

MINUTES OF THE HOUSE COMMERCE AND LABOR COMMITTEE

The meeting was called to order by Chairman Don Dahl at 9:00 A.M. on January 30, 2006 in Room 241-N of the Capitol.

All members were present except:

Delia Garcia- excused  
Kay Wolf- excused  
Mike Kiegerl- excused  
Scott Schwab- excused

Committee staff present:

Jerry Ann Donaldson, Kansas Legislative Research Department  
Norm Furse, Office of Revisor of Statutes  
Renaë Jefferies, Office of Revisor of Statutes  
June Evans, Committee Secretary

Conferees appearing before the committee:

Charles Benjamin, Ph.D., J. D., Kansas Chapter of Sierra Club

Others attending:

See attached list.

The Chairman opened the hearing on **HB 2644 - Disclosure of thermal efficiency.**

Staff gave a briefing on **HB 2644**, stating new language had been added which read "Such disclosure shall be made available to the buyer or prospective buyer at the time residential structure is offered for sale or at anytime upon request of the buyer or prospective buyer. The disclosure..." The remaining of the bill is the same through page 2, line 28. The peanut of the bill is to make clear to the buyer at any time upon request the thermal efficiency of the new structure.

Charles M. Benjamin, Ph.D, J.D., Kansas Chapter of Sierra Club, testified as a proponent to **HB 2644**. Sierra Club supports public policies that encourage the efficient use of energy, no matter what the source of that energy, and the use of renewable energy technologies. This bill is simply a "full disclosure prior to purchase" requirement that would have no effect upon the actual price of that new home (See Attachment 1.)

The Chairman closed the hearing on **HB 2644**.

The Chairman said hearings had been held on **SB 269** and **HB 2560** earlier and the committee would work these bill today.

Staff reviewed **HB 2560 - Workers Compensation Fund, duties of commissioner of insurance.**

Representative Grant moved and Representative Grange seconded to move **HB 2560** out of committee favorably.

Representative Humerickhouse questioned if **HB 2560** should be placed on the Consent Calendar?

The Chairman asked if that was a Substitute Motion?

Representative Humerickhouse said, no.

Representative Grant said he meant to put **HB 2560** on the Consent Calendar. Representative Grange concurred. The motion carried.

Staff gave a briefing on **SB 269**.

After the briefing the Chairman said **SB 269** would be worked on Tuesday, January 31 after staff could prepare a balloon so the Committee would be clear what the changes were.

CONTINUATION SHEET

MINUTES OF THE House Commerce and Labor Committee at 9:00 A.M. on January 30, 2006 in Room 241-N of the Capitol.

The meeting adjourned at 9:25 a.m. The next meeting will be January 31, 2006.



**Charles M. Benjamin, Ph.D, J.D.**

Attorney at Law  
P.O. Box 1642  
Lawrence, Kansas 66044-8642  
(785) 841-5902  
(785) 841-5922 facsimile  
[chasbenjamin@sbcglobal.net](mailto:chasbenjamin@sbcglobal.net)

**Testimony in Favor of H.B. 2644 – Disclosure of Thermal Efficiency**  
Before the Kansas House Committee on Commerce and Labor  
**On Behalf of the Kansas Chapter of Sierra Club**  
January 30, 2006

Mr. Chairman and members of the Committee, thank you for the opportunity to testify in favor of H.B. 2644 on behalf of the Sierra Club – the largest grass roots environmental organization in the world with over 750,000 members, including over 4,000 in Kansas. Sierra Club supports public policies that encourage the efficient use of energy, no matter what the source of that energy, and the use of renewable energy technologies.

H.B. 2642 amends K.S.A. 2005 Supp. 66-1228 to require the seller of a new home to disclose information regarding the thermal efficiency of a that new home to a prospective buyer at the time that home is offered for sale or at any time upon request of the prospective buyer. That disclosure will be on a form, disseminated by the Kansas Corporation Commission, which is substantially similar to that in the proposed bill.

This legislation came out of the Select Joint Committee on Energy. At a time of rising natural gas costs, and the prospect of rising electricity costs, the long term costs of heating and cooling a new home may be of concern to buyers of new homes. This legislation would simply require the disclosure of the thermal efficiency of a new home at the time the new home is put up for sale rather than “upon request or prior to closing” as is in current law. This is a common sense proposal that will simply give prospective buyers of a new home information in order to evaluate the long term energy costs associated with the purchase of a new home, if that is of importance to those prospective buyers. There are no requirements in this legislation that a new home meet any particular thermal efficiency requirements. Instead this is simply a “full disclosure prior to purchase” requirement that will have no effect upon the actual price of that new home.

We urge your support of H.B. 2644. I will stand for questions when appropriate.

Commerce Labor  
1-30-06  
Atch #1