

Approved _____
Date 4-26-89

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by _____ Senator Lana Oleen at _____
Chairperson

1:35 ~~3:00~~ p.m. on March 21, 1989 in room 531-N of the Capitol.

All members were present except:

Committee staff present: Jill Wolters - Revisor
Nancy Jones - Secretary

Conferees appearing before the committee: Mahlon Powell, Mankato, Ks.
Milt Pollitt, Contractor, Wichita, Ks.
Tom Slattery, General Contractors Asso.
Herb Whitlow, Topeka, Plumbing & Heating
David Corliss, League of Ks. Municipalities
Helen Stephens, Mechanical Contractors
Jim Dehoff, AFL-CIO, Topeka, Ks.
Tim Pinnick, Lawrence, Ks.
Janet Stubbs, Home Builders Asso. of Kansas

Hearing on:

HB 2124 - Concerning establishment of a trades board.

Vice Chairman Bogina requested all conferees keep the testimony brief and concise as time will be limited.

Mahlon Powell testified as being opposed to sections of the bill which require trades people in small communities to buy additional licenses to practice their trade. Smaller communities are not represented on the Board and the Board could gain too much power through future legislation. It is felt the code enforcement officers should not be members of the Board. The Block tests are considered a hinderance and unfair in relation to the qualifications for success in building trades. There is concern regarding political entities of cities not understanding the consequences to trades people in their area. Mr. Mahlon requested careful deliberation by the Committee before passing the bill. (Attachment 1)

Herb Whitlow testified as a proponent to the proposed legislation and stated there is a need for uniform statewide certification and reciprocity for the trades people. He feels establishment of a board will help overcome problems existing between a number of jurisdictions not honoring the state law and the disagreements regarding fees and the registry. (Attachment 2)

Tom Slattery testified a problem exists due to political subdivisions requiring certification or licensure or general contractors before they are able to work in that community. With reciprocity required in this legislation, the problem would be eliminated and cities are not required to do anything more than it is now doing, but accept those having passed the test prescribed by the Board. In the long run, this legislation will benefit the consumer with competitive bidding and mobility of trades people. (Attachment 3)

Committee was asked to give attention to written testimony of Dan Morgan of the Builders Association of Missouri. (Attachment 4)

Milt Pollitt stated local licensing laws tend to build fences around a community precluding general contracotrs of other areas from working in such communities. This lack of competition for bidding purposes is not good for the communities nor the citizens in getting the contractors they want.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION,

room 531-N, Statehouse, at 1:35 ~~xx~~ p.m. on March 21, 19 89

David Corliss said he is in support of expanding the reciprocity qualifications as described in this legislation. He also feels local units of government should retain the ability to require additional examinations other than those designated by the board. Mr. Corliss feels the board's function is of limited importance, but membership should include at least two code enforcement officers. Mr. Corliss strongly supports home rule. (Attachment 5)

Helen Stephens stated that previous certification processes allowed plumbers and electricians to practice their trades in other political subdivisions. HB 2124 will not mandate that all political subdivisions participate in the testing, thus preventing some from practicing their trade. The option for which trades will be tested is still with the local entities as HB 2124 does not alter this. Ms. Stephens feels tests need to be updated and this can be done with establishment of a board. The board can only expand with cooperation of trades, cities and towns and will not be given more power under this legislation. HB 2124 allows reciprocity to continue for the trades, leaves home rule and gives the trades input on the test they will be given. (Attachment 6)

Kathy Marney stated HB 2124 will allow contractors to take voluntary nationally recognized examinations and travel throughout the state. The registry to be established will allow subdivisions to request a list of certified people which can only be a benefit. The bill does not take power away from local political subdivisions as home rule still applies. Reciprocal licensing allows the trades to work more freely within their industry. (Attachment 7)

Jim DeHoff feels the proposed legislation addresses the need for a state law allowing reciprocity of licensing for all the trades. Passage of the bill would establish a standard test for everyone to take and be administered by people familiar with codes, standards and regulations for licensing. Favorable passage is urged. (Attachment 8)

Tim Pinnick testified as being in support of HB 2124. He stated that the cost of taking a certification exam ranges from \$40 to \$60 and correspondence courses will cost \$1500. He feels a trades board would standardize exams thus eliminating inequities across the state. Mr. Pinnick discussed the certification of competency used in Lawrence and reciprocity practiced with no problems. (Attachment 9)

Janet Stubbs testified as opposing HB 2124 as composition of the board is questioned and there should be equal representation of all the construction industry on the board. Reciprocity must be established so as not to be detrimental to members of the home builders trade. Objections were voiced with the use of the terms certification, certified and licensure as the language is confusing. Careful consideration should be given to a grandfather clause for those in construction for a long time. (Attachment 10)

Chairman Oleen asked the Committee to give attention to the written review of HB 2124 which has been prepared by Jill Wolters. (Attachment 11)

Meeting adjourned. The next meeting will be March 23, 1989.

GUEST LIST

COMMITTEE: SENATE GOVERNMENTAL ORGANIZATION

DATE 3-21-89

NAME	COMPANY / ORGANIZATION	ADDRESS
STEVE KENTON	HBA GTR K.C.	600 E 103RD KCMO
JANET STUBBS	HBA OF KANSAS	Topeka
TIM PUNICK	CITY OF LAWRENCE	PO Box 708 66044
Jim Crawford	HOAC / ICBO	455 N Main Wichita
Dave Corless	League of Municipalities	Topeka
Rick Harris		Manhattan
Jim Debenham	Debenham Elec	Clay Center
Mel Anggo	Driggs El	Clay Center, KS
Ben L. Baker	Powell El	Manhattan
Robert & Carlson	Carlson 9Kg & A.C.	Clay Center, Mo.
LeRoy Eaton	Eaton Const	Manhattan KS
Marilyn Eaton		Manhattan, KS
Richard Blair	Blair Const	Manhattan, KS
Reg Tryon		Salina, KS.
Mahlon Powell	Powell Electric	manhattan, KS
Clarice M. Powell	Powell Electric	Manhattan, KS
Herbert Whitlow	KS Pkgg Htg Cont	Topeka, KS
Milt Pollitt	Milt Pollitt Co. Inc.	Wichita, KS
Tom Slattery	AGC of KS	Topeka
Mary Vincent	City of Kansas	Topeka
TERRY LEATHERMAN	KCCIT	Topeka
Jim Whitteff	Kansas AFL-CIO	Topeka
Janice Carter	K Dept Human Resources	Topeka
Charles M. ...	A-plus Plumbing	Wichita
...	C.M.D. Services	Harpswell
Randy Debenham	self	Topeka

March 21, 1989

Chairperson Olene, Senators:

I am here to represent a group of tradesmen from small Kansas communities who are opposed to House Bill 2124 in its present form.

