

Approved

Gary Blumenthal 1/27/92  
Date

MINUTES OF THE House COMMITTEE ON Governmental Organization

The meeting was called to order by Rep. Gary Blumenthal at  
Chairperson

9:10 a.m./p.m. on January 21, 1992 in room 522-S of the Capitol.

All members were present except:

Rep. Richard Lahti, excused

Committee staff present:

Carolyn Rampey, Legislative Research  
Julian Efird, Legislative Research  
Avis Swartzman, Revisors Office  
Nita Shively, Committee Secretary

Conferees appearing before the committee:

Rep. Anthony Hensley  
Tom Slattery, Executive Vice President, Association General Contractors  
Jim DeHuff, Executive Secretary, AFL-CIO  
Bob Thiry, Training Coordinator, KS Carpentry & Millwright Training  
Delores Engel, Bureau of Apprenticeship & Training, U.S. Dept. of Labor

Chairman Blumenthal opened the meeting when quorum was present. He introduced his intern, Julee Stephens, to the committee and then directed committee's attention to the first item on the Agenda.

HB 2219 - An Act concerning the department of human resources; establishing the Kansas apprenticeship council; prescribing the composition, organization, powers, duties and functions thereof.

Representative Hensley appeared in support of HB 2219. He stated that the bill would establish the Kansas Apprenticeship Council within the Department of Human Resources. This does not create a new commission, but seeks to codify current operations. Since the commission is already established and functioning within state government, the bill is intended to codify within state law the composition of the commission and exactly what the commission is doing.

Jim DeHuff spoke in support of HB 2219, furnishing written testimony, (Attachment 1). He advised that both business and labor feel that since former Governor Hayden dissolved, reassembled and then tied the Kansas Apprenticeship Council to the Kansas Council of Employment Training, the Council has lost much of its effectiveness. Under Governor Finney, the Council has been re-structured as it was originally.

Tom Slattery appeared in support of HB 2219. He advised that he serves on the Council and feels that this proposed legislation would be extremely beneficial. Mr. Slattery stated that apprenticeship is very important, especially in the construction industry. The Council meets every other month to consider whether new apprenticeship standards are needed.

Bob Thiry testified in support of HB 2219. He advised that he is currently serving as Chair on the Council and urged the committee to approve this bill. This proposed statute would prevent disruption which resulted from the Governor's action in 1988. High standards, necessary in apprenticeship training, would be maintained along with continued education in the work force.

Questions were asked and answered following proponents' testimony.

The last conferee, Delores Engel, testified as neither proponent or opponent, in order to present a position paper on HB 2219, (Attachment 2).

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Governmental Organization,  
room 522-S Statehouse, at 9:10 a.m./~~p.m.~~ on January 21, 1992

Ms. Engel's report included a brief overview of the federal/state role in apprenticeship. She pointed out that several states have rescinded apprenticeship laws, usually for budgetary reasons. Even in states where there is no Apprenticeship Council, the Bureau of Apprenticeship & Training, U.S. Department of Labor remains the registration authority. The report further states that the Bureau monitors labor standards to protect the welfare of apprentices, with or without Council.

Ms. Engel maintained that, as a federal representative, her report reflects that her position is NEUTRAL.

Hearing concluded on HB 2219.

Chair directed committee's attention to the subcommittee assignments distributed by staff, (Attachment 3). Full meetings will be Mondays and Tuesdays and subcommittee meetings on Wednesdays and Thursdays.

Chair advised that the Committee may get another E.R.O. -- combining offices of Savings and Loan Commissioner and Banking Commissioner.

Representative Bowden moved to approve minutes for January 16, 1992. Motion seconded by Representative Benlon, motion carried.

Meeting adjourned at 9:55 a.m. The next meeting will be Monday, January 27, 1992 in Room 522-S.



House Governmental Organization Committee January 21, 1992

Mr. Chairman and Committee Members:

I am Jim DeHoff, Executive Secretary Treasurer of the Kansas AFL CIO. I appear before you today to ask that you give strong consideration to passing HB 2219, House Bill 2219 would confirm and make law the present Kansas Apprenticeship Council.

I would like to give you a brief outline of what the Apprenticeship Council does, and a brief historical background of this Council. In 1941 Governor Ratner by Executive Order established the Kansas State Apprenticeship Council for the purpose of approving standards of apprenticeship programs and to register apprentices for the purpose of applicable and related federal laws and regulations.

The Kansas Apprenticeship Council makes sure that all apprenticeship programs registered through them comply with equal training and employment opportunities, for all Kansas residents. The Kansas Apprenticeship Council also promotes apprenticeship with labor, management, public and private organizations and individuals. The Council is composed of (4) four members of management, (4) four members of labor and the Secretary of the Dept. of Human Resources or the Secretary's designee.

