

**HB 2069**  
**An Act concerning employer leave policies for employees;**  
**declaring certain city ordinances and county resolutions to be against public policy.**

**Testimony presented to the**  
**House Commerce, Labor and Economic Development Committee**

**By**  
**Whitney Damron**  
**On behalf of the City of Topeka**  
**February 14, 2013**

Good afternoon Chairman Kleeb and Members of the Committee:

I am Whitney Damron and I appear before you today on behalf of the City of Topeka to express its opposition to HB 2069 that would declare certain city ordinances and county resolutions to be against public policy.

The City of Topeka considered this legislation at their February 12 council meeting and by a 9-0 margin, voted to adopt a resolution in opposition to HB 2069.

The language found in HB 2069 is very broad and ambiguous. A plain reading of the language does not give us a clear idea of the concerns of the sponsors of this legislation, but it clearly attempts to circumvent local control of matters currently in the purview and scope of a city or county.

Municipalities often find themselves balancing the interests of the private sector and their community as a whole when it comes to economic development issues, quality of life, expectations of its citizens and a whole host of other factors.

Should this legislation pass, would a city be unable to require contractors to adhere to Davis-Bacon (prevailing wage) or other related wage requirements if not part of a Federally funded or assisted project? What impact would it have if a city was desirous of certain women and/or minority hiring goals and used such criteria in the evaluation of competitive bids for an economic development project like what was done for the state-owned and operated casino licenses in Wyandotte County? Would this legislation interfere with a city or county's ability to negotiate benefits with local employee unions above and beyond what is required under state or Federal law? Would this legislation prevent a city, through an economic development incentive package to a prospective business opportunity, from establishing minimum job creation and wage standards?

The City of Topeka respectfully suggests the sponsors bring forth legislation to specifically address issues they might have with a local ordinance or resolution so cities and counties can better address their concerns without acceding to whatever the unknown consequences of this legislation might be.

On behalf of the City of Topeka, I thank you for the opportunity to present our concerns to the Committee and would be pleased to stand for questions at the appropriate time.

WBD