I would like to read you three sentences from a letter I received on March 8 of this year from a lawyer who reviewed House Bill 2124 for me. I quote:

"I would expect that there will be corresponding bills which will prevent the persons listed in Section 1 of this bill from engaging in certain acts unless they hold the licenses required by this house bill. I am reasonably certain that if this other legislation is not pending it will be in the future. This could be very significant and oppressive to anyone in this area engaged in the occupations described in House Bill No. 2124."

This statement is one of the reasons we are against creating a board of examinations. Here are some examples why:

First of all, this board must consist primarily of licensed or certified persons from cities participating in the testing and licensing law. Therefore, virtually none of the smaller communities in Kansas will be represented at all by this board.

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Secondly, any time you create a controlling board of any kind the power of that board seems to grow as years pass. We feel there is nothing to prevent the board from gaining power over our trades through future legislation and decisions made in their meetings.

Thirdly, there is a non-voting member on this board who is the director of architectural services. Although he appears to have limited decision making powers he may remove a contractor's name from the register if a participating city pulls that contractor's license, and he is not even obligated to investigate the reason the license was revoked. By this action that contractor is out of business and it is questionable if he can recover his certification at all.

We cannot determine if the code enforcement officer mentioned in this bill is even required to be tested by the state. He should have to pass even more stringent tests than those who fall under this law, but even that will not prevent a contractor from losing his certification in the event of a dispute or a personality conflict with that inspector. We do not approve of these code enforcement officers residing on board of examinations.

The fourth concern involves the Block and Associates test. These tests are not even recognized by our neighbor Nebraska or a lot of other states. The correspondence courses most of us will have to purchase to pass these Block

tests cost somewhere in the neighborhood of \$400.00 each. And the way we understand the bill, if a business is involved with each of the categories in Section 1, as most smaller community tradesmen are, it's possible that we would have to take four or more tests. How can we be expected to devote the time away from our businesses that it will require to take all of these correspondence courses or go back to junior college? We don't believe the Block tests prove any practical qualifications needed to be successful in building trades.

House Bill 2124 gives no credit or consideration for experience at all, even if you have been in business for twenty or thirty years.

If we must have state control over our industry then the state must recognize its tradesmen now already in business and paying state taxes. They must do this by means of a grandfather clause. This, we see as a necessity to initiating this type of legislation.

The fifth item that we are concerned with deals with the cities or political subdivisions that decide not to participate in state certification. Our opponents to this bill say that participation is optional. I hope this is true but that may still make these non-participating cities victims of the board because eventually through future bills and board decisions, all jobs involving state or federal tax monies could be shut out to contractors in these non-

participating cities. These jobs could even include maintenance work for schools, hospitals, county and city buildings, etc. Most of us smaller contractors cannot survive without these jobs.

Another problem we see along these same lines with contractors in non-participating cities is how the insurance companies are going to handle liability cases when the tradesman involved in these suits are not certified by the state - in other words, according to the state - not competent. Could we end up as a group of tradesmen who would be uninsurable?

One final point to do with non-participating cities concerns the makeup of our local councils and commissioners, they are businessmen, farmers, housewives, teachers, and other common folks. In some cases these political subdivisions are likely to adopt this legislation without realizing what consequences it will have on it's trades people. All the contractors can do then is comply.

I think you can easily see why we are concerned with not just what this bill does to us in the near future but what it may do to us in years to come. The questions we have proposed need to be answered. We feel that we cannot afford to take for granted that this legislation will not affect us as our opponents have suggested.

I hope we have given you some idea of what we may be facing

and I hope you will consider this information very carefully as you review House Bill 2124 in your committee.

My final statement is that we are not completely opposed to some legislation of this type. We simply feel that we as small community tradesmen should be fairly represented in its formation. We fully understand the reason the larger cities want and need this type of legislation, but it must be set up in such a way that all Kansas trades can live with it. We feel that this bill lays the ground work for all the possibilities that we have discussed.

We urge you to take our concerns seriously in your discussion of this legislation. Please do not pass it in haste, just because the union supporters and lobbyists, in favor of House Bill 2124, have told you it is good for Kansas. It may be good for them but it will eventually seriously hurt the many smaller Kansas communities that depend on our services.

Thank you for your time.

KANSAS



NATIONAL ASSOCIATION OF
PLUMBING · HEATING · COOLING CONTRACTORS

PLUMBING, HEATING, COOLING CONTRACTORS ASSOCIATION, INC.

320 LAURA, WICHITA, KANSAS 67211

PHONE 316 / 262-8860

March 21, 1989

TO: The Honorable Committee on Governmental Organization

RE: H.B. 2124 - Relating to examination, certification and reciprocity for the building trades.

Mr. Chairman, Committee Members:

I am Herb Whitlow, representing the Kansas Plumbing, Heating, Cooling Contractors Association. We would like to thank you and commend this Committee for their foresight and hard work in 1986 on the creation and enactment of the two bills on plumbing and electrical licensing. That action has successfully addressed and resolved the vast majority of the problems enumerated at that time. Thank you for that action.

The success of those two bills has largely created the impetus for the Bill under your consideration today. It has become apparent that the HVAC Mechanic, Mechanical Contractor and General Building Contractor have a need for the same uniform Statewide Certification and reciprocity provisions presently enjoyed by plumbers and electricians. In fact, a standardized examination for the HVAC mechanical journeyman and master has not only been developed, but has been utilized in many jurisdictions for over two years. However there are a number of jurisdictions that will not honor the exam, due to the fact it is not included in the state law.

Generally, the bill contains only minor refinements and "polishing" to the function of the law, which representatives from throughout the affected industries and enforcing governmental agencies agree will address and resolve the few remaining problems in application of the laws.

The only major addition to the laws is the creation of a Board whose sole duty is to review the designated examination, and affirm its continued use, or to name an alternative examination should that action be deemed desirable. This Board results from the expressed concern of the Attorney General in naming a "single source provider" in State law. The State Architect has agreed to

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act as the host agency to the Board, and a nominal fee is established to offset expenses, in maintaining the Board and the register or listing of those persons who have achieved certification.

The Kansas Plumbing, Heating, Cooling Contractors Association supports and recommends the committees favorable action on this Bill.

Thank you for your time and kind attention. If I may provide further information or clarification on any point, I will be happy to do so.

Sincerely,

Herb Whitlow

Herb Whitlow
Legislative Chairman

HW/mad



TESTIMONY BEFORE SENATE GOVERNMENTAL
ORGANIZATION COMMITTEE

ON HB 2124

by

ASSOCIATED GENERAL CONTRACTORS OF KANSAS, INC.

