

MINUTES OF THE HOUSE COMMERCE AND LABOR COMMITTEE.

The meeting was called to order by Chairman Donald Dahl at 1:00 p.m. on February 25, 2003 in Room 521-S of the Capitol.

All members were present except: Representative Donald Betts, Unexcused
Representative Rob Boyer, Unexcused
Representative Tom Holland, Excused
Representative Doug Patterson, Exxcused
Representative Rick Rehorn, Unexcused
Representative Stephanie Sharp, Unexcused
Representative Dale Swanson, Unexcused
Representative Kevin Yoder, Unexcused

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

Others attending: See attached sheet

The Chairman stated the balloon to **HB 2211 - Electricians, plumbers and other contractors; licensure and testing** was the same as presented in the morning meeting, but this copy is properly marked so the members can tell where the changes are made (Attachment 1).

Representative Humerickhouse moved and Representative Ruff seconded a substitute motion to adopt the balloon in the form of Sub HB 2211. The motion carried.

Representative Grant moved and Representative Hill seconded to move Sub HB 2211 out favorably.

There was discussion about having the addresses listed. The companies could move or have a change in the zip code. It was discussed if this should be sent to the Advisory Council and they provide the committee with their recommendations.

Representative Johnson made a Substitute Motion and Representative Grant seconded to Table SubHB 2211 and ask the Advisory Council to look at it and make recommendations. There was doubt concerning the voice vote and a show of hands was called for: 5 Yeas and 3 Nays. The motion carried.

The Chairman stated he appreciated the Sub-Committee's and staffs work and if a similar bill comes back next year, this would be a good place to start.

There was further discussion concerning the fact that Block and Associates no longer does testing and Experior Assessments, LLC, does that testing. Would it be legal for Experior Assessments to give the tests if their name isn't in the bill? Where are the tradesmen to go? The listed companies have been out of business for some time and this is the first legislative session that current statute could be corrected. It was the opinion of the staff that present statute should be updated to reflect appropriate testing companies.

The Chair took **Sub HB 2211** off the Table.

Representative Burgess moved and Representative Carlin seconded to update the existing statutes to replace Block and Associates and their address with Experior Assessments and their address.

The Chair stated he took **Sub HB 2211** off the Table as a lot of work went into this bill. It is involved and a little confusing and, as just discussed, something is needed in the Statutes. This motion would take the committee back to square one. The Chair stated we are now on **Sub. HB 2211**; the motion is out of order.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMERCE AND LABOR COMMITTEE at 1:00 p.m. on February 25, 2003 in Room 521-S of the Capitol.

Representative Humerickhouse moved and Representative Ruff seconded to move **Sub. H.B. 2211** out favorably. The motion carried.

The meeting adjourned at 1:30 p.m.

HOUSE BILL No. 2211

By Committee on Local Government

2-5

Commerce &
Labor
2-25-03
Atch #1

9 AN ACT concerning the licensure of plumbers, electricians and certain
10 contractors; amending K.S.A. 12-1508, 12-1509, 12-1525, 12-1526, 12-
11 1541, 12-1542, 12-1556 and 12-1557 and repealing the existing
12 sections.

13
14 *Be it enacted by the Legislature of the State of Kansas:*

15 Section 1. K.S.A. 12-1508 is hereby amended to read as follows: 12-
16 1508. Standard examinations for the determination of competency of
17 ~~plumbing contractors and master and journeyman plumbers~~, based upon
18 codes and standards ~~effective on July 1, 1992, prepared and published~~
19 ~~and available upon such date from Block and Associates, Florida Farm~~
20 ~~Bureau Building, 5700 S.W. 34th St., #1303, Gainesville, Florida 32608~~
21 ~~2003, prepared, published and available upon such date from Interna-~~
22 ~~tional Code Council, 5203 Leesburg Pike, Suite 708, Falls Church, Vir-~~
23 ~~ginia 22041-3401 or from Experior Assessments, LLC, 1360 Energy Park~~
24 ~~Drive, St. Paul, Minnesota 55108-5252,~~ are hereby designated as the stan-
25 dard examinations for determining the qualification of persons seeking
26 licensure as ~~plumbing contractors and master and journeyman plumbers~~
27 for the purposes of this act.

