

Approved February 25, 1986

Date

MINUTES OF THE Senate COMMITTEE ON Governmental Organization

The meeting was called to order by Senator Vidricksen at  
Chairperson

1:40 ~~xxx~~ p.m. on February 18, 1986 in room 531N of the Capitol.

All members were present except:

Committee staff present:

Julian Efird - Research  
Arden Ensley - Revisor

Conferees appearing before the committee:

Charles Dodson - Kansas Assn. of Public Employees  
Betty Rose - Board of Technical Professions

The Chairman called the meeting to order and introduced SB 581 which establishes an employee suggestion award program. He introduced Charles Dodson who spoke in support of this bill. He pointed out that this bill takes the decision making process out of the hands of the agencies and places it in the hands of the top legislative and administrative leadership. He felt that a suggestion awards program supported by the legislature and executive branches would save the state millions of dollars and gave examples of other states where this had been the case. (Exhibit A)

The Revisor distributed copies of a balloon version of SB 581 and explained the changes therein. (Exhibit B)

The Chairman announced that this bill will be rescheduled again at a later date to be reworked.

The Revisor then distributed substitute bills for HB 2153 and HB 2237. (Exhibits C & D) He explained certain rules for giving the tests and also pointed out again that the local units would administer the tests.

Betty Rose presented testimony from the Chairman of the Kansas State Board of Technical Professions explaining that it would be too expensive for the benefits derived and would be philosophically incompatible with their existing functions for them to be used as the licensing and regulatory body for the plumbers and electricians. (Exhibit E)

Inasmuch as there was no more time, the Chairman stated that the discussion would continue at the next meeting.

A motion was made by Senator Winter to approve the minutes of the February 17th meeting. This was seconded by Senator Bogina. Motion carried.

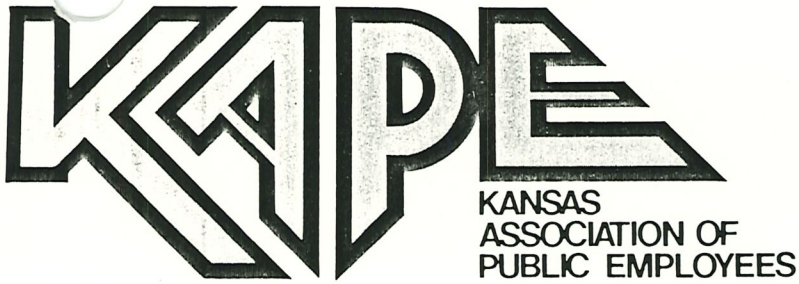
The meeting was then adjourned by the Chairman.

GUEST LIST

COMMITTEE: Senate Governmental Organization

DATE: Feb. 18, 1986

NAME	ADDRESS	COMPANY/ORGANIZATION
Cynthia Maston	Wichita, Kansas	
Patty Skalla	Topeka	AP
CHARLES DODSON	TOPEKA	KAPAE
Bob Redling	Topeka	KAPE
Herb Whitlow	"	K.P.H.C.C.
J. Dakes	Topeka	Ko. Plumb Heating & Cool. C.A.S.
Aileen Stephens	Topeka	Ko. Plumb Heating & Cool. Contractors
Kathy J. Marney	Topeka	MEAK
SUSAN TRZA	TOPEKA	DPS
Faith Corbett	"	Dept. of Edm, n.d. water
Aileen Shields	"	"
Larry Henderson	"	Supreme Court
Jack Rickerson	"	SRS
John Spruigen	"	Budget Dir.
Robin Bradley	"	KCC
Betty Rose	"	KSBTP
Jean Barbie	"	Ko. Consulting Engineers
Marcell Shoop	"	TALK



Presentation of Charles Dodson  
to the Senate Committee Governmental Organization  
February 18, 1986

We are definitely in support of SB 581. If properly implemented, the provisions of this bill will give the employees of the state the ability to create their own merit pay program. Increased efficiency and increased productivity save the state money. To the employee - if you suggested the idea that you get paid 10% or \$5000 whichever is less - that's a pure merit program.

We now have a Suggestion Awards Program in Kansas. But, it only works in limited and isolated cases. We believe that if you understand the mentality of bureaucracy, the shortcomings of the existing program become apparent. First, employees in representative government must work in a fish bowl. Every action they take or do not take is held open for public scrutiny. Consequently, whenever they act or fail to act, part of the accompanying performance is the development of a defense for the action or lack of action. This is not something to be condemned,

for it is essential to their survival as a public employee. The system would destroy them if they weren't prepared to defend their actions.

Under the existing Suggestion Awards Program, the agencies are responsible for the approval or disapproval of suggestions. That is, the very people who make the decisions and are prepared to defend them, now are called upon to approve suggestions which impact on those decisions. The reaction is that if it is such a good idea then I should have thought of it as a part of my job. Therefore, if I approve the suggestion, it's an admission of a shortcoming in my performance. So, we reject the idea.