Thomas E. Slattery

3-21-89

Madam Chairperson and members of the committee, I am Thomas E. Slattery, Executive Vice President of Associated General Contractors of Kansas. AGC of Kansas is a trade association representing members of the construction industry. We have approximately 270 members which include general contractors, subcontractors and associate members.

AGC of Kansas appears in support of HB 2124. It is becoming increasingly common for political subdivisions to require certification or licensure of general contractors before they are able to perform work in the community by passing a test. This can cause a problem by limiting the ability of general contractors to bid work in several locations if they have not been tested by that particular political subdivision.

HB 2124 would eliminate that problem by requiring reciprocity of certification by political subdivisions that

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require certification or licensure. HB 2124 will not require a city to do anything it is not already doing. It does not require a city to test, license or certify. However, if a city does require licensure this bill would require the city to accept ^{accept} contractors and allow them to work if they have passed the test prescribed by the board. The effect of this legislation would be to enhance the competitive bid system, allow easy mobility and in the long run benefit the consumer of construction services.

HB 2124 has been well thought out with input from all segments of the construction industry. I would particularly like to thank the State Architect Ed DeVilbis for his input and cooperation in establishing the central registry that is the key to making this proposed system work.

To give an example for the need for this legislation as it applies to general contractors I will introduce AGC member Milt Pollitt, a commercial building contractor from Wichita. Mr. Pollitt is a past president of AGC of Kansas, a past national director of the AGC of America and is currently chairman of the AGC Human Resources Committee.



TESTIMONY BEFORE THE SENATE COMMITTEE
ON GOVERNMENTAL ORGANIZATION
RE: HOUSE BILL NO. 2124
BY DAN MORGAN, DIRECTOR OF GOVERNMENTAL AFFAIRS
KANSAS CITY CHAPTER, AGC OF AMERICA
AND
BUILDERS' ASSOCIATION OF MISSOURI
March 21, 1989

Madam Chairperson and members of the Committee, my name is Dan Morgan and I appear before you today on behalf of the Builders' Association and the Kansas City Chapter of the Associated General Contractors of America. The majority of our 575 commercial building contractors, subcontractors and supplier members are located in the metropolitan Kansas City area. Approximately one-third of that number are domiciled in Johnson and Wyandotte Counties in Kansas and a large number of our Missouri domiciled members also perform work in Kansas. Of course our Kansas members return the favor by performing work in Missouri. We currently enjoy a fairly open and free market environment and it is vital to our industry to maintain that open market between the two states and between the political subdivisions of each individual state.

I appear before you today in support of House Bill 2124. This bill establishes a Building Trades Board of Examinations that will meet only once a year for the sole purposes of (1) designating specific examinations for determining the competency of applicants for "reciprocal" certification or licensure, and (2) to fix a fee (not to exceed \$20) to be paid to the division of architectural services for maintaining a registry of all persons holding a valid certificate or license. The Board has no other "regulatory" powers. After passing a prescribed examination a contractor may work in any city or county that requires certification or licensure without having to meet any further testing requirements by such political subdivisions.

House Bill 2124 is not a statewide licensing bill. Rather, the bill would provide for reciprocity between those cities and counties in Kansas which choose to require certification or licensure for general contractors and/or electrical, mechanical and plumbing subcontractors. Cities and counties that do not require certification or licensure would not be affected by this measure. Contractors who do not wish to take advantage of the reciprocity provisions in the proposed statute would not be required to take the examination prescribed by the Board of Examinations. Contractors who have already met current local licensing or certification requirements would not be required to take the prescribed exam in order to work in their home cities or counties. This bill simply provides a way for contractors who choose to take and who pass a prescribed comprehensive exam to work in other localities throughout the state without having to meet the specific licensing requirements of each such locality.

In closing, we support the concept of reciprocity and this bill and we ask that you support it also. I thank you for the opportunity to address this subject this afternoon and I will try to answer any questions you might have. Thank you very much.

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**League
of Kansas
Municipalities**

**Municipal
Legislative
Testimony**

An Instrumentality of its Member Kansas Cities. 112 West Seventh Street, Topeka, Kansas 66603 Area 913-354-9565

TO: Senate Committee on Governmental Organization
 FROM: David Corliss, League of Kansas Municipalities
 DATE: March 21, 1989
 RE: HB 2124 -- Building Trades Act

The League of Kansas Municipalities is in support of the goals of HB 2124 to expand the reciprocity of qualifications for building trade professionals. The Statement of Municipal Policy of the League of Kansas Municipalities adopted by city voting delegates at the 78th Annual City Conference of the League in October 1988 provides in part:

"State laws relating to the examination and certification of electrical, plumbing and related contractors should be strengthened."

The League has a historic position against the establishment of a state building code and a state building inspection agency or department. The regulation of the building trades is best left in the hands of local governing bodies and officials who are best able to quickly and effectively handle the day-to-day operations of this important public function.

HB 2124 expands the successful reciprocity procedures that were adopted in 1986 for the plumbing (K.S.A. 1988 Supp. 1508 *et seq.*) and electrical (K.S.A. 1988 Supp. 1525 *et seq.*) professions to the other building trades professions that municipalities typically license and regulate.

Our support of House Bill 2124 is contingent on the continued ability of local units of government to have the ability under Section 7 of the bill to require additional examinations other than those designated by the board. Under K.S.A. 1988 Supp. 12-1510 and Supp. 12-1517, local units may utilize examinations other than those designated by statute.

Concerning the composition of the board, it is important to remember the limited task of the board--1 meeting per year to choose tests and set fees to reimburse the director of architectural services. The "board" is by any other name an annually scheduled meeting so that building officials and building trade officials can agree which exams should receive reciprocity.

Emphasizing the importance of having board members whose job is to protect the public interest, the board should consist of at least two members who are code enforcement officers.

*President: Douglas S. Wright, Mayor, Topeka * Vice President: Irene B. French, Mayor, Merriam * Past President: Carl Dean Holmes, Mayor, Plains
 * Directors: Margo Boulanger, Mayor, Sedan * Nancy R. Denning, Commissioner, Manhattan * Ed Eiert, Mayor, Overland Park * Greg Ferris, S.S.D.
 Councilmember, Wichita * Frances J. Garcia, Commissioner, Hutchinson * William J. Goering, City Clerk/Administrator, McPherson * Jesse Jackson,
 Commissioner, Chanute * Richard U. Nienstedt, City Manager, Concordia * David E. Retter, City Attorney, Concordia * Judy M. Sargent, City Manager, Russell * Joseph E. Steingor, Mayor, Kansas City * Bonnie Talley, Commissioner, Garden City * Executive Director: E.A. Mosher* 3-21-89 ATTACH-S

NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION
in
Topeka, Wichita, and Greater Kansas City

TO: Senate Governmental Organization Committee

SUBJECT: House Bill #2124

Madam Chairman and Members of the Committee:

My name is Helen Stephens representing the National Electrical Contractors Association, whose membership composes of approximately 1/4 of all electrical contractors in Kansas. These contractors are located east and west of 81 and employ approximately 2100 people.

