

Approved: 5-3-97  
Date

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Senator Nancey Harrington, Vice Chairman, at 11:10 a.m. on April 9, 1997 in Room 254-E of the Capitol.

All members were present except:

Senator Vidricksen, Excused  
Senator Becker, Excused

Committee staff present: Mary Galligan, Legislative Research Department  
Theresa Kiernan, Revisor of Statutes  
Midge Donohue, Committee Secretary

Conferees appearing before the committee:

Mr. Chip Winslow, Board of Technical Professions, Manhattan  
Ms. Helen Stephens, Kansas Society of Land Surveyors, Topeka  
Mr. George Barbee, Executive Director, Kansas Consulting Engineers, Topeka  
Ms. Trudy Aron, Executive Director, American Institute of Architects, Topeka  
Mr. Bill Henry, Executive Vice President, Kansas Society of Professional Engineers, Topeka  
Mr. Charles Stryker, Chairman, Board of Technical Professions, Wichita  
Mr. Steve Montgomery, Kansas Geological Society

Others attending: See attached list

Senator Harrington told the committee that Senator Oleen had been delayed unexpectedly, and that she would chair the meeting until Senator Oleen arrived.

Prior to opening the hearings on **HB 2509**, pertaining to the State Board of Technical Professions, staff briefed the committee on the bill.

**HB 2509:** **An act concerning the state board of technical professions; changing the name of the board to the state board of professional engineers, architects, land surveyors and landscape architects; relating to certain fees; licenses by reciprocity; application to certain practices and persons.**

Mr. Chip Winslow, representing the State Board of Technical Professions, addressed the committee as a proponent of the bill. He summarized his written testimony (Attachment #1) and discussed the changes proposed in **HB 2509** which he said are necessary and should be implemented as soon as possible. He indicated the Board had met with representatives of each of the professions and the bill had their support. Mr. Winslow explained that the name change was requested to reflect those professions under the Board. He said the current name had served well over the years but that it has become apparent it is confusing to the public. In regard to the proposal for an increase of fees Mr. Winslow advised that the Board is at the maximum currently allowed by statute, and the request to raise the ceiling on fees collected was done to provide the ability to generate the necessary funds to cover the operational expenses of the Board. He referenced Attachment "C" of his written testimony, which reflects renewal fees of various states, and indicated the Board does not anticipate an immediate increase. Mr. Winslow explained that the request for an additional staff member, an assistant director in the unclassified service, was due to an increase in enforcement activities and the need to effectively operate the board.

Senator Harrington inquired if the requested increase in fees would cover the cost of the assistant director position, and Mr. Winslow advised the position was currently unfunded.

Senator Schraad asked if, at a later date, other professions might be brought under the Board, rendering the

CONTINUATION SHEET

MINUTES OF THE SENATE FEDERAL & STATE AFFAIRS COMMITTEE, Room 254-E- of the Capitol, at 11:00 a.m. on April 9, 1997.

name change obsolete. Mr. Winslow noted pending legislation in this regard concerning geologists and indicated the Board would defer to the committee's recommendation. He spoke, however, of the importance to reflect the names of each profession under the Board.

Senator Biggs inquired if it were necessary to legislate additional staff, and Mr. Winslow explained that current statutes do not allow for unclassified staff other than the executive director.

Ms. Helen Stephens, representing the Kansas Society of Land Surveyors, spoke in favor of **HB 2509 (Attachment #2)**. She said the Society was particularly interested in the fee increase, which it supports. She pointed out that the fees listed were a ceiling, and the increase is needed to fund additional personnel for the Board. Ms. Stephens told the committee the Society would like to see the addition of two FTE positions to enable the Board to enhance their ability to serve their membership in the proper fashion. She urged the committee to favorably report the bill.

Mr. George Barbee, Kansas Consulting Engineers, Topeka, a supporter of the bill (Attachment #3), focused his verbal testimony on additional staff for the Board. He recalled that, two years ago, the legislature gave the Board authority to adopt continuing education on a regular basis. Mr Barbee pointed out that the Board will be required to start keeping continuing education records in 1998 at the time of license renewal and that additional staff will be needed to carry out that function. He indicated the Board of Directors of Kansas Consulting Engineers had reviewed, and supports, the other amendments in the bill, and he asked the committee to act favorably on **HB 2509**.

