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SENATE ETHICS, ELECTIONS AND LOCAL GOVERNMENT COMMITTEE HEARING ON SB 150

Written Opposition to SB 150 on behalf of the City of Shawnee

By Katie Killen, Assistant to the City Manager

March 7, 2013

Honorable Chair and members of the Senate Ethics, Elections and Local Government committee:

The City of Shawnee's Governing Body adopted a 2013 State Legislative Program. One of the items included in the program was continued support for Home Rule. SB 150 threatens local control as it further inserts State requirements into municipal procurement procedures.

The City attempts to make our procurement processes as open as possible and even includes language that we would accept products to our specifications "or approved equals" for public projects. There are times; however, that very specific equipment is necessary. This often is the case when it relates to the City's public safety functions. SB 150 takes away the ability of local governments to determine for themselves what types of products and services they may need to accomplish their work.

In addition to the Home Rule issue, the City is concerned with the wording of SB 150 for the following reasons:

1. There are several phrases contained in the bill that are not clearly defined. These phrases include "unreasonable requirements" and "competent authorities." The way these phrases are defined seem key to how this legislation would be interpreted and enforced. Without these definitions, it makes it difficult for municipal governments to adhere to such language.
2. There is no mention of exceptions to this legislation in the case of federal requirements that, for example, might prefer manufacturers in the United States through "Buy American" provisions. These provisions are common when utilizing federal dollars and should be accounted for within this legislation.

Because of the concerns over wording mentioned above, and the City's position on wanting to maintain strong Home Rule, the City of Shawnee opposes SB 150 and asks you not to pass this legislation out of committee. Thank you for your consideration.