

Approved

Thomas F. Walker
Date 2-20-90

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by Representative Thomas F. Walker at
Chairperson

9:00 a.m./p.m. on Thursday, February 15, 1990 in room 522-S of the Capitol.

All members were present except:

Representative Gjerstad - Excused

Committee staff present:

Avis Swartzman - Revisor
Julian Efird - Legislative Research
Jackie Breymeyer - Committee Secretary

Conferees appearing before the committee:

Representative Debara Schauf
Mike Dirck - A+ Plumbing
R. Neil Carlson - Plumbing by Carlson, Inc.
David Corliss - League of Kansas Municipalities
Tim Pinnick - Codes Enforcement Officer, City of Lawrence
Jim DeHoff - Kansas AFL-CIO
Jim Cranford-Heart of America Chapter of the International Conference of
Building Officials
Jeff Prince - Building Trades Official, City of Derby
Margaret J. Miller, Wichita-Member of Citizens for Recycling
Susan Berton - Assistant to City Manager, City of Olathe
Mike Rundle-City Commissioner, Lawrence, Kansas
Representative John McClure

Chairman Walker called the meeting to order. The first bill on the agenda was HB 2771 - plumbers and plumbing.

HB 2771 - plumbers and plumbing

Representative Schauf, bill sponsor gave a few opening remarks. She had testimony from Larry Sampson, President, Wichita Plumbing, Heating, Cooling Contractors Association, Inc. Mr. Sampson was unable to appear. Representative Schauf related to legislation passed July 1, 1986. This legislation has impeded many qualified plumbers from work in other cities than those in which they reside. The plumbers are asking that HB 2771 be passed to allow them to work throughout the state. These plumbers are those who possess a certificate of competency and proof that they were certified and practicing before July 1, 1986. (Attachment 1) Representative Schauf ended her talk by stating that this will only be restoring the rights previously in existence.

Mike Dirck, A+ Plumbing, distributed an attachment to the Committee. He directed attention to 12-1504 which he had highlighted to show present law. Passage of HB 2771 will grandfather plumbers to do the work they have been doing for years. He stated that the percentages of those persons passing the Block test is very low. He said the test does not measure the competency of a plumber. In his opinion he has been legislated out of a job. (Attachment 2)

R. Neil Carlson testified next on the bill. Mr. Carlson has been in the plumbing industry 27 years and has been licensed for 20 years. Before the 1986 legislation was passed he could work throughout the State of Kansas. Now he is only qualified to work in the City of Topeka or an unlicensed area. He is only asking for recognition of licenses that were held prior to the law being enacted. (Attachment 3)

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION,

room 522-S, Statehouse, at 9:00 a.m./p.m. on Thursday, February 15, 1990

Dave Corliss, League of Kansas Municipalities, addressed the bill. Mr. Corliss spoke in opposition to HB 2771. He stated the purpose of examinations and certificates of competency ensure a minimum level of skill and conduct. This improves public safety. HB 2771 subverts this goal. Providing a grandfather clause should be determined by the local governing bodies who are directly responsible for the regulations. (Attachment 4)

Tim Pinnick, Codes Enforcement Officer, City of Lawrence spoke next to the bill. He also opposed HB 2771. He stated this bill would undermine confidence in the certification system. Without standard examinations the system is without value. (Attachment 5)

Jim DeHoff, Kansas AFL-CIO, spoke next in opposition to the bill. He was testifying on behalf of the Kansas Pipetrades Association. Plumbers who have taken the state plumbing test have had no difficulty and have had the freedom to go to another city without being re-tested. This is a great improvement over former times when, at times, anyone who was willing to pay could get a license. There were many problems with "fly-by-night" plumbers. The block test has been an improvement. Mr. DeHoff's testimony stated that ". . . anyone who has the knowledge to perform plumbing does not have any difficulty in passing the block test." (Attachment 6)

Jim Cranford, Heart of America Chapter of the International Conference of Building Officials, spoke in opposition to HB 2771. He stated the current minimum standard for reciprocity for plumbers which has been in effect since 1986 is working extremely well. There needs to be a real basis for qualifications rather than simple grandfathering. If these people want to work in every jurisdiction of the state then the means to that end is through the Block and Associates test. (Attachment 7)

Jeff Prince, Building Trades Official for the City of Derby, Kansas, spoke in opposition to HB 2771. He directed attention to lines 35 through 41 of the bill. He commented that this does not say the individual must pass an examination to receive a certificate. This subverts the entire requirement for standardized testing. This is unacceptable for two reasons: reciprocity will be granted without evidence (testing) of the applicant to see if he is qualified; second, it does not promote the general safety and welfare of the public. Mr. Prince cited several professions which must maintain and upgrade their skills and techniques to keep abreast of new changes. If an applicant has been working in the plumbing field and has knowledge of code changes, there should be no problem passing an examination. It is unfair to jurisdictions who have had people pass the test and met minimum standards of competency to be required to issue a certificate to those not having met such standards. (Attachment 8)

The Chairman clarified the bill by stating what it intends to do is set the standard for reciprocity.

