

MINUTES OF THE HOUSE COMMERCE AND LABOR COMMITTEE.

The meeting was called to order by Chairman Donald Dahl at 9:00 a.m. on February 13, 2003 in Room 243-N of the Capitol.

All members were present except: Representative Rob Boyer, Excused
Representative Broderick Henderson, Excused
Representative Rick Rehorn, Unexcused

Committee staff present: Jerry Ann Donaldson, Kansas Legislative Research Department
Renaë Jefferies, Revisor of Statutes
June Evans, Secretary

Conferees appearing before the committee: William D. Wall, P.E., Manager, Missouri Resource Center, International Conference of Building Officials
Harold Murray, President, Heart of America Chapter, ICC
Tim Ryan, CBO, Codes Administrator, City of Overland Park
Rodger D. Eaton, plumbing contractor, Wichita
Harold V. Murray, Assistant Building Inspector, Liberal
Ken Christensen, International Association of Plumbing and Mechanical Officials, Wichita
Jerry C. Jones, Coordinator Joint Apprenticeship Fund for Plumbers and Pipefitters
Jim DeHoff, Executive Secretary Treasurer, Kansas AFL-CIO
Don Dawson, National Electrical Contractors Association, Kansas City Chapter

Others attending: See attached sheet

The Chairman called the meeting to order at 9:00 a.m. and opened the hearing on **HB 2211: Electricians, plumbers and other contractors; licensure and testing.**

Staff gave a briefing on **HB 2211** which changes the codes of standards for master and journeyman plumbers, master and journeyman electricians, residential electricians, general contractors, building contractors, residential contractors, master and journeyman heating, ventilation and air conditioning mechanics to the codes set out for each profession. The successful passage of such examination shall constitute successful passage in any other county or city which requires examination and licensure.

William D. Wall, P.E., Manager, Missouri Resource Center, a proponent to **HB 2211** stated the International Conference of Building Officials (ICBO) consolidated with the other two model code organizations in the United States and are now the International Code Council (ICC). Therefore, ICBO needs to be deleted and be inserted in the statute. Plumbing, mechanical and electrical trades examinations needs to be added to the ICC.

All of the ICC examination candidates are provided computer-based testing at any of over 650 ICC-approved test sites nationwide, including toll-free, two day test scheduling. Additionally, paper and pencil is provided at various locations around the country. The examination services comply with all state, federal and industry guidelines on high-stakes licensing and certifications. The test development procedures based on these standards are critical to the work provided and results in unparalleled confidence in the testing services provided (Attachment 1).

Jim Hendershot, Chairman of Board, Heart of America Chapter, ICC, testified as a proponent to **HB 2211**. One of the many important duties of our profession is determining the competency of individuals for licensure as electricians, plumbers, heating and air conditioning and general building tradesman. The Kansas State Statutes regulate this determination of competency by designating approved agencies for the issuance of standard examinations for the various trades. Because of mergers and reorganizations the names of the

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMERCE AND LABOR COMMITTEE at 9:00 a.m. on February 13, 2003 in Room 243-N of the Capitol.

agencies approved to issue standard examinations for various trades have been changed to Experior Assessments, LLC and the International Code Council (ICC).

The intent of **HB 2211** is twofold. First, is to amend the names of the organizations to reflect the current status of their respective business. Second, is to expand the testing options for local jurisdictions by including the ICC and National Inspection Testing & Certification Corporation (NITC) as testing agencies for all trades noted in the statutes (Attachment 2).

Tim Ryan, CBO, Codes Administrator, Overland Park, testified as a proponent to **HB 2211**, stating revisions to the state statutes are needed due to the fact that the main organizations that are either listed in the existing statute or those that have been recognized as equivalent are no longer in existence. The proposed amendments reference those organizations that are the successor organizations.

If the examinations that are recognized by any jurisdiction do not test contractors on those codes used within that jurisdiction, then the safety of the public could be jeopardized. Contractor licensure tests must complement the codes under which they are working (Attachment 3).

Rodger D. Eaton, plumbing contractor, Wichita, testified as a proponent to **HB 2211** with an additional amendment in the verbiage to clarify the intent of the original legislation. The phrase 'All such licenses shall be valid...' which is found in several sections, is stricken and replaced with 'The successful passage of such examination shall constitute passage...'. This clarifies that the state does not license contractors but rather provides a means for testing competency of them. The examination results may be used as proof of competency in any jurisdiction in Kansas (Attachment 4).

Harold Murray, Assistant Building Inspector, Liberal, Kansas, testified as a proponent to **HB 2211**. The citizens of Kansas deserve decent, well-built structures in which to live, work and conduct business. **HB 2211** addresses contractor testing as proof of competency, which has a direct effect on the construction industry. Mistakes and omissions in the construction phase of a project can have disastrous, even fatal, effects (See Attachment 5).

Ken Christensen, representing the International Association of Plumbing and Mechanical Officials, originally asked to be listed in opposition of **HB 2211**. After a meeting with some representatives of industry organizations agreeing to an amendment that the ICC be removed from the bill in order to insure unbiased and fair testing regardless of the codes a jurisdiction adopts. It was the action of the industry committee that NITC should be included as an independent third party testing agency. IAPMO concurs. If **HB 2211** is not amended to include this, IAPMO would revert to its original position in opposition (Attachment 6).

Jerry Jones, Coordinator, Joint Apprenticeship Fund for Plumbers and Pipefitters, stated he was a proponent with the proposed amendment to add the National ITC Corporation to the list of Standard Examiner's noted in **HB 2211** (Attachment 7).

Jim DeHoff, Executive Secretary Treasurer, testified as an opponent to **HB 2211**. The new language inserted listing the ICC is opposed. It is very important to have a standard examination used statewide, several different examinations would be confusing and hard for cities and counties to maintain. It is also believed that **HB 2211** should be amended to reflect that to achieve journeyman or master status employee must have at least four years of experience before being eligible to take an examination. This is important because it is possible to pass the test but not be able to install a safe system (Attachment 8).

Don Dawson, Kansas City Chapter, National Electrical Contractors Association, Inc., (NECA), testified as an opponent to **HB 2211**. NECA does support the issue of competency testing of certain craftspersons, especially electricians, plumbers, and mechanical workers because their work involves installing and repairing systems critical to life safety. NECA recommends 4 amendments which would make a clearer and better bill (Attachment 9).

The following written testimony was distributed by opponents to **HB 2211**: Charles M. Dirck, A-Plus Plumbing, Haysville, (Attachment 10) and D. L. Smith, D. L. Smith Electrical Construction, Inc., Topeka

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MINUTES OF THE HOUSE COMMERCE AND LABOR COMMITTEE at 9:00 a.m. on February 13, 2003 in Room 243-N of the Capitol.

(Attachment 11).

The Chairman announced **HB 2211** would be worked on February 19th and asked that amendments be in writing.

The meeting adjourned at 10:10 a.m. The next meeting will be February 18, 2003.



