

MINUTES OF MEETING
STATE AFFAIRS COMMITTEE
March 7, 1961

The meeting was called to order by the Chairman, and Mr. Freeland was introduced to continue discussion of House Bill No. 150. Mr. Freeland discussed his particular department and its particular needs in regard to automobiles. He gave figures on operation of the automobiles presently in use and cited the case of the Federal car pool in Kansas City, and compared cost of operation of the automobiles. He reiterated Dr. Martin's feelings with regard to employee time lost on salary as compared with cost of commuter miles. Members of the committee made inquiries and received a reply from Mr. Freeland and others from his department.

Mr. Bibb was introduced to discuss this measure from the viewpoint of the Budget Department. He stated that his department a few years ago made a survey and study to determine if a motor pool would save the state money, and came to the conclusion that they could not demonstrate to their own satisfaction that it would be an economy move. He stated that he felt that the initial capital investment would amount to about a half million dollars; that a service building and storage would amount to quite a sum and might well eat up what was saved in commuter miles. He read from a Rhode Island report concerning their conclusions upon investigation. They felt that an employee at a salary of \$2.00 per hour, losing 20 minutes each morning and evening for checking out and returning an automobile, would cost \$1.33, which is equal to 44 miles at 3¢ per mile. After questions and comments by members of the committee, the hearing was concluded.

Mr. Briman was introduced to discuss the advantages of H.B. 327. He stated that he feels there should be reciprocity insofar as the field of optometry. He states that he feels the Board has too much power to deny applications, and that the law should be changed from "may" to "shall" so that people trained and practicing in other states may be granted a license to practice in Missouri. He states that he represents the National Association of Optometrists and Opticians; that their headquarters are in New York City, and that there are members in "most" states. After questions and comments by committee members concerning what power would be removed from the Board, Mr. Briman was asked if other states had reciprocity and he replied that "he didn't know."

Mr. Clark was introduced to speak in opposition to the measure, and introduced Mr. Wendell Garlinghouse who is counsel for the Association of Kansas Optometrists, which association is affiliated with the National Association; that 97% of the optometrists in Kansas belong to these associations and oppose this measure.

Mr. Garlinghouse stated that it was the argument of the proponents that where the qualifications in another state are "deemed" to be equivalent to those in Kansas, they should be licenced to practice in Kansas. Mr. Garlinghouse stated that our board has no way of knowing what other boards require, and that they should give their own examinations for licensing in Kansas. He states that if "shall" is substituted for "may" the board will be deprived of the discretion in providing for the people of Kansas; that his group feels 327 would curtail powers of the board to the detriment of Kansas.

Mr. Clark introduced Dr. J. C. Rust, Secretary-Treasurer of the State Board of Examiners, who stated that he had served in this capacity for 8 years; that Kansas ranks first among the five most ethical states in the nation; that in 8 years 84 examinations have been given, 66 passing, and of the 18 fails, 5 re-took and passed.

Dr. Eugene Nelson stated that he had practiced in the state for 23 years and until two weeks ago he never heard of this organization proposing to move in and make changes; he displayed a large file of correspondence from his fellow optometrists, protesting this measure.

Mr. Peppercorn advised that with regard to the proposal to inspect elevators, etc. he was prepared to present a House Concurrent Resolution directing the Legislative Council to make a study and make recommendation. Mr. Peppercorn moved and Miss Jacquart seconded that HCR 32 (see attached) be recommended for adoption. Motion carried.

Mr. Underwood re-opened discussion on H.B. 293 and introduced Mr. Main who is a Shawnee County Commissioner, who in turn introduced Mr. Magee, counsel for the Shawnee County Commission. He stated that this bill seeks to give authority for County Commissions to adopt a building code. Mr. Main Stated that apparently there is misunderstanding concerning the authority of the measure; that this is not a county-wide measure, but only the 3-mile areas will be affected; that they are not demanding that union plumbers, electricians, etc. must be used in buildings, but only that the work and buildings meet certain standards; that they are not trying to restrict buildings to specific kinds; only protecting the people themselves by insisting on a certain standard as to plumbing, electricity and heating, etc. Mr. Johnson stated that he feels we should have an opinion from the Attorney General, as to the question of whether the County Commissioners already have authority to adopt such a code. Mr. Main emphasized that this is permissive legislation.

Mr. Taylor introduced Mr. McCall to discuss H.B. 402, the measure dealing with county records and the destruction of records of no value. It was moved by Mr. Doyen, seconded by Mr. Bisbee and unanimously passed, that the bill be amended by adding at the end of line 2 after the word "county" the words "having previously offered to the state historical society and having received notice in writing from said society that it has no interest therein,". It was then moved by Mr. Doyen, seconded by Mr. Bisbee and unanimously passed that 402 be recommended for passage as amended.

Mr. Johnson moved, seconded by Mr. Kissick, that H.B. 327 be reported adversely. Mr. Unruh made a substitute motion, seconded by Mr. Baringer, that the measure be reported favorably. Mr. Unruh stated his position concerning legislation of this kind, and discussed the "closed shop" issue. After considerable discussion by the committee, the substitute motion was voted, and lost by a majority vote. Vote was then taken on the original motion, which carried by a majority vote.

Meeting was adjourned.

HOUSE CONCURRENT RESOLUTION NO. 32

By Committee on State Affairs

A CONCURRENT RESOLUTION directing the legislative council to make a study, report and recommendations as to the advisability and necessity of legislation to regulate construction and inspection of freight and passenger elevators, escalators and dumbwaiters.

WHEREAS, Safety of life and property is involved in the operation of elevators, escalators, and dumbwaiters; and

WHEREAS, Several of the states have enacted legislation regulating construction, alteration, operation and inspection of elevators, escalators and dumbwaiters: Now, therefore,

Be it resolved by the House of Representatives, the Senate of the State of Kansas concurring therein: That the Kansas legislative council is hereby authorized and directed to make a study of the advisability and necessity of enacting legislation to regulate the construction, alteration, and inspection of freight and passenger elevators, escalators and dumbwaiters; and to make a report of its findings together with its recommendations thereon to the 1963 regular session of the legislature.

Be it further resolved: That the secretary of state is hereby directed to transmit a copy of this resolution to the chairman and to the secretary of the Kansas legislative council.