

Approved: SRB 2/12/09
Date

MINUTES OF THE HOUSE COMMERCE AND LABOR COMMITTEE

The meeting was called to order by Chairman Steve Brunk at 9:00 a.m. on February 10, 2009, in Room 784 of the Docking State Office Building.

All members were present except:

Representative Louis Ruiz- excused

Committee staff present:

Renaë Jefferies, Office of the Revisor of Statutes

Daniel Yoza, Office of the Revisor of Statutes

Jerry Donaldson, Kansas Legislative Research Department

Dennis Hodgins, Kansas Legislative Research Department

Stephen Bainum, Committee Assistant

Conferees appearing before the committee:

Eric Stafford, Associated General Contractors

Representative John Grange

Others attending:

See attached list.

The meeting was called to order by Chairman Steve Brunk at 9:00 a.m. He opened the hearing on **HB 2142**.

HB 2142 - Cities; continuing education requirements for plumbers, electricians and certain mechanical contractors.

Renaë Jefferies, Assistant Revisor explained the changes being made to the bill (Attachment 1). There were no questions for the Revisor.

Eric Stafford, Associated General Contractors presented written only testimony as a proponent of **HB 2142** (Attachment 2).

Representative John Grange presented his testimony as a proponent of **HB 2142** (Attachment 3). He said that the bill would provide reciprocity between code authority jurisdictions in the acceptance of continuing education credits for mechanical technicians.

Representative Grant asked if there was much difference in the codes in various areas. John said that all areas use the Uniform Mechanical Code or the National Electric Code but that some jurisdictions have specific changes or deletions of those codes.

Greg DeBacker, DeBacker Heating and Air gave verbal only testimony as neutral on **HB 2142**. He recommended that the contractors go to a state license and that Manufacturers be allowed to train.

Representative Brunk mentioned that since the bill says that "other providers" approved by the local governing body may become approved instructors, is there anything preventing them from doing that now.

Representative Worley said that Lennox and other manufacturers provide proprietary training on how to install their particular systems. This may be important to you as an installer but it is not the general knowledge of the codes that is needed.

Tim Ryan, City of Overland Park presented verbal only testimony as an opponent of **HB 2142**. He had an objection to some of the language in the bill that they felt might allow people to come into their area that had no training on the codes.

Representative Brunk asked how many categories there were in the training? Three categories, construction, maintenance and codes? Tim said that they looked at it as three issues as stated.

Representative Grange asked Tim if he had experienced people doing work in his jurisdiction that were

CONTINUATION SHEET

Minutes of the House Commerce And Labor Committee at 9:00 a.m. on February 10, 2009, in Room 784 of the Docking State Office Building.

unfamiliar with the code and how often did that happen. Tim said yes, about two or three a month. Representative Grange asked how many permits they issued per month. Tim said about 5 to 6,000 per year and these were general purpose permits.

Representative Schwab suggested that they should include ethics training or code enforcement.

Representative Grange asked how they handled unlicensed contractors in their community. Tim said they would be taken to court which has a maximum penalty of \$500 per day.

The Chairman closed the hearing on **HB 2142**.

HB 2260 - Amendments to the Kansas home inspectors professional competence and financial responsibility act.

The Chairman opened the hearing on **HB 2260**. He asked Renae Jefferies to explain the changes to the bill. She said she was following a Balloon Amendment requested by Jeff Barnes that was not available yet. In it on page 1 he wanted to strike lines 16 thru 42 which deal with finger printing. Then on page 3 strike lines 11 thru 13. On page 4, line 28 after the word "position" to add the words, "The chairperson must be a registered home inspector." On page 6 to strike lines 25 thru 28. On page 8, after the word "board" to insert "unless the applicant has been actively engaged as a home inspector as defined in K.S.A. 2008 Supp. 58-4502, and amendments thereto, and met the requirements of clause (i) or clause (ii) of subparagraph (B) of paragraph 7 of subsection (c) of this section." On page 9, line 33 to strike the words "for compensation." On page 10 to replace the language of section (p).

Representative Bethell asked about combining **HB 2067** and **HB 2260**. Due to the cost of running a bill and getting it signed do we need both? As long as it is in this bill why don't we combine them.

The Chairman explained why it had been split into two bills. We really needed to do that so that the Secretary of State would not be responsible for maintaining the files of the Board. At that time we did not know if the other bill would be brought forward or not. He agreed that they should be combined.

The Chairman closed the hearing on **HB 2260**.

The next meeting is scheduled for February 11, 2009.

The meeting was adjourned at 10:05 a.m.