The Kansas apprenticeship Council operated in a very productive and positive manner for the period of 47 years, until 1988 when Governor Hayden dissolved the Council, and by Executive Order reassembled the Kansas Apprenticeship Council and tied it to the Kansas Council of Employment Training. This was opposed by business and labor, because of the many years of having a good quality functional committee. At the February 9, 1988 Apprenticeship Council meeting Roy Stansbury from the Kansas Power and Light Company stated "he fears abolishing the council will result in a great loss of expertise". We feel apprenticeship training was not up to the standard that it should have been. When the Council was reformed it had an equal number of both Labor and Management and was restructured adding two additional members from the Kansas Council of Employment and Training. These two new members were designated as Chairman and Co-Chairman of the Apprenticeship Apprenticeship Council by the by-laws of the KCET, but the problem was that these 2 new members had no knowledge of apprenticeship training, so the end result was a very

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attachment 1*

weak approach to apprenticeship training. In 1991 Governor Finney dissolved this Council and issued another Executive Order establishing the Kansas Apprenticeship Council along the same lines as the original Council, that had been in existence for 47 years. We are now asking that you approve HB 2219 and help to assure future generations of workers the quality of training that they deserve in the State of Kansas.

Thank you.

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attachment 1-2

POSITION PAPER

FEDERAL/STATE ROLE IN APPRENTICESHIP

January 21, 1992

I want to present to you today, an overall perspective of the National Apprenticeship Program and its implementation in this Region and in our State.

The National Apprenticeship Act came into existence in 1937, whereby the Secretary of Labor was authorized and directed to formulate and promote the furtherance of labor standards necessary to safeguard the welfare of apprentices. This led to the establishment of the Bureau of Apprenticeship and Training within the U.S. Department of Labor.

And, in the early 40's, some of the states began to petition the U.S. Department of Labor for recognition as the Registration Agency for apprenticeship. As state laws were enacted in the various states, state staff was added to carry out the provisions of the state and federal regulations. Kansas did not enact a state law, however, operated under Executive Order since 1941, except for a short duration when Governor Bennett abolished all Executive Orders.

Several of those states which enacted apprenticeship laws have since recinded them for various reasons such as budgetary constraints, political ramifications, duplication of federal and state apprenticeship activities, etc. Currently, there are only 27 State Apprenticeship Councils recognized by the U.S. Department of Labor.

The U.S. Department of Labor promulgates and monitors Title 29, Code of Federal Regulations, Part 30, Equal Employment Opportunity in Apprenticeship and Title 29, Code of Federal Regulations, Part 29, Labor Standards for Registration of Apprenticeship Programs. The Bureau of Apprenticeship and Training also monitors the State Apprenticeship Councils for compliance with said Federal Regulations.

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Attachment 2

This lends to uniformity in the apprenticeship system throughout the country.

The role of the Bureau of Apprenticeship and Training staff is to provide professional service to existing programs and to expand apprenticeship by assisting employers and labor/management groups with the development and implementation of new apprenticeship programs.

In addition, our Bureau staff provides technical assistance to industry/program sponsors which includes the development of selection procedures consistent with Title 29 CFR Part 30; development of administrative procedures consistent with Title 29 CFR Part 29; locating related technical instruction curriculum; analyzing on-the-job training content for appropriate work process development; preparing apprenticeship standards for registration; indenturing apprentices via apprenticeship agreement, and provide linkages with other resources, i.e. Commission on Veteran Affairs, Vocational-Technical Schools, Job Training Partnership Act (JTPA), etc.

In Region 07 (Kansas, Iowa, Missouri and Nebraska), Kansas is the only state to fund an Apprenticeship Council. Our other two bordering states, Oklahoma and Colorado, are not Council states. In fact, Colorado recinded their state law in the recent past.

In those states where an Apprenticeship Council does not exist, the Bureau of Apprenticeship and Training, USDOL, remains the registration authority. And, with or without a Council, the Bureau monitors Labor Standards to safeguard the welfare of apprentices.

For your understanding of apprenticeship in Kansas, almost all new program development is accomplished by personal visits of Bureau staff to the potential sponsor's place of business. When a new program is

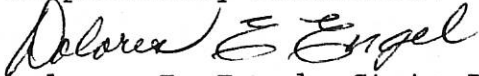
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attachment 2-2

developed by the Bureau of Apprenticeship and Training, it is forwarded to the State Apprenticeship Council for registration. Routine servicing of programs and technical assistance is provided by Bureau staff, as well as the conducting of reviews for compliance with the regulations.

On August 2, 1991, Executive Order 91-140 established the Kansas Apprenticeship Council and rescinded Executive Order 88-111. The new document names the Secretary of Human Resources and the State Director of the U.S. Department of Labor, Bureau of Apprenticeship and Training, to serve as ex-officio members of the Council.

Ladies and gentlemen, I cannot speak to House Bill 2219 to create the Kansas Apprenticeship Council within the Department of Human Resources as I have not seen H.B. 2219 to date and was not apprised of its development. As an ex-officio member of the existing Kansas Apprenticeship Council, I was not conferred with and can only submit facts regarding the Federal/State role within the National Apprenticeship Act.

Respectfully submitted,



Dolores E. Engel, State Director  
Bureau of Apprenticeship and Training  
U.S. Department of Labor  
444 S.E. Quincy, Room 256  
Topeka, Kansas 66683

913/295-2624

*g. A. 1-21-92  
Attachment 2.3*



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TOPEKA

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SUBCOMMITTEE #1 - Sunset  
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Rep. Frank Weimer  
Rep. Gary Blumenthal  
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