

Approved

*Ivan Sand*

Date 2/29/88

MINUTES OF THE House COMMITTEE ON Local Government

The meeting was called to order by Representative Ivan Sand at  
Chairperson

1:30 a/m./p.m. on February 25, 1988 in room 521-S of the Capitol.

All members were present except:

Representative Bowden, excused  
Representative Douville, absent

Committee staff present:

Mike Heim, Legislative Research Dept.  
Bill Edds, Revisor of Statutes' Office  
Lenore Olson, Committee Secretary

Conferees appearing before the committee:

Craig Grant, Kansas National Education Association  
Dale Dennis, Department of Education  
Charles Hubbard, Superintendent of Derby Schools  
Rod Lake, Kansas Association of School Boards  
Michael Husband, Kansas Museum Association  
Sharon Olmstead, Kansas Museum Association  
Mark Hunt, State Historical Society

Dale Dennis testified on HB 2963, stating that this bill would clarify the law and would eliminate districts from submitting school plans to the State Board of Education for approval to assure code compliance prior to construction. (Attachment 1)

Craig Grant testified in favor of HB 2963, stating that he supports the concept of this bill and that the houses covered in this bill should not be subject to the fire safety inspections. (Attachment 2)

Charles Hubbard testified in support of HB 2963, stating that this bill is seeking to clarify the definition of a school building in regard to fire safety and prevention. (Attachment 3)

Rod Lake testified in support of HB 2963, stating that his association believes that it was never the intent of the legislature to define houses or duplexes built by students for classroom projects to be defined as school buildings. (Attachment 4)

A motion was made by Representative Schauf and seconded by Representative Johnson to pass HB 2963 and place it on the Consent Calender. The motion carried.

Mike Heim gave an overview of HB 2946.

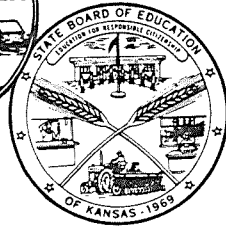
Michael Husband testified in favor of HB 2946, stating that this bill enables museums to acquire legal title to abandoned objects or to return them to their rightful owners. (Attachment 5)

Sharon Olmstead testified in favor of HB 2946, stating that her museum relies on the executor of a will when a museum lender is deceased.

Mark Hunt testified on HB 2946, stating that as HB 2946 applies to his museum, he wants to request a special exemption from this bill because they are relying on KSA 33-104 which stated that objects must be registered in both the county of the museum and the county of the lender. He supports the continued use of KSA 33-104 and states that it is simpler and less expensive.

The meeting adjourned.





# Kansas State Department of Education

Kansas State Education Building

120 East 10th Street Topeka, Kansas 66612-1103

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February 25, 1988

TO: Senate Committee on Local Government

FROM: Dale M. Dennis, Asst. Commissioner  
Division of Financial Services and Operations

SUBJECT: 1988 House Bill 2963

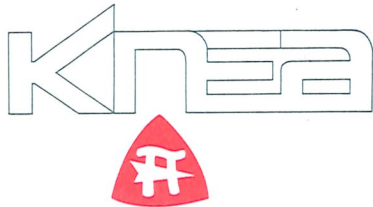
House Bill 2963 exempts from the definition of school building any single family dwelling or duplex constructed as part of a vocational education program or building trades class provided such dwelling or duplex is to be sold for private use.

Under current law, it appears that a school district would be obligated to submit its plans under the seal of an architect or engineer prior to construction of any single family dwelling or duplex constructed as part of a vocational program or building trades class.

Many school districts have not included construction as part of a vocational program within the definition of school building.

House Bill 2963 would clarify the law and would eliminate districts from submitting school plans to the State Board of Education for approval to assure code compliance prior to construction.

*Attachment 1*  
*2/25/88*



Craig Grant Testimony Before The  
House Local Government Committee  
Thursday, February 25, 1988

Thank you, Mr. Chairman. I am Craig Grant and I am writing this testimony in support of HB 2963. I apologize for not appearing in person, but I must testify in another committee at this time.

Kansas-NEA agrees with HB 2963 as we think that houses constructed as part of vocational programs which will be sold for private use should not be subject to the fire safety inspections. These houses will conform to local building codes for private residences if it is to be sold. These projects are excellent learning experiences for our students and we believe that these building sites should not be subject to K.S.A. 31-144, et. seq.

We ask that you report HB 2963 favorably for passage. Thank you for considering the concerns of our 22,000 members.



AS SUPERINTENDENT OF U.S.D. NO. 260, I AM APPEARING HERE TODAY TO SPEAK IN SUPPORT OF HOUSE BILL 2963, INTRODUCED AT OUR REQUEST BY REPRESENTATIVE ELIZABETH BAKER. THIS BILL IS SEEKING TO CLARIFY THE DEFINITION OF A SCHOOL BUILDING IN REGARD TO FIRE SAFETY AND PREVENTION.