As mentioned in previous testimony, the 1986 certification process set up a system whereby a plumber or electrician could take the certification test in one political subdivision, go to another licensing subdivision, and be issued a license without further testing. This process assured these trades they could work in other political subdivisions without further testing. HB 2124 adds HVAC and General Contractors (including home builders) to the process.

The 1986 process left the option for participating in the testing solely in the hands of the local subdivisions. Nothing, absolutely nothing, in HB 2124 will change that.

You have probably heard that HB 2124 will mandate that all political subdivisions participate in the testing; thus preventing some from practicing their trade. This is not true. HB 2124 leaves the option with the local entities and their constituents. At the present time, there are towns and cities who have licensing or no licensing that do not participate in the testing process - nothing in the 1986 legislation required their participation in the testing; nor will 2124 require them to participate. This is a local option.

We have heard this is an "urban" issue. Below is a list of political subdivisions that have chosen to participate at the present time:

Abilene	Andover	Arkansas City	Atchison
Augusta	Coffeyville	Derby	Dodge City
El Dorado	Emporia	Galena	Garden City
Goodland	Great Bend	Hays	Hutchinson
Johnson County	Kansas City	Lansing	Larned
Larence	Leavenworth	Liberal	Manhattan
Mulvane	Newton	Parsons	Pratt
Salina	Sedgwick County	Topeka	Ulysis
Wichita			

As you can see, not all are urban areas.

One misconception of both the 1986 legislation and 2124, is that if a political subdivision participates, they must participate exactly as the legislation states. The extent of the participation is left to the political subdivision. Example:

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In the 1986 legislation, provisions were made for an electrical contractor's certification test. This did not mean every city that participated in the testing had to give the electrical contractor's test. Wichita has chosen to give this test; but in Manhattan and Lawrence, the electrical contractor's purchase their contractor's license after they have taken the master electrician's test. This will not change in HB 2124 -- (the option for what trades will be tested is still with the local entities.)

As you know HB 2124 sets a uniform passing grade of 75%, sets up a board to select the test provider, and sets up one central location for cities to call to know if a license is current before issuing a second or third license based on the certification examination.

You have heard many arguments against the board and/or a need for the board. This I would like to address.

We need to update the tests to current codes every 2-4 years. > To do this without mandating a test to the cities (thus taking away local control), (our only apparent avenue was a board.) Up to this point in time, the towns or cities have made up the test, with no input from the trades involved. This process maintains local control, but does allow input from the trades.

The scope of the board is narrowly and clearly defined in the bill -- it meets ONE DAY PER YEAR to select the test provider and sets a renewal fee to cover costs to the Division of Architecture. Again, its scope is CLEARLY > defined. Some fear this board will grow and take on a life of its own. We submit that to do so, the board as a whole and the trades, the towns, and cities involved would have to be united on the issue of expanding the board's scope. This we believe will not happen.

We believe there is a built-in safeguard within the makeup of the board itself.

The 11-member, volunteer board is made up 2 code officials, 8 trades people, and one public member, all appointed by the governor and listed below. We do not believe these people will come together, united, to the legislature to expand the board's scope, and possibly take away the "home rule" which has been safeguarded.

Board Makeup

- 2 code enforcement officials employed by a political subdivision administering the test;
- 3 general contractors, including home builders (one each - type A, B, & C) certified through this process;
- 2 electricians (1 master - 1 journeyman) certified through this process;
- 2 plumbers (1 master - 1 journeyman) certified through this process;
- 1 HVAC certified through this process, and
- 1 public member.

In previous testimony, it was mentioned that not all towns and cities in Kansas follow the Uniform Building Code. In researching this, we could find only five communities in the entire state that did not use this code. Since participation is optional, this will not affect those communities.

One last issue I would like to address is the central registry set up through the Division of Architecture. This provision was added by the this committee in 1988 at the request of the League of Municipalities. The provisions in 2124 were detailed by the Department of Administration. Under the 1986 legislation, a city would call the the initial testing city to see if a license was valid. The League requested this registry as a way of acquiring quick confirmation, thus eliminating delays in issuing a second or third license.

Yes, it is true that if a license is revoked, the division of architecture will be notified, and the name will be removed from the list --BUT there are two provisions in the bill which address this situation.

The first is on page 8, lines 271 through 274, which says, " Nothing in this act shall require any political subdivision to issue or deny a certificate or license to any person whose certificate or license has been revoked or suspended by any other political subdivision." This provision was in the 1986 legislation and we have left it in 2124 as a safeguard.

The second provision is on page 8, lines 284 through 287. If a name is removed from the registry, a subsequent report from a city in which he holds a valid license could be forwarded to the registry and his name would be reinstated.

We believe these two provisions gives the trades' person ample opportunity to continue his profession regardless of the circumstances in one political subdivision. Again, this provision was added by this committee and detailed by the Department of Administration. In researching the number of licenses that have been revoked over the past two years, we could find none. Maybe the inspectors themselves could shed more light on this.

Although 2124 is not everyone's desire, it does allow the reciprocity process to continue for the trades, it leaves home rule and the option of participating where it should be -- at home. It also gives the trades something they did not have before -- input on the test they will be given. This bill does not interfere with the local process of the construction trades' right of local input regarding what testing procedure their local entity has chosen.

Besides bringing in the General Contractors (including home builders) and the HVAC trade, the only purpose of HB 2124 is to clarify the passing grade, allow the test to be updated as codes are updated, and sets up a central information center. We ask you to remember that the initial certification process has been in place for two years and it has worked well for all.

We respectfully request that you report HB 2124 favorably.

I thank you for your time and the opportunity to present our views to you.

TESTIMONY
BEFORE THE
SENATE GOVERNMENTAL ORGANIZATION
BY
KATHY J. MARNEY
MECHANICAL CONTRACTORS ASSOCIATION OF KANSAS
MARCH 23, 1989

Chairman Oleen and Members of the Committee:

My name is Kathy Marney, Executive Director of the Mechanical Contractors Association of Kansas. I appear before you today in support of H.B. 2124.

H.B. 2124 will allow mechanical contractors and other building trades to be reciprocal with other cities. My contractors hold up to as many as 10 city licenses in the state of Kansas. This bill would allow them to take a voluntary nationally recognized examination and be able to travel throughout the state. If they do not travel around the state and do not wish to take a certification from the state, there will be no disreputation in their business. This bill is strictly on a volunteer basis.