The employees making the suggestions lose faith in the system and stop participating. The result is a suggestion awards program on paper that was doomed from the beginning because it failed to consider the nature of public employment.

The proposed SB 581 however, takes the decision making process out of the hands of the agencies and places it in the hands of the top legislative and administrative leadership. That is, people whose responsibilities require them to seek out ways to increase productivity and efficiency in government.

The very nature which causes agency employees to reject good suggestions would cause the Suggestion Award Board as created by this bill to closely examine the proposals and approve the suggestions with merit and make the awards.

We believe this to be the critical difference and the difference which would cause the Suggestion Awards Program as

proposed in SB 581 to work.

A suggestion awards program which is supported by the legislature and executive branches with proper advertising and encouragement can and shall save the state of Kansas millions of dollars. At the same time, such a program can and will instill a sense of pride and involvement on the part of all employees.

Will a good suggestion awards program work? We believe it can. Where it is encouraged, the savings can be very large. Just a few examples from our files of past experiences in other states prove this point.

For example, in FY 1982, Michigan recorded a first-year savings of \$1,374,420 from 158 adopted suggestions.

In FY 1982, the chairman of the House Ways and Means Committee in Tennessee reported, "the savings this year have already approached \$2 million."

So, the savings generated in a good program can be substantial. The benefits to employees are obvious.

# SENATE BILL No. 581

By Senator Vidricksen.

2-7

0017 AN ACT establishing an employee suggestion award program;  
0018 establishing an employee suggestion award board and pro-  
0019 viding for the powers, duties and functions thereof; providing  
0020 for maximum cash awards; and repealing K.S.A. 75-2956b.

0021 *Be it enacted by the Legislature of the State of Kansas:*

0022 Section 1. There is established an employee suggestion  
0023 award program for employees and retired employees of state  
0024 government. Under this program cash or honorary awards may  
0025 be made to state employees and retired state employees whose  
0026 adopted suggestions will result in substantial savings or im-  
0027 provement in state operations.

0028 Sec. 2. There is hereby established within the department of  
0029 administration an employee suggestion award board which shall  
0030 be composed of ~~the secretary of administration, the director of~~  
0031 ~~personnel services of the department of administration, the~~  
0032 ~~chairperson of the legislative coordinating council, the chairper-~~  
0033 ~~son of the senate committee on ways and means, the chairperson~~  
0034 ~~of the house committee on ways and means and one member~~  
0035 ~~appointed by the Kansas association of public employees.~~

0036 Sec. 3. ~~It shall be the duty of the board to adopt rules~~  
0037 ~~governing its proceedings, to elect a chairperson and secretary,~~  
0038 ~~to keep permanent and accurate records of its proceedings, to~~  
0039 ~~establish criteria for making awards, to adopt rules and regula-~~  
0040 ~~tions to carry out the provisions of this act and to approve each~~  
0041 ~~award made.~~

0042 Sec. 4. In establishing criteria for making awards, the board  
0043 may exclude certain levels of positions from participation in the  
0044 program, but in no event shall the following levels of manage-  
0045 ment be eligible to receive cash awards under the program:

and service

three persons named by the  
and two persons named by

(a)

(b) The rules and regulations of the secretary of administration relating to awards pursuant to K.S.A. 75-2956b shall continue to be effective until revised, amended, repealed, or nullified pursuant to law.

2/18/86  
EXHIBIT B Sen. G.O.

0046 (a) Level I: Governor's staff, department secretary or equiv-  
0047 alent.

0048 (b) Level II: Assistant or deputy secretary, assistant to a  
0049 department secretary, major fiscal and administrative policy de-  
0050 partmental director, staff or equivalent.

0051 (c) Level III: Division director or section head.

0052 (d) Level IV: Assistant to division director or section head or  
0053 head of major departmental function or equivalent.

0054 Sec. 5. ~~The maximum cash award approved shall be limited~~  
0055 ~~to 10% of the first year's estimated savings, or \$5,000, whichever~~  
0056 ~~is less, except that cash awards approved for suggestions that~~  
0057 ~~have a first year's estimated savings of less than \$250 shall be~~  
0058 ~~\$25. Any cash awards approved by the board shall be charged~~  
0059 ~~against the appropriation item or items to which estimated sav-~~  
0060 ~~ings apply.~~

0061 Sec. 6. K.S.A. 75-2956b is hereby repealed.

0062 Sec. 7. This act shall take effect and be in force from and  
0063 after its publication in the statute book.

(a) Subject to criteria approved by the board, the payment of cash awards to state employees for meritorious suggestions and accomplishments may be made: (1) from appropriations made therefor, or (2) by the state agency employing the employee or by a state agency which has expenditures reduced as a result of the suggestion or accomplishment of the employee, from money appropriated for such state agency and available for operating expenditures or salaries and wages or from money appropriated in any item of appropriation from which expenditures are so reduced.