28 Sec. 2. K.S.A. 12-1509 is hereby amended to read as follows: 12-
29 1509. (a) Any county or city requiring the licensure of plumbers practicing
30 within the county or city may conduct examinations designated by K.S.A.
31 12-1508, and amendments thereto, for the purpose of determining the
32 competency of applicants for such licensure and shall not be allowed to
33 ask further questions not designated on such examination. The board of
34 county commissioners of such county or the governing body of such city
35 shall adopt rules and regulations: (1) Governing the conduct and grading
36 of such examinations; (2) prescribing a minimum score of 75% for passage
37 of examinations; and (3) fixing a uniform fee to be charged all applicants
38 taking each such examination.

39 (b) The certificate of competency received by any person who suc-
cessfully passes an examination designated by K.S.A. 12-1508, and
42 amendments thereto, shall be valid proof of competency for licensure,
43 without additional examination, in any county or city of the state which
requires licensure of plumbers practicing within such county or city. The

12-1544,

plumbing contractors

for the plumbing trade including fuel gas
piping

The International Code Council, 5203 Leesburg
Pike, Suite 708, Falls Church, Virginia
22041-3401 and National Inspection, Testing
and Certification Corp., 501 Shatto Place,
Suite 201, Los Angeles, California
90020-1713,

examination agencies

plumbing contractors and

1 county or city shall issue the appropriate license to any applicant therefor
2 who presents such a certificate of competency. The county or city shall
3 fix a uniform fee to be charged all such applicants for licensure.

4 (c) All licenses issued by a county or city upon the basis of successful
5 passage of an examination designated by K.S.A. 12-1508, and amend-
6 ments thereto, shall bear a distinctive notation of such fact. ~~All such li-~~
7 ~~licenses shall be valid [The successful passage of such examination shall~~
8 ~~constitute successful passage]~~ in any other county or city which requires
9 examination and licensure of plumbers for practice in such county or city.

All such licenses shall be valid

10 (d) No person who was certified or licensed prior to July 1, 1989,
11 upon the basis of passage of a standard examination designated as such
12 under the provisions of article 15 of chapter 12 of Kansas Statutes An-
13 notated, and whose certificate or license was issued by a political subdi-
14 vision which prescribed a minimum score of not less than 70% for passage
15 of such examination, shall be required to be reexamined for renewal of
16 certification or licensure.

17 Sec. 3. K.S.A. 12-1525 is hereby amended to read as follows: 12-
18 1525. Standard examinations for the determination of competency of
19 ~~electrical contractors, master and journeyman electricians and residential~~
20 ~~electricians, based upon codes and standards effective on July 1, 1993,~~
21 ~~prepared and published and available upon such date from Block and~~
22 ~~Associates, Florida Farm Bureau Building, 5700 S.W. 34th St. #1303,~~
23 ~~Gainesville, Florida 32608 2003 prepared, published and available upon~~
24 ~~such date from International Code Council, 5203 Leesburg Pike, Suite~~
25 ~~708, Falls Church, Virginia 22041-3401 or from Experior Assessments,~~
26 ~~LLC, 1360 Energy Park Drive, St. Paul, Minnesota 55108-5252, are~~
27 hereby designated as the standard examinations for determining the qual-
28 ification of persons seeking licensure as electrical contractors, master and
29 journeyman electricians and residential electricians for the purposes of
30 this act.

electrical contractors,

for the electrical trade

The International Code Council, 5203 Leesburg
Pike, Suite 708, Falls Church, Virginia
22041-3401 and National Inspection, Testing
and Certification Corp., 501 Shatto Place,
Suite 201, Los Angeles, California
90020-1713,

examination agencies

electrical contractors,

31 Sec. 4. K.S.A. 12-1526 is hereby amended to read as follows: 12-
32 1526. (a) Any county or city requiring the licensure of electricians prac-
33 ticing within the county or city may conduct examinations designated by
34 K.S.A. 12-1525, and amendments thereto, for the purpose of determining
35 the competency of applicants for such licensure and shall not be allowed
36 to ask further questions not designated on such examination. The board
37 of county commissioners of such county or the governing body of such
38 city shall adopt rules and regulations: (1) Governing the conduct and
39 grading of such examinations; (2) prescribing a minimum score of 75%
40 for passage of examinations; and (3) fixing a uniform fee to be charged
all applicants taking each such examination.