Building A Safer World

Headquarters: 5360 Workman Mill Road • Whittier, California 90601-2298 • www.icbo.org

February 12, 2003

The Honorable Representative Donald L. Dahl
Chairman of Commerce and Labor Committee
300 SW 10th Street
TOPEKA KS 66612-1504

Subject: HB2211

Dear Representative Donald L. Dahl:

This letter is to convey the support of the International Code Council® for HB2211 which deals with contractor and construction trade examinations. The following two areas are of importance:

Currently the Kansas State statutes for contractor examinations reference the International Conference of Building Officials (ICBO). On February 1, 2003 the ICBO consolidated with the other two model code organizations in the United States and we are all now the International Code Council (ICC). The first point then is to verify for you that the deletion of the ICBO and insertion of the ICC, in the statute, reflects the current corporate status.

The second point is to present sufficient information such that the committee is comfortable with adding the ICC to the plumbing, mechanical and electrical trades examinations. The ICC now has over 190 years of combined building and fire safety code experience. Additionally our extensive examination service, which began in 1976, now includes examinations for code knowledge for regulatory agencies including Kansas, Colorado, Alabama, Georgia, Louisiana, Mississippi, Texas, Tennessee, Washington, D.C., Wyoming and the Cayman Islands as well as a multitude of local city and county jurisdictions.

We have provided major clients in the construction trades with examinations. For example we provide over 50 customized contractor examinations, 15 nationally standardized contractor examinations, 35 national inspector examination and many other customized exams to various construction trade associations. The exams are typically master and journeyman electricians, plumbers, mechanical, gas, building and a host of other sub-categories.

Our certification staff consist of 23 full-time employees in four offices around the country. Our dedicated psychometric staff consist of six full-time developers plus numerous subject matter experts who serve on our exam committees for the expressed purpose of reviewing and developing examinations. These committees meet annually around the country and often include between six and eight experts in their field.

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The Honorable Representative Donald L. Dahl

February 12, 2003

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Furthermore, ICC provides psychometric consulting and contract services such as occupational analysis which it recently completed for 12 of California's Construction Board's contractor categories. Besides state construction boards, ICC provides consulting services to a host of industry associations including the American Association of Code Enforcement (AACE), Council of American Building Officials (CABO), International Fire Code Institute (IFCI), and the California Real Estate Inspection Association.

All of our ICC examination candidates are provided computer-based testing at any of over 650 ICC-approved test sites nationwide, including toll-free, two day test scheduling. Additionally, we provide paper and pencil examinations at various locations around the country. Our examination services comply with all State, Federal and Industry guidelines on high-stakes licensing and certifications. These include the Equal Employment Opportunity Commission, the American Psychological Association, the American Educational Research Association, the National Council on Measurement in Education and many others. Our test development procedures based on these standards are critical to the work we provide and results in unparalleled confidence in the testing services we provide.

The International Code Council founded in 1994 is a not-for-profit public benefit corporation dedicated to developing a single set of comprehensive and coordinated national model construction codes. One of our goals is to safeguard public health, safety and welfare by setting the standard for building safety.

Thank you for your time and please feel free to contact me at the Missouri address or phone number shown above should you have questions.

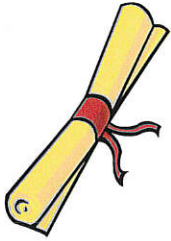
Sincerely,



William D. Wall, P.E.

Manager, Missouri Resource Center

1-2



Heart of America Chapter, I.C.C.

President – Harold Murray
Chairman of Board – Jim Hendershot

Vice Pres. – Jim Sherman
Vice Pres. – Lee Schneider

February 13, 2003

To: Chairman Dahl and Committee Members
Commerce and Labor Committee

From: Jim Hendershot, Chairman of Board
Heart of America Chapter, ICC

Re: House Bill No. 2211, licensure of plumbers, electricians and certain
contractors

Dear Chairman Dahl,

On behalf of the Heart of America Chapter (HOAC) of the International Code Council, thank you for the opportunity to address the Commerce and Labor Committee on the above referenced item. The HOAC is a statewide organization of building officials, code enforcement officers and inspectors with a current membership of 107 individuals representing various cities and counties throughout Kansas.

One of the many important duties of our profession is the determination of competency of individuals for licensure as electricians, plumbers, heating and air conditioning, and general building tradesman. The Kansas State Statutes regulate this determination of competency by designating approved agencies for the issuance of standard examinations for the various trades. Currently, the Statutes recognize two organizations, Block and Associates, and the International Conference of Building Officials (ICBO) for trade related examinations. However, because of mergers and reorganization they are now known as Experior Assessments, LLC and the International Code Council (ICC).

The intent of HB2211 is twofold. First, is to amend the names of the organizations to reflect the current status of their respective business. Second, is to expand the testing options for local jurisdictions by including the ICC and NITC (National Inspection Testing & Certification Corporation) as testing agencies for

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all trades noted in the statutes. It is important to note that the proposal is not partial to one specific model code or group of codes. Rather the proposal gives flexibility to local jurisdictions by offering a choice of established and recognized testing agencies that offer examinations on all codes currently recognized by the Kansas Fire Prevention Code, KSA 31-134a, and various supporting codes as adopted by local jurisdictions.

An ad-hoc committee comprised of building inspectors, plumbers, HVAC tradesman, electricians, labor organization representatives and model code representatives have met on several occasions during the past few months to discuss existing state statutes governing the examination provisions for the various trades. The overwhelming majority of those in attendance were in agreement that the current regulations fall short of meeting the goal of determining competency levels of individual tradesman. As a result, the committee recommends and requests favorable action to adopt the proposed legislative amendment contained in HB2211 including additional language to include NITC as a testing agency for all noted trades.

The Heart of America Chapter of the International Code Council wholeheartedly supports the proposed amendment package contained in HB2211, including the additional amendment noted above, with the knowledge that it will assist local jurisdictions in protecting life and property within the built environment by maintaining minimum levels of competency among tradesmen.

On behalf of the Heart of America Chapter, thank you for your consideration of this request.

Respectfully Submitted,



Jim Hendershot, Board Chairman
Heart of America Chapter, ICC

City Hall • 8500 Santa Fe Drive
Overland Park, Kansas 66212

www.opkansas.org

February 13, 2003

To: The House Commerce and Labor Committee

Re: Licensure requirements for plumbers, electricians and contractors. Proposed HB 2211.

Dear Committee Representatives:

I am speaking in support of House Bill 2211 (HB 2211) amending State Statutes related to the licensure of plumbers, electricians, and certain contractors. These revisions to our State Statutes are needed due to the fact that the main organizations that are either listed in the existing Statute or those that have been recognized as equivalent are no longer in existence. Block and Associates as well as the International Conference of Building Officials (ICBO), no longer exist.

The proposed amendments reference those organizations that are the successor organizations. ICBO has merged with two other organizations i.e., Building Officials and Code Administrators International (BOCA) and Southern Building Code Congress International (SBCCI), to form the International Code Council (ICC). The ICC publishes the family of International Codes currently being adopted throughout the United States including several communities within the State of Kansas.

