

STATE AFFAIRS COMMITTEE
March 1, 1967

The meeting was called to order by the Chairman, with all members present except Mr. Boyer who was excused.

Rep. Harrell was present to discuss H.B. 1301, and introduced Miss Horn and Miss Tharp from Johnson and Wyandotte Counties; Mr. Dawson of the Real Estate Commission, Ray Miten, President of the Kansas Realtors, Rep. Huggins, Mr. Scott, Rep. Williamson, Rep. Basgall, Mr. Culbert, Mr. Terrell and Mr. Gingrich, all of whom are in favor of the proposal. Mr. Jess Scott stated that the bill is the combined efforts of many individuals to upgrade the real estate profession; that this has the approval of many attorneys with whom the group has counseled; the Kansas Real Estate Commission and the Kansas Association of Realtors. The proposal was unanimously approved by 500 members of the Kansas Realtors at their annual meeting last September.

Rep. Harrell explained the amendments--page 1, line 4 inserts the word "auctioneer"; Section 2, line 22, deals with exclusions; Section 3, line 28 sets out requirements for licensing, and also continuing on to page 4. Section 4, line 18 requires a broker to keep an established place of business and a sign to identify him.

Mr. Bunten inquired if someone wanted to work out of his home, would he need a sign; and Mr. Harrell stated that it did; within the zoning laws of course. Mr. Doyen inquired what the purpose is, and Mr. Harrell stated that lots of times these people have money in escrow, or papers need to be served on them, and if there is no way to identify them sometimes they cannot readily be found; that it is for the protection of the purchasers. Mr. McGill inquired about a grandfather clause, and Mr. Harrell thought it was apparent. Mr. McGill also asked if there was an alternative concerning education; and Mr. Harrell stated that the Board could waive the education requirement.

Mr. Melvin H. Clingan, President of the Home Builders Ass'n. of Greater Kansas City, appeared in opposition to the proposal, stating that he represents over 1,000 firms in the state engaged in residential home building; that many of them are individuals who build a single dwelling, sell and rebuild; that they are simply selling their own property, and that they should not be required to secure a brokers license for this. He states that he believes these people should be excluded in the bill. He states that they do not object to the education requirement, the definite place of business requirement, but he objects to home builders being under these restrictions. Mr. Turner stated he believed they would automatically be exempt under the clause in Sec. 2 line 22-23, dealing with primary business. He stated they were trying to get at the "fly by night" operations.

Mr. Bunten inquired again concerning the requirement for a fixed place of business, and Mr. Harrell explained that the Real Estate Commission has the right of inspection, and if they cannot locate these people, a lot of time is lost looking for them.

The Chairman suggested that the Home Builders submit their suggestions to Mr. Rogers and Mr. Turner and see if they could come up with something that was agreeable to all concerned.

The Chairman asked if Mr. Rogers was ready with his report on H.B. 1080, and Mr. Rogers replied that he and his sub-committee had met with veterinarians, representatives of colleges and other interested people, and had just virtually redrawn the bill; that they would like to present a new bill as a committee bill and have it re-referred for study. Mr. Ford moved that this be done. Mr. Jelinek seconded the motion, which carried unanimously.

Representatives Mankin and Price appeared on behalf of H.B. 1285. Mr. Mankin explained that this is a local bill which would permit Lyon County to sell the County Home and instead of turning the money into the general fund, which would affect the levy, to divert it instead to be used in the construction of a county garage. He states the present facility is inadequate and poorly located and that the county already owns land on the outskirts of the city where the building could be constructed.

Mr. Price explained that the present garage is in a crucial city block; that with all of the vehicles housed there and the machine shop, that it is a fire hazard for the entire block; that also, because of traffic problems, it takes a long time to get the vehicles out of a morning and in of an evening.

Mr. Buchele moved that the bill be recommended favorably. Mr. Rogers seconded the motion which carried unanimously.

The Chairman inquired if Mr. Doyen wished to discuss H.B. 1454, and was advised that he had some people who are interested and if a date could be set he would notify them.

The meeting was adjourned.

MARGARET GENTRY, Secretary