Ms. Trudy Aron, Executive Director of the American Institute of Architects in Kansas, addressed the committee in support of the bill (Attachment #4). Her comments focused on the need for additional staff and the reciprocity provision of the proposal. She pointed out that the current fee for reciprocal licenses is tied to the cost of taking the examination for the profession the individual is seeking a reciprocal license; that the current cost of taking the architectural license examination is nearly \$1,000, and that, under this bill, that cost would not be greater than \$500. She requested favorable action on the measure.

Mr. Bill Henry, Executive Vice President of the Kansas Society of Professional Engineers, one of the groups licensed by the Board, appeared before the committee in support of **HB 2509 (Attachment #5)**. Mr. Henry said the Board had not made any change in the existing fee ceiling for sometime, and the Society supported the requested increase, as well as the proposed name change.

There were no opponents to the bill.

Senator Harrington asked if anyone else would like to speak. Mr. Charles Stryker, Chairman of the State Board of Technical Professions, requested permission to address the committee and talked about the need for the Board to have the ability to increase fees. Mr. Stryker clarified a statement made by conferees during earlier testimony that the Board did not expect to increase fees within the next year, saying that was not totally accurate because of the unknown outcome of the bill pending for geologists. He said that, although it was not the Board's desire to raise fees, the inclusion of geologists under the Board would have a fiscal impact of \$55,000. He discussed the need for the unclassified position, saying that, because of the number of professions under the Board, the intent was to have one person responsible for two to three professions and another administrative position responsible for the other professions, with the Executive Director having overall responsibility for the Board.

Senator Harrington inquired if the memberships of the professions under the Board had been surveyed in regard to the fee ceiling increase, and Mr. Stryker replied that this had been discussed with the professional societies as early as last summer. From those discussions, he said it was learned they were more concerned about compliance that with implementation of fees.

Mr. Steve Montgomery, Kansas Geological Society, asked to address the committee and said that geologists are supportive of the fee increase; that they recognize the substantial job the Board has and they do not think the proposed increase in fees is out of order.

Senator Biggs asked Mr. Montgomery if **HB 2490** passes and geologists are placed under the Board, would geologists be satisfied to be defined as "other technical professions"? Mr. Montgomery replied that, during hearings on **HB 2490**, the Society provided staff with suggested language that would include geologists in the name of the Board, and the bill was now in conference committee.

Senator Oleen closed the hearings on **HB 2509**.

Senator Biggs moved that **HB 2509** be reported favorably to the full Senate. Senator Harrington seconded

CONTINUATION SHEET

MINUTES OF THE SENATE FEDERAL & STATE AFFAIRS COMMITTEE, Room 254-E- of the Capitol, at 11:00 a.m. on April 9, 1997.

the motion, and the motion carried.

Senator Schraad moved to approved the minutes from the meetings of February 17, 18, 19, 20, 21,24, and 25, and the minutes from the March 5, 6, 7 and 28 meetings. Senator Bleeker seconded the motion. The motion carried and the minutes were approved.

A letter was distributed from Mr. Bob Burke, an investigator with the Shawnee County District Attorney's Office, at his request, in regard to **SB 29**, an act concerning accessible parking for the disabled (Attachment #6).

The meeting adjourned at 11:40 a.m. The next meeting is on call of the chairman.





## KANSAS STATE BOARD OF TECHNICAL PROFESSIONS

(913) 296-3053

Suite 507, Landon State Office Building 900 S.W. Jackson Street Topeka, Kansas 66612-1257

**STATEMENT TO THE**  
**FEDERAL AND STATE AFFAIRS COMMITTEE**  
**by the**  
**KANSAS STATE BOARD OF TECHNICAL PROFESSIONS**  
**11:00 a.m., April 9, 1997 - Room 254-E**

RE: House Bill 2509 - Proposed Amendments to the Kansas State Board of Technical Professions' Statutes

I am Chip Winslow, Landscape Architect Member of the Board, and currently serving as the Vice-Chairperson. The Board of Technical Professions appreciates the opportunity to testify before the Committee.