Many questions and comments by committee members ensued. One questioned whether people were being accommodated or run out of business. It was commented that a test does not measure the competency of a plumber. One of the conferees stated his son had taken a course in school on the test and had passed it. He is a student, not a plumber. The low percentage of persons passing the test was commented on. Some persons might not be capable of passing a test who are mechanically adept. One of the members asked a conferee if some persons are allowed to practice in Wichita who have not taken the test. The conferee replied that some persons are allowed to do so because they have knowledge of their expertise. However, if it is someone they do not know a decision must be based upon some form of minimum standard qualification.

As there was no one else to address the bill, the Chairman stated the hearing closed on HB 2771.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION,

room 522-S, Statehouse, at 9:00 a.m./p.m. on Thursday, February 15, 1990

The Committee turned to HB 2805 and HB 2806. Normally one bill would be heard at a time. Due to adverse weather conditions and some conferees traveling great distances, the two bills were heard to accommodate these persons. The Chairman stated continuation of these two bills would be held Tuesday, February 20.

Representative McClure spoke briefly. He stated there was a problem with one section of the bill relating to price preference; meeting quotas that are spelled out later in the bill. This can be taken care of by amendment.

Margaret J. Miller, Wichita, concerned citizen and member of the Citizens for Recycling appeared on the bill. Ms. Miller had two attachments that were distributed to the committee. She stated that recycling makes sense from the standpoint of saving natural resources, energy and water, and from the point of view of preventing degradation of the environment. Recycling can save forests, energy, and avoid air and water pollution. It can protect wildlife habitats and provide cheaper raw materials. This makes for an everybody-wins situation. (Attachment 9) Ms. Miller's other attachment gave a short history of Citizens for Recycling. (Attachment 10)

Susan Berton, Assistant to the City Manager, City of Olathe, spoke next to the bills. She voiced the City of Olathe's support for both bills. She stated this is becoming one of the most important topics facing our cities and state. Many cities are tackling the issue, but need the state to play its role in the area of solid waste. (Attachment 11)

Mike Rundle, City Commissioner, Lawrence, Kansas was last to appear on both bills. He confined his comments to HB 2805. He had previously spoke to two interim committees dealing with these issues. Lawrence City Hall has made a commitment to using recycled paper. About one ton of recycled paper has been purchased on the University of Kansas campus. This type of use avoids environmental impacts from chemicals used in bleaching, de-inking and other processes. His testimony stated a general goal could be achieved to use a minimum percentage of recycled paper in state agencies. A reporting requirement could be implemented to show the efforts expended in efforts to secure recycled paper for state use. (Attachment 12)

Due to the House going into session at 10:00 a.m., Chairman Walker reiterated hearings would be continued on HB 2805 and HB 2806 Tuesday, February 20.

The meeting was adjourned.

WICHITA



NATIONAL ASSOCIATION OF
PLUMBING • HEATING • COOLING CONTRACTORS

PLUMBING, HEATING, COOLING CONTRACTORS ASSOCIATION, INC.

320 LAURA, WICHITA, KANSAS 67211

PHONE 316 / 262-8860

February 14, 1990

To: Governmental Organization Committee - Kansas House of Representatives

Re: H.B. 2771

Honorable Chairman and Committee Members:

I am Larry Sampson, and I am President of the Wichita Plumbing, Heating Cooling Contractors Association. On behalf of the Wichita members of the Association, I request your favorable consideration of the House Bill 2771 before you today.

It has become increasingly apparent that many qualified plumbers lost their ability to work throughout the state with the passage of the statewide licensing law. It is important to note that their qualifications did not change - the law did.

Contractors with excellent reputations and outstanding dedication to their profession now find that they can no longer perform work outside the city they reside in. Until July 1, 1986, they had that ability.

Contrary to some opinions, the passage of this bill will not lead to a proliferation of poor quality work. It must be stressed that the final assurance of code compliance rests with the inspector. What we request is that you restore the freedom to work throughout the state to those plumbers who possess a certificate of competency and proof that they were certified and practicing before July 1, 1986.

The proposal before you has our full support. We request your support. Please consider our respectful request for your consideration.

I would be most happy to attempt to answer any questions you might have.

Sincerely,

Larry Sampson
Larry Sampson, President

ATTACHMENT 1
GOVERNMENTAL ORGANIZATION
2/15/90

LS:mlt

Post-It™ brand fax transmittal memo 7671		# of pages > 1
To	Mike Dirac	From
Co.	c/o Rep Schauf	Co.
Dept.		Phone #
Fax #	913-296-1154	Fax #
		316-262-8860

February 15, 1990

Charles M. Dirck dba/ A-Plus Plumbing
7520 So. Broadway
Wichita, Kansas
(316) 522-4746

Re: Adopting Bill #2771

1. State Statute #12.1504

- A. Was in effect from 1923 thru 1986.
- B. Let plumbing contractors plumb in any city in the state.
- C. I used this statute to get licenses over most of the state when I plumbed Restaurants for three national chains.

2. How current law effects the Master Plumber

- A. I received my Master Plumbing License 25 years ago. Over the years I have engaged in plumbing contract work all over the state of Kansas. Until 1986, I was able to do this work under Statute #12.1504.
- B. There were times when I went to a town that did not want to honor my Plumbing License - but after I called their attention to Statute #12.1504, they always honored my Plumbing License and I was always able to do the plumbing work.