The State of Kansas already recognizes these International Codes in certain areas. KSA 31-134a allows the International Building Code as an equivalent to the Kansas Fire Prevention Code.

These codes and tests are not new. The International Code Council merely consolidated the codes of the three leading model code organizations in the United States. These codes are adopted and used in almost 97% of jurisdictions throughout the United States according to the Consumer Product Safety Commission.

The licensure tests from ICC are similar to the tests formerly published by ICBO. The ICC and Experior are the only organizations that I am aware of that published these types of tests that recognize codes being adopted throughout the country.

The City of Overland Park historically has not been a staunch advocate for licensure of construction trades. However, last year the city adopted a program utilizing the Johnson County Contractor Licensing Program. This program is a one-stop, countywide program that the respective jurisdictions can participate in by inter-local agreements. One of the main reasons for Overland Park's participation in this program is due to the unique requirement

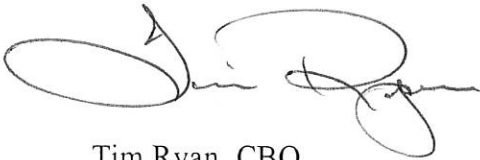
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that each year, every licensed contractor has to have a minimum of eight credit hours of continuing education on the codes that are adopted by the respective jurisdictions in order to maintain their license. In Johnson County those codes that are adopted are predominantly the International Codes. In the case of Overland Park we have used some of the International Codes since 1995.

If the examinations that are recognized by any jurisdiction do not test contractors on those codes used within that jurisdiction, then the safety of the public could be jeopardized. Contractor licensure tests must complement the codes under which they are working. Codes are minimum nationally recognized safety codes and standards that must be a part of any testing procedure. By adopting the proposed bill the City of Overland Park and the other various cities and jurisdictions would have no conflict with State Statute.

I would urge the committee to support HB No. 2211 in the belief that this increases the level of safety to the citizens of the State of Kansas related to building safety.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tim Ryan', with a large, stylized flourish at the end.

Tim Ryan, CBO
CODES ADMINISTRATOR

C: Lori Knadle, Assistant City Manager

Rodger D. Eaton
1436 S. Washington St.
Wichita, Kansas 67211-3334

February 13, 2003

KANSAS HOUSE OF REPRESENTATIVES
COMMITTEE ON COMMERCE AND LABOR

RE: HEARING ON HOUSE BILL 2211

HONORABLE CHAIRMAN DAHL AND COMMITTEE:

Thank you for the opportunity and privilege to appear before you today. My name is Rodger Eaton and I am a plumbing contractor from Wichita, Kansas. I have been in the plumbing business for nearly 30 years and have been involved in a myriad of code, licensing and testing issues at the local, state and national level during that tenure.

I am here today in support of **House Bill 2211, With Proposed Amendments** concerning additional testing agencies and qualifications for gas piping on exams for plumbing and mechanical.

The proposed addition of testing agencies, will give our industry some needed flexibility for the current legislation, which offers only one option for certifying the competency of persons who work in this industry. These competency exams are crucial to insuring the safety, health and welfare of Kansas citizens.

The impetus for including gas piping qualifications on plumbing and mechanical exams is to make certain that the persons taking those exams would not be lacking in an area of extreme importance, in providing that same measure of safety for our citizens. Under the current legislation, gas piping may or may not be included in the exams.

As a final comment, while I am supporting this bill with the aforementioned amendments, I would ask the committee to give strong consideration to restricting the testing agencies to those who **do not** write, publish, sell or enforce those codes referenced in the bill.

Thank you for your time and kind consideration.

Respectfully,



Rodger D. Eaton

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February 12, 2003

To: Chairman Dahl and Members of the House Commerce and Labor Committee

From: Harold V. Murray
Assistant Building Inspector
Liberal, Kansas

Speaking in support of HB-2211

I have worked as a combination inspector in Kansas for the past six years. My background is in the trades where I was a licensed contractor in the State of New Mexico. Since becoming an inspector I have served as President of the Western Kansas Chapter of the International Conference of Building Officials and currently serve as President of the Heart of America Chapter of the International Code Council.

The citizens of Kansas deserve decent, well-built structures in which to live, work and conduct business. HB-2211 addresses contractor testing as proof of competency, which has a direct effect on the construction industry. Without an adequate pool of qualified and skilled contractors the citizens of Kansas receive less value for each dollar spent. Mistakes and omissions in the construction phase of a project can have disastrous, even fatal, effects. One of the surest forms to protect Kansans is testing of contractors.

Local governments have developed testing in the past. This worked well within a small area. However, even good builders encountered problems when working in several different communities. Local exams were not standard in content and local building boards could arbitrarily assigned passing score levels. This was a problem for builders and their potential customers.

In an effort to reduce such problems local governments would, from time to time, enter into reciprocity agreements by recognizing test scores from another jurisdiction. Some method of leveling the playing field throughout Kansas was sorely needed. Legislation was developed and passed that allowed Block & Associates to proctor exams testing the level of knowledge of individuals seeking a contractor's license. The legislation allowed local governments to qualify contractors through their local exams and/or opt to allow Block & Associates scores as the means for qualification. Testing by the International Conference of Building Officials (I.C.B.O.) was later approved, as well.

The business world is dynamic and some significant changes have occurred in the past few years. Block & Associates has merged with other nationally recognized testing groups to become Experior Assessments. I.C.B.O. and the two other model code groups in the United States have become the International Code Council (I.C.C.).

Now, we must do some maintenance on our statutes. The changes set forth in HB-2211 are intended to reflect this needed change. In addition, a small change in verbiage to clarify the intent of the original legislation is included. The phrase 'All such licenses

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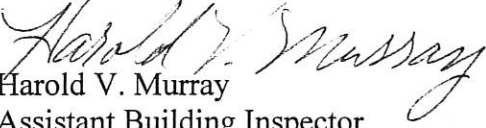
shall be valid...’, which is found in several sections, is stricken and replaced with ‘The successful passage of such examination shall constitute passage...’ This clarifies that the state does not license contractors but rather provides a means for testing competency of them. The examination results may be used as proof of competency in any jurisdiction in Kansas.

Authorities find testing through an agency such as Experior or I.C.C. a relief from the task of continually updating local exams to reflect changes in the model codes. These codes are in a constant state of change due to new information and new products offered by the building industry. Further, authorities have little doubt as to the quality and content of the exams taken by tradesmen. The first concern of public servants is to protect the interests of the taxpayers. Recognizing standard exams better protects property owners, builders and the public.

Continued prosperity in Kansas is evidenced by the construction of new homes and businesses. Through standardized testing, we provide a positive environment to help our communities grow. By providing more than one testing agency, we provide better service to contractors. Test sites and dates scheduled by one agency may be more accessible or convenient to tradesmen from different regions in Kansas. This topic is of particular interest to those who live and work in the western regions of Kansas. Travel distance to the closest test site may be as much as five hours one-way. Time is money, particularly for those who make a living with their hands, often serving as foreman, laborer and financial wizard without changing hats.