TO BE SPECIFIC, THE BILL WOULD EXCLUDE FROM THE TERM "SCHOOL BUILDING" ANY SINGLE-FAMILY DWELLING OR DUPLEX WHICH IS CONSTRUCTED BY A VOCATIONAL EDUCATION PROGRAM OR CONSTRUCTION TRADES CLASS AND THEN SOLD FOR PRIVATE USE. SUCH DWELLINGS ARE NOT BEING CONSTRUCTED FOR USE BY THE SCHOOL DISTRICT AS SCHOOL BUILDINGS. THEY ARE BUILT AS CLASS PROJECTS AND ARE SOLD TO THE PUBLIC AS FAMILY DWELLINGS.

AGREEMENT WITH THIS PROPOSED LEGISLATION WOULD NOT MEAN THAT THESE BUILDINGS WOULD BE UNSAFE, BUT JUST THAT THEY WOULD NOT BE SUBJECT TO THE STRICT FIRE SAFETY AND PREVENTION CODES OF SCHOOL BUILDINGS. THEY WOULD STILL BE SUBJECT TO THOSE LAWS GOVERNING SINGLE-FAMILY DWELLINGS AND DUPLEXES.

IF YOU CONCUR WITH THIS REQUEST, I BELIEVE THIS WILL HELP TO CLARIFY A LAW WHICH HAS BEEN IN THE LAW BOOKS FOR SOME TIME.

THANK YOU FOR THIS OPORTUNITY TO SPEAK TO YOU TODAY AND IF YOU HAVE ANY QUESTIONS, I WILL BE HAPPY TO ANSWER THEM.

*Attachment 3*  
*2/25/88*

KANSAS  
ASSOCIATION



OF  
SCHOOL  
BOARDS

5401 S. W. 7th Avenue Topeka, Kansas 66606  
913-273-3600

TESTIMONY ON H.B. 2963  
before the  
HOUSE LOCAL GOVERNMENT COMMITTEE

by

Rod Lake, Director of Communications  
Kansas Association of School Boards

February 25, 1988

Mr. Chairman and members of the Committee, on behalf of the 302 member school districts of the Kansas Association of School Boards, we support H.B. 2963.

We believe it was never the intent of the legislature to define houses or duplexes built by students for classroom projects to be defined as school buildings.

This bill simply assures that student-made dwellings meet the same fire safety standards required for any other family residence and are not subject to restrictions that apply to school building construction.

Therefore we urge the committee to consider favorable passage of H.B. 2963.

*Attachment 4  
2/25/88*

February 25, 1988

When museum professionals in Kansas meet to discuss common problems, the subject of unclaimed loans and abandoned property always comes up. Many collections objects have been held in a state of limbo for decades by museums. When the owners are unknown or cannot be located, and the museums lack clear title, institutions are, nonetheless, ethically and legally responsible for storing and caring for those objects. This is a considerable drain on a museum's resources.

Museums serve as trustees of our material heritage, and museums in Kansas sincerely want to be good stewards. We have both legal and ethical obligations toward the objects we hold, and these include caring for our collections as best we can, according to accepted professional standards.

In this era of limited resources, museums are more aware than ever of the costs involved in maintaining a collection. National studies have demonstrated that maintaining and exhibiting objects involve substantial costs and that loans and "deposits" to museums should be judged at least partially in that light. The actual cost of keeping a collection of artifacts must include such factors as documentation, installing and maintaining environmental controls, utilities, building maintenance, security, personnel, preservation, supplies, and insurance. Exhibiting objects adds even more to the cost. In short, museums are liable for the care of every object under their control, whether they own it or not, and the courts have upheld this obligation.

Although museums are responsible for maintaining accurate and complete records, most

*HB2946*

*Attachment 5  
2/25/88*

institutions have in their collections objects which are undocumented. Some of these items were lent for special exhibits and were never reclaimed. In other cases, the owners died or moved away. Museums must also deal with objects that are literally left on their doorsteps. In many institutions, in earlier times, gift and loan information was kept in the heads of staff, board members, or volunteers, rather than being formalized on paper. Unfortunately, when the people involved were gone, so too was the information. There were, in other words, no written gift or loan records.

Scarce museum resources can be put to best use by caring for objects which actually belong to the institution or are currently being used for a specific purpose. Museums cannot be warehouses for people who choose not to insure, store, or claim their own property. This bill enables museums to acquire legal title to abandoned objects or to return to their rightful owners property which is currently in limbo. This would encourage more cost-efficient collections management and would promote consistent professional standards and practices, including record-keeping, throughout Kansas. The bill would provide clear, consistent, and workable solutions to a serious museum problem.

Other states, including Colorado, Montana, Wyoming, Arizona, California, Tennessee, and Maine, have recognized this problem and have addressed the issue with similar statutes. This bill is endorsed by the Kansas Museums Association, which represents more than 150 museums of all kinds and sizes in our state. The problem of abandoned and undocumented property is not going to go away, but this legislation can help Kansas museums care for our shared heritage more responsibly, effectively, and efficiently.

--Michael B. Husband and Judith Ann Heberling for the Kansas Museums Association