

MINUTES OF THE HOUSE COMMERCE AND LABOR COMMITTEE

The meeting was called to order by Chairman Steve Brunk at 9:18 A.M. on February 26, 2008 in Room 784 of the DSOB.

All members were present except:

Brenda Landwehr- excused
Candy Ruff- excused
Kasha Kelley- excused

Committee staff present:

Jerry Ann Donaldson, Kansas Legislative Research Department
Dennis Hodgins, Kansas Legislative Research Department
Renaë Jefferies, Office of Revisor of Statutes
Stephen Bainum, Committee Assistant

Others attending: See attached list.

The Chairman called for the committee to work Substitute for HB 2826 - Enacting the homeowners' association act. Renaë Jefferies presented the bill with all the approved amendments from the day before and explained each change.

The Chairman turned the meeting over to Representative Kiegerl so that he could go for page pictures.

Representative Huntington made a motion to amend Section 2, subsection (a) to say that the Home Association Director shall not amend or abridge the declarations, covenants or bylaws of the association without approval of property owners voting at a duly voted meeting as prescribed by the association bylaws. Representative Humerickhouse seconded the motion.

Representative Goico asked when the last day for us to meet was. Everyone said that it was tomorrow. He said that we are running out of time for conceptual amendments. He suggested that we could make an amendment on the floor.

Renaë said that if an amendment was adopted today it could be passed out as amended and she could get it ready to go tomorrow.

Representative Pauls was not sure what the concept of the amendment was. Representative Huntington said that right now the biggest issue is that homeowners associations boards in closed session are changing the bylaws without approval of the members. Obviously, in the bylaws it provides that you can not do that but somehow using the covenants and declarations they circumvent the bylaws process.

Representative Pauls asked what then would your amendment do. Renaë said that it would prevent them from changing the covenants, declarations or bylaws except in a duly noted and constituted meeting.

Representative Pauls asked what the definition of declarations was. She said that we might be changing the language so that a covenant could be changed. She said that if it was an important amendment to Representative Huntington then she was fine with it. Representative Huntington said it was not and that she was just bringing it up for a constituent.

Representative Grant made a substitute motion to hold the amendment for the house floor and moved that Substitute for HB 2826 be passed as amended. The motion was seconded by Representative Goico.

There was no discussion and the motion was adopted.

Vice Chairman Kiegerl called for action on HB 2847 - Cities and municipalities, examinations for plumbers, electricians and heating, ventilation and air conditioning contractors and journeymen.

Representative Grange explained the effect of his balloon amendment. The major change of the balloon amendment was in the names of the organizations recognized to offer Standard examinations for the determination of competency of electrical contractors, master and journeyman electricians and residential

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electricians. He stressed that this was a Standard examination for the state of Kansas and would be accepted throughout the state.

Representative Grant made a motion to adopt the balloon amendment. Representative Roth made the second and the balloon amendment was adopted.

Representative Grant made a motion to pass HB 2847 as amended favorable for passage. Representative Roth seconded the motion. The motion was adopted.

Vice Chairman advised everyone to listen to the announcements to find out if there would be a meeting tomorrow and adjourned the meeting at 9:43 A.M.