

Approved: 3/23/07
Date

MINUTES OF THE HOUSE COMMERCE AND LABOR COMMITTEE

The meeting was called to order by Chairman Steve Brunk at 9:09 A.M. on March 16, 2007 in Room 231-N of the Capitol.

All members were present except:

Brenda Landwehr- excused
Charles Roth- excused
Delia Garcia- excused
Mario Goico- excused
Mike Kiegerl- excused
Terrie Huntington- excused

Committee staff present:

Jerry Ann Donaldson, Kansas Legislative Research Department
Stephen Bainum, Committee Assistant

Conferees appearing before the committee:

Dan Morgan, The Builders' Association and The Kansas City Chapter, AGC
Ken Keller, Controller, Western Extralite Company
Bill Biller, American Subcontractors Association
Corey Peterson, Associated General Contractors
Dan M. Haake, Haake Foundations, Inc.
Trudy Aron, Executive Director, AIA of Kansas
Tonya Bair, Larry Bair Excavating
Darci Meese, Governmental Affairs Contracts, Water One of Johnson County
Bob Vancrum, Kansas Government Affairs Specialist, Blue Valley Unified School District 229
Mark Tomb, League of Kansas Municipalities
Erik Sartorius, City of Overland Park
Bob Totten, Public Affairs Director, The Kansas Contractors Association, Inc.
Joe Waters, Johnson County

Others attending:

See attached list.

The Chairman opened the hearing on **SB 333 - Fairness in public building construction contract act.** He requested that questions be held until all proponents had testified.

Dan Morgan testified as a proponent of **SB 333 (Attachment 1).**

Ken Keller testified as a proponent of **SB 333 (Attachment 2).**

Bill Miller testified as a proponent of **SB 333 (Attachment 3).**

Corey Peterson testified as a proponent of **SB 333 (Attachment 4).**

Dan Haake testified as a proponent of **SB 333 (Attachment 5).**

Trudy Aron testified as a proponent of **SB 333 (Attachment 6).**

Tonya Bair testified as a proponent of **SB 333 (Attachment 7).**

Representative Pauls asked about page 4, line 33. Isn't this an illegal delegation of power by the legislature? Bob Totten replied that it was Revisor's language. Representative Pauls said she would check with the Revisors.

The Chairman asked what was the difference between the public and private contract. This bill allows for the early release of the retainer for the early finishing Subcontractors as long as it does not cause the Contractor any damage. It protects everybody involved in the construction.

CONTINUATION SHEET

MINUTES OF THE House Commerce and Labor Committee at 9:09 A.M. on March 16, 2007 in Room 231-N of the Capitol.

Darci Meese testified as an opponent of **SB 333** (Attachment 8).

Robert Vancrum testified as an opponent of **SB 333** (Attachment 9).

Mark Tomb testified as an opponent of **SB 333** (Attachment 10).

Eric Sartorius presented written testimony as an opponent of **SB 333** (Attachment 11).

Bob Totten testified as an opponent of **SB 333** (Attachment 12).

Joe Waters testified as an opponent of **SB 333** (Attachment 13).

Representative Pauls asked a question about "Services" as shown on page 5, lines 5-10. This language was added to prevent conflicting statutes. The existing statute applies to everyone. This wording is focused on public construction.

The Chairman advised that we were short on time today because the House Session starts at 10:00 A.M. and said that we would continue the hearing on Monday at 9:00 A.M.

The meeting was adjourned at 9:56 A.M.