3. The law at Present

- A. I can no longer travel through out the state of Kansas and do the plumbing work I had been actively doing for 21 years under Statute #12.1504.
- B. Recently, I have been contacted by some out-of-state national chains wanting me to do their plumbing work in the State of Kansas. I am currently unable to even bid this work as I have not taken the State Block and Associates test.

1. I have been a respected, qualified Master Plumber, licensed to do plumbing work all over Kansas under Statute #12.1504 until 1986. It is UNFAIR to require me to take time away from my business and current responsibilities to go take the State Block and Associates test which will only qualify me to do the very work I have been doing, been licensed for, and have been QUALIFIED to do for the past 25 years.

- C. There are a lot of contractors in the same position that I am in. They have been qualified plumbers in good standing for many years and now are unable to do contract plumbing jobs across the state.

4. Journeyman Plumbers

- A. Without a journeyman State Block and Associates certificate, the journeyman cannot travel across the state and plumb.
- B. There are many, many journeyman who have had licenses for many years who now can only plumb in their local jurisdiction.

Adopting Bill #2771 will GRANDFATHER Master and Journeyman Plumbers having licenses before 1986 to be able to continue doing the work that they have always been able to do prior to 1986 when the new ordinance came into effect.

I can find no proof, of any other legislation of this magnitude, having been adopted without some form of grandfather clause to insure that individuals are not put out of work because they no longer qualify to pursue the profession they have already studied for, qualified for, been licensed for and have been working at for years!

ATTACHMENT 2
GOVERNMENTAL ORGANIZATION
2/15/90

12-1501

CITIES AND MUNICIPALITIES

every city of seven thousand inhabitants or more 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 chairman of said board examiners; a second member, who shall be a master plumber; and a third member, who shall be a journeyman plumber. Said second and third members shall be appointed by the mayor and approved by the council of said city within three months after the passage of this act, for the term of one year from the first day of May in the year of appointment, thereafter annually before the first day of May, and shall be paid from the treasury of said city the same as other officers, in such sum as the authorities may designate.

History: L. 1903, ch. 377, § 3; R.S. 1923, § 12-1503; L. 1945, ch. 102, § 1; June 25.

12-1504. Times and places for examination; what examination shall cover; certificate; fees. Said board of examiners shall, as soon as may be after their appointment, meet, and shall then designate the times and places for examination of all applicants desiring to engage in or work at the business of plumbing within their respective jurisdiction. Said board shall examine said applicants as to the practical knowledge of plumbing, house drainage, and plumbing ventilation, and, if satisfied of the competency of such applicants, shall thereupon issue a certificate to such applicant, authorizing the applicant to engage in or work at the business of plumbing, either as master plumber or employing plumber or as a journeyman plumber. The fee for a certificate for a master plumber or employing plumber shall be five dollars; for a journeyman plumber it shall be two dollars. Said certificate shall be valid and have force throughout the state; and all fees received for said certificate shall be paid into the treasury of the city where such certificates are issued.

History: L. 1903, ch. 377, § 4; June 1; R.S. 1923, § 12-1504.

12-1505. Regulation of plumbing; permit. Each city with a population of seven thousand or more in the state having a system of water supply or sewerage shall by ordinance, within three months of the passage of this act, 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 the board of health or proper authorities shall 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; June 1; R.S. 1923, § 12-1505.

CASE ANNOTATIONS

1. Validity of statute upheld so far as challenged. *Kleinheim v. Bentley*, 98 K. 431, 157 P. 1190.

2. Ordinance enacted hereunder held within purpose of statute: valid. *Kleinheim v. Bentley*, 98 K. 431, 157 P. 1190.

12-1506. Where application for examination made. All persons who are required by this act to take examinations and procure a certificate as required by this act shall apply to the board in the city where they reside, or to the board nearest their place of residence.

History: L. 1903, ch. 377, § 6; June 1; R.S. 1923, § 12-1506.

12-1507. Violations; penalty. Any person violating any provision of this act shall be deemed guilty of a misdemeanor, and be subject to a fine of not less than five dollars nor exceeding fifty dollars for each and every violation thereof.

History: L. 1903, ch. 377, § 7; June 1; R.S. 1923, § 12-1507.

Article 16.—MISCELLANEOUS PROVISIONS

12-1601, 12-1602.

History: R.S. 1923, §§ 12-1601, 12-1602; L. 1970, ch. 366, §§ 7, 8; Repealed, L. 1981, ch. 70, § 1; July 1.

Source or prior law:
L. 1899, ch. 79, §§ 1, 2.

12-1603.

History: R.S. 1923, § 12-1603; Repealed, L. 1970, ch. 366, § 22; April 1.

Source or prior law:
L. 1899, ch. 79, § 3.

12-1604 to 12-1607.

History: L. 1915, ch. 268, §§ 1 to 4; R.S. 1923, §§ 12-1604 to 12-1607; Repealed, L. 1963, ch. 82, § 1; June 30.

12-1608. Quarterly report by treasurer. The treasurer of each and every city shall publish or cause to be published in some

newspaper published in some newspaper in which such general circulation twenty days of March, June, and September each year, a statement of the amount received and expended for cash balances and close of each quarterly statement of outstanding treasury notes, bonds and liabilities.

History: L. 1915, ch. 268, § 1; R.S. 1923, § 12-1608; L. 1945, ch. 102, § 1; Source or prior law: L. 1864, ch. 69; G.S. 1888, ch. 18, § 1.