41 (b) The certificate of competency received by any person who suc-
42 cessfully passes an examination designated by K.S.A. 12-1525, and
43

1 amendments thereto, shall be valid proof of competency for licensure,
2 without additional examination, in any county or city of the state which
3 requires licensure of electricians practicing within such county or city.
4 The county or city shall issue the appropriate license to any applicant
5 therefor who presents such a certificate of competency. The county or
6 city shall fix a uniform fee to be charged all such applicants for licensure.

7 (c) All licenses issued by a county or city upon the basis of successful
8 passage of an examination designated by K.S.A. 12-1525, and amend-
9 ments thereto, shall bear a distinctive notation of such fact. ~~All such li-
10 censes shall be valid [the successful passage of such examination shall con-
11 stitute successful passage]~~ in any other county or city which requires
12 examination and licensure of electricians for practice in such county or
13 city.

All such licenses shall be valid

14 (d) No person who was certified or licensed prior to July 1, 1989,
15 upon the basis of passage of a standard examination designated as such
16 under the provisions of article 15 of chapter 12 of Kansas Statutes An-
17 notated, and whose certificate or license was issued by a political subdivi-
18 sion which prescribed a minimum score of not less than 70% for passage
19 of such examination, shall be required to be reexamined for renewal of
20 certification or licensure.

mechanical heating, ventilation and air
conditioning contractors and

21 Sec. 5. K.S.A. 12-1541 is hereby amended to read as follows: 12-
22 1541. Standard examinations for the determination of competency of me-
23 ~~chanical heating, ventilation and air conditioning contractors and master
24 and journeyman heating, ventilation and air conditioning mechanics,
25 based upon codes and standards effective on July 1, 1992, prepared and
26 published and available upon such date from Block and Associates, Flori-
27 da Farm Bureau Building, 5700 S.W. 34th St., #1303, Gainesville, Florida
28 32608 2003 prepared, published and available upon such date from In-
29 ternational Code Council, 5203 Leesburg Pike, Suite 708, Falls Church,
30 Virginia 22041-3401 or from] Experior Assessments, LLC, 1360 Energy
31 Park Drive, St. Paul, Minnesota 55108-5252, are hereby designated as
32 the standard [examinations] for determining the qualification of persons
33 seeking licensure as mechanical heating, ventilation and air conditioning
34 contractors and master and journeyman heating, ventilation and air con-
35 ditioning mechanics, for the purposes of this act.~~

for the heating, ventilation and air
conditioning trade including fuel gas piping

The International Code Council, 5203 Leesburg
Pike, Suite 708, Falls Church, Virginia
22041-3401 and National Inspection, Testing
and Certification Corp., 501 Shatto Place,
Suite 201, Los Angeles, California
90020-1713,

examination agencies

36 Sec. 6. K.S.A. 12-1542 is hereby amended to read as follows: 12-
37 1542. (a) Any county or city requiring the licensure of ~~mechanical heating,
38 ventilation and air conditioning contractors and master and journeyman
39 heating, ventilation and air conditioning mechanics practicing within the
40 county or city may conduct examinations designated by K.S.A. 12-1541,
and amendments thereto, for the purpose of determining the competency
of applicants for such licensure and shall not be allowed to ask further
43 questions not designated on such examination. The board of county com-~~

mechanical heating, ventilation and air
conditioning contractors and

missioners of such county or the governing body of such city shall adopt rules and regulations: (1) Governing the conduct and grading of such examinations; (2) prescribing a minimum score of 75% for passage of examinations; and (3) fixing a uniform fee to be charged all applicants taking each such examination.

(b) The certificate of competency received by any person who successfully passes an examination designated by K.S.A. 12-1541 shall be valid proof of competency for licensure, without additional examination, in any county or city of the state which requires licensure of mechanical heating, ventilation and air conditioning contractors and master and journeyman heating, ventilation and air conditioning mechanics practicing within such county or city. The county or city shall issue the appropriate license to any applicant therefor who presents such a certificate of competency. The county or city shall fix a uniform fee to be charged all such applicants for licensure.

(c) All licenses issued by a county or city upon the basis of successful passage of an examination designated by K.S.A. 12-1541 shall bear a distinctive notation of such fact. All such licenses shall be valid. ~~The successful passage of such examination shall constitute successful passage~~ in any other county or city which requires examination and licensure of mechanical heating, ventilation and air conditioning contractors and master and journeyman heating, ventilation and air conditioning mechanics for practice in such county or city.