This bill will establish and maintain under the division of architectural services a register of all persons holding a valid certificate or license. This will enable political subdivisions to request a list of people who are registered and have a valid certificate or license.

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ATTACH-7

This bill does not take away any power over the local political subdivisions nor does it create a state mandatory license. Home rule still applies. It is a bill which will create a volunteer reciprocal license for building trades to work more freely within their industry.

Mr. Chairman and Members of the Committee, I ask for your support on H.B. 2124. Thank you for allowing me to appear before you today.

HOUSE BILL #2124

March 21, 1989

Senate Governmental Organization Committee

Madam Chairperson and Committee Members:

I am Jim DeHoff with the Kansas AFL-CIO. I represent the Kansas Pipe Trades Association, which has approximately 1,000 licensed Plumbers. I also represent 1,200 licensed Electricians that belong to several unions in Kansas.

House Bill #2124 addresses a problem that has been in existence for several years, and that is the need for a state law that would allow reciprocity of licensing for Plumbers, Electricians, Mechanical Trades and the contractors that they work for. Many times when a licensed Plumber or Electrician is sent to a job site located in a different city they are required to take a test over again to obtain a license. Sometimes the test is a lot different than the one they took in their home town. Many times the test that is required is very difficult to pass. Also it is quite common to have to wait a period of 30 days before you can take it.

By passing House Bill #2124 there would be a standard test for everyone to take, administered by a Building Trades Board made up of people who are very familiar with codes, standards and regulations for licensing.

House Bill #2124 is a change that will help the Building Trades Industry.

We urge favorable passage of House Bill #2124.

S.G.D.
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ATTACH-8



City of Lawrence KANSAS

CITY COMMISSION

MAYOR

BOB SCHUMM

COMMISSIONERS

MIKE AMYX

DENNIS CONSTANCE

SANDRA K. PRAEGER

MIKE RUNDLE

BUFORD M. WATSON, JR., CITY MANAGER

CITY OFFICES

6 EAST 6th

BOX 708

66044

913-841-7722

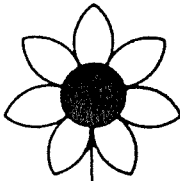
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Testimony
Senate Committee on Governmental Organization

My name is Tim Pinnick representing the Codes Enforcement Division for the City of Lawrence.

We support H.B.2124. I am an electrical inspector and I administer certification exams. if you have any questions concerning the state certification program I will be glad to answer them.

S.G.O.
3-21-89
ATTACH-9



HOME BUILDERS ASSOCIATION

OF KANSAS, INC.

Executive Director
JANET J. STUBBS

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ROBERT HOGUE
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H.B.A. ASSOCIATIONS
Central Kansas
Dodge City
Hutchinson
Manhattan
Montgomery County
Pittsburg
Salina
Topeka
Wichita

PAST PRESIDENTS
Lee Haworth 1965 & 1970
Warren Schmidt 1966
Mel Clingan 1967
Ken Murrow 1968
Roger Harter 1969
Dick Mika 1971-72
Terry Messing 1973-74
Denis C. Stewart 1975-76
Jerry D. Andrews 1977
R. Bradley Taylor 1978
Joel M. Pollack 1979
Richard H. Bassett 1980
John W. McKay 1981
Donald L. Tasker 1982
Frank A. Stuckey 1983
Harold Warner, Jr. 1984
Joe Pashman 1985
Jay Schrock 1986
Richard Hill 1987
M.S. Mitchell 1988

SENATE GOVERNMENTAL ORGANIZATION COMMITTEE

TESTIMONY OF
HOME BUILDERS ASSOCIATION OF KANSAS
HB 2124
MARCH 21, 1989

CHAIRPERSON OLEEN AND MEMBERS OF THE COMMITTEE:

My name is Janet Stubbs, Executive Director of the Home Builders Association of Kansas. I am appearing today in opposition to HB 2124 as passed by the House.

As I stated before this committee when I appeared in support of SB 267, HBAK does not oppose reciprocity for members of the construction industry. However, we want to be sure that the process to achieve this goal does not prove to be detrimental to members of the industry, whether they be large or small, rural or urban.

HBAK previously opposed the establishment of a Construction Trades Board because it was viewed as an unnecessary layer of bureaucracy. However, in our attempt to compromise on this issue, we have agreed with this concept IF the Construction Trades Board is structured in the same manner as other Kansas boards. Attached to this testimony is a list of a few other Kansas boards and their composition.

HB 2124 provides for 2 code officials on the proposed board. HBAK opposes the inclusion of local government regulators on a state board. Other Kansas boards are comprised of individuals whose professions and trades are licensed by the boards on which they serve.

Therefore, HBAK supports a board comprised of members of the construction industry, with equal representation, and would suggest that a board be established as follows:

- 1 general contractor
- 1 building contractor
- 1 residential contractor
- 1 master plumbing contractor
- 1 master electrical contractor
- 1 master mechanical contractor
- 1 public member



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HBAK would have no objection to the State Architect serving as an ex-officio member of this board and, if this committee prefers a larger board than the 7 representatives already requested, we would ask that consideration be given to adding
1 remodeling contractor and
1 at large member of the trades

Nationwide the dollars spent on remodeling is almost equal to the amount spent on new residential construction. The Remodeler Councils across the nation are striving to improve the image and increase the professionalism of the members of that segment of the industry. For this reason, we believe there should be a remodeler's voice on the board.

Without a board composition of this type, we would ask that the committee amend the language in K.S.A. 12-1508 and 12-1525 for substitution in lieu of the board provision of HB 2124.

HBAK supports the language in SB 267 defining General, Building and Residential contractors. This language was adopted from a proposal submitted by a representative of the Heart of America Chapter of Building Officials, except for the deletion of the reference to "class" and "lay out" under the general contractor definition.

Lines 180 through 188 of HB 2124 provides that all contractors be tested for state certification over the current edition of the Uniform Building Code. Kansas does not have a state code and several cities build under other codes. HBAK believes this reference should be deleted.

Although we have no objection to Block & Associates, we see no reason to mention them in the statute, or in any way limit the board in their choice of a testing service.

The term "certification", or "certified", and "licensure" become confused in HB 2124.

To obtain "certification" or become "certified" requires passage of the state approved exam.

To become "licensed" is to obtain a "license" from a local unit of government in order to practice in the jurisdiction of that particular political subdivision.

Each political subdivision may revoke the "license", if the contractor does not meet the code requirements of that jurisdiction. One political subdivision should not have the authority to "blackball" a contractor statewide and remove his "certification" (statewide reciprocity) by having a name struck from the state register as established in section 5, beginning on line 275.

The local building officials have the responsibility to inspect the work of the contractor and request revocation of his "license" issued by the city or county, if the work is unsatisfactory.