For these reasons I ask your support of HB-2211. In so doing, you will provide all Kansans the means to know their construction dollars are wisely spent.

Thank you for the opportunity to submit this testimony,


Harold V. Murray
Assistant Building Inspector
Liberal, Kansas



INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS

P.O. Box 9164 • Wichita, Kansas 67277-0164 • Phone 316-773-3338 • Fax 316-773-3339

February 13, 2003

KANSAS HOUSE OF REPRESENTATIVES
COMMITTEE ON COMMERCE AND LABOR

RE: HEARING ON HOUSE BILL No. 2211

Honorable Committee:

I thank you for the opportunity to appear before you today. I am Ken Christensen representing the International Association of Plumbing and Mechanical Officials (IAPMO), an 80- year old non-profit organization of inspectors who publish the Uniform Plumbing Code, Uniform Mechanical Code and nearly 100 other codes and standards related to the construction industry.

At the time I registered as a speaker, I asked to be listed in opposition. Since that day, there has been a meeting of some representatives of industry organizations. Based upon those considerations I would like to change the appearance of the Kansas Chapter of IAPMO to one of conditional support.

It is the opinion of the Kansas Chapter of IAPMO that this Bill should be amended before passage. It does purport to provide an alternative to the current independent third party certification testing agency named in state law. It does not do so. The requested addition to the law, the International Codes Council, provides exams only on the codes they own and control. A great many other codes are adopted in the State. It is thus recommended that the International Codes Council be removed from the Bill in order to insure unbiased and fair testing regardless of the codes a jurisdiction adopts. It was the action of the industry Committee that National Inspection Testing Certification (NITC) should be included as an independent third party testing agency. IAPMO concurs. Should this Bill not be amended as stated above, IAPMO will revert to its original position of opposition.

In addition, there are a number of factors that need to be brought before the Legislature. We ask that this Bill be Amended as recommended and the Committee instruct the industry to meet and develop consensus legislation for consideration in the next Legislative session.

I thank you for your time. I will be happy to respond to any question you may have.

(316) 265-5731 **JOINT APPRENTICESHIP FUND FOR** (316) 267-8508
FAX **PLUMBERS AND PIPEFITTERS** PHONE
JERRY C. JONES, COORDINATOR
1330 EAST FIRST, SUITE 110
WICHITA, KS 67214

12 February 2003

House Commerce & Labor Committee
Representative Don Dahl, Chairperson
February 13, 2003
9:00---11:00 A. M.
Re: HB # 2211

Chairman Dahl & Committee Members

I am Jerry Jones, Training Coordinator for the Plumbers & Pipefitters Registered Apprenticeship Training Program located in Wichita, Ks.. Our area encompasses 62 Kansas counties. I also Chair the Mechanical Trades Advisory Council of Wichita, Ks.; a council representing all entities actively involved in the Mechanical Trades in our area. I thank you for the opportunity to address HB 2211.

I have been an active member of the Committee that has brought this legislation forward and had registered to speak in opposition to the proposed HB 2211 (we, the Committee was not yet ready to move to the legislative process). Yesterday afternoon the referenced Committee met, listened to a proposal from a independent third party certification and testing firm; National ITC Corporation, 501 Shatto Place, Suite 201 Los Angeles, California 90020 and overwhelmed voted to amend the proposed HB 2211 to add National ITC Corporation to the list of Standard Examiner's noted in HB 2211. With that amendment in place I am here today to change my voice from opposition to support for HB 2211. (no amendment---no support)

Thank You


Jerry Jones

Kansas AFL-CIO

2131 S.W. 36th St.

Topeka, KS 66611

785/267-0100

Fax 785/267-2775



President
Ron Eldridge

Executive Secretary
Treasurer
Jim DeHoff

Executive Vice
President
Wayne Maichel

Executive Board

*Melany Barnes
Jim Clapper
Richard Crusinberry
Barbara Fuller
David Han
Jerry Helmick
Larry Horseman
Ron Jones
Fred Kaminska
Lloyd Lavin
Wil Leiker
Jerry Lewis
Adrain Loomis
Pam Pearson
Dave Peterson
Emil Ramirez
Bruce Reves
Steve Rooney
Debbie Snow
Betty Vines
Dan Woodard*

February 13, 2003

Representative Don Dahl, Chairperson
9:00 - 11:00 AM
Re: HB 2211

Chairman Dahl & Committee Members,

Thank you for the opportunity to appear before you today. I am Jim DeHoff, Executive Secretary of the Kansas AFL CIO. I represent 100,000 Kansas members who belong to our state association.

HB 2211 lists two firms which make standard examinations available for the testing of plumbers, electricians and certain contractors, for the purpose of obtaining a journeyman or master license. The Block & Associates group was sold a few years ago to Experior Assessments and this new firm has maintained the same high standards for the industry. So the language in HB 2211 needs to be changed to reflect Experior Assessments; plus the added language provided to you by Jerry Jones.

We appose the new language that was inserted into HB 2211 listing the International Code Council. Because it is very important to have a standard examination used statewide, several different examinations would be confusing and hard for cities and counties to maintain. Plumbing and electrical systems are very critical to the health and safety of our Kansas families. In the union trades, we have established apprenticeship schools that make us the best trained craft of any industry in the United States. Our apprentices are taught codes and they know how to install a safe system that is long lasting. This is how we compete with the non-union sector.

We also believe that HB 2211 should be amended to reflect, that to achieve journeyman or master status, you must have at least four years of experience before you are eligible to take an examination. This is important because it is possible to pass the test but not to be able to install a safe system.


We urge you to consider these suggestions.

Thank you.


Jim DeHoff

attachments




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Atch # 8

Jim

From: Rick Lowe [rlowe@ahelec.com]
Sent: 07 February 2003 11:06 AM
To: JDEHOFF@SWBELL.NET
Subject: HB2211

Dear Sir,

The changes to the testing requirements, being considered in the above referenced bill, are a matter of great concern to electrical contractors and to me personally. I would respectfully request that the committee vote be postponed so that I/we may have an opportunity to review the material from the International Code Council and determine it's impact on our industry.

I fully support a "statewide" standard testing program. However, I would not want to see any legislation passed that "waters down" current testing requirements. The National Electrical Code as issued by the National Fire Protection Association is specifically designed for the "practical safeguarding of persons and property from the hazards arising from the use of electricity."

In addition to the standard testing program, I would also like to see a statewide requirement for continuing education. It is mind boggling to me in a state where hairdressers, teachers, and nurses all have to have continuing education that electricians do not! Once you have a license you are an electrician for life.

Again, I would respectfully request that the committee vote be postponed so that I/we may have an opportunity for review and comment on HB2211.