12-1609. Suror violating act shall be deemed and upon the subject to a fine of not less than thirty dollars nor more than fifty dollars or by imprisonment for not less than thirty days by both such penalties for each offense.

History: L. 1915, ch. 268, § 2; R.S. 1923, § 12-1609.

12-1610. **History:** L. 1915, ch. 268, § 12-1610; Repealed, April 8.

Revisor's Note:
New act, see 12-1610a.

12-1610a. Subscriptions, political subdivisions are authorized to contribute to Kansas their officers and at least one board their archives.
History: L. 1915, ch. 268, § 13.

12-1610b. Information. The political subdivisions may cooperate with publishers of Kansas compilation of

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Plumbing by Carlson, Inc.

1820 Van Buren Street

Topeka, Kansas 66612

Telephone 232-0515

February 15, 1990

RE: H. B. 2771

R. Neil Carlson
5425 SW 51st Terr
Topeka KS 66610

I am a plumbing contractor. I have a contractors license and a masters license in the City of Topeka and operate as Plumbing by Carlson, Inc. I am a member of the Topeka Association of Plumbing, Heating and Cooling Contractors, Inc and serve as its president. I am also a member of the Kansas PHCC and the Mechanical Contractors Association of Topeka and MCA of Kansas. I am a member of the Topeka Home Builders Association and the Home Builders Association of Kansas. I serve on the Associate member council locally and as the State Associate National director for the state to the national association of Home Builders.

I have been in the plumbing industry for 27 years and have been licensed for twenty years. Prior to the state license law in 1986 I had the freedom to take my license to most class A cities in the State of Kansas and work at my trade. Since the law was passed, I am only qualified to work in the City of Topeka or in any unlicensed area.

The Topeka members of the PHCC request a grandfather ordinance or bill to recognize all licenses plumbers journeymen and master plumbers who were licensed and tested prior to the 1986 bill being enacted.

Our association TPHCC believes the intent of the licesing bill was to establish a state wide testing criteria for our industry so all plumbers and contractors would be tested on an equal basis. We supported that legislation. We did not think the licensing law would restrict or remove the business activities of all previously recognized licenses.

There are opponents who argue that the grandfather clause would open the industry up and grant license to many previously unlicensed and untested people and we are opposed with them. We only ask for recognition of licenses that we held prior to the law being enacted.

ATTACHMENT 3
GOVERNMENTAL ORGANIZATION
2/15/90

Thank you



League of Kansas Municipalities

PUBLISHERS OF KANSAS GOVERNMENT JOURNAL/112 WEST SEVENTH ST., TOPEKA, KANSAS 66603/AREA 913-354-9565

TO: House Committee on Governmental Organization
FROM: David Corliss, League of Kansas Municipalities
DATE: February 15, 1990
RE: HB 2771 -- Certification of Plumbers

The League of Kansas Municipalities appears in opposition to HB 2771. The League's State Legislative Committee took a position in opposition to HB 2771 at its meeting on February 9, 1990.

The purpose of trade examinations and certificates of competency is to ensure a minimum level of professional skill and conduct in the building trades thereby enhancing compliance with local building codes and improving public safety. HB 2771 unnecessarily subverts this important public goal by allowing practicing plumbers who were certified by a city or county on July 1, 1986 to be issued a certificate of competency without meeting any current examination requirements of a city or county.

The issue of providing a grandfather clause from trade professional examinations should be determined by the local governing bodies directly responsible for the regulation. If the legislature mandates a grandfather clause for plumbers in a particular circumstance, as proposed in HB 2771, other locally regulated trade professionals will have a precedent to seek further legislative exemptions from examination requirements. Local regulation of the building trades through licensure, examination and building codes is working well. The legislature should avoid the temptation of responding to those seeking exemptions from such local regulations.

ATTACHMENT 4
GOVERNMENTAL ORG.
2/15/90

*President: Irene B. French, Mayor, Merriam * Vice President: Frances J. Garcia, Mayor, Hutchinson * Directors: Ed Ellert, Mayor, Overland Park * Harry Felker, Mayor, Topeka * Greg Ferris, Councilmember, Wichita * Idella Frickey, Mayor, Oberlin * William J. Goering, City Clerk/Administrator, McPherson * Judith C. Hollneworth, Mayor, Humboldt * Jesse Jackson, Mayor, Chanute * Stan Martin, City Attorney, Abilene * Richard U. Nienstedt, City Manager, Concordia * Judy M. Sargent, City Manager, Russell * Joseph E. Steineger, Mayor, Kansas City * Bonnie Talley, Mayor, Garden City * Executive Director: E.A. Mosher*

TESTIMONY

To: Members of the Senate Committee on Governmental Organization
From: Tim Pinnick, Codes Enforcement Officer, City of Lawrence
Re: House Bill No. 2771
Date: February 15, 1990

The Codes Enforcement Division of the City of Lawrence opposes Senate Bill No. 2771 because the proposed change will undermine confidence in the certification system. Lawrence wants to continue to issue certificates of competency to persons who have passed standard examinations as stated in the current law. The certification system is built upon standard examinations. Simply, without standard exams the system is without value.

