

Updated
SESSION OF 2012

**CONFERENCE COMMITTEE REPORT BRIEF
SENATE SUBSTITUTE FOR HOUSE BILL NO. 2157**

As Agreed to April 26, 2012

Brief*

Senate Sub. for HB 2157 would implement changes concerning bidding procedures for passenger vehicles by state agencies and also public works construction projects bid on by governmental entities. The bill would establish the Competitive Bid Protection Act. When contracting for public works construction, governmental entities would be prevented from requiring bidders, contractors, subcontractors, or material suppliers to enter into any kind of project labor agreement with a labor organization. Governmental entities would be prohibited from discriminating based upon the presence or absence of a project labor agreement. Any agent responsible for procuring a contract directly between the governmental entity and contractor also would be prohibited. The bill would not prohibit formation of voluntary project labor agreements. Contractors, design-builders, or construction managers could require subcontractors or material suppliers to enter into a collective bargaining agreement.

In addition, the bill would require any state agency purchasing a passenger motor vehicle to give any vehicle manufactured in Kansas that meets the exact specifications of the purchasing agency a three percent bid preference against any vehicle not manufactured in Kansas.

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/klrd>

Conference Committee Action

The Conference Committee on April 26 agreed to remove all existing provisions of the bill and insert the motor vehicle bidding provisions from SB 415 and the Competitive Bid Protection Act provisions from HB 2515.

Background

The subject matter of the Senate Committee of the Whole version of the Senate Substitute for HB 2157 (single-factor sales income tax apportionment formula for corporations relocating to Kansas and sharing of HPIP tax credits) is being considered in a separate taxation conference committee report.

The original bill (introduced in the 2011 Session) would have authorized the Department of Revenue to cooperate with the State Treasurer to share certain mailing addresses, but that provision ultimately was enacted in another bill.

According to the Division of the Budget's fiscal note, the Conference Committee Report is not believed to have any significant fiscal impact on the State General Fund beyond the potential fees the Department of Administration would accrue should the bill increase the volume of projects subject to review. The Department was unable to provide a precise estimate of this potential fee increase.

bidding procedures;public works construction projects bid; Competitive Bid Protection Act; collection bargaining agreement;

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