We contend that the "certificate" should not be revoked. We have repeatedly stated that passage of any exam does not ensure professional, competent workmanship. Competent inspection does.

HB 2124 does not contain another provision which we believe would be beneficial to the consumers and would increase the professionalism of the industry. I am speaking of the registration provision contained in section 6 of SB 267.

The liability insurance provision in this section was provided to afford protection for the consumer, without restricting competition through bonding, which requires greater financial security than many small contractors have, at least when they start a business.

HBAK would not oppose an amendment which would place registration under the division of architectural services, if this committee views this as more appropriate.

Finally, there has been concern expressed regarding the absence of a grandfather clause for contractors who have been in business for many years. We ask that you give careful consideration to this issue.

Thank you for your consideration of our request.

Abstracters' Board of Examiners	KSA 74-3901	3 abstracters
Accountancy, State Board of	KSA 1-201	5 CPA's, 1 municipal acct, 1 public
Agriculture, State Board	74-502 et seg.	farm organizations appoint delegates
Barber Examiners, Board of	KSA 74-1805	3 barbers, 2 public
Behavioral Sciences Reg. Bd.	KSA 74-7402	2 cert. psychol, 2 licensed, 2 public
Cosmetology, State Board of	KSA 74-2701	5 cosmetologists
Corn Commission	1988 SB 637	9 growers, by district
Dealer Review Board	KSA 6-2412	2 new car dealers, 2 used car dealers 1 salvage dealer, 2 public
Dental Board	KSA 74-1404	3 dentists, 1 hygienist, 1 public
Emergency Medical Services	1988 HB 2639	1 doctor, 2 county commissioners, 4 legislators, 1 EMS instructor-coordinator, 1 hospital administrator 1 firefighter, 3 attendants
Engineers (Board of Tech.Prof.)	KSA 74-7001	3 engineers, 1 land surveyor 3 architects 1 landscape architect 1 public
Grain Advisory Comm.	KSA 34-121	1 farmer, 1 banker, 1 public terminal grain warehouse operator, 1 stockholder in farmers coop
Grain Sorghum Comm.	1988 SB 637	9 growers, by district
Healing Arts	KSA 65-2812	5 MD's, 3 DO's, 3 DC's, 1 DPM, 3 public
Milk Advisory Comm.	KSA 65-737b	4 engaged in milk industry, 1 public
Mortuary Arts, State Bd.	KSA 74-1701a	3 morticians, 2 public
Nursing, St. Bd.	KSA 74-1106	5 RN's, 2 LPN's, 2 mental health techs 2 public
Optometry, Bd of Examin.	KSA 74-1501	3 optometrists, 1 public
Pharmacy, Board of	KSA 74-1603	5 Reg.Pharm, 1 public
Real Estate Commission	KSA 58-3034	3 Real Estate brokers, 2 public
Savings & Loan Board.	KSA 74-3113	5 S & L operators/managers 2 public
Soybean Commission	1988 SB 637	7 growers, by district
Veterinarians, Board of	KSA 47-816	4 licensed, 1 public
Wheat Comm.	1988 HB 2967	7 growers, by district

STATE OF KANSAS

LEGAL CONSULTATION—LEGISLATIVE
COMMITTEES AND LEGISLATORS
LEGISLATIVE BILL DRAFTING
SECRETARY—LEGISLATIVE
COORDINATING COUNCIL
SECRETARY—KANSAS COMMISSION
ON INTERSTATE COOPERATION
KANSAS STATUTES ANNOTATED
EDITING AND PUBLICATION
RULES AND REGULATIONS
FILING AND PUBLICATION
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TO: Senate Governmental Organization Committee
FROM: Jill Wolters, Assistant Revisor of Statutes *Jaw*
DATE: March 21, 1989
RE: HB 2124, As Amended by House Committee, concerning
Building Trades

House Bill No. 2124, as amended by House Committee, establishes the building trades board of examinations and imposes certain duties upon the board.

Section 1 is the definition section of the bill. Subsection (a) defines "building trades" and includes building contractors, general contractors, residential contractors, electrical contractors, electricians, plumbing contractors, plumbers, and heating, ventilation and air conditioning contractors or mechanics. The following subsections define these terms and set up criteria a person must meet to become certified or licensed.

Section 2 establishes a building trades board of examinations composed of 12 members. Of those members, 11 will be appointed by the governor and the director of the division of architectural services of the department of administration will be an ex officio nonvoting member. The 11 members are appointed as follows:

- 2 code enforcement officers employed by political subdivisions;
- 1 certified or licensed class A general contractor;
- 1 certified or licensed class B building contractor;
- 1 certified or licensed class C residential contractor;

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- 1 plumber contractor certified or licensed as a master plumber;
- 1 certified or licensed journeyman plumber;
- 1 electrical contractor certified or licensed as a master electrician;
- 1 certified or licensed journeyman electrician;
- 1 mechanical heating, ventilation and air conditioning contractor certified or licensed as a master heating, ventilation and air conditioning mechanic; and
- 1 member of the general public, not connected with the building trades.

Section 2 also provides for the members to have staggered terms, with succeeding terms to be 4 years. The board shall meet once a year for the sole purpose of designating examinations and to fix fees charged to applicants. The fee shall not exceed \$20 annually. Designation of examinations shall be made on or before June 1 of each year and shall be for a twelve-month period beginning on July 1 of each year. The director of architectural services shall provide rooms, secretarial and staff assistance for the board. The board shall elect a chairperson and the members will serve without compensation. Section 2(b) also contains a provision that the meeting will adjourn when the purposes are accomplished.

Section 2(c) creates a building trades examination fund. Money from this fund shall be used only for expenses incurred by the board and the director of architectural services in the performance of their duties and functions under this act.

Section 3 states standard examinations shall be designated by the board. Examples of the standard examination would be those prepared and published by Block and Associates.

Section 4 establishes what information will be included on the certificate or license. The political subdivision conducting the exam shall issue the certificate or license within 30 days of the date of examination. Any political subdivision may conduct the exams and if they do, they shall adopt rules and regulations:

1. Fixing a uniform fee;
2. providing documentable work experience; and
3. prescribing a minimum passing score of 75%.

Section 4 further states the license or certificate is valid proof of competency. Subsection (d) of section 4 discuss is when an applicant is not required to take additional testing. There is a grandfather clause in subsection (f) for those people certified or licensed under article 15 of chapter 12 of Kansas Statutes Annotated if the minimum score was not less than 70%. Political subdivisions are not required to issue a certificate or license to any person whose certificate or license has been revoked by

any other political subdivision.

