



Date: January 31, 2013
To: Senate Committee on Federal and State Affairs
From: Nicole Proulx Aiken, Legal Counsel
Re: SB 54

Thank you for allowing me to appear before you today on behalf of the League of Kansas Municipalities and its member cities.

The League appears in opposition of SB 54 because of the provision found on page 8, line 36, which defines “ethical marketing of professional services.” The term can also be found on page 18, lines 28-29. Under this provision, governmental clients, defined on page 9, lines 4-8 as “state, county or municipal governmental entity. . .,” would not be able to negotiate or learn the cost of a service until they have identified the licensee who is most qualified to provide the services.

This provision contradicts with at least two state statutes, K.S.A. 13-1017 and K.S.A. 13-1331, that require cities of the first class to receive bids on certain projects. It also contradicts with many local government policies that require bids to ensure cities are receiving quality work at a fair price. In the end, the taxpayer will be harmed if this definition remains in the bill. While it is important for cities to find qualified licensees, it is equally important that they pay fair and reasonable prices so they are not overspending taxpayer money.

For these reasons, we request that you eliminate the provisions concerning “ethical marketing of professional services” from SB 54. Thank you again for allowing me to appear before you today.