

MINUTES OF THE HOUSE COMMERCE, LABOR AND ECONOMIC DEVELOPMENT  
COMMITTEE

The meeting was called to order by Chairperson Mark Hutton at 1:30 pm on Wednesday, February 18, 2015, 346-S of the Capitol.

All members were present

Committee staff present:

Reed Holwegner, Legislative Research Department  
Linda Herrick, Kansas Legislative Committee Assistant  
Jason Thompson, Office of Revisor of Statutes  
Chuck Reimer, Office of Revisor of Statutes

Conferees appearing before the Committee:

Jason Watkins, Wichita Metro Chamber of Commerce  
Mike Gibson, Associated General Contractors of Kansas  
Bruce Tunnell, Kansas AFL-CIO

Others in attendance:

[See Attached List](#)

**Hearing on: HB2267 — Alternative project delivery; notice requirements and selection procedures.**

Chairperson Hutton opened the hearing on this bill. Chuck Reimer, Revisor of Statutes, gave an overview of the bill ([Attachment 1](#)). He noted there are three acts that provide alternatives to standard bids that pertain to school districts, board of regents, and state agencies and explained each.

Mike Gibson was the first proponent to provide testimony ([Attachment 2](#)). He noted this bill increases the transparency for both the public sector and the construction industry by requiring a uniform financial analysis at the Kansas Department of Administration for all public entities.

Written only proponent testimony was provided by: Gregg Oblinger, Simpson Construction ([Attachment 3](#)); Paul Sutherland, Sutherland Builders, Wichita ([Attachment 4](#)); and Rean Wessels, Lee Construction, Garden City ([Attachment 5](#)) .

There was no opponent verbal or written testimony.

Written only neutral testimony was provided by Bill Sneed representing J.E. Dunn Construction ([Attachment 6](#)) .

The fiscal note on this bill indicates the Department of Administration would require hiring additional personnel at a cost of \$100,000 in FY 2016 and FY2017. Also, the effect associated with this bill is not reflected in the 2016 Governor's Budget Report. The hearing was closed.

## CONTINUATION SHEET

MINUTES of the Committee on Commerce, Labor and Economic Development at 1:30 pm on Wednesday, February 18, 2015, 346-S of the Capitol.

### **Hearing on: HB2299 — Directing the secretary of labor to submit a statewide plan for state enforcement of OSHA standards.**

Chairperson Hutton opened the hearing on this bill. Mr. Reimer explained the bill. This bill would require the Kansas Department of Labor to submit a state plan to administer the federal Occupational Safety and Health Act (OSHA) to the federal government by September 1, 2015. KDOL recently completed a State Plan cost study.

Jason Watkins gave proponent testimony ([Attachment 7](#)). In a survey of its membership, the Wichita Chamber found that over 70% supported moving to a state administered OSHA plan. It is felt this legislation is very pro jobs and pro Kansas industry.

Mike Gibson's testimony indicated ([Attachment 8](#)) Kansas would be the 28th state to run its own OSHA program if this bill passes. Association General Contractors (AGC) represents over 250 Kansas construction firms and their 8,000 employees and supports passage of this bill. AGC believes a Kansas solution could improve safety programs, reduce the number of job site injuries, and benefit Kansas companies by bringing stability to the program.

Written only proponent testimony was provided by: Rean Wessels, Lee Construction, Garden City ([Attachment 9](#)); Steve Mohan, Mohan Construction, Topeka ([Attachment 10](#)); Paul Sutherland, Sutherland Builders, Wichita ([Attachment 11](#)); and Tim Witsman, Wichita Independent Business Association ([Attachment 12](#)).

Bruce Tunnell, Kansas AFL-CIO, provided opponent testimony ([Attachment 13](#)). His organization's opinion is that the federal government does a better job enforcing job safety and ensuring protection of the worker rights. His testimony also indicates that the start-up cost estimated by KDOL at \$3,209,312 is conservative.

Written only opponent testimony was furnished by Mark Schreiber, Westar Energy ([Attachment 14](#)); Bob Totten, Kansas Contractors Association ([Attachment 15](#)); and Tom Burgess, Kansas City Chapter of the American Subcontractors Association ([Attachment 16](#)).

The fiscal note on this bill indicates the estimated cost in 2016 would be \$1,102,446. Also, the State General Fund would fund the state plan for the first three years, and for each subsequent year, the federal government would contribute 50.0 percent of the operation costs and revenues would be generated to fund the state plan in through fees assessed for OSHA inspection violations.

Following questions, the hearing was closed.

### **Adjournment**

The meeting adjourned at 2:57 p.m.