Respectfully,

Rick Lowe
Sec./Treas.
A&H Electric, Inc.
rlowe@ahelec.com

Jim

From: Dave Bowlin [dbowlin@ahelec.com]
Sent: 07 February 2003 10:38 AM
To: JDEHOFF (E-mail)
Subject: FW: HB2211

-----Original Message-----

From: Larry Clark [mailto:larryc@linderandassociates.com]
Sent: Friday, February 07, 2003 9:51 AM
To: KansasNECA@aol.com; ALEX WHITTIT; DAVE BOWLIN; PHIL NELSON; RICK LOWE; MIKE KILIAN; DOUG GROSCH; DOUG HAGUE; ROY MEINHARDT
Subject: HB2211

THE FOLLOWING IS A MESSAGE TO JDEHOFF@SWBELL.NET

IN REGARDS TO HB2211

DEAR SIR,

IT IS OUR UNDERSTANDING THAT HB2211 RELATES TO AN INTERNATIONAL TESTING PROCEDURE FOR CONSTRUCTION TRADES.

AS THE CHAIRMAN OF THE WICHITA DIVISION OF THE KANSAS CHAPTER OF THE NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION(NECA) WE ARE CONCERNED ABOUT THIS ISSUE.

WE RESPECTFULLY REQUEST THAT THE COMMITTEE VOTE BE POSTPONED SO THAT WE MAY HAVE AN OPPORTUNITY TO REVIEW ITS CONTENT AND THE IMPACT IT WILL HAVE ON THE ELECTRICAL INDUSTRY.

THE NATIONAL FIRE PROTECTION ASSOCIATION CONSIDERS THE PROPER INSTALLATION OF ELECTRICAL SYSTEMS TO BE PARAMOUNT FOR THE PUBLIC SAFETY.

THE PURPOSE OF TESTING INDIVIDUALS IS TO ASSURE PROPER TRAINING AND TO MAINTAIN THE PUBLIC TRUST OF OUR INDUSTRY.

WE HAVE NOT HAD SUFFICIENT TIME TO REVIEW OR COMMENT ON HB2211

SINCERELY

Dave Bowlin
President
A@H Electric, Inc.

02/10/2003

8-3

Jim

From: Larry Clark [larryc@linderandassociates.com]
Sent: 07 February 2003 9:43 AM
To: JDEHOFF@SWBELL.NET
Cc: JOHN WHITTIT
Subject: HOUSE BILL 2211

DEAR SIR,

IT IS OUR UNDERSTANDING THAT HB2211 RELATES TO AN INTERNATIONAL TESTING PROCEDURE FOR CONSTRUCTION TRADES.

AS THE CHAIRMAN OF THE WICHITA DIVISION OF THE KANSAS CHAPTER OF THE NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION(NECA) WE ARE CONCERNED ABOUT THIS ISSUE.

WE RESPECTFULLY REQUEST THAT THE COMMITTEE VOTE BE POSTPONED SO THAT WE MAY HAVE AN OPPORTUNITY TO REVIEW ITS CONTENT AND THE IMPACT IT WILL HAVE ON THE ELECTRICAL INDUSTRY.

THE NATIONAL FIRE PROTECTION ASSOCIATION CONSIDERS THE PROPER INSTALLATION OF ELECTRICAL SYSTEMS TO BE PARAMOUNT FOR THE PUBLIC SAFETY.

THE PURPOSE OF TESTING INDIVIDUALS IS TO ASSURE PROPER TRAINING AND TO MAINTAIN THE PUBLIC TRUST OF OUR INDUSTRY.

WE HAVE NOT HAD SUFFICIENT TIME TO REVIEW OR COMMENT ON HB2211

SINCERELY

LARRY G. CLARK
VICE PRESIDENT
LINDER AND ASSOCIATES, INC
ELECTRICAL CONTRACTOR

02/10/2003

8-4

Jim

From: Jerry Jones [Jerry@kslocal171.org]
Sent: 07 February 2003 8:01 AM
To: jdehoff@swbell.net
Subject: Fw: HB #2211

----- Original Message -----

From: Jerry Jones
To: jdehoff@swbell.net
Cc: [Allen Inlow](#)
Sent: Thursday, February 06, 2003 5:09 PM
Subject: HB #2211

Jim:

HB 2211 has been a work in progress for approximately 6 or 7 weeks. A "committee" of approximately 17 people (code officials, contractors and labor representatives of the plumbing and mechanical trades) have held a total of 2 meetings with representatives from the testing agencies listed in the proposed bill---here-in lies one of the problems---the "committee has scheduled additional meetings with other testing agencies so to go forward with legislation at this point is premature---not only are we BLOCKING other testing agencies from prudent industry consideration but also other code entities that have yet to make presentations on testing. This HB 2211 as presented leaves issues regarding code testing unresolved.

Thanks

Jerry Jones
Training Coordinator
Joint Apprenticeship Fund
Plumbers & Pipefitters

02/07/2003

8-5

Commercial
Residential
Industrial
Est. 1960



2442 S. St. Francis
Wichita, KS 67216
Phone (316) 267-2869
Fax (316) 267-0405

February 6, 2003

To Whom It May Concern:

I am writing this letter in concern of House Bill #2211. It is my understanding that this bill has to do with adopting the International Electrical Code as the standard for Kansas.

As an electrical contractor I strongly oppose the adoption of the International Electrical Code. One reason is that the professionals that work in the industry do not have any input into the content of this code. It is very important that any building code have input from the industry professionals that are directly affected by its implementation.

We have for many years in this state and country used the National Electrical Code (NFPA 70) as the standard for electrical installations. This code has been written with public safety being of very high priority. It has been developed by professionals representing varied viewpoints and interests to achieve a consensus on fire and other life-safety issues. It is also updated every three years in order to keep up with changing technology and new equipment availability.

I believe that we already have an excellent electrical code in place and there is no good reason to change the standards that we are currently using.

Sincerely,

James S. Whittit
Vice President
Delta Electric Co., Inc.

February 14, 2003

TO: Committee on Commerce and Labor, Kansas House of Representatives

RE: House Bill No. 2211 – Licensure of Plumbers, Electricians, and Certain Contractors

Honorable Committee Members:

Thank you for the opportunity to present comments to you regarding House Bill No. 2211 – relating to the licensure of Plumbers, Electricians, and Certain Contractors. As I testified on February 13, 2003, Kansas City Chapter, National Electrical Contractors Association, Inc. is opposed to this bill, but only because of its present wording.

We do support the issue of competency testing of certain craftspersons - especially electricians, plumbers, and mechanical workers – because their work involves installing and repairing systems critical to life safety. This is an important public safety issue.

With changes to the present wording of House Bill No. 2211, our Association and its members contractors would support the passage and enactment of this bill. Accordingly, we recommend the following changes which make it much clearer as to the bill's intent:

1. Replace the existing bill language, beginning with line number 15 on page 1, and ending with line 27 on page 1, with the following language:

Section 1. K.S.A. 12-1508 is hereby amended to read as follows:

12-1508. Standard examinations for the determination of competency of master and journeyman plumbers shall be administered by a nationally-recognized and independent third-party testing firm that is actively involved in the business of competency testing of master and journeyman plumbers. The codes and standards over which such standard examinations are based shall be those in effect as of July 1, 2003.

