

STATE AFFAIRS COMMITTEE

March 19, 1965

The meeting was called to order and the Chairman stated that with regard to HB 896, the opposition had an amendment which he had discussed with Mr. Herrick; and that Mr. Herrick said that in view of the promise of these people to cooperate fully, they would just as soon drop the bill and then if things don't work out, they will work on something to present two years from now.

The Chairman stated that H.B. 1068 replaces HB 728, and deals with the restaurant board; that it seems to meet the requirements of all the people concerned, especially the motel people who will have representation on the Board under this proposal. There was a great deal of discussion and fear expressed that under the bill as written, churches would have to be inspected and licensed, and there was some discussion about the definitions which included cocktail lounges, and some places that Kansas simply doesn't have. Mr. Doyen stated that if the definitions were worded as they were in the old act, that it would probably be more acceptable. The Chairman stated that he would talk to Mr. Conard again and bring the matter up next week.

The Chairman called for discussion on HCR 517, and Mr. Doyen moved that lines 14 through 20 be stricken and the remaining lines renumbered (on page 3). Motion was seconded by Mr. Griffith, Mr. Fribley explained that the Legislative Council had always called in experts of their own choosing, and by specifying that the Governor would appoint a special expert, might give the Council something they couldn't work with. Miss Jacquart stated that she had no objection and the motion carried. Mr. Turner moved that on page 2 line 4, the words "and felony convicts" be inserted after the word "system". The motion was seconded by Miss Jacquart and carried unanimously. It was thereupon moved by Mr. Rogers that HCR as amended be reported favorably. Motion was seconded by Miss Jacquart and carried unanimously.

The Chairman called for discussion on H. B. 664, and Miss Jacquart stated that with regard to those who appeared in opposition, two were consulting engineers and two were county engineers. She stated that a majority of the Kansas Engineers (members of KES) and the County Engineers Society had gotten together and agreed that this was a proper proposal; that the surveyors had asked for this bill and that all but 21% were in favor of it in both organizations. Mr. Rogers stated that whenever this many could get together on something you can be pretty sure it is allright. There was considerable discussion about including landscape architects, but it was pointed out that the bill is in the Senate and has not yet passed. An amendment was proposed (see attached) to take care of individuals working for oil companies, etc., Mr. Fribley moved that it be adopted. Upon second by Mr. Rogers, motion carried unanimously. Thereupon, it was moved by Miss Jacquart

that HB 664 as amended, be recommended favorably. Motion was seconded by Mr. Woodworth, and carried with a vote of 8 to 6.

HB 719, the proposal to increase expenses for state employees, was brought before the Committee for discussion. Mr. Fribley moved that the bill be recommended favorably, which motion was seconded by Mr. Ford. Mr. Bunten inquired what the total cost would be to institute this Act, and Mr. Doyen replied "about \$400,000", but that it must be remembered that a certain amount of this money comes from "fee" type agencies that are more or less self-supporting so when one speaks of total cost, this is not a true figure.

Mr. Bunten stated that while he is in sympathy with the employees and their apparent lack of reimbursement for actual expenses, the state is taking on a terrific burden with the increased programs that are proposed, and that he feels this is not the year to increase expenses for employees. Mr. Fribley stated that most of this is in lodging; that it is very difficult to get an adequate room in hotels and motels for under \$6.00. Mr. Buchele asked about the privilege of state employees driving state cars back and forth to work, and the Chairman stated that two years ago it was established that it would cost more to store these vehicles than it would to let the men drive them and maintain them. Mr. Rogers stated that he is in sympathy with this bill--that he knows of state employees working for \$350.00 per month and with these inadequate travel expenses, he fails to see how they can support a family. Mr. Bunten replied that it looked to him as if they are standing in line for these state jobs, so they must not be coming out so badly. The question was called for and upon vote, the motion carried 10 to 5. H.B. 719 was declared to be recommended favorably.

Ab 664

KANSAS-OKLAHOMA DIVISION
MID-CONTINENT OIL & GAS ASSOCIATION

WM. F. LATTING, EXECUTIVE VICE-PRESIDENT

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TULSA, OKLAHOMA 74103

E. S. CALVERT
PRESIDENT

March 8, 1965
Juesday 1 P.M., State Affairs
522

Mr. Robert A. Anderson
Anderson and Byrd
First National Bank Building
Ottawa, Kansas

In re: Kansas House Bill No. 664
In Committee on State Affairs

Dear Bob:

This is a bill purporting to regulate the practice of land surveying. Many of the employer members of this Association have on their payrolls one or two employees who make surveys, maps and plats for the use and purposes of their employers only. They do not render such services for the public or anyone else.

We think they should not even by implication be required to qualify under the terms of House Bill No. 664, and we request that you seek to have the bill amended between lines 12 and 13, on page 9, by inserting the following additional exception:

"(f) any person who is exclusively and regularly employed by one employer only in an employer-employee relationship, in making surveys of land and determinations of physical property rights in connection only with the affairs of such employer or its subsidiaries and affiliates and for the uses, purposes and benefit of such employer, subsidiaries and affiliates, only."

Sincerely,

Wm. F. Latting

WFL/a

Attachment

According to the proposed law, operating in conjunction with the County Engineer-Surveyors law now on the statute books:

A County Engineer, with neither a Surveyor's nor an Engineer's license could (in fact would be required to) survey any property in the county as a "legal" survey if requested by the owner. But the same man, on the same day, could not survey the same lot as a private survey. The law in effect would qualify a man according to his job and not his ability.

A Licensed Engineer, who is a County Engineer, could survey any property as a "legal" survey without a Surveyor's License. If he resigns as County Engineer the same man cannot perform the same survey without a Surveyor's License. But if he designs a building to go on the lot, then he can survey it--How confused can you get?

An engineer, without a surveyors license, can stake out a whole town, if it's "incidental" to staking a sewer. But he couldn't survey one lot, if he just locates the corners!

An architect, with no survey experience whatsoever, could stake any lot or lots if the survey was "incidental" to building a building. He would be completely exempted from the law and couldn't be cited for malpractice if he got all the corners wrong; his survey was "incidental".

A Land Surveyor could plat out a subdivision, but he couldn't set grade stakes for a drainage ditch across it, because that is clearly an "Engineering Survey" covered by the Engineering License Act. But the engineer who staked the drainage ditch couldn't locate the lot lines next to it, for right-of-way, because that's "Land Surveying"--or is it? You'd either have to have two firms to plat a subdivision, or else everyone would have to have two licenses!

Altho all Planning Commission regulations typically now require a licensed engineer's seal on all subdivision plats, the proposed law would prohibit engineers from platting and require a Land Surveyors registration. All such plats now are being done by engineers. Wouldn't it be more logical to fit existing conditions?

Finally, a "Surveyors" License would be granted, or denied, by an examining board which didn't even necessarily include a single Registered Land Surveyor in its membership.

This could go on for several pages; if it sounds confusing, "it's the law".