexing. It appears to be very state specific – requiring the oversight of the contracting process by DoA and, for the most part, addressing state activities. But, because of the definition used for the term “agency” it includes all cities and municipal governments.

Cities and other local government units would be required to report extensive contractual information to DoA. DoA currently has no authority to deal with cities on these matters. And, conversely, cities have no current requirement to share such data with DoA. For the most part, the bill would require cities to gather and report much information that they do not now do. The reporting process is cumbersome, adds administrative costs and potential delay to city projects. The additional administrative expenses become an unfunded mandate upon the cities to meet the reporting requirements.

If DoA must accommodate all the contracting information from all taxing entities in Kansas (as the bill now reads) this represents the potential for a massive amounts of information to be accumulated and stored. There are approximate 1,000 counties, cities and school districts. Adding townships, fire districts, sewer districts, watershed districts, etc. will easily drive this number into several thousand additional entities that DoA would have to administer.

We stand for transparency and encourage our cities to operate in an open and efficient manner. We are not aware of any specific issue that HB 2201 addresses at the local level. HB 2201 creates more government at a time when many seek to have “less government”. It would add additional costs to projects while impacting the efficient operation of the city. For the reasons stated above, we oppose HB 2201 and ask that it not be passed out of Committee.