

MINUTES OF THE HOUSE LOCAL GOVERNMENT.

The meeting was called to order by Chairperson Rep. Gerry Ray at 3:30 p.m. on February 1, 2001 in Room 519-S of the Capitol.

All members were present except: Rep. Hermes - excused
Rep. Barnes - excused

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

Conferees appearing before the committee: Randy Allen, Executive Director, Kansas County Assoc.
Dan Harden, Director Public Works Riley
Rep. Tom Sloan
Bill Ogg, Manager, Kansas State Fair
David Garrett, Vice President, Haas & Walkerton
Gary White, Kansas Trial Lawyers Assoc.

Others attending: See attached list

The Chair announced that the minutes for Jan. 11, 2001 and Jan. 13, 2001 had been passed out to each of the members to be read. If there were any changed contact Kay, otherwise, they would be voted on for approval at next Tuesdays meeting. She also informed the Committee that they would be working **HB 2086** on the banking issue

The Chair opened the hearing on HB 2120 - amusement rides; relating to inspection and regulation

Representative Tom Sloan was recognized by the chair as the first proponent of the bill. He testified in support of requiring amusement rides be inspected to better ensure riders safety. He pointed out that Kansas is one of only six states that do not require amusement rides to be inspected to better ensure their safe operation and to protect riders. He also stated that the bill has a provision that requires responsible ridership by the patrons. He also explained that the bill requires rides be operated safely by trained personnel, documentation of inspections and train be available to the contracting fair or organization. (attachment #1) Rep. Sloan answered questions from committee members.

Bill Ogg, General Manager, Kansas State Fair, gave testimony stating that **HB 2120** provides for legislation defining prudent business practice currently conducted by the majority of amusement ride owners and operators in Kansas. Enacting this bill is an exercise in proactive government. This bill includes language that would strengthen the State defense if an accident happened. Mr. Ogg also indicated that **HB 2120** would be enhanced with the additions that are numbered in his written testimony. He requested the adoption of these suggestions. (attachment #2) Mr. Ogg answered questions from committee members.

David Garrett, Vice President, Haas & Wilkerson, gave testimony in support of and improvements to **HB 2120**. His company is the nation's largest, privately owned insurance agency providing service to the outdoor amusement industry. He stated that they have reviewed the legislation and are satisfied with the purpose and intent of its potential impact on carnivals and amusement parks in the state of Kansas. He pointed out the amendments needed to clarify or improve this bill were listed in his written testimony. He also indicated the important provisions of **House Bill 2120** that parallel Haas & Wilkerson underwriting and /or loss control standards. He stressed, "The overlying theme is the safety of the citizens of Kansas." (attachment # 3) Mr. Garrett responded to question asked by committee members.

Gary White, attorney, appearing on behalf of the Kansas Trial Lawyers Assoc. testified in general support

CONTINUATION SHEET

MINUTES ON THE HOUSE LOCAL GOVERNMENT COMMITTEE

February 1, 2001

Page 2

of this bill because it proposes to safeguard the safety of Kansans and in particular, our children. He noted that there were some concerns with the bill and proposed some changes as outlined in his written testimony. Mr. White also indicated that he has discussed these concerns with the bill's author, Rep. Tom Sloan, and the amendments that were made were acceptable to the representative. (attachment #4 & 4a)

Written only, testimony from Robert Johnson, Exclusive Director, Outdoor Amusement Business Association, Inc. was brought to their attention of the committee members by the Chair. (attachment # 5)

Chair Ray closed the hearing on HB 2120.

Madam Chairman Ray opened the hearing on HB 2161: concerning the awarding of certain contracts

Randy Allen, Executive Director, Kansas County Association, expressed support for a "balloon" to **HB 2161**. The "balloon" would increase the threshold which a surety bond is required from the current \$10,00 to \$40,000. The rationale for requesting the change is feedback from KAC members who experience difficulty interesting multiple contractors in small remodeling or construction jobs in county facilities. Mr. Allen stated that he wanted to be clear that, wherever the threshold is set, counties would always be free in their discretion to require surety bonds for contract less than the amount established in state law. In summary, KAC seeks a modernization of the current statute as it pertains to surety bonds only and do not seek to amend the threshold at which public bidding of a project is required.. (attachment # 6 & 6a)

Dan Harden, Director Public Works, Riley County, testified in support of **HB 2161** and the "balloon" that was presented in the previous testimony. He also agreed with the testimony of raising surety bonds and thus, the money saved by the public through increased competition would be greater than the occasional lose paid out by self insuring potential unpaid claims on a project. (attachment #7) Mr. Harden answered questions posed by the committee members.

Rep. Ray, Chair, closed the hearing on HB 2161.

Chair made announcements concerning next weeks scheduled meeting, Tuesday, February 6, 2001.

Meeting was adjourned by the chair at 5:00 p.m.