



Memo

To: Senate Judiciary Committee
From: Erik Sartorius
Date: March 12, 2019
Re: Neutral testimony on House Bill 2178 – WRITTEN ONLY

The League of Kansas Municipalities appreciates the opportunity to submit neutral testimony on House Bill 2178. For over 25 years, the Kansas Underground Utility Damage Prevention Act (KUUDPA) has created a framework for utilities and those doing work around them to operate safely and have defined responsibilities.

Given the important safety aspects of knowing where utilities are located, we do not believe changes to the law should be taken lightly. At the same time, the League understands the proponents have worked to narrowly tailor House Bill 2178. For several of our cities, KUUDPA is a statute in need of broader review. While the issue before this committee may be one that needs to be addressed, it is not the only issue.

With respect to the bill itself, the biggest area of concern of our members is safety. With the locates of electric facilities becoming the responsibility of the end users, how will the state ensure that property owners become aware of their duty? And, if made aware, how will their compliance be encouraged and assured in a way that gives confidence to those working near these lines that they have been correctly marked? Again, safety is paramount to our cities.

We thank the committee for the opportunity to submit testimony. We would note again there remains a strong interest among some cities for a more comprehensive review of KUUDPA. Whether the committee forwards this bill to the full Senate or not, we believe an interim study of the issues within KUUDPA would be time well spent.