

MINUTES OF THE HOUSE GOVERNMENTAL ORGANIZATION AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Jene Vickrey at 3:30 P.M. on January 31, 2006 in Room 519-S of the Capitol.

All members were present except:

Representative Barbara Craft- excused
Representative Oletha Faust-Goudeau- excused

Committee staff present:

Mike Heim, Legislative Research Department
Martha Dorsey, Legislative Research Department
Theresa Kiernan, Revisor of Statutes Office
Maureen Stinson, Committee Secretary

Conferees appearing before the committee:

Rep. Mario Goico
Jeff Hudson, KS. Assoc. Of Fire Chiefs and Johnson Co. Fire Chiefs Assoc.
Lawrence Garcia, Fire Chief, City of Wichita
Bud Hentzen, Hentzen Contractors, Inc.
Rachel Rubin, Cedar Shake & Shingle Bureau

Others attending:

See attached list.

Bill Introductions

Chairman Vickrey requested a committee bill on behalf of Rep. Hayzlett relating to the unification of the City of Tribune and Greeley County.

Without objection, the request will be accepted as a committee bill.

Chairman Vickrey requested a committee bill on behalf of Rep. Holmes relating to planning and zoning requirements.

Without objection, the request will be accepted as a committee bill.

Rep. Holland requested a committee bill relating to paper verification for electronic voting machines.

Without objection, the request will be accepted as a committee bill.

Rep. Sawyer requested a committee bill relating to improvement districts.

Without objection, the request will be accepted as a committee bill.

CONTINUATION SHEET

MINUTES OF THE House Governmental Organization and Elections Committee at 3:30 P.M. on January 31, 2006 in Room 519-S of the Capitol.

Rep. Swenson requested a committee bill relating to tax abatements, industrial bonds, and campaign finance.

Without objection, the request will be accepted as a committee bill.

Chairman Vickrey opened the hearing on:

HB 2676 **Restrictive covenants; wood shingles**

Rep. Goico testified in support of the bill (Attachment 1). He explained that Home Owners Association covenants would be revised to allow for the use of new roofing materials.

Jeff Hudson, Fire Chief, City of Shawnee, testified in support of the bill (Attachment 2) on behalf of the Kansas State Association of Fire Chiefs and the Johnson County Fire Chiefs Association. He explained that passage of the bill would give the residents of our State a choice about their own safety, the safety of their families, and the safety of the property in which they have so much invested.

Lawrence Garcia, Fire Chief, City of Wichita, testified in support of the bill (Attachment 3). He stated that fire professionals believe that any restrictive covenant which requires the use of Wood Shingles or Wood Shake Shingles has the unintended potential for risking property of the citizens of the State of Kansas due to the ravages of accidental fires.

Bernard Hentzen, Hentzen Contractors, Inc. testified in support of the bill (Attachment 4). He had served as a President of a homeowners' association that had a covenant that all new or replacement roofs must be shake shingles. He explained that a change to allow something other than shake shingles to be used was necessitated when some insurance companies were limiting their obligation on this type of exposure.

Written testimony in support of the bill (Attachment 5) was submitted by Tim Millspaugh, Sedgwick County Fire Marshall.

Rachel Rubin, representing Cedar Shake and Shingle Bureau, testified in opposition to the bill (Attachment 6). She emphasized that the proposed legislation would override existing private contracts and attempt to enforce subjective standards, such as which materials qualify as being "similar in appearance" to wood.

Chairman Vickrey closed the hearing on **HB 2676**.

HB 2676 **Restrictive covenants; wood shingles**

Rep. Frank Miller made a motion for the favorable passage of HB 2676. Rep. Sawyer seconded the motion. Motion carried.

Approval of Minutes

CONTINUATION SHEET

MINUTES OF THE House Governmental Organization and Elections Committee at 3:30 P.M. on January 31, 2006 in Room 519-S of the Capitol.

Rep. Swenson made a motion to approve the minutes of the January 26, 2006 meeting. Rep. Melody Miller seconded the motion. Motion Carried.

Chairman Vickrey adjourned the meeting.

The next meeting is scheduled for Thursday, February 2, 2006.