(d) No person who was certified or licensed prior to July 1, 1989, upon the basis of passage of a standard examination designated by the political subdivision and whose certificate or license was issued by such political subdivision which prescribed a minimum score of not less than 70% for passage of such examination, shall be required to be reexamined for renewal of certification or licensure.

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, based upon codes and standards effective on July 1, 1992, prepared and published and available upon such date from the International Conference of Building Officials, 6738 N.W. Tower Drive, Kansas City, Missouri 64151 or from Block and Associates, Florida Farm Bureau Building, 5700 S.W. 34th St., #1303, Gainesville, Florida 32608 2003, prepared, published and available upon such date from International Code Council, 5203 Leesburg Pike, Suite 708, Falls Church, Virginia 22041-3401 ~~or from Experior Assessments, LLC, 1360 Energy Park Drive, St. Paul, Minnesota 55108-5252~~, are hereby designated as the standard examinations for determining the qualification of persons seeking licensure as general contractors, building contractors and residential contractors for the purposes

, and amendments thereto,

mechanical heating, ventilation and air conditioning contractors and

All such licenses shall be valid

mechanical heating, ventilation and air conditioning contractors and

See K.S.A. 12-1544 attached

as such under the provisions of article 15 of chapter 12 of the Kansas Statutes Annotated

. Experior Assessments, LLC, 1360 Energy Park Drive, St. Paul, Minnesota 55108-5252, The

and National Inspection, Testing and Certification Corp., 501 Shatto Place, Suite 201, Los Angeles, California 90020-1713

examination agencies

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Sec. 7. K.S.A. 12-1544 is hereby amended
to read as follows: 12-1544. Nothing in this
act shall be construed to allow any person,
firm, corporation, partnership, association
or combination thereof to engage in the
practice of ~~any of the technical professions~~
engineering as defined by K.S.A. 74-7003 and
amendments thereto without having first
received a license or authorization to engage
~~in such~~ practice engineering by the Kansas
state board of technical professions.

And by renumbering the remaining sections
accordingly

1 of this act.

2 Sec. 8. K.S.A. 12-1557 is hereby amended to read as follows: 12-
3 1557. (a) Any county or city requiring the licensure of general contractors,
4 building contractors and residential contractors practicing within the
5 county or city may conduct examinations designated by K.S.A. 12-1556,
6 *and amendments thereto*, for the purpose of determining the competency
7 of applicants for such licensure and shall not be allowed to ask further
8 questions not designated on such examination. The board of county com-
9 missioners of such county or the governing body of such city shall adopt
10 rules and regulations: (1) Governing the conduct and grading of such
11 examinations; (2) prescribing a minimum score of 75% for passage of
12 examinations; and (3) fixing a uniform fee to be charged all applicants
13 taking each such examination.

14 (b) The certificate of competency received by any person who suc-
15 cessfully passes an examination designated by K.S.A. 12-1556, *and*
16 *amendments thereto*, shall be valid proof of competency for licensure,
17 without additional examination, in any county or city of the state which
18 requires licensure of ~~such contractors~~ practicing within such county or
19 city. The county or city shall issue the appropriate license to any applicant
20 therefor who presents such a certificate of competency. The county or
21 city shall fix a uniform fee to be charged all such applicants for licensure.

electricians

22 (c) All licenses issued by a county or city upon the basis of successful
23 passage of an examination designated by K.S.A. 12-1556, *and amend-*
24 *ments thereto*, shall bear a distinctive notation of such fact. ~~All such li-~~
25 ~~enses shall be valid~~ ~~The successful passage of such examination shall~~
26 ~~constitute successful passage~~ in any other county or city which requires
27 examination and licensure of such contractors for practice in such county
28 or city.

All such licenses shall be valid

29 (d) No person who was certified or licensed prior to July 1, 1989,
30 upon the basis of ~~passage of a standard examination designated~~ ~~by the~~
31 ~~political subdivision~~ and whose certificate or license was issued by ~~such~~
32 political subdivision which prescribed a minimum score of not less than
33 70% for passage of such examination, shall be required to be reexamined
34 for renewal of certification or licensure.

as such under the provisions of article 15 of
chapter 12 of the Kansas Statutes Annotated

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35 Sec. 9. K.S.A. 12-1508, 12-1509, 12-1525, 12-1526, 12-1541, 12-
36 1542, 12-1556 and 12-1557 are hereby repealed.

12-1544,

37 Sec. 10. This act shall take effect and be in force from and after its
38 publication in the statute book.