(b)

Senate Substitute for HOUSE BILL NO. 2153  
By Committee on Governmental Organization

AN ACT

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) The state board of technical professions, on or before March 1 in each year, shall adopt and certify examinations for the determination of the qualifications of persons seeking licensure as plumbing contractors and master and journeyman plumbers. Such examinations shall be written examinations designed to fairly test the applicant's knowledge in the class of plumbing work in which the applicant seeks licensure.

(b) The state board shall adopt rules and regulations: (1) Governing the conduct and grading of such examinations; (2) prescribing requirements for passage of examinations; (3) fixing a uniform amount to be charged all applicants for examination and licensure, based upon examinations adopted and certified pursuant to this act; and (4) prescribing a distinctive notation to be made upon the license of all persons successfully passing such examinations.

New Sec. 2. Any county or city requiring the licensure of persons practicing plumbing within the county or city may conduct examinations adopted and certified by the board of technical professions pursuant to section 1 of this act. Such examinations shall be conducted in accordance with the rules and regulations of the board of technical professions adopted therefor. Any license granted upon the basis of the satisfactory passage of an examination adopted and certified pursuant to section 1 shall bear the distinctive notation prescribed by the board of technical professions and shall permit the licensee to practice without additional licensure or fee in all counties and cities of



the state requiring licensure of plumbers.

New Sec. 3. Nothing in this act shall restrict or affect the authority of any county or city to: (1) Provide alternative methods and procedures for determining the qualifications of plumbers for licensure to practice only within the jurisdiction of the county or city prescribing such qualifications; (2) adopt and enforce such plumbing codes or regulations as the governing body of the county or city shall deem appropriate; and (3) conduct such inspections and fix such reasonable fees as the governing body of the county or city may prescribe.

Sec. 4. K.S.A. 74-7004 is hereby amended to read as follows: 74-7004. (a) For the purpose of administering the provisions of this act and in order to establish and maintain a high standard of integrity, skills and practice in the technical professions and to safeguard the life, health, property and welfare of the public, the governor shall appoint a state board of technical professions consisting of nine members. At least 30 days prior to the expiration of any term other than that of the member appointed from the general public, professional societies and associations which are respectively representative of each branch of the technical professions may submit to the governor a list of three or more names of persons of recognized ability who have the qualifications prescribed for board members for appointment from that branch of the technical professions. The governor shall consider the list of persons in making the appointment to the board. In case of a vacancy in the membership of the board, other than that of the member appointed from the general public, for any reason other than the expiration of a term of office, the governor shall appoint a qualified successor to fill the unexpired term. In making the appointment the governor shall give consideration to the list of persons last submitted.

(b) The governor shall appoint an advisory panel on examinations for plumbers. Members of such panel shall advise with the state board of technical professions in the

consideration of examinations for adoption by the board pursuant to section 1. The governor shall appoint two members to such advisory panel from a list of not less than three names submitted by the professional societies and associations representing the professions to be examined. One member of the advisory panel first appointed shall be appointed for a term of two years and one member shall be appointed for a term of four years. Terms of succeeding members shall be for terms of four years. Whenever a vacancy shall occur in the membership of the advisory panel, the governor shall appoint a successor to fill the unexpired term, in the manner prescribed for making the original appointment. Members of the advisory panel shall receive subsistence allowances and mileage in amounts prescribed by K.S.A. 75-3223, and amendments thereto, for each day of actual attendance at any meeting of the advisory panel and in going to and returning therefrom.

Sec. 5. K.S.A. 74-7004 is hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the statute book.

Senate Substitute for HOUSE BILL NO. 2237  
By Committee on Governmental Organization

AN ACT

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) The state board of technical professions, on or before March 1 in each year, shall adopt and certify examinations for the determination of the qualifications of persons seeking licensure as electrical contractors, master and journeyman electricians and residential wiremen. Such examinations shall be written examinations designed to fairly test the applicant's knowledge in the class of electrical work in which the applicant seeks licensure.

(b) The state board shall adopt rules and regulations: (1) Governing the conduct and grading of such examinations; (2) prescribing requirements for passage of examinations; (3) fixing a uniform amount to be charged all applicants for examination and licensure, based upon examinations adopted and certified pursuant to this act; and (4) prescribing a distinctive notation to be made upon the license of all persons successfully passing such examinations.

