

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 20, 2003 in Room 243-N of the Capitol.

All members were present except: Representative Mary Kauffman, Excused
Representative Dale Swanson, Excused

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

Conferees appearing before the committee: Tim Mitchell, Vice Chairman, Board of Accountancy

Others attending: See attached sheet

The Chairman called the meeting to order at 9:00 a.m. and opened the hearings on **HB 2242 - Accounting firms and persons, investigation of conduct, fees and costs and HB 2243 - Accountants, education and examination of.**

Tim Mitchell, Vice Chairman, Board of Accountancy, testified on **HB 2242** as a proponent. In reviewing the investigative process, the Board lacks the ability to issue subpoenas, and are currently unable to recoup reasonable fees incurred in a disciplinary matter if a practitioner or firm is deemed to be in violation of the accountancy laws and/or regulations. It is felt it is vital for the agency to be able to perform its investigatory functions without being restricted in its ability to gather information or compromise the agency's fee fund without being able to recoup fees (Attachment 1).

Tim Mitchell, Vice Chairman, Board of Accountancy, testified as a proponent to **HB 2243**. The Uniform CPA Examination becomes computerized in 2004 resulting in many changes to the existing requirements to sit for the exam. Specific uniform requirements are still being finalized by the American Institute of Certified Public Accountants and the National Association of State Boards of Accountancy. It is necessary to amend the statutes to enable the Rules and Regulations to set the specific requirements for the computerized examination (Attachment 2).

The Chairman closed the hearings on **HBs 2242 and 2243**.

Representative Burgess stated there would be a tour and briefing on WIA One Stop at 1:30.

Representative Johnson moved and Representative Hill seconded to move **HB 2243** out favorably and place on the Consent Calendar. The motion carried.

Representative Grant moved and Representative Ruff seconded to move **HB 2242** out favorably and place on the Consent Calendar. The motion carried.

The Chairman stated that **HB 2064 - Filing times on certain liens extended for property other than residential property** had an earlier hearing and is scheduled to be worked today. A motion concerning **HB 2064** is in order.

Representative Grant moved and Representative Ruff seconded to adopt the balloon amendment on **HB 2064**.

There was discussion regarding the number of days.

Representative Patterson moved and Representative Carlin seconded a Substitute Motion to file a notice of intent with the district court of the county within 90 days from the last day material was supplied. Then the contractor would essentially have 60 days to file a lien. A total of 5 months.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMERCE AND LABOR COMMITTEE at 9:00 a.m. on February 20, 2003 in Room 243-N of the Capitol.

There was further discussion on the time to file.

Representative Johnson moved to Table **HB 2064** so people could get together and hear from the people working on the compromise.

The Chairman stated it looked like we had made some headway and we might have to back up.

There was further discussion and Representative Grant asked Representative Patterson and Representative Carlin to withdraw their motion and he would withdraw his motion if Representative Ruff would withdraw her second. Everyone was in agreement to withdraw.

Representative Grant moved and Representative Carlin seconded that **HB 2064** be withdrawn from the Table and placed before the committee for discussion. The motion carried.

The Chairman stated we were on **HB 2064**.

Representative Patterson moved and Representative Carlin seconded to amend **HB 2064** as stated in their previous substitute motion. The motion carried.

Representative Grant moved and Representative Holland seconded to pass the bill, as amended, favorably with the exception that they would like to see the change in writing.

Chairman Dahl stated he did not believe this was a proper motion.

Representative Rehorn suggested the committee pass it out favorably and look at the balloon tomorrow.

There were still some concerns and requested the amendment be in writing.

Representative Grant moved and Representative Holland seconded to pass the bill out as amended favorably for passage. The motion carried.

The meeting adjourned at 10:50 a. m. The next meeting will be February 21.

House Bill #2242

Good morning Mr. Chairman, members of the Committee. I am Tim Mitchell, Vice-Chair of the Board of Accountancy. I am here today to request that House Bill #2242 be adopted.

The events of the past year of some of the major accounting firms, and their clients, have awakened the eyes of Boards of Accountancy across the nation. In reviewing our investigative process, we find that we lack the ability to issue subpoenas, and are currently unable to recoup reasonable fees incurred in a disciplinary matter, if a practitioner or firm is deemed to be in violation of the accountancy laws and/or regulations. Other regulatory agencies, such as Board of Healing Arts, Behavioral Science and Board of Pharmacy, Real Estate Appraisers, Board of Nursing--possess one or both of these powers. We feel it is vital for the agency to be able to perform its investigatory functions, without being restricted in its ability to gather information, or compromise the agency's fee fund without being able to recoup fees.

I will be happy to stand for any questions.

Commerce
Labor
2-20-03
Atch #1

House Bill #2243

In 2004, the Uniform CPA Examination will become computerized. There will no longer be a paper and pencil examination offered, which will result in many changes to the existing requirements to sit for the exam. Because specific uniform requirements are still being finalized by the American Institute of Certified Public Accountants and the National Association of State Boards of Accountancy, it is necessary to amend the statutes to enable the Rules and Regulations to set the specific requirements for the computerized exam.

We request that the percent sign located on page 2, line 5 be struck.

We respectfully request that House Bill 2243 be adopted.

I will be happy to stand for any questions.

Commerced
Labor
2-20-03
Atch #2