2. Replace the existing bill language, beginning with line number 17 on page 2, and ending with line 30 on page 2, with the following language:

Sec.3. K.S.A. 12-1525 is hereby amended to read as follows:

12-1525. Standard examinations for the determination of competency of master and journeyman electricians and residential electricians

Commerce &
Labor
2-13-03
Atch # 9

shall be administered by a nationally-recognized and independent third-party testing firm that is actively involved in the business of competency testing of master and journeyman electricians and residential electricians. The codes and standards over which such standard examinations are based shall be those in effect as of July 1, 2003.

3. Replace the existing bill language, beginning with line number 21 on page 3, and ending with line number 35 on page 3, with the following language:

Sec.5. K.S.A. 12-1541 is hereby amended to read as follows:

12-1541. Standard examinations for the determination of competency of master and journeyman heating, ventilation and air conditioning mechanics shall be administered by a nationally-recognized and independent third-party testing firm that is actively involved in the business of competency testing of master and journeyman heating, ventilation and air conditioning mechanics. The codes and standards over which such standard examinations are based shall be those in effect as of July 1, 2003.

4. Replace the existing bill language, beginning with line number 30 on page 4, and ending with line number 1 on page 5, with the following language:

Sec.7. K.S.A. 12-1556 is hereby amended to read as follows:

12-1556. Standard examinations for the determination of competency of general contractors, building contractors and residential contractors shall be administered by a nationally-recognized and independent third-party testing firm that is actively involved in the business of competency testing of general contractors, building contractors and residential contractors. The codes and standards over which such standard examinations are based shall be those in effect as of July 1, 2003.

We believe these changes would make this bill better and much clearer, and believe these changes are consistent with the intent and purpose of the bill's supporters.

Sincerely,

Donald B. Dawson
Chapter Manager

A Plus Plumbing & Well Service

Phone: (316) 522-4746
FAX: (316) 524-0064
E-mail: adirck@cox.net



9141 York Lane, Haysville, Kansas 67060

February 12, 2003

TO: The Committee on Labor and Commerce

RE: H. B. 2211 – relating to the licensure of plumbers,
Electricians and certain contractors

Honorable Committee Chairman and Committee Members:

I have owned and operated a plumbing company in Kansas for over 30 years. In addition, for the past 10 years I have instructed classes on plumbing codes and their application designed to assist individuals in preparation to take the Kansas Plumbing License exams. These classes are held by the *Wichita Master Plumbing, Heating, Cooling Contractors Association (WMPHCC)* in cooperation with the *Wichita Area Technical College*. I have been an active participant in the formation of State and Local legislation concerning the PHC industry including the current state licensing laws.

While refinement of the existing Kansas license law seems appropriate – I have grave concerns about H.B. 2211. Professionals working in the trades, professional trade associations and etc. were purposely excluded from being part of the drafting of this bill – even though they were told they would be notified so they could participate in the process. Instead, this bill was drafted by individuals from major jurisdictions and without statewide representation from the trades affected by the action proposed in the bill. So, this bill, as it now stands, was submitted primarily by code enforcement officials and government municipalities; It concerns codes written by code enforcement officials and government municipalities; and now, this bill proposes that State testing and certification be done by code enforcement officials and government municipalities.

Licensing laws originated upon a noble cause – protecting public health and safety. To insure the integrity of these laws – the decision making process should include statewide representation from those in the industry. Without it, my fear is that we will see the licensing process become a self-serving, revenue generating mechanism for local governments.

I respectfully ask that HB211 be rejected in its present form.

If I can answer any questions, please feel free to contact me at any time. Thank you for your consideration.

Sincerely,

Charles M. Dirck

Commerce &
Labor
2-13-03
Atch #10

**TESTIMONY
BEFORE THE HOUSE COMMITTEE ON COMMERCE AND LABOR
ON HB 2211**

February 13, 2003

By D.L. Smith, D.L. Smith Electrical Construction---Topeka

Mr. Chairman and Members of the Committee, my name is D.L. Smith, owner and President of D.L. Smith Electrical Construction of Topeka. I employ on the average 70-80 electricians and have been in the Electrical Industry 39 years and an Electrical Contractor for 30 years. I Oppose H.B. #2211 for the following reasons.

While I do not have a problem with multiple testing agencies allowed to provide standardized competency examinations, I would question allowing an agency that does not have a technical electrical code of their own to provide testing. One would ask what is the basis for their examinations? Is it the accepted provisions as published in the NFPA National Electrical Code or is it some other Technical Document. The National Electrical Code is the only Electrical Code in use in the United States today. I would respectfully ask that Section 12-1525 be clarified to address this concern.

My other concern is the striking of the reference to an Electrical Contractor in Section 12-1525. Even though neither testing agency referenced in H.B. #2211 provides actual examinations of contractors, per se, the Statute allows for the Local Governing Authorities to provide for requirements for an entity to operate the business of an Electrical Contractor in their respective City. Without this provision then anyone who maintains an Electrical License can also operate as an Electrical Contractor without regard to any rules or regulations in Local Ordinances. I would respectfully ask that you do not strike the reference to an Electrical Contractor or any of the Craft Contractors listed in this Bill.

I have attached a number of documents relating to the ICC and the concern of the Electrical Industry along with documents from the State Architect addressing the State of Kansas position on which Codes would be used for its Building Projects.

I thank you for your time and for your consideration of my requests regarding this Bill.

ICC Electrical Code Under Fire

Barbara Horwitz, Associate Editor
Consulting-Specifying Engineer — 8/20/2001

In response to the International Code Council's (ICC) announcement 'that it has no plans for the development of an electrical code that would duplicate the purpose and then compete with the National Electrical Code (NEC),' a coalition of electrical industry organizations has called for the ICC to formally rescind its ICC Electrical Code.

The Inspection Initiative, a consortium of groups including the National Electrical Contractors Association (NECA), the National Fire Protection Association (NFPA), Edison Electric Institute, the National Electrical Manufacturers Association and Underwriters Laboratories—has also requested that the ICC cease distribution of any promotional materials or draft documents that would encourage jurisdictions to adopt the ICC Electrical Code.

But the Falls Church, Va.-based ICC has no plans to abandon its electrical code.

'Some people are saying that we're trying to compete with the National Electrical Code and we have no intention of doing that,' explains Richard P. Kuchnicki, ICC's executive vice president. 'Our code is not like the NEC. The ICC Electrical Code contains electrical administrative provisions, such as things related to permits, inspections and construction documents, to give code officials a document to help them enforce the NEC.'

But critics disagree with the notion that the ICC Electrical Code facilitates enforcement of the NEC, which was developed by NFPA through an American National Standards Institute (ANSI)-approved consensus process.