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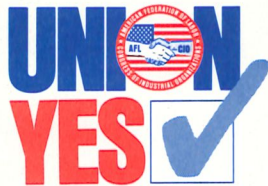
ATTACHMENT 5
GOVERNMENTAL ORG.
2/15/90

Kansas AFL-CIO

110 W. 6th St.

Topeka, KS 66603

(913)357-0396



President
Dale Moore

Executive Secretary
Treasurer
Jim DeHoff

Executive Vice
President
Wayne Maichel

Executive Board

*Delton Baxter
Eugene Burrell
Jim Dickson
Garold Good
Jack Gray
David Han
Jim Hastings
John Hoover
Mike Krasovec
Kenneith Miller
Roger Naylor
John Rider
Wallace Scott
Debbie Snow
Russell Ward
John Weber
Wayne Wiannecki*

February 15, 1990

House Governmental Organization

Mr. Tom Walker, Chairman

Mr. Chairman and Committee Members:

I am Jim DeHoff representing the Kansas AFL CIO. I am testifying on behalf of the Kansas Pipetrades Association who represent a large amount of licensed journeymen plumbers in Kansas.

In the 1986 legislature, legislation was passed for the examination of plumbers and last year HB 2124 was passed in amended form that would allow a state designated examination for the purpose of reciprocity. In other words to allow plumbers who have taken the State Plumbing Test, the freedom to go to another city without having to be re-tested. It has worked very well. Before, under the old statute a plumbing license was not accepted between cities of Kansas unless by mutual agreement.

Many times when a master plumber or journeyman obtained a contract or job in a city other than the one they were licensed in, they had to take a new plumbing test to be licensed again. This caused delays in projects being completed on time. There were also problems with cities issuing a license to "fly by night" plumbers who were not qualified to install safe sanitary plumbing systems. There were times licenses were sold to anyone who was willing to pay the price.

The new license requiring a uniform block test has been a big improvement and anyone who has the knowledge to perform plumbing does not have any difficulty in passing the block test.

We urge you to vote against HB 2771.



ATTACHMENT 6
GOVERNMENTAL ORGANIZATION
2/15/90





Heart of America Chapter

International Conference of Building Officials

House Committee on Governmental Organization

1989-1990

OFFICERS

PRESIDENT
MONTY ROBSON
Building Official
Wichita, Kansas

VICE-PRESIDENT
RON WORLEY
Building Official
Sedgwick County, Kansas

SECRETARY
JOE L. McCOY
Dir. Code Enf.
Olathe, Kansas

TREASURER
JERRY BLAIR
City Inspector
Augusta, Kansas

BOARD OF DIRECTORS

PAST PRESIDENT
JIM CRANFORD
Bldg. Code Admin.
Wichita, Kansas

DON RECTOR
Building Official
Johnson County, Kansas

KENT LAAS
Chief Inspector
Hays, Kansas

DON BERGES
Building Official
Manhattan, Kansas

ROBERT ENGLE
Building Inspector
Great Bend, Kansas

COMMITTEES

LEGISLATIVE
JIM CRANFORD

EDUCATION
JEFF PRINCE

CODE CHANGES
LOREN DEINES

SERGEANT AT ARMS
JOHN HUFFERD

Mr. Chairman, Members of the Committee, my name is Jim Cranford, I am representing the Heart of America Chapter of the International Conference of Building Officials.

Our chapter is comprised of code enforcement officials throughout the State of Kansas.

I am appearing before you today to speak in opposition of House Bill 2771.

The current statute providing the minimum standard for reciprocity for plumbers has been in effect since 1986 and is working extremely well.

Tests by Block and Associates now named in the present law are examples of nationally recognized competency examinations for contractors and tradesmen. Code enforcement officials feel strongly that since we will be granting reciprocity for our local jurisdictions, there needs to be a real basis for contractor and tradesmen qualifications, rather than simple grandfathering.

We will be allowing these potential contractors and tradesmen to come into our communities to work and we must know they are qualified on a common basis.

Contractors and tradesmen are not required to re-test in jurisdictions they are currently authorized to practice in, however, if they want their qualifications recognized in every jurisdiction of the State without further examination then the current statute provides the means to accomplish reciprocity.

The current law does not prohibit any jurisdiction from recognizing qualifications of individuals with whom they have had experience, the law only mandates that a jurisdiction recognize the qualifications of individuals who have met the minimum standard qualifications for reciprocity.

We urge defeat of House Bill 2771.

Thank you for your time and consideration.

ATTACHMENT 7
GOVERNMENTAL ORGANIZATION
2/15/90

TESTIMONY
BEFORE THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION
FEBRUARY 15, 1990

Mr. Chairman and committee members, My name is Jeff Prince. I am the Building Trades Official for the City of Derby, Kansas. I am here to speak in opposition to House Bill 2771.

This bill states in lines 35 thru 41, "Each city or county upon application therewith shall issue a certificate of competency under the provisions of this subsection to any individual who makes application and shows proof of practicing as a journeyman, or master plumber certified by such city or county on July 1, 1986. Such application shall be issued in a timely manner with out further qualification or examination."

Please note that it does not say that the individual must pass an examination to receive a certificate, and subverts the entire requirement for standardized testing. This is unacceptable to the local code enforcement officials for two reasons. First, they are forced to grant reciprocity for their jurisdictions without evidence (testing) the the applicant is qualified! Second, It is not in keeping of the general safety and welfare of the public of which you and I are charged with keeping.