The Board of Technical Professions, in its annual review of the statutes and rules and regulations that the Board operates under, has determined that the proposed changes contained in this bill are needed and must take place as soon as practical. The Board has met with the Kansas Engineering Society, the Kansas Consulting Engineers, and the American Institute of Architects, and they are supportive of this bill.

House Bill 2509 is a revision of existing statutes regarding the Kansas State Board of Technical Professions. The content of this bill is proposed by the Kansas State Board of Technical Professions for four primary purposes.

- update current language in the existing statutes to provide a positive public identity and to reflect similar Boards on a national level;
- To provide for a more equitable fee structure;
- To delete outdated, unclear and illegal language; and
- To allow flexibility in the Board's staffing structure.

The Kansas Board of Technical Professions was formed as a consolidation of the individual professional Boards in 1976. The current name of the Board has served it well over the years, however, over time it has become apparent from the numerous inquiries by people seeking licensing of everything from plumbers to tattoo artists, that the current name is confusing to the public as to the exact nature of the Board. Additionally, names of Boards in other states that regulate engineering and architecture particularly, uniquely identify the Board by the names of those professions - thus directly reflecting the

identity of the Board. For example, out of 50 states, only Arizona and Kansas do not have engineer in their name. The proposed language in H.B. 2509, Sections 1-9 and 13-17 changes the existing name of the Kansas State Board of Technical Professions to the State Board of Professional Engineers, Architects, Land Surveyors and Landscape Architects to positively reflect the identity and nature of the Board to the public and to reflect the naming of similar boards on a national level in consideration of other states.

Current statutes impose a maximum fee that the Board can collect for licensure application and renewal fees. To date, the Board is at its statutory limit to assess fees and has been for some time now. In fact, the licensure renewal fees today are the same as they were in 1948. The proposed changes to Section 10. K.S.A. 74-7009 reflect the necessity to increase the current ceiling of the Board's statutory maximum to enable the Board to collect adequate funds to support the mission of the Board.

Current statutes fix the Board's fee for licensure applications by reciprocity to the fee charged for an original exam applicant that includes the cost of an original professional exam. The fact that the reciprocity applicant has already taken and passed the appropriate professional exam deems the current fee requirement as written well out of proportion to the real cost to the Board. Proposed changes to Section 11. K.S.A. 74-7024 reflect the need for the Board to more appropriately place the fee assessment under K.S.A. 74-7009, the Board's fee statute. Additionally, the proposed changes to K.S.A. 74-7024 will delete an outdated section, Section 11(b), that was deemed unclear by the Kansas Supreme Court in a 1994 case.

Finally, current statutes essentially allow unlicensed practice of any of the professions under the Board by an out-of-state applicant before the Board has determined that they are minimally competent and qualified to practice in the state of Kansas. Proposed changes to Section 12. K.S.A. 74-7035(a) and (f) are intended to delete that unlawful language.

The Board is also proposing a revision to K.S.A. 74-7008, to allow flexibility in the Board's staffing structure. This revision allows the Board to hire one (1) additional "unclassified" staff position as is necessary for the effective operation of the Board and its activities. Current Board staff is comprised of an executive director (unclassified) and three classified positions. The existing language regarding personnel does not allow for an unclassified position other than that of the executive director. The recent implementation of continuing education as a requirement for licensure for each of the professions under the Board and recent proposed legislation affecting the oversight duties of the Board necessitates the addition of staff for support of those activities in place and possibly pending. Due to uncertainty of the ultimate affect of these new and proposed

activities, the Board sees that an unclassified position will offer much needed flexibility in the staff structure to assist in the Board's duties and functions.

It is important to note that H.B. 2509, is the only bill proposed by the Board itself. The other pieces of legislation considered in this session should not be confused with this very important bill that affects the day-to-day operations of the Board.