According to Mark Early, P.E., assistant vice president and chief electrical engineer at the Quincy, Mass.-based NFPA, the group recently developed administrative provisions for the NEC that will now appear as Article 80, 'so the ICC Electrical Code is really unnecessary.'

'Since the beginning, the ICC has said that their electrical code is nothing but a book of administrative provisions, so why does it have technical requirements such as wiring rules in Chapter 12?' asks Brooke Stauffer, director of codes and standards for NECA, Bethesda, Md.

'The ICC Electrical Code is an attempt to circumvent the consensus process for writing an electrical code, and in the consensus ANSI-approved camp, we don't agree with this,' Stauffer says.

Further, Stauffer claims that the ICC code development is largely restricted to building code officials, leaving little opportunity for input from other industry professionals.

'ICC doesn't have the standing, the right or the expertise to mess with our electrical code,' he says.

But Kuchnicki counters that the ICC's primary voting members are code officials, who, as public servants, don't have the vested interests of other building professionals.

In addition, ICC code hearings are open to anyone who would like to submit a proposal or disagree with a motion and call for a vote from the general assembly.

However, only members of Building Officials and Code Administrators International, the International Conference of Building Officials and the Southern Building Codes Congress International—founders of the ICC—are eligible to vote.

PRINT

Letters

Staff
Consulting-Specifying Engineer -- 10/1/2002

NECA Backs NFPA 5000

With regard to your *In The News* article "Mixed Reception for NFPA 5000," (*CSE 08/02 p. 15*), the concerns expressed by BOMA and AIA about NFPA's new building code—that the development process was not inclusive enough—are precisely the reasons that the electrical industry strongly opposes the International Code Council building codes and the ICC Electrical Code, in particular.

Uniformity of regulatory codes is only meaningful when there is consensus about their content. There can be no such consensus with regard to the ICC Electrical Code because electrical interests are excluded from voting on it. There are no electrical engineers, contractors, inspectors, test labs, utilities or electricians on the the ICC committee that writes their wiring rules. This should be a matter of extreme concern to all electrical consulting engineers, as it is to NECA contractors.

The ICC is a non-electrical organization attempting to write wiring rules that compete with the accepted safety standard for the last century—the NEC. We cannot allow this to happen.

John M. Grau, CEO, National Electrical Contractors Assn. Bethesda, Md.

Have something to say?

Send your comments to:

"Letters to the Editor"
c/o Jim Crockett
Consulting-Specifying Engineer
2000 Clearwater Drive
Oak Brook, IL 60523
Or email: jcrockett@reedbusiness.com



DEPARTMENT OF ADMINISTRATION
Division of Facilities Management
AS-11-02

BILL GRAVES
Governor

JOYCE H. GLASSCOCK
Acting Secretary of Administration

JOE FRITTON, P.E.
Director of Facilities Management
900 S.W. Jackson, Room 653
Landon State Office Building
Topeka, KS 66612-2210
(785) 296-4142
FAX (785) 296-3456
<http://da.state.ks.us/fm>

January 28, 2002

To: Agency Architects
Architects/Engineers that have submitted 254s
In-House Design Staff, Project Managers and Inspectors
Gary Hibbs
Barry Greis

Re: New codes adopted for use on State of Kansas building projects

The codes to be used for the design of State of Kansas building construction projects are adopted by the Division of Facilities Management and are a contractual requirement through an attachment to the applicable A/E contracts.

After a two-year process of public meetings and work with the Kansas State Fire Marshal's office, this office is revising its list of applicable codes. The new list of codes is shown on the attached list. These include the International Family of Codes with amendments as listed on the attachment.

The effective date of the new list of codes is February 1, 2002. All architectural and engineering contracts written after that date will include the new list of codes. Contracts written before that date have included the existing list of codes. However, the new list of codes may be used for projects contracted before that date if that change is approved by the project negotiating committee.

I also take this opportunity to clarify terms that have been troublesome in the past:

"State building construction" means any building construction where the state or an agency of the state will have ownership of the building, now or in the future, and/or the State of Kansas funds either all or a portion of the cost of the initial construction or the operating costs of the building.

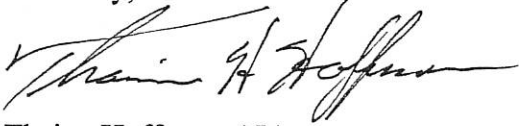
"Private residence" shall mean a residence occupied by a single family for an extended period of time. This would include staff residences on institutional grounds, but would not include residences or cabins that are rented on less than a monthly basis. The use of the facility for public functions would also exempt it from being considered a private residence. A concern is familiarity with the premises and the associate risk and liability.

11-4

Agency Architects et al
January 28, 2002
Page 2

If you have questions or comments, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read "Thaine Hoffman".

Thaine Hoffman, AIA
State Architect

TH:gk
Encl.

cc: Sec. Joyce Glasscock
Joe Fritton
Gale Haag
Karl McNorton
Lyndon Blackwell
D. L. Smith
Trudy Aron
George Barbee

CODE ATTACHMENT

The following list of codes are adopted by the Division of Facilities Management for all A/E contracts dated after February 1, 2002.

Newly adopted codes with qualifications:

1. International Building Code.
 - Included are the "Kansas Amendments to the IBC-2000" dated January 28, 2002 as promulgated by the Kansas State Fire Marshal's office and as edited for use by the Division of Facilities Management.
 - Although deleted in the above amendments, Chapter 1, Administration, of the IBC and IFC are to remain for State building projects.
 - Chapter 11, Accessibility, is deleted by the above amendments. See item #8 below.
2. International Fire Code
 - The Life Safety Code (NFPA 101) shall only be applicable on projects where it's use is necessary to meet Federal requirements.
3. International Residential Code (although the State seldom constructs residences)
4. International Mechanical Code.
5. Uniform Plumbing Code or International Plumbing Code
 - Either may be used as approved by the negotiating committee. Consideration should be given to the plumbing code used by the local jurisdiction in the area of the construction and to the preference of the MEP engineer.
 - If the Uniform Plumbing Code is used, it is the MEP engineer's responsibility to work with the DOAS engineering project manager to determine a means to address the discrepancies between the International Codes and the UPC. Although the IPC is accepted without amendments, the State reserves the right to provide design standards to cover the work.