Doctor's Nurses, Air Line Pilots, Emergency Medical Technicians, Law Enforcement and Code Enforcement personnel are but a few that must maintain and upgrade to new codes, and techniques for the general health safety and welfare of the public.

The current laws do not prohibit an individual from operating in his own home town, under his current license. If an applicant has been working in the plumbing field and has stayed abreast of code changes, and new plumbing techniques and practices, there should be no problems passing an examination.

In many communities a license or certificate is automatically issued upon payment of a fee. Some have a test that amounts to a non-standardized test that amounts to "give away" and does not really test the applicant for code knowledge. Let me state it this way, isn't the possible cross contamination of your water supply by a non qualified person enough to justify a standard exam for competency? This is only one example of why competency testing on a standardized exam should not be waived. The guy from the other city etc. that doesn't have to prove competency will only be interested in the money, then run. Then how much damage is done, how much to repair the damage, how long to repair the damage, how many will suffer form ill effect from such damage, and who will pay for this both in dollars and as well as the health, safety and welfare of the citizens.

I would like to point out that it is unfair to jurisdictions that control their contractors by assuring that they have met minimum standards of competency, to be required to issue a certificate to those that have not met such standards.

As some of you may have noted, this issue has been before the House, and Senate previously, and under the current law is working beautifully, and was supported by the Plumbing Heating and Cooling Contractors Association (PHCCA).

In closing, I would like to say that House Bill 2771, would only serve the interest of those contractors that are out of date with the current codes, practices, and techniques, and are either afraid to test, or can not pass the exam because of that fact.

Please do not risk the health and general welfare of the citizens for those that have not demonstrated competency. The citizens that voted for you expect you to look after the protection of their safety, health, and welfare.

Thank you.

TESTIMONY ON RECYCLING
HOUSE GOVERNMENT ORGANIZATION COMMITTEE
FEBRUARY 15, 1990

I am Margaret J. Miller, 6807 E. Bayley, Wichita KS 67207 (316-686-2555)

I am especially interested in recycling and all the advantages from this activity.

We in Kansas are fortunate that our landfills aren't full yet. When they are, the new EPA regulations will make it much more difficult and expensive to site new ones. We don't need to wait until there is a crisis.

Recycling makes sense from the point of view of landfilling, from the point of view of saving natural resources, energy & water, and from the point of view preventing degradation of the environment.

Do you know that Americans throw away enough iron and steel to make every car that comes out of Detroit? Enough aluminum to rebuild our entire commercial airfleet every 3 months? Enough office and writing paper each year to build a wall 12 feet high from New York to Los Angeles?

Recycling saves not only raw material, but also the energy and water needed to process materials into usable products. For instance, it takes only about 3% as much energy to reprocess aluminum as it does to make aluminum from the original ore. Recycling can help save forests, save energy, avoid air and water pollution, protect wildlife habitats and provide cheaper raw materials for industry--all while reducing waste disposal costs and risks. This is an everybody-wins situation.

I have been a member of Citizens for Recycling in Wichita/Sedgwick County since its inception and am secretary/treasurer. A group of concerned citizens began to meet to study the possibilities of recycling nearly 2 years ago. A year ago November, we held our first pilot project; we picked up recyclables in one section of Wichita--the College Hill neighborhood. Our success there prompted us to go forward.

A year ago this month, we started operating the First-Saturday-of-the-Month drop-off sites at 3 locations in Wichita. Citizens of Wichita and surrounding area responded from the beginning, so that the amount of recyclables collected each month continues to grow.

We collect all kinds of paper, cardboard, glass, plastic, aluminum cans, steel cans and old car batteries. Our flyers will explain more about the separation and collection process.

Wichita is in the process of formulating a city-wide program.

Many towns and cities in Kansas have asked us for advice about starting their own collection programs. At present, both Augusta and Andover near us have their own Saturday collection programs. Derby and Mulvane are interested. Pratt is in the process of organizing. Hays has an active recycling program. Four towns in Johnson county now have their own curb-side pick up programs. Many other towns want to do more but are hampered by present markets. This is where the Legislature can help. By passing HBs 2805 and 2806 to hire a state-wide recycling coordinator and to help with marketing and procurement of recycled products, the Legislature can give a big boost to state-wide recycling at very little cost.

Let's make the future. We don't want Kansas to be left

CITIZENS FOR RECYCLING FIRST ANNIVERSARY

Today, February 3, 1990 marks the anniversary of drop-off recycling in Wichita. In February 1989, 12 volunteers braved 3-degree weather to fill 3 trailers with 12 tons of your recyclables. In January 1990, 60 volunteers filled 18 trailers with 62 tons of material. Wichita, you have come a long way.

What is Citizens for Recycling? It is a group of Wichitans concerned about our environment, wanting to make a positive effort to reduce, reuse and recycle waste materials in Wichita/Sedgwick County. It is entirely volunteer and nonprofit.

When did it start? A small group of concerned people began meeting in April 1988 to study recycling. On November 27, 1988, a dozen volunteers, with pick-ups and trailers, covered every street in College Hill to pick up recyclables that residents had put at the curb. That effort encouraged Citizens for Recycling to start drop-off site operations 2 months later.