In conclusion, the Board thanks you for your consideration of these very important changes to the laws that we are to serve by, and requests your favorable passage of this bill.

**WHAT IS THE BOARD OF TECHNICAL PROFESSIONS?**

The primary function of the Board of Technical Professions is to carry out its statutory authority to protect the health, safety and welfare of the general public by regulating the professions of Engineering, Architecture, Land Surveying, and Landscape Architecture. A significant amount of the Board's efforts involve monitoring and regulating the practice of technical professions. The Board members review investigations and conduct formal disciplinary hearings. In addition, the Board processes applications for examination of candidates and licensure of qualified individuals and corporations in the technical professions. The total number of current licensees is 12,221. The present number of Intern Engineers is 12,417. The Board of Technical Professions was created by the 1976 Legislature to consolidate the former Kansas State Registration and Examining Board of Architects, State Board of Engineering Examiners, and the Kansas State Board of Registration and Examination of Landscape Architects. That Board had eight (8) members from the four (4) professions of engineering, architecture, land surveying and landscape architecture and one (1) public member. The 1992 Legislature increased the size of the Board from nine (9) to thirteen (13) members, and provided additional authority to enforce the Board of Technical Profession's Practice Act. The current membership of the Board consists of four (4) engineers, three (3) architects, two (2) land surveyors, one (1) landscape architect, and three (3) members from the general public. The board holds regular board meetings approximately 6 times a year. All of the board's work, as well as meetings, are conducted in a committee forum with the architects and landscape architects working together as a committee, and the engineers and land surveyors working as a committee to review issues specific to those professions. Then, all 13 members meet with staff and board counsel as a full board to discuss committee recommendations, board policy issues, and disciplinary matters.





KANSAS STATE BOARD OF TECHNICAL PROFESSIONS

(913) 296-3053

Suite 507, Landon State Office Building 900 S.W. Jackson Street Topeka, Kansas 66612-1257

HOUSE BILL 2509

KANSAS STATE BOARD OF TECHNICAL PROFESSIONS

THIS BILL WAS REQUESTED BY THE BOARD OF TECHNICAL PROFESSIONS, AND IS SUPPORTED BY THE (4) PROFESSIONAL SOCIETIES LICENSED BY THE BOARD.

The primary functions of this bill are the following:

- Changes the name of the board from the "Board of Technical Professions" to the "Board of Professional Engineers, Architects, Land Surveyors and Landscape Architects". (The name was amended in committee to the "Board of Professional Engineers, Architects, Land Surveyors and Landscape Architects and other technical professions".)
- Raises the ceiling of the board's fees. The board is currently at its statutory maximum on all fees. (The most recent statutory revision of renewal fees was in the late 1970's.)
- Prohibits the unlicensed practice of a technical profession by a reciprocity applicant. The bill also deletes unclear and outdated language in the reciprocity section, moves the reciprocity fee to the fee section and removes language which couples the reciprocity fee to the cost of an examination. The bill also has some technical revisions to assist the board in their administrative operations.

MATRIX OF OTHER STATE'S BUDGETS

NAME OF STATE	AMT. OF CURRENT YR BUDGET	# OF LIC. COVERED BY BUDGET	COST PER LICENSEE	# OF OFFICE STAFF	AMT. OF RENEWAL FEE	FREQUENCY OF RENEWAL	OTHER INCOME
ARIZONA	\$874,900	20,000	\$43.75	15	\$126 - P.E. * 126 - Arch	Triennial	Applic - \$90 ea., Prof. In-training applic \$30
ARKANSAS	\$220,000	7,500	\$34.09	3	\$20 - PE * 100 - Arch	Annual	Applic. fees, exam fees, civil penalties
COLORADO	\$644,000	18,000	\$35.78	7	\$67 - PE * 70 - Arch	Biennial	Exam fees, Re-exam fees, renewal fees, penalty fees, bad check recovery miscellaneous sales
IOWA	\$85,400 (does not include personnel and salaries)	5,519	\$15.47	12	\$60 - PE * 140 - Arch	Biennial	Applic. fees for exam candidates
KANSAS	\$375,270	12,000	\$33	4	\$50 - PE & Arch.	Biennial	Civil fines
KENTUCKY	\$922,000	12,500	\$73.76	9	\$90 - P.E. * 90 - Arch.	Biennial	Reciprocity \$200 Reinstatement \$250

