

Approved: 3/1/07
Date

MINUTES OF THE HOUSE COMMERCE AND LABOR COMMITTEE

The meeting was called to order by Chairman Steve Brunk at 9:02 A.M. on February 08, 2007 in Room 231-N of the Capitol.

All members were present except:
Kasha Kelley- excused

Committee staff present:
Jerry Ann Donaldson, Kansas Legislative Research Department
Dustin Slinkard, Office of Revisor of Statutes
Stephen Bainum, Committee Assistant

Conferees appearing before the committee:

Jeff Wells
Luke Bell
Dale Lambley
Rep. Joe Patton
Eugene Wolf
Andy Sanchez
Whitney Damron
Greg Debacker
Bill Schweitzer
Stuart Little

Others attending:
See attached list.

The Chairman announced the appointment of a sub-committee headed by Representative Kiegerl and members Representatives Goico, Ruff and Pauls.

The Chairman opened the hearing on **HB 2268 - Qualifications of persons conducting certain insect inspections.**

Jeff Wells, President-Elect, Kansas Pest Control Association testified as a proponent of **HB 2268 (Attachment 1).**

Representative Pauls asked if this then became part of the Consumer Protection Act. Jeff replied that this was correct.

Luke Bell, Kansas Association of Realtors testified as a proponent of **HB 2268 (Attachment 2).**

Representative Huntington asked, "Didn't we hear this bill last year? What happened to it?" Luke said that he did not work the bill last year.

The Chairman asked if the bill was exclusive to a real estate action. If it was not for the sale of a house then that person was not required to be licensed. Luke said that was correct because as a homeowner you are not required to obtain an inspection.

Dale Lambley, Assistant to the Secretary, Kansas Department of Agriculture testified as a proponent of **HB 2268 (Attachment 3).**

Representative Pauls asked if we start getting a lot of violations would you support broadening it to cover all inspections. Dale answered that he was sure that they would.

The Chairman closed the hearing on **HB 2268.**

The Chairman called the committees attention to **HB 2251 - Plumbers, electricians, mechanical contractors; continuing education reciprocity.**

Representative Joe Patton testified as a proponent of **HB 2251 (Attachments 4 & 5).**

CONTINUATION SHEET

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Representative Ruff asked him to address the problem of an opponent claiming that this bill will allow any jurisdiction to accept any educational program regardless of what the program is. Representative Patton said that the law that was passed a year ago put the responsibility of determining what quality continuing education was on the local government because they are elected to serve the interests of their community and constituents. Representative Ruff also asked if the State should be in the business of supplying them some sort of a state-wide reciprocity agreement so that they can go from county to county. The intent of this bill is to eliminate the barrier that prevents them from doing just that.

Representative Kiegerl said that some people are objecting to the amendments which would limit the bill to code updates and also that it would be more difficult for people in outlying areas to obtain continuing education. The answer was that no amendments have been considered yet.

Representative Goico indicated that he also was concerned about last minute amendments. Representative Patton said he would leave that up to the committee.

Representative Humerickhouse asked if all we were dealing with in regard to this bill was continuing education which for a lot people is a duplication. Representative Patton said they were looking into that and making sure that continuing education in Topeka would be valid elsewhere.

Eugene Wolf, Master Plumber, testified as a proponent of **HB 2295**. (Attachment 6)

Representative Grange inquired if he paid a permit fee if he worked in a different locality. He replied that he did pay the fees.

Representative Ruiz asked if he was aware of the different codes in different localities. He said that was the first thing they had to be aware of when they went to a different locality. That was his responsibility.

Representative Pauls asked if he was OK with the amendments that Representative Patton had. He said that he had not seen the proposed amendments and therefor he was not in favor of any amendments. There was some confusion about amendments that had been handed out by Johnson County.

Andy Sanchez, Executive Secretary-Treasurer, Kansas AFL-CIO testified as a proponent of **HB 2295** (Attachment 7). There were no questions.

Whitney Damron, P.A. testified on behalf of the City of Topeka as a proponent of **HB 2295** (Attachment 8). There were no questions.

Greg DeBacker of DeBacker's Inc. testified as a proponent of **HB 2295** (Attachment 9).

Ray Thurlow appeared as a proponent of **HB 2295** without written testimony. He said that if he wanted to work in Douglas or Johnson County he would have to take the same class with the same instructor at Johnson County Junior College. They will not accept the instructor or class from the Topeka or Wichita classroom. The uniformity which this bill brings would help the whole industry.

Representative Ruff what do we say to Johnson County about that. He said that it makes absolutely no sense.

Bill Schweitzer of the International Association of Plumbing and Mechanical Officials testified in opposition to **HB 2295** (Attachment 10). He said that he was in favor of the bill except that it needed wording on other ways of training rather than just code updates. He was only opposed to the amendments.

Chairman Brunk said that since he was not opposed to the bill as written he would be moved from an opponent to a proponent of the bill.

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Representative Sharp asked if it would be fair for someone to get their license in a city with the weakest test and then come to another city where the codes were stronger. Ray said that they all have to take the block test and there is nothing less than that. No matter where you take the test you must adhere to the codes wherever you are working. It would not be a problem.

Representative Pauls asked if there was a new exam. Ray said that there was new testing being worked on but most people in Kansas continue to recognize the Block test.

Representative Garcia asked how long the classes take. Twelve hours are required usually taken 2 hours at a time.

Representative Huntington asked if the training was the same in different colleges. Ray said that the training was the same throughout the state.

Representative Grant ask if it was possible to see the credentials of a licensed plumber. Ray said absolutely you could.

Stuart J Little, Ph.D appeared on behalf of the Johnson County Government as an opponent of **HB 2295** (Attachment 11 & 12).

Representative Pauls said that the bill does not have guidelines for continuing education at Community Colleges.

Representative Tietze asked for clarification about the training which was indicating that all 12 hours of instruction were for code changes. Stuart said that was old language and actually only about half of the class was dedicated to code updates.

Representative Roth asked if he was not opposed to uniformity of the law as long as continuing education was uniform. That is correct, in fact that is needed.

Representative Huntington asked if the problem of inspections outside the city limits was a code problem or an education problem. Stuart said that he saw it as both.

Andy Sanchez commented that the trades are screaming for some consistency and some State oversight over continuing education.

The Chairman close the hearing on **HB 2295** and adjourned the committee at 10:26 A.M.