

MINUTES OF THE SENATE TRANSPORTATION & TOURISM COMMITTEE.

The meeting was called to order by Chairperson Senator Ben Vidricksen at 9:10 a.m. on March 8, 2000 in Room 245-N of the Capitol.

All members were present except:

Committee staff present: Hank Avila, Legislative Research Department
 Bruce Kinzie, Revisor of Statutes
 Marian F. Holeman, Secretary

Conferees appearing before the committee: Tom Whitaker, Kansas Motor Carriers Assn.
 Janet Stubbs, Ks Bldg. Industry Assn.
 Roy Worthington, KS Land Title Assn.
 Patrick Tolle, National Assn. Credit Management
 Otto Buche, Stanion Wholesale Elec. Co.
 Kenneth R. Keller, Western Extralite Co.

Others attending: See attached list

HB 2809: An Act concerning liens

Members were provided the following materials: Copy of letter from Bill Keller, Pres., Stanion Wholesale Electric Company (Attachment 1 in support of the changes to mechanics lien laws proposed in the House Amendment to this bill. Written testimony for this hearing from Thomas E. Slattery, Associated General contractors (Attachment 2); and from Chuck Stones, Kansas Bankers Association (Attachment 3); both in opposition to changes in the mechanics lien laws now in this bill.

Tom Whitaker, Kansas Motor Carriers Associations speaking on behalf of their Towing and Recovery Division members spoke in support of **HB 2809** as approved by the House Transportation Committee. The proposed changes are urgently needed by the Towing and Recovery Division. They have no position on the House Mechanics Liens amendment. Since the bill has been referred separately to this Committee and the Senate Judiciary Committee, he suggested that perhaps this committee could remove the House floor amendment and let the Senate Judiciary Committee handle the mechanics lien portion of this bill (Attachment 4).

Janet Stubbs, Executive Director Kansas Building Industry Association appeared in opposition to the House floor amendment. She reminded members the House amendment applies only to commercial buildings She urged removal of that amendment if the Committee supports provisions of the original bill (Attachment 5).

Representative Campbell provided members a proposed amendment. Karen France, Kansas Association of Realtors advised that she intended to address the mechanics lien portion of the bill, in support of this proposed amendment which contains clarifying language for the House floor amendment. This relates to "The Notice of Intent to Perform" (Attachment 6). Chairman Vidricksen advised no action would be taken on any portion of **HB 2809** in today's meeting. Committee will return to it next Tuesday.

Roy Worthington, Kansas Land Title Association spoke in opposition to extending the time period for filing mechanics liens (Attachment 7).

Patrick Tolle, National Association of Credit Management; Otto Buche, Stanion Wholesale Electric Company, and Kenneth R. Keller, Wester Extralite Company all testified in support of the House floor amendment portion of **HB 2809** (Attachment 8). They feel this will result in fewer liens being filed, not more because all parties involved will have more time to work out problems. Their testimony includes a partial list of organizations throughout the State of Kansas who support their stated position on this issue

Members questioned conferees and discussed the background of the bill.

CONTINUATION SHEET
MINUTES OF THE SENATE TRANSPORTATION & TOURISM COMMITTEE
March 8, 2000

Approval of minutes

Senator Jordan moved to approve minutes of the March 7, 2000 meeting. Senator Salmans seconded the motion. Motion carried.

The Chair announced a Joint Senate and House Transportation Committee field trip to several construction sites in northeast Kansas, scheduled for March 13, 2000.

The meeting adjourned at 10:00 a.m.

The next meeting is scheduled for March 9, 2000