New Sec. 2. Any county or city requiring the licensure of electricians practicing within the county or city may conduct examinations adopted and certified by the board of technical professions pursuant to section 1 of this act. Such examinations shall be conducted in accordance with the rules and regulations of the board of technical professions adopted therefor. Any license granted upon the basis of the satisfactory passage of an examination adopted and certified pursuant to section 1 shall bear the distinctive notation prescribed by the board of technical professions and shall permit the licensee to practice without additional licensure or fee in all counties and cities of

the state requiring licensure of electricians.

New Sec. 3. Nothing in this act shall restrict or affect the authority of any county or city to: (1) Provide alternative methods and procedures for determining the qualifications of electricians for licensure to practice only within the jurisdiction of the county or city prescribing such qualifications; (2) adopt and enforce such electric codes or regulations as the governing body of the county or city shall deem appropriate; and (3) conduct such inspections and fix such reasonable fees as the governing body of the county or city may prescribe.

Sec. 4. K.S.A. 74-7004 is hereby amended to read as follows: 74-7004. (a) For the purpose of administering the provisions of this act and in order to establish and maintain a high standard of integrity, skills and practice in the technical professions and to safeguard the life, health, property and welfare of the public, the governor shall appoint a state board of technical professions consisting of nine members. At least 30 days prior to the expiration of any term other than that of the member appointed from the general public, professional societies and associations which are respectively representative of each branch of the technical professions may submit to the governor a list of three or more names of persons of recognized ability who have the qualifications prescribed for board members for appointment from that branch of the technical professions. The governor shall consider the list of persons in making the appointment to the board. In case of a vacancy in the membership of the board, other than that of the member appointed from the general public, for any reason other than the expiration of a term of office, the governor shall appoint a qualified successor to fill the unexpired term. In making the appointment the governor shall give consideration to the list of persons last submitted.

(b) The governor shall appoint an advisory panel on examinations for electricians. Members of such panel shall

advise with the state board of technical professions in the consideration of examinations for adoption by the board pursuant to section 1. The governor shall appoint two members to such advisory panel from a list of not less than three names submitted by the professional societies and associations representing the professions to be examined. One member of the advisory panel first appointed shall be appointed for a term of two years and one member shall be appointed for a term of four years. Terms of succeeding members shall be for terms of four years. Whenever a vacancy shall occur in the membership of the advisory panel, the governor shall appoint a successor to fill the unexpired term, in the manner prescribed for making the original appointment. Members of the advisory panel shall receive subsistence allowances and mileage in amounts prescribed by K.S.A. 75-3223, and amendments thereto, for each day of actual attendance at any meeting of the advisory panel and in going to and returning therefrom.

Sec. 5. K.S.A. 74-7004 is hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the statute book.



KANSAS STATE BOARD OF TECHNICAL PROFESSIONS  
214 West Sixth Street (913) 296-3053 Topeka, Kansas 66603

February 18, 1986

TO: CHAIRMAN VIDRICKSEN AND MEMBERS OF THE SENATE COMMITTEE ON  
GOVERNMENTAL ORGANIZATION

FROM: KANSAS STATE BOARD OF TECHNICAL PROFESSIONS

RE: OPPOSITION TO HOUSE BILL 2237 and HOUSE BILL 2153

TESTIMONY BEFORE THE GOVERNMENTAL AFFAIRS COMMITTEE

The Kansas State Board of Technical Professions appreciates this opportunity to testify before your committee by way of our Executive Secretary, Ms. Betty L. Rose.

It is our understanding that in your discussions concerning House Bill 2237 and House Bill 2153, you have considered using the Kansas State Board of Technical Professions as a licensing and regulatory body for plumbers and electricians.

The Board would respectfully submit that there are fundamental differences between the professions of engineering and architecture and the plumbing and electrical trades. For example: A building may be designed by a professional engineer and architect but it is constructed by various contractors. In much the same way a mechanical or electrical engineer may design a system that is installed by electricians and plumbers. Contractors are not and should not be licensed by the board, neither should electricians and plumbers be licensed by the board.

Our further opposition is pecuniary in nature. The current administrative budget of the Kansas State Board of Technical Professions is \$189,774 per year. Roughly estimating the number of electricians and plumbers as at least equal to the number of current registrants, it could cost as much as \$142,330 to \$189,774 to provide the services you are discussing.

In closing, we would simply reiterate that using the Kansas State Board of Technical Professions to regulate the two trades in question, would be far too expensive for the benefits derived and would be philosophically incompatible with our existing functions.

Sincerely,

*Michael A. Conduff / b r*

Michael A. Conduff, P.E.  
Chairman,  
Kansas State Board of Technical Professions

PROPOSED AMENDMENT TO HB-2153

Nothing in this act shall be construed to allow any person, firm, corporation, partnership, association or combination thereof to engage in the practice of engineering as defined by K.S.A. 74-7003 without having first received a license or authorization to practice engineering by the Kansas State Board of Technical Professions.