

Date: February 11, 2016

To: House Commerce, Labor
and Economic Development Committee

From: Larry R. Baer
General Counsel

Re: House Bill 2576
Testimony in Opposition

Thank you for allowing me to appear before the Committee today and present testimony in opposition to House Bill 2576 on behalf of the League and its member cities.

HB 2576, as written, would prohibit cities from enacting or administering ordinances that would adjust or alter employee scheduling other than what may be required by state or federal law. We see this prohibition as an impingement upon our cities' Constitutional home rule right of local control and their ability to ensure that local issues and problems are handled at the level of government closest to the citizens that they represent.

In addition to the local control issue, the League is concerned that the bill can have unintended consequences of impacting areas where cities have regularly and traditionally regulated the nature and types of activities that can be conducted during specified hours. These can include noise ordinances that require abatement of the level of noise during designated periods; restriction on hours of pick up for trash service; level of lighting on signage; and, other similar type restrictions.

There are a number of other areas where cities regulate hours of operation as a matter of public safety. Some of these are traditional and some are statutorily authorized. These include hours during which liquor stores may be open, hours of operation for drinking establishments and private clubs, closing time for cereal malt beverage sales, and time of operation of sexually oriented business. These areas of regulation may also be impacted through unintended consequences of HB 2576.

For the above reasons, the League and its member cities do oppose HB 2576. We ask that our concerns be considered when the bill is worked and that not be passed out favorably.

Thank you.