

Approved: Al Ramirez

Date 2-11-93

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by Chairperson Al Ramirez at 1:30 p.m. on February 8, 1993 in Room 531-N of the Capitol

All members were present except:

Committee staff present: Julian Efird, Legislative Research Department

Fred Carman, Revisor of Statutes

Jackie Breymeyer, Committee Secretary

Others attending: See attached list

Conferees appearing before the committee: Thomas E. Slattery, Executive Vice-President, Associated General Contractors of Kansas
Rich Sternadori, President, Western Kansas Chapter of Building Officials
Jim Cranford, Heart of America Chapter International Conference of Building Officials
Tim Pinnick, Heart of America Chapter, ICBO
Bobbi Mariani, Department of Administration
Linda Fund, Department of Administration
Teri Buek, Kansas Chapter, American Red Cross

Chairman Ramirez called the meeting to order and called for action on the February 2 minutes. Senator Papay moved that the minutes of the February 2 meeting be approved. Senator Vidricksen gave a second to the motion. The motion carried. The February 4 minutes were distributed.

SB 93 - concerning contractors; examinations

Thomas E. Slattery, Executive Vice-President, Associated General Contractors of Kansas, was first to present testimony in favor of the bill. (Attachment 1) Mr. Slattery's testimony stated the belief that the ICBO test is just as valid and appropriate as the Block test.

Rich Sternadori, President, Western Kansas Chapter of Building Officials, appeared next in support of the bill. He had three attachments distributed to the committee. (Attachment 2) contained Mr. Sternadori's testimony. (Attachment 3) was a letter from the Dodge City based National Association of Home Builders, and (Attachment 4) contained a letter of mutual support from the three Kansas Chapters of the International Conference of Building Officials (I.C.B.O.). Mr. Sternadori's testimony stated that support for this bill would allow affordable and equitable testing standards to be administered state wide.

Jim Cranford, Heart of American Chapter International Conference of Building Officials, appeared in support of the bill. (Attachment 5) It will allow a viable alternative resource for building contractors across the state who want to participate in the reciprocity program.

After several questions and comments from the committee, the Chairman stated that this closed the hearing on **SB 93**.

An attachment from Senator Oleen in support of the legislation was distributed. (Attachment 6)

The Chairman closed the hearing on **SB 93** and directed the committee's attention to **SB 126**, concerning electricians; examinations.

Tim Pinnick, Heart of America Chapter, ICBO, appeared in support of the bill. His testimony contained the statement that the bill ensures the continued use of current standards for examinations for master, journey and residential electricians. Mr. Pinnick stated that he had not encountered any opposition to this legislation. (Attachment 7)

After several comments and questions, the Chairman closed the hearing on **SB 126**.

The Chairman directed the committee's attention to **SB5**. He read a letter addressed to Senator Feleciano from Dr. Harder with copy to the Chairman in which he responded to the questions the Senator had with regard to the bill. Dr. Harder stated in the letter that removal of the language from line 31 on page 1 to line 9 on page 2 would have no adverse effect on the agency. (Attachment 8)

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION, Room 531-N
Statehouse, at 1:30 p.m. on February 8, 1993.

Senator Reynolds moved to amend **SB 5** by striking after the word 'governor' in line 31, all the language to the bottom of that page and to line 9 on page 2. Senator Vidricksen gave a second to the motion. The motion carried.

Senator Bogina moved to report **SB 5** favorable for passage as amended. Senator Reynolds gave a second to the motion. The motion carried.

The committee turned to **SB 96**, volunteer work by certain state employees.

There was no clarification of any dollar cost to the state as the fiscal note stated that the impact of the bill would be dependent upon the number of state employees who were certified disaster relief volunteers and the number of disasters.

Bobbi Mariani, Department of Administration was present and introduced Linda Fund, legal counsel from the Department to address the potential liability problem of the bill.

Ms. Fund had a balloon copy of the bill with added language that she thought would eliminate the concerns of workers compensation and tort claims. (Attachment 9)

Teri Buek, Kansas Chapter, American Red Cross, stated that there is a risk involved in volunteerism and the benefits the volunteer would receive would depend on the laws of the state.

The words "of the state" were discussed and questioned as possibly needed in the balloon amendment.

