



HB 2233 Opposition Testimony
Associated General Contractors of Kansas
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Chair Thompson and Members of the Committee, I am Scott Schneider here representing the Associated General Contractors of Kansas. AGC of Kansas represents 300 Kansas construction firms and their 9,000 employees and is recognized as the **“Chamber of Commerce for the Kansas Construction Industry”**. As a state-wide organization **we oppose HB 2233** because these local projects deserve more community consideration not less. The Statehouse is not an adequate venue for pursuing this remedy.

The challenge with seeking a statutory solution to a matter currently in front of the Appeals Court is one of confusion. The legislative process is not a good place to seek resolution to this issue for these reasons:

- 1) Multiple remedies already exists to this legislative question.
- 2) A municipality already has the necessary authority to perform.
- 3) The possibility of creating a non-uniform Chapter 12, Article 17 far outweighs any gain that could additionally be reached.

Let me explain further. The City of Wichita already has the ability to create a vote of the public through local ordinances or by creating a valid petition with 25% of the electorate.¹ Second, if the City chooses, they have the authority to preserve, demolish, lease, or sell any public building.² Finally, Legislators should understand that local governments have the author to charter out, or change any statute, that does not apply uniformly through their constitutional home rule. While there is some disagreement as to the extent of this authority, there should be little disagreement that, if passed, this legislation would be placed within Chapter 12. This same chapter is the statutory authority for Revenue bonds³, rehabilitating abandoned property⁴, public improvement districts⁵, and STAR bonds⁶. The risk of having a non-uniform act, applicable to only one building in Kansas, from our view, far outweighs any perceived gain.

Thank you for considering these points. AGC of Kansas opposes this legislation.

¹ **12-3013. Petition for proposed ordinance; requirements; passage or election; form of ballot; approval, effect; amendment or repeal; publication.** (a) Except as provided in subsection (e), a proposed ordinance may be submitted to the governing body of any city accompanied by a petition as provided by this section. Such petition shall be signed by electors equal in number to at least 25% in cities of the first class

² **12-1736. Acquisition or construction of public buildings; sites; cooperating governmental units.** Any city in this state may erect or construct, acquire by gift, purchase, condemnation or lease a public building or buildings and procure any necessary site therefor by gift, purchase or condemnation and may alter, repair, reconstruct, remodel, replace or make additions to, furnish and equip a public building or buildings. The authority herein conferred may also be exercised jointly or in cooperation with any other governmental unit so empowered, upon such terms and conditions as shall be agreed upon by the governing body of the city and the governing body of such cooperating governmental unit.

³ 12-1745 Same; amount of revenue bonds.

⁴ 12-1756f Organizations interested in rehabilitating abandoned property.

⁵ 12-17,152 Public improvement districts; creation.

⁶ 12-17,164 Establishment of STAR bond projects by city or county; approval of secretary; limitations; administrative fees; recovery of certain costs.