The following codes have not changed from our existing list of codes except for new versions of the National Electric Code and the ASME Boiler Pressure Vessel Code:

6. National Electric Code, 2002 edition.
7. Kansas State Boiler Code, 1988
8. Title II and Title III Standards of the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (ADAAG), published in the Federal Register 7-26-91 (K.S.A. 58-1301 et seq.) and/or the Uniform Federal Accessibility Standards, which also apply to agencies covered by Section 504 of the Rehabilitation Act of 1973. (Wording changed but same requirements)
9. ASHRAE/IES Standards 90.1 – 89
10. Kansas Fire Prevention Code
11. Underwriter's Laboratories Fire Resistance Directory, 1997
12. National Fire Protection Association, National Fire Codes and Standards, Latest Edition at date of original A/E contract. This is only applicable on projects where it's use is necessary to meet Federal requirements.
13. American Welding Society, AWS D-10.12-89, AWS D-1.1-96, AWS A-5.8-92, AWS D-10.9-80
14. American Institute of Steel Construction – Ninth Edition, as required
15. American Concrete Institute, ACI Standards 318-95
16. Safety Code for Elevators, ASME A17.1 1996 code
17. ASME Boiler Pressure Vessel Code, 1998

Jan. 28, 2002

1/28-6



February 14, 2001

Thaine Hoffman
Director
Division of Architectural Services
1020 South Kansas Avenue
Topeka, KS 66612-1311

Dear Hoffman:

We are writing to you to express our opposition to your efforts to encourage the state of Kansas to adopt the International Code Council's building code, which includes the ICC Electrical Code. We support the adoption of the National Electrical Code (ANSI/NFPA 70-1999) as the standard for safe electrical installations.

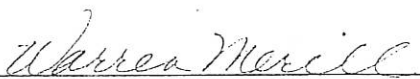
It is our understanding that you consider the difference between the two codes to be strictly administrative, that the International Building Codes simply adopt the National Electrical Code in its entirety. Please be aware, however, that the International Electrical Code does contain technical requirements that differ from those of the NEC.

The NEC has a century-long track record of ensuring electrical safety in this country. It has been called the world's best-known and most professional building code. The NEC is revised and updated every three years to keep it current with new technology and construction methods. Electrical construction professionals can't think of a reason to exchange the proven NEC for an unproven competing code.

The NEC revision process is open and consensus-based. All interests can participate including engineers, contractors, safety professionals, testing laboratories, inspectors, consumers, building owners and managers, etc. By contrast, the ICC code-development procedures are much more restrictive and open to building officials only. This restrictive review process will undoubtedly only create more technical differences between the IEC and the NEC.

We can see no reason for the state of Kansas to replace the NEC with the IEC and urge you to abandon your effort to do so.

Sincerely,


Warren Merrill
B & W Electrical Contractors Inc.



Scott Bond
Bond Electric Company



D.L. Smith
D.L. Smith Electrical Construction


Shawn Smith
D.L. Smith Communications Inc.

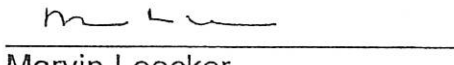

Alex Whittit
Delta Electric Inc.


Cliff Flowers
Flowers Electric Inc.

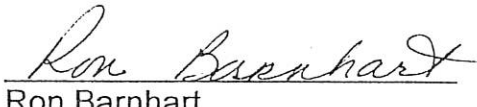

Gary Graves
G & G Electric Inc.



Larry Hackney
Hackney Electric Inc.


Terry Hedlund
Hedlund Electric Inc.


Marvin Loecker
Huxtable & Associates Inc.


Jim Keating
Keating Electric Company

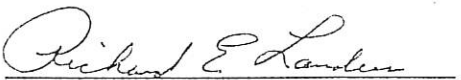

Ron Barnhart
Kenny's Electrical Company Inc.

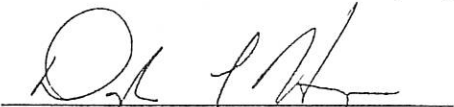

Mike Kilian
Kilian Electrical Services Inc.

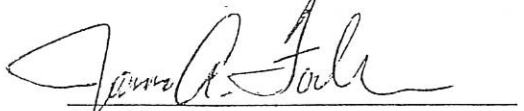

Larry Clark
Linder & Associates Inc.

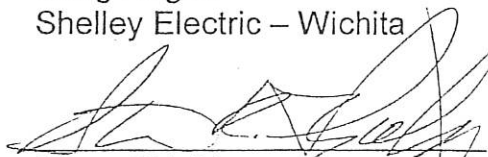

Phil Nelson
Nelson Electric


Jim Mlynek
O.K. Johnson Electric Company Inc.


Richard Landers
Scott & Landers Inc.


Doug Hague
Shelley Electric - Wichita


Jim Fowler
Shelley Electric - Emporia


Steve Shields
Shields Electric Inc.

Walter F. Anderson
Walt Anderson
Southwestern Electrical Co. Inc.

Ron Black
Ron Black
Total Electric Inc.

Larry Zenor
Larry Zenor
Zenor Electric Company Inc.

1d-9



DEPARTMENT OF ADMINISTRATION
Division of Architectural Services

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March 22, 2001

Kansas Chapter National Electrical Association, Inc.
320 Laura
Wichita, Kansas 67211

Re: National Electric Code

Gentlemen:

Refer to your two letters of February 14th concerning my position on the National Electric Code. Let me assure you that I have no intention of working against the National Electric Code. You are correct in that my earlier understanding was that the ICC Electric Code simply adopted the NEC and added an administrative section. I have since been informed of some efforts within the ICC to become involved in the technical aspects of the code. I have also become aware of contacts with the Canadian electric code group. I do understand that these could represent a threatening attitude among some within the ICC. Since evaluating the latter information, I have qualified my support for the ICC Electric Code and supported the direct adoption of the NEC. The NEC was included in the Senate Bill 323 (copy attached) that was introduced this year and which I supported.

In my 30+ years as an architect I have had to work with the various versions of the Uniform Code, the BOCA code, the Southern Code, the Chicago Code and various other local codes, especially in California. Each is different and because we needed to work with all of them, we couldn't do our best in any of them. Designers, contractors and owners all are handicapped because of the need to work with the various codes. I am especially concerned in Kansas right now. Kansas was almost exclusively on the Uniform Code until now. As the Uniform, BOCA and Southern combined, it looked like we were progressing. However, with the advent of the NFPA 5000 and IAPMO continuing the production of the Uniform Plumbing and Mechanical Codes, we are faced with each municipality selecting a different code. We could and will probably end up with a checkerboard of codes across Kansas, many times worse than the situation we had before.

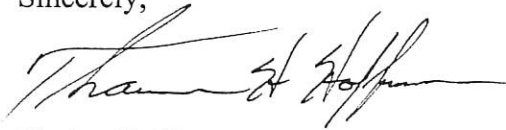
My purpose in this issue is to further the cause for a single set of building codes. The NEC is the only such code we have. I assure you that I have no intention of undermining that one single code. I do ask your support in moving the rest of the industry to the position your trade enjoys. I understand you are connected with the NFPA, and I ask your efforts to encourage all to work together towards this goal. If we are not successful now, it will be years before those involved will back off of their positions to try again.

1/15-10

Kansas Chapter National Electrical Contractors Association, Inc.
March 22, 2001
Page 2

Please let me know if you still have issues with my efforts.

Sincerely,

A handwritten signature in cursive script, appearing to read "Thaine Hoffman".

Thaine Hoffman, AIA
Director

TH:gk
Encl

cc: D. L. Smith

11-11