

## HOUSE COMMITTEE ON JUDICIARY

**Proponent Testimony for Sub. SB 219 – Transferring responsibility for the scrap metal database to the Kansas Bureau of Investigation and reducing burdens on scrap metal dealers  
May 2, 2019**

**Presented by:  
Leslie Kaufman, Director of Government Relations and Legal Counsel  
Kansas Electric Cooperatives, Inc. (KEC)**

**On Behalf of:  
Westar/Kansas City Power and Light (Eversource), Kansas Electric Power Cooperative, Inc. (KEPCo), Liberty Utilities, Kansas Municipal Utilities (KMU), Kansas Electric Cooperatives, Inc. (KEC), Sunflower Electric Power Corp., and Midwest Energy, Inc.**

Chairman Patton, Vice Chair Ralph, Ranking Member Carmichael and members of the House Judiciary Committee, thank you for the opportunity to appear today as a proponent conferee on Sub. SB 219 regarding the Kansas scrap metal act. I am Leslie Kaufman and I serve as the Director of Government Relations and Legal Counsel for Kansas Electric Cooperatives, Inc. (KEC). I appear before you on behalf of the utility interests noted above.

For years, the Kansas legislature struggled to address the growing problem of scrap metal theft. Churches, schools, businesses, utilities, farms, irrigation equipment and homes were vandalized to obtain scrap metal. Copper pipes, tubing and wires were a major target. The damages and repairs from the theft of copper wiring worth less than \$10 can cause major repair bills, damage the equipment stripped and often caused huge increases in insurance premiums.

In 2014, the legislature authorized a “task force” to work through the Judicial Council and craft a comprehensive legislative proposal. The task force included representatives from the legislature, scrap metal industry, law enforcement, local government and representatives from industries impacted by theft and damage. The task force looked at laws and procedures in other states, examined database use and its impact and a myriad of other issues. The result of the task force’s efforts eventually led to passage of legislation strengthening penalties for metal theft under the criminal code and the implementation of the *Scrap Metal Theft Reduction Act* (Scrap Metal Act), now codified at K.S.A. 50-6,109.

Collectively, our utility groups have accepted delays in fully implementing certain features of the Act due to budget constraints, but we have continued to advocate for funding the database and preserving the integrity of the Scrap Metal Act.

The utilities in the state understand the enforcement benefits in a fully functioning Scrap Metal Act as we have been victims of such offenses. We applaud the efforts of the stakeholders to continue to look for innovative ways to tackle the issue. That process has continued to evolve, as you can tell, with the adoption of a substitute bill. The changes to the Scrap Metal Act contained

in Sub. SB 219 are a reasonable approach to balance concerns of utilities and other victims, law enforcement and dealers.

We understand that for the modifications contained in Sub. SB 219 to pass both chambers of the legislature this year, the bill language must be folded into a conference committee report (CCR). Debate on Scrap Metal Act issues re-occur frequently before the Kansas legislature. Sub. SB 219 presents a way to address long-standing and long-debated concerns. As such, we fully support advancing the language through inclusion in a CCR.

Thank you for the opportunity to share our views on Sub. SB 219. We will stand for questions at the appropriate time.

Leslie Kaufman  
785-260-4877