ATTACHMENT "C"

NAME OF STATE	AMT. OF CURRENT YR BUDGET	# OF LIC. COVERED BY BUDGET	COST PER LICENSEE	# OF OFFICE STAFF	AMT. OF RENEWAL FEE	FREQUENCY OF RENEWAL	OTHER INCOME
MINNESOTA	\$705,000	14,000	\$50.36	8	\$70 - PE + Arch.	Biennial	\$11,000
MISSOURI	\$644,473	20,362	\$31.65	9	\$60 - PE + Arch	Biennial	n/a
NORTH DAKOTA	\$135,000	2,235	\$60.40	2	\$44 PE/LS *65- Arch	Annual	applic. fees: PE \$50, LS \$50, C of A \$100; Dual Reg. \$100; Exam fees NCEES cost + \$5
OHIO	\$911,847	32,500	\$28.06	8	\$16 - PE *60 - Arch	Annual	exam fees, corp. license fees \$25/yr.; applic. fees \$25
OKLAHOMA	\$550,000	12,000	\$45.84	6	\$80 - PE *150 - Arch	Biennial	Civil fines
OREGON	\$421,822	12,694	\$33.23	6	\$20 - PE *75 - Arch	Annual	PE/PLS renewal \$40; WRE renewals \$20; PE exams \$60; PLS exams \$50; FE & FLS exams \$0; WRE exams \$20; PE/PLS comity \$60; Geology Admin. billed 4 times @ \$11,597

NAME OF STATE	AMT. OF CURRENT YR BUDGET	# OF LIC. COVERED BY BUDGET	COST PER LICENSEE	# OF OFFICE STAFF	AMT. OF RENEWAL FEE	FREQUENCY OF RENEWAL	OTHER INCOME
RHODE ISLAND	\$192,901	2,522 Lic. 1,240 Lapsed	\$76.49	3	\$250 - PE \$100 - Arch	Biennial	Indiv. lic. penalty fee \$60; C of A lic. fee: (Initial \$125) Biennial & Renewal fee \$50
SOUTH DAKOTA	\$195,000	4,000	\$48.75	2	\$60 - PE \$60 - Arch	Biennial	Fines, applic., exams, reinstatement, late fees, disciplinary reimbursement fees
TENNESSEE	\$900,000	15,000	\$60	10	\$140 - PE \$140 - Arch	Biennial	n/a
TEXAS	\$1,359,672	47,000	\$28.93	23	\$25 - PE \$300 - Arch	<u>Annual</u>	Reg. \$50; Exams: FE Students \$30, FE Grad. \$50; P&P \$80; EIT Cert. \$10; Roster \$5

# KANSAS SOCIETY OF LAND SURVEYORS

April 9, 1997

Senate Federal & State Affairs  
House Bill 2509

Madam Chairman and Members of the Committee:

My name is Helen Stephens, representing the Kansas Society of Land Surveyors. Thank you for allowing me to say a few words regarding the subject bill.

The Kansas Society of Land Surveyors supports passage of HB 2509.

The name change for the Board of Technical Professions was appropriate before the passage of the geologists bill. It would seem to us that a return to the original name is in order, but we will leave that to the Board to decide.

We are particularly interested in the fee increase, which we support. I would like to remind the committee that the fees listed are a ceiling; much as we had before until we reached the top. The Board of Technical Professions is a fee oriented agency and we believe the increased fees are needed to fund additional personnel for the Board.

Prior to passage of the geologists, the Board needed two additional FTE - the House and Senate gave them 1 additional FTE. These were necessary due to the passage of continuing education for all professions several years ago and several projects the Board would like to do. The surveyors have entered the CE process and other professions will follow. With these added duties and other projects, we hope the Board will be allowed 2, not 1 additional FTE.