What are the opportunities and challenges? We want Wichita/Sedgwick County to recycle in a big way! We want citizens of Wichita to continue saving materials that can be recycled. We want to make it more convenient and more thorough by starting curbside recycling. It is important for you to contact your city and county officials to urge them to implement curbside pick up of materials, sorted by residents, so that recyclables can be put to use.

One challenge is to expand the use of recycled products. Now some markets are saturated as more and more people recycle. With more emphasis on using recycled products, more facilities will be built and more demand will be realized. We particularly need now to urge government and businesses to use recycled paper.

Reuse is the best form of recycling. When you take your grocery sack back for reuse, you are promoting recycling most effectively. When you cut off plastic bottles to make containers to start seedlings, you are recycling effectively. When you buy your drinks in returnable bottles, you are recycling effectively.

Where does the money go? Citizens for Recycling sells materials insofar as possible. The funds provide for printing, postage, for truck and trailer rental, for education efforts and other such items. In September 1989, CFR cosponsored a seminar, RECYCLING IN KANSAS, that drew 100s of people from all over the state. In a soft market, some recyclables are only marginably saleable, so CFR must pay part of the handling costs to see that they are reused and not put into our landfill.

What you can do now. Come to our regular meetings--on 2 Thursday evenings a month. Volunteer to help us. Contact your city and state officials about your commitment to recycling and ask for government action here as is being done in many other communities and states. Tell your merchant that you do not want to buy products that are over packaged or packaged in nonrecyclable materials. Ask your trash hauler to provide compartments for recyclables in his equipment. Ask your neighbors to get involved in recycling efforts.

ATTACHMENT 10
GOVERNMENTAL ORG.
2/15/90

WICHITA RECYCLES FIRST!!!

CITIZENS FOR RECYCLING

Drop-off Sites:

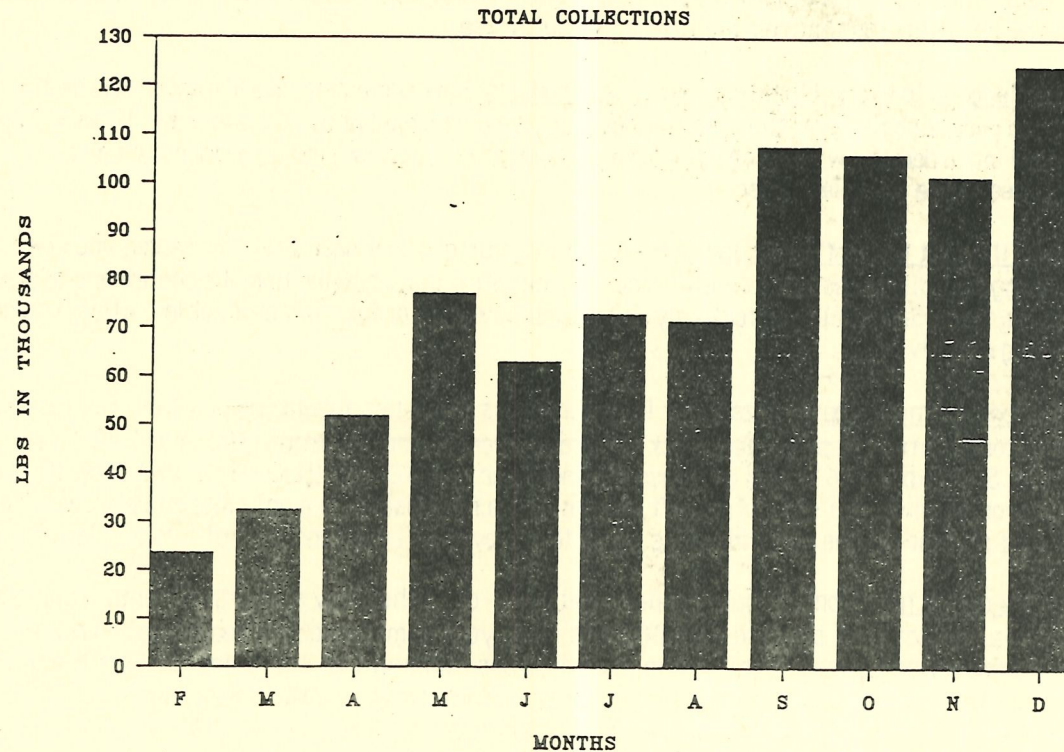
Sam's - under sign

Wichita Mall - southeast corner of parking lot

Towne East - near Douglas and Armour

all from 9 am to 4 pm every first Saturday of the month

Collecting newspapers, cardboard, office paper, computer paper, mixed paper (magazines, catalogs, phone books, junk mail and food boxes), aluminum beverage cans, tin cans, glass bottles & jars (sorted by color), and plastic jugs and bottles (No. 1--2-liter pop bottles and No. 2--milk jugs, bleach & softener jugs, etc.)



For more information, including time & place of meetings, call 264-6029 or 686-2555.



CITY OF OLATHE

MEMORANDUM

TO: Members of the House Committee on Governmental Organization

FROM: Susan E. Berton, Assistant to the City Manager

SUBJECT: House Bill Number 2805, House Bill Number 2806

DATE: February 15, 1990

On behalf of the city of Olathe, I want to thank the Committee for the opportunity to appear before you today in support of House Bill 2805 and House Bill 2806. If I may, I would like to voice the city of Olathe's support for both of these bills at this time.