Section 5 states the director shall maintain a register of all persons holding a valid certificate or license. The register will have the name, residence address, certificate or license number and if available, the driver's license number. Any person whose license is revoked or suspended shall be stricken from the register. The name shall remain off until another certificate or license has been issued. Neither the director nor any employer shall be held liable for damages resulting from reliance upon the information submitted by political subdivisions. On or before July 1 of each year, the director shall notify each person on the register of the requirement for renewal of state recognition and the amount of the fee. The fee shall be set by the director to maintain the register. Failure to renew will mean the person's name will be removed from the register. Within 60 days of the renewal date, the person may be reinstated and will be charged a penalty of 50% of the renewal fee. Copies of the register will be available from the director at cost.

Section 6 requires political subdivisions on January 1, 1990 to submit to the director a list of persons holding valid certificates or licenses and after January 1, 1990, to update the list monthly. The list shall contain the necessary information needed as well as the fee. Revocations of certificates or licenses shall be reported to the director on and after January 1, 1990. From and after February 1, 1990, political subdivisions may contact the director for verification of a valid certificate or license.

Section 7 permits political subdivisions to conduct exams to determine competency for those solely within their jurisdiction; adopt and enforce codes and standards with respect to building trades; and conduct inspections. The licenses and certificates issued solely within the political subdivision's jurisdiction are not reciprocal unless specifically authorized between subdivisions. These certificates and licenses will not be maintained on the register by the director.

Section 8 states that this act shall not be construed to allow any one to engage in the practice of the technical professions (K.S.A. 74-7003) unless licensed by the board of technical professions nor to effect the practice of highway contractors.

The effective date of the act is July 1, 1989.

Attached to the memo is a copy of the statutes repealed by HB 2124, as amended.

and without executing a nonlitigation certificate required by K.S.A. 10-108a, and amendments thereto. All proceedings for the issuance of such bonds and all bonds issued pursuant thereto are hereby validated and confirmed. The total amount of bonds issued under authority of this act shall not exceed the amount of \$75,000.

History: L. 1986, ch. 60, § 1; April 17.

Article 14.—CEMETERIES

12-1401.

Attorney General's Opinions:

Cemeteries; cities, townships and corporations; acquisition of property. 86-171.

Eminent domain; procedure act; human remains; compensation. 88-73.

CASE ANNOTATIONS

1. Cited. power of city to zone property resulting in cemetery becoming nonconforming use examined. Johnson County Memorial Gardens, Inc., v. City of Overland Park. 239 K. 221, 223, 718 P.2d 1302 (1986).

12-1440.

Attorney General's Opinions:

Revestment of title to cemetery lots; procedure. 87-17.

Article 15.—PLUMBING AND ELECTRICAL WIRING

PLUMBERS AND PLUMBING IN CITIES

12-1501, 12-1502.

History: L. 1903, ch. 377, §§ 1, 2; R.S. 1923, §§ 12-1501, 12-1502; Repealed, L. 1986, ch. 73, § 7; July 1.

12-1503. Board of examiners; composition; appointment; compensation. There may be established in every city a board of examiners of plumbers consisting of three members, one of whom shall be a member of the health department of the city, who shall be ex officio chairperson of the board of examiners; a second member, who shall be a master plumber; and a third member, who shall be a journeyman plumber. The second and third members shall be appointed by the mayor and approved by the governing body of the city, and may be paid from the general fund of the city, in such amount as the governing body of the city may designate.

History: L. 1903, ch. 377, § 3; R.S. 1923, § 12-1503; L. 1945, ch. 102, § 1; L. 1986, ch. 73, § 5; July 1.

12-1504.

History: L. 1903, ch. 377, § 4; R.S. 1923, § 12-1504; Repealed, L. 1986, ch. 73, § 7; July 1.

12-1505. Plumbing and sewerage regulations; permit. Each city in the state having a system of water supply or sewerage may by ordinance, prescribe rules and regulations for the materials, construction and inspection of all plumbing and sewerage placed in or in connection with any building in each city, and may further provide that no plumbing work shall be done, except in case of repairing leaks, without a permit first being issued therefor upon such terms and conditions as such city shall prescribe.

History: L. 1903, ch. 377, § 5; R.S. 1923, § 12-1505. L. 1986, ch. 73, § 6; July 1.

12-1506, 12-1507.

History: L. 1903, ch. 377, §§ 6, 7; R.S. 1923, §§ 12-1506, 12-1507; Repealed, L. 1986, ch. 73, § 7; July 1.

PLUMBERS AND PLUMBING IN CITIES AND COUNTIES

12-1508. Competency of plumbers for licensure; designation of standard examinations. Standard examinations for the determination of competency of plumbing contractors and master and journeyman plumbers, based upon codes and standards effective on July 1, 1986, prepared and published and available upon such date from Block and Associates, Florida Farm Bureau Building, 5700 S.W. 34th St., # 1303, Gainesville, Florida 32608, are hereby designated as the standard examinations for determining the qualification of persons seeking licensure as plumbing contractors and master and journeyman plumbers for the purposes of this act.

History: L. 1986, ch. 73, § 1; July 1.

Attorney General's Opinions:

Competency and licensure of plumbers and electricians. 87-41.

12-1509. Rules and regulations relating to licensure and examination; certificate of competency; uniform fee required; where licenses valid. (a) Any county or city requiring the licensure of plumbers practicing within the county or city may conduct examinations designated by K.S.A. 1986 Supp. 12-1508 for the purpose of determining the competency of ap-

h. 377, § 5; R.S. 1923, 1986, ch. 73, § 7; July 1.

g and sewerage regulation in the state having by or sewerage may by rules and regulations for the protection and inspection of the same to be placed in or in connection with each city, and may require that all plumbing work shall be done in conformity with the rules and regulations being issued therefor under the same conditions as such city.

h. 377, § 5; R.S. 1923, 1986, ch. 73, § 6; July 1.

h. 377, §§ 6, 7; R.S. 1923, 1986, ch. 73, § 7; Repealed, L. 1986, ch. 73, § 7.

PLUMBING IN CITIES AND COUNTIES

Authority of plumbers for licensure and standard examinations. The determination of the jurisdiction of plumbers and master plumbers, based upon the provisions of the act effective on July 1, 1986, and available upon the Florida Farm Bureau Building, 5700 S.W. 34th St., Gainesville, Florida 32608, are hereby designated as the standard examinations for the determination of persons seeking licensure as electrical contractors and master plumbers for the purposes of this act.

July 1, 1986.

plumbers and electricians.

regulations relating to the examination and licensure of plumbers; certificate of competency required; where licensure is required; where licensure is not required; where licensure is required by the county or city requiring the examination; and where licensure is required by the county or city requiring the examination designated by K.S.A. 1986 Supp. 12-1508 for the purpose of determining the competency of applicants for such licensure.

plumbers and electricians. The board of county commissioners of such county or the governing body of such city shall adopt rules and regulations: (1) Governing the conduct and grading of such examinations; (2) prescribing requirements for passage of examinations; and (3) fixing a uniform fee to be charged all applicants taking each such examination.