Regarding the Assistant Executive Director. We stand mute on this issue as the Board must determine if this position would fulfill the duties of the additional FTE mentioned or, with the passage of the geologists, the 2 FTE plus the assistant is necessary. We do know the Board is understaffed with its present load and additional personnel would greatly enhance their ability to serve their membership in the proper fashion.

Again, we support passage of HB 2509 and would ask that you pass it favorably out of committee.

Again, thank you for this opportunity. I would stand for questions.

Sen. Federal & State Affairs Comm.  
Date: 4-9-97  
Attachment: # 2



Statement to  
Senate Committee on Federal and State Affairs  
House Bill 2509  
Wednesday, April 9, 1997

Mr. Chairman and members of the committee, my name is George Barbee, executive director of the Kansas Consulting Engineers. The Board of Directors of the Kansas Consulting Engineers has reviewed the proposed amendments to House Bill 2509 and requested that I appear today in support of the bill.

Sections 1-9 and 13-17 would change the name of the Kansas State Board of Technical Professions to one that is more specific by naming each of the design professions they license. This would eliminate some confusion by your constituents when trying to find the board that licenses their particular profession so they can obtain forms to apply for licensure or to ask questions.

Section 10 deals with K.S.A. 74-7009 and would increase the ceiling on the amount the Board may collect for application and renewal fees. The limit has not been increased in over a decade and the current ceiling does not allow for full recovery of cost.

Section 11 concerns K.S.A. 74-7024 and would relocate to K.S.A. 74-7009 certain fees charged. It would also delete some obsolete language that was deemed unclear by the Kansas Supreme Court in a 1994 case.

Finally, Section 12 concerns K.S.A. 74-7035(a)(f) and would delete current language that allows an unlicensed out-of-state applicant to practice without having shown competence to practice.

The Board of Directors of the Kansas Consulting Engineers supports these amendments and requests that you act favorably on House Bill 2509.

Sen. Federal & State Affairs Comm.  
Date: 4-9-97  
Attachment: # 3

April 9, 1997

TO: Senator Oleen and Members of the Senate Committee on  
Federal and State Affairs

FROM: Trudy Aron, Executive Director

RE: Support for HB 2509

*President*  
Vincent Mancini, AIA  
Garden City

*President Elect*  
Alan M. Stecklein, AIA  
Hays

*Secretary*  
Gregory E. Schwerdt, AIA  
Topeka

*Treasurer*  
David G. Emig, AIA  
Emporia

Madam Chair and members of the committee, I am Trudy Aron, Executive Director, of the American Institute of Architects in Kansas (AIA Kansas.) Thank you for this opportunity to support HB 2509 which was requested by the Kansas Board of Technical Professions.

*Directors*  
Neal J. Angrisano, AIA  
Overland Park

Richard A. Bartholomew, AIA  
Overland Park

Leslie L. Fedde, Associate AIA  
Wichita

Robert D. Fincham, AIA  
Topeka

Tod A. Ford, Associate AIA  
Wichita

Sarah L. Garrett, AIA  
Manhattan

John Gaunt, FAIA  
Lawrence

Diana L. Hutchison, AIA  
Topeka

Eugene Kremer, FAIA  
Manhattan

Bruce E. McMillan, AIA  
Manhattan

Wendy Ornelas, AIA  
Manhattan

Charles R. Smith, AIA  
Topeka

F. Lynn Walker, AIA  
Wichita

John M. Wilkins, Jr., AIA  
Lawrence

This bill changes the name of the board to reflect the professions: architecture, engineering, landscape architecture and land surveying, which the board regulates and adds the words, "other technical professions" to accommodate any professions which may be added to those already regulated by the Board at a future date.

Secondly, the bill allows the board to increase their fees. The board is currently at the existing fee maximums, in addition to needing greater flexibility in the amount of fees charged for reciprocal licenses. Please allow me to point out that the current fee for reciprocal licenses is tied to the cost of taking the examination fee for the profession the individual is seeking a reciprocal license. Currently, the cost to take the architectural license examination is nearly \$1000; under this bill that cost would not be greater than \$500.