The issue of solid waste has fast become one of the most important topics facing our cities and our state. We are happy to see that the State of Kansas is addressing this complex and very important issue.

Many cities, in the Olathe area, as well as around the state are tackling this issue. We believe that House Bill 2805 and 2806 will provide the leadership and support necessary to not only make people aware of this issue, but to get them involved.

House Bill 2806 establishes a group much like our city's Solid Waste Reduction Advisory Task Force. The citizen group studied the various solid waste issues and made recommendations that are being implemented in our solid waste action plan. On February 6, 1990, the action plan was adopted and much of the plan will begin by this summer.

The comprehensive action plan calls for a city compost site; drop-off centers; an in-house recycling program; coordination with governments, schools, and businesses; as well as an education/public awareness campaign dealing with issues of solid waste and our environment.

And although the city of Olathe has this plan we can not tackle this issue alone. The State will play an important role in all of the efforts in the area of solid waste.

ATTACHMENT 11
GOVERNMENTAL ORGANIZATION
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House Bill 2805 is just one example of the importance the state can have in this area. By establishing procurement practices recognizing recyclable materials, the state will be opening markets that will have a positive impact on recycled goods across the state. The City of Olathe is working to buy recycled paper for our offices, and for use in newsletters and other publications. With the passage of House Bill 2805 and the opening of markets for recycled paper, we all will benefit.

We as a city hope to exercise leadership in this area as well as cooperate and collaborate with other jurisdictions. These bills are needed. They not only represent the states commitment to the important solid waste issue, but also the state's leadership in this area.

We would appreciate the Committee's favorable consideration of these bills.

SB:sj

Feb. 15, 1990
Mike Rundle, City Commissioner
Lawrence, Kansas

Thank you for this opportunity to speak with you and for the continued interest of the Legislature in this area. I support both House Bills 2805 and 2806 but I will confine my comments to HB 2805. I have spoken before two interim committees dealing with solid waste issues as have many other people, some of whom are here today. That record is available if you are interested in more details about recycling efforts in Lawrence and other Kansas Communities.

We have made a commitment to using recycled paper at City Hall in Lawrence both, if I am not mistaken, for the bulk of our photocopying and for much of our computer printouts. We are not using recycled paper for some of our smaller copy machines due to problems we have experienced. We use about 120 cases of paper a year for photocopying and the cost of our recycled paper is \$41.00 per case plus \$50.00 in freight charges for each shipment compared to a cost for regular paper of \$30.00 per case including freight. I believe that comes out to a 36% "price preference."

Through interest of KU students, several department and the cooperation of the State Division of PURchasing, about one ton of recycled paper has been purchased on the University of Kansas campus. Some and maybe most of this is the type that has the least detrimental impact on the environment. Commonly called "minimum impact" paper, this paper represents the greatest saving in water, energy and landfill costs, timber saved and the avoided environmental impacts from chemicals used in bleaching, de-inking and other processes. I believe the costs for recycled paper at KU have run from \$40 to \$55 per case.

The Joint Committee on Energy and Natural Resources have foreshadowed this legislation in one of their reports (Propose (21, 1989 (p 151)

Materials....can end up in landfill if there are no markets for them. States have implemented policies that can support or may create local markets for wastes. Several states and the federal government have adopted purchasing policies that either require agencies to purchase goods containing a minimum amount or recycled material, or that allow agencies (... price preferences).

A less tangible effect of such state purchasing policies may be that of providing a role model to industry and local government that would serve to stimulate the market for recycled goods.

Conferees recommended that the state develop price preferences for recycled products. //

As a city official one of my primary concerns, as you may understand, about recycled paper products is their prices.

If the state were to act as a broker for cooperative paper purchases

ATTACHMENT 12
GOVERNMENTAL ORG.
2/15/90

am state agencies and municipalities we in Lawrence might be able to purchase a greater variety of recycled paper at lower costs. Kansas might work with other states in the midwest recycling region encompassed by the 12-state Midwest Recycling Coalition to ensure lower prices for recycled paper. Such a program might be of even greater assistance to small communities. I'm not sure such a system would be feasible or desirable but I do think we can and must influence markets so that this effort becomes more cost effective.

I hope the provisions of this bill are effective in bringing about the result of increased use of recycled paper. There may be some problems with the restrictions built into the bill; I could not assess that completely.

I think the general goal ought to be to achieve a minimum percentage of recycled paper use in state agencies by a target date and to increase that target percentage in subsequent years. I hope you can anticipate any problems with the regulations written into the bill that would work against that goal.

I also hope you can provide some assurance that agencies and department will be able to purchase minimum impact paper where such purchases are reasonable within fiscal and other considerations.

Annual Reporting

A second suggestion I might have for this subcommittee concerns annual reporting requirements. Missouri, Illinois, Iowa, Michigan and probably other states with procurement legislation have clauses which require key agencies (such as the Division of Purchasing, Department of Administration and Kansas Department of Health and Environment) to provide a report each year on the status of their efforts to secure recycled paper products for state use.

These types of reports are relatively cost free and extremely helpful. I believe that they serve an educational function for the public and agency personnel generally interested in recycling activities. In addition for policy-makers, I feel that they are valuable instruments which help us assess the success of the program and ont to problems we could address. In the policy arena, these reports also review the status of the industry's effort to supply states with inexpensive recycled paper.