COMMERCE & LABOR COMMITTEE

DATE: 2-10-09

NAME	REPRESENTING
Greg DeBacker	DeBacker's Inc.
Nicole Mitchener	Rep. Hermanson
Emily Long	Rep. Hermanson
DENNY KOCH	POL SINELLI LAW
LARRY R BAER	LKM
JERRY MALLORY	Johnson County
Tim Ryan	City of Overland Park
ERIK SARTORIUS	City of Overland Park

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MEMORANDUM

To: House Committee on Commerce and Labor
From: Renae Jefferies, Assistant Revisor
Date: February 10, 2009
Subject: HB 2142

HB 2142 amends statutes concerning licensure for plumbers (K.S.A. 2008 Supp. 12-1509), electricians (K.S.A. 2008 Supp. 12-1526) and mechanical heating, ventilation and air conditioning contractors and master and journeyman heating, ventilation and air conditioning mechanics (K.S.A. 2008 Supp. 12-1542) and continuing education for such persons.

Subsection (a) of sections 1, 2, and 3 , pages 1, 2, 3 and 4 of the bill are amended to allow the hours of continuing education may be taken as 12 hours biennially or 6 hours annually and that such continuing education may be provided by the local governing body, a national trade association, community college, technical school, technical college or other provider approved by the local governing body. The education “shall consist of training relative to construction and maintenance or code update training” for each of these professions. Additionally, neither the county commission nor the governing body of a city may impose a restriction on the number of providers offering such continuing education.

The final amendments come in subsection (c) of each section., pages 2, 3 and 4 of the bill. Under these subsections, all new licenses for each of these professions shall bear a distinctive notation identifying the testing agency and specific test by name that the licensee passed. All licenses renewed on the basis of continuing education must bear a distinctive notation verifying such completion of the continuing education requirement.

The effective date of this bill is upon publication in the statute book.



Building a Better Kansas Since 1934
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**TESTIMONY OF
ASSOCIATED GENERAL CONTRACTORS OF KANSAS
BEFORE HOUSE COMMITTEE ON COMMERCE & LABOR
HB 2142**

February 12, 2009

By Eric Stafford, Associated General Contractors of Kansas, Inc.

Mister Chairman and members of the committee, my name is Eric Stafford. I am the Director of Government Affairs for the Associated General Contractors of Kansas, Inc. The AGC of Kansas is a trade association representing the commercial building construction industry, including general contractors, subcontractors and suppliers throughout Kansas (with the exception of Johnson and Wyandotte counties).

The AGC of Kansas supports House Bill 2142 and asks that you recommend it favorably for passage.

Establishing a well trained workforce has been the top objective for AGC members during strategic planning sessions held over the past 10 years. AGC has focused on bringing new workers into the industry through sponsorship of high school programs, postsecondary technical programs and four-year degree programs.

AGC has also focused much of its time on incumbent worker training through programs at the AGC Training Center in Wichita, assisting members in establishing registered apprenticeship programs within their companies, or providing continuing education courses and seminars across the state.

HB 2142 would help streamline the continuing education process for AGC member companies. This simple step of articulation would make it easier for companies to work in municipalities across the state by preventing local governments from only recognizing credits received from specific institutions.

Again, the AGC of Kansas respectfully requests that you recommend HB 2142 favorably for passage. Thank you for your consideration.

House Commerce & Labor
Date: 2-10-09
Attachment # 2

To: Chairman Steve Brunk
Members of Commerce and Labor Committee February 10th, 2009

From: John C. Grange, 75th District State Representative

Re: **HB 2142 Mechanical Trade Continuing Education**

Thank you for the opportunity to appear before you today in support of **HB 2142**. This Bill stands as proof that by proper staffing and cooperation between stake holders an agreement can be reached for the benefit of all. For over 30 years I have been a licensed mechanical contractor and I hold Master License in Mechanical and Electrical systems installation and service.

As you all know the Construction Industry plays a vital part in our economy. **HB 2142** serves to provide all local code authorities assurance that mechanical contractors have completed continuing education requirements in their chosen field. This assurance comes from consistency between training providers, training content, and relevance to the craft of Electrical, Plumbing and Heating and Cooling mechanics.

Over the past year I have participated in several meetings with stake-holders to come to an agreement on how to provide for reciprocity between code authorities jurisdictions in the acceptance of continuing education credits for mechanical technicians.

The participants came from across the state and represented, members of the code enforcement, contractors, and education providers. We debated the pros and cons of accepting another jurisdictions license and continuing education requirements. **HB 2142** represents the consensus agreement reached at those meetings.

HB 2142 will provide for consistency of enforcement for those jurisdictions that experience a transient workforce. The protection of our citizens will be realized by the verification that licensed contractors working within your community have met the high standards of continuing education training and meet all other local requirements.

House Commerce & Labor
Date: 2-10-09
Attachment # 3