

Submitter: Ed Diehl  
On Behalf Of:  
Committee: Senate Committee On Judiciary  
Measure: SB1575

I am writing today in support of Senate Bill 1575 with the -1 amendment.

Today I'm speaking to you not just as a legislator, but as an engineer by degree and a business owner. For 30 years I built my career as a control systems integrator. Control Systems Integrators design, develop, commission, and start up the computer systems and software that make manufacturing machines do things. In 1999, four of us started our own integration firm with two partners and my wife, and I worked that until I sold it to my partners in 2018, having grown to 100 employees. From installing rivets in 747 wings, to making french fries for Lamb Weston foods, to producing 2x4s for sawmills all over the world, to highly customized facility control systems, my company, Concept Systems, implemented control systems for a variety of manufacturing operations and public entities in virtually every industry. Our contracts ranged from a few thousand dollars to several million dollars depending on the scope and magnitude of our services.

You've already heard about the challenges, and frankly the unfairness, of duty to defend language in contracts. I'm here to reinforce what you have already heard; such language is a hindrance to small business. It is already challenging enough as a startup to get liability insurance, especially when the insurers don't really understand what you do. Signing on to contracts with duty to defend language means you are signing up to defend for things you may have no control over, and for values many times the value of your own contract.

I want the committee to know that I am available as a resource if you have any questions, and to share my own contractual experience working private and public projects.

I ask that you support Senate Bill SB 1575 with the – 1 amendment.