(b) The certificate of competency received by any person who successfully passes an examination designated by K.S.A. 1986 Supp. 12-1508 shall be valid proof of competency for licensure, without additional examination, in any county or city of the state which requires licensure of plumbers practicing within such county or city. The county or city shall issue the appropriate license to any applicant therefor who presents such a certificate of competency. The county or city shall fix a uniform fee to be charged all such applicants for licensure.

(c) All licenses issued by a county or city upon the basis of successful passage of an examination designated by K.S.A. 1986 Supp. 12-1508 shall bear a distinctive notation of such fact. All such licenses shall be valid in any other county or city which requires examination and licensure of plumbers for practice in such county or city.

History: L. 1986, ch. 73, § 2; July 1.

Attorney General's Opinions:

Competency and licensure of plumbers and electricians. 87-41.

12-1510. Alternative examinations authorized; validity of license limited; codes, standards and regulations; inspections and fees; reciprocal agreements. Within their respective jurisdictions and subject to the provisions of K.S.A. 1986 Supp. 12-1509, any city or county may:

(a) Utilize examinations other than those designated by K.S.A. 1986 Supp. 12-1508 for the examination of plumbers for licensure to practice only within the jurisdiction of such city or county;

(b) adopt and enforce such plumbing codes, standards and regulations as the board of county commissioners or governing body of the city deem appropriate; and

(c) conduct such inspections and fix such reasonable fees therefor as the board of county commissioners or governing body of the city may prescribe.

Except when authorized by reciprocal agreement between the political subdivisions in-

volved, licenses granted upon the basis of examinations other than those designated by K.S.A. 1986 Supp. 12-1508 shall not authorize a plumber to practice outside of the jurisdiction of the city or county granting such license.

History: L. 1986, ch. 73, § 3; July 1.

Attorney General's Opinions:

Competency and licensure of plumbers and electricians. 87-41.

12-1511. Construction of act; inapplicable to practice of engineering. 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 and amendments thereto without having first received a license or authorization to practice engineering by the Kansas state board of technical professions.

History: L. 1986, ch. 73, § 4; July 1.

12-1512 to 12-1524. Reserved.

ELECTRICIANS AND ELECTRICAL WIRING

12-1525. Competency of electricians for licensure; designation of standard examinations. Standard examinations for the determination of competency of electrical contractors, master and journeyman electricians and residential electricians, based upon codes and standards effective on July 1, 1986, prepared and published and available upon such date from Block and Associates, Florida Farm Bureau Building, 5700 S.W. 34th St., # 1303, Gainesville, Florida 32608, are hereby designated as the standard examinations for determining the qualification of persons seeking licensure as electrical contractors, master and journeyman electricians and residential electricians for the purposes of this act.

History: L. 1986, ch. 65, § 1; July 1.

Attorney General's Opinions:

Competency and licensure of plumbers and electricians. 87-41.

12-1526. Rules and regulations relating to examination and licensure; certificate of competency; uniform fee required; where licenses valid. (a) Any county or city requiring the licensure of electricians practicing within the county or city may conduct examinations designated by K.S.A. 1986 Supp. 12-1525 for the purpose of determining the competency of applicants for such licensure. The board of county commissioners of such county or the

governing body of such city shall adopt rules and regulations: (1) Governing the conduct and grading of such examinations; (2) prescribing requirements for passage of examinations; and (3) fixing a uniform fee to be charged all applicants taking each such examination.

(b) The certificate of competency received by any person who successfully passes an examination designated by K.S.A. 1986 Supp. 12-1525 shall be valid proof of competency for licensure, without additional examination, in any county or city of the state which requires licensure of electricians practicing within such county or city. The county or city shall issue the appropriate license to any applicant therefor who presents such a certificate of competency. The county or city shall fix a uniform fee to be charged all such applicants for licensure.

(c) All licenses issued by a county or city upon the basis of successful passage of an examination designated by K.S.A. 1986 Supp. 12-1525 shall bear a distinctive notation of such fact. All such licenses shall be valid in any other county or city which requires examination and licensure of electricians for practice in such county or city.

History: L. 1986, ch. 65, § 2; July 1.

Attorney General's Opinions:

Competency and licensure of plumbers and electricians. 87-41.

12-1527. Alternative examinations authorized; validity of license limited; codes, standards and regulations; inspections and fees; reciprocal agreements. Within their respective jurisdictions and subject to the provisions of K.S.A. 1986 Supp. 12-1526, any city or county may:

(a) Utilize examinations other than those designated by K.S.A. 1986 Supp. 12-1525 for the examination of electricians for licensure to practice only within the jurisdiction of such city or county;

(b) adopt and enforce such electrical codes, standards and regulations as the board of county commissioners or governing body of the city deem appropriate; and

(c) conduct such inspections and fix such reasonable fees therefor as the board of county commissioners or governing body of the city may prescribe.

Except when authorized by reciprocal agreement between the political subdivisions involved, licenses granted upon the basis of

examinations other than those designated by K.S.A. 1986 Supp. 12-1525 shall not authorize an electrician to practice outside of the jurisdiction of the city or county granting such license.

History: L. 1986, ch. 65, § 3; July 1.

Attorney General's Opinions:

Competency and licensure of plumbers and electricians 87-41.

12-1528. Construction of act; inapplicable to practice of engineering. 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 and amendments thereto without having first received a license or authorization to practice engineering by the Kansas state board of technical professions.

History: L. 1986, ch. 65, § 4; July 1.

Article 16.—MISCELLANEOUS PROVISIONS

12-1608. Quarterly report by treasurer. The treasurer of each city shall publish or cause to be published in some newspaper published in such city, or if there is no newspaper published in such city then in some newspaper published in the county in which such city is located and having a general circulation in such city, within 30 days after the quarter ending in March, June, September and December of each year, a statement showing the total amount received into each fund and the total amount expended from each fund and the cash balances of each fund at the beginning and close of each quarter. Such quarterly statement shall show the amount of outstanding registered warrants, temporary notes, bonds and all other obligations and liabilities of the city.

History: L. 1913, ch. 76, § 1; R.S. 1923, § 12-1608; L. 1927, ch. 102, § 1; L. 1984, ch. 70, § 1; July 1.

12-1615. Donations of property for hospital purposes; board of trustees, membership, terms of office, vacancies; pension and deferred compensation plans for employees; contracts insuring employees and dependents; expenditure of funds for recruitment of professional staff. (a) As used in this section, the term "hospital" means a medical care facility as defined in K.S.A. 65-425 and includes within its meaning any clinic, school of nurs-

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