The bill also deletes two provisions, one which has been deemed unclear by the Kansas Supreme Court and another which allows unlicensed practice by out-of-state practitioners before the board has determined their eligibility to practice in Kansas.

AIA Kansas requests that the committee acts favorably on HB 2509.

Thank you for your consideration.

*Executive Director*  
Trudy Aron, Hon. AIA, CAE

Sen. Federal & State Affairs Comm.  
Date: 4-9-97  
Attachment: #4

**TESTIMONY**  
**Senate Federal and State Affairs Committee**  
**April 9, 1997**  
**HB 2509**

Madam Chair, Members of the Committee, I am Bill Henry, Executive Vice President of the Kansas Society of Professional Engineers, one of the groups licensed by the Board of Technical Professions. I appear before you today in support of HB 2509.

Professional Engineers make up the largest group licensed by the Board of Technical Professions and we believe the increase in license fees is appropriate since the Board has not made any change in the existing fee ceilings for some time.

Secondly, the Kansas Society of Professional Engineers supports the name change as proposed by this bill.

The professions currently licensed by the Board of Technical Professions all have similar education backgrounds, experience requirements and continuing education requirements. The practice of all four professions licensed by the Board also have a definite relationship to the public's health and safety based upon their definitions of practice.

Based upon this reasoning, the Kansas Society of Professional Engineers supports this measure and hopes you will recommend the bill favorable for passage.

Respectfully submitted.  
William M. Henry  
Executive Vice President  
Kansas Society of Professional Engineers



First Assistant District Attorney  
Joel Leinecke

Joan M. Hamilton

Director of Victim Services  
Suzanne H.

District Attorney

Investigators

Kansas Third Judicial District

Donald M. Murphy

Suite 214 • Shawnee County Courthouse • Topeka, Kansas 66603-3922

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Tony W. Rues  
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Gary C. West

March 24, 1997

To: Senator Oleen, Chairperson, Senate Federal and State Committee  
Representative Hayzlett, Chairman, House Transportation Committee

From: Bob Burke, Investigator, Shawnee County District Attorney

I have been informed of a possible amendment to SB 29 being presented on the House or Senate floor that would allow a disabled person who receives a parking citation, to get the citation dismissed when they "forget" to hang their placard.

Kansas law allows dismissal of a drivers license violation when the person stopped "left their license at home", and they can produce it to the court. In this situation the officer has a face to face meeting with the violator and the officer knows who the violator really is.

I intentionally left this provision out of the disabled parking requirements several years ago, and here is the reason why.

There is a lot of abuse of disabled parking, as you know. If the law allowed "dismissal" of the disabled parking citation, when the disabled person presented the placard to the court, then the whole enforcement of disabled parking would be lost.

A person with a legal placard could make it known that if someone receives a "disabled parking citation", just bring the citation to them, and for a "fee", the disabled person with the legal placard could take that citation (from the violator) to the court and get it dismissed. And don't kidd yourself, there are people out there that would take advantage of this kind of situation.

Remember, the car that received the citation is unoccupied, and there is no face to face contact.

In Shawnee County a citation is \$100. A disabled person could make a lot of money by taking citations to the court a stating "they forgot to hang their placard." A disabled person with a placard doesn't need to own a vehicle.

If a disabled person currently takes a citation to court, because they forgot to hang their placard, the court usually will dismiss

Sen. Federal & State Affairs Comm.

Date: 4-9-97

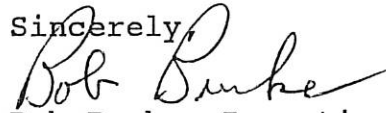
Attachment: #6

*Justice for All*

the citation. Disabled persons need to be responsible, just like every one else. I, myself am a member of the disabled community.

If anyone has any questions, please contact me at 233-8200 ext. 4225. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Bob Burke". The signature is written in dark ink and is positioned above the typed name.

Bob Burke, Investigator  
Shawnee County District Attorney