Staff brought up the fact that the committee might want to address the issue of permanent disability or even death of a volunteer.

Senator Harris moved to adopt the balloon amendment presented by the Department of Administration and include, after the word 'employee' add 'of the state' in both workers compensation and tort claims sections. Senator Lee gave a second to the motion. The motion carried.

It was the consensus of the committee to hold the bill until input from a KPERS person could be provided.

The Chairman read the agenda for Tuesday and asked the committee to be on time.

The meeting was adjourned.

The next meeting is scheduled for February 9, 1993.

GUEST LIST

COMMITTEE:

DATE:

NAME _____

ADDRESS

COMPANY / ORGANIZATION

[illegible]

TESTIMONY ON SB 93
SENATE GOVERNMENTAL ORGANIZATION
BY THOMAS E. SLATTERY, EXECUTIVE VICE PRESIDENT
ASSOCIATED GENERAL CONTRACTORS OF KANSAS, INC.
FEBRUARY 8, 1993

Thank you Mr. Chairman and members of the Committee for this opportunity to appear in support of SB 93.

AGC of Kansas does not have a position on whether municipalities should or should not require licensure of building contractors. However we do have a strong position supporting reciprocity or the ability of a contractor to bid and do work in another city that requires licensure without having to be re-tested once he has been licensed elsewhere in the state. This was accomplished by the legislature in 1989 with passage of HB 2124. Since then this concept has worked well.

SB 93 would give an option to local units of government providing that they could use the test prepared by the International Conference of Building Officials (ICBO) in place of the Block Test which is currently the recognized test. We believe the ICBO test is just as valid and would be just as appropriate as Block.

AGC of Kansas encourages your support of SB 93.

G.O. Comm.
Attachment 1
2/8/93



*Western Kansas Chapter
I.C.B.O.*



February 8, 1993

SENATE COMMITTEE ON
GOVERNMENTAL ORGANIZATION

Mr. Chairman, members of the Committee, my name is Rich Sternadori. I am appearing before you today to voice support for Senate Bill No. 93.

I speak as the 1993 president of the Western Kansas Chapter of Building Officials. Our Chapter consists of 36 municipalities spread across Western Kansas. I am also the author of the enclosed letter of support from over 100 City Building Officials in Kansas. This letter has been sent to Senators Al Ramirez, Senator Lana Oleen and Senator Sheila Frahm.

As Governmental Municipalities, we speak in unanimous support for the International Conference of Building Officials examination resource, known as Senate Bill 93.

Your support for this amendment will allow an affordable and equitable testing standard to be administrated state wide. Its passage will place building inspection departments and builders on equal footing technically.

We include herein a letter of support from the Dodge City based National Association of Home Builders.

Thank you for your time and attention.

*G.O. Comm.
Attachment 2
2/8/93*

Dodge City Area
Homebuilders Association
P.O. Box 1376
Dodge City, Kansas 67801

October 24, 1991

Rich Sternadori
Building Official and V.P. ICBO
Western Kansas Division
P.O. Box 880
Dodge City, KS 67801

Builders and
Associates

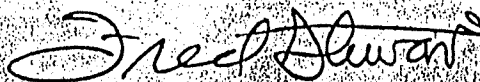
Teamwork
gets
the job done!

In response to your questions concerning changing to the ICBO System of, testing and licensing of general contractors, and subs, in Dodge City, Kansas.

I have talked to several of our members and received the following comments:

1. Most of us are in favor of changing to the ICBO if:
 - A. The existing Block Licensed people were "grandfathered in" without retesting.
 - B. If the ICBO test were more realistic and fit our part of the country better than Block.
 - C. If you and other building officials could administer this code in a fair, practical and common sense manner.
 - D. If the tests were hard enough and detailed enough to bring out practical experience and job experience as well as the book smart ability in taking a test.
2. We are in favor of ICBO but would like some code books and more information.

Sincerely,



Fred Stewart
President

FS/mg

Handwritten:
J. P. Connor
Attachment 3
7/1/93

City of
EL DORADO

KANSAS

January 28, 1993

Senator Al Ramirez
913 Sheidley
Bonner Springs, Kansas 66012

Dear Senator Ramirez:

As the presidents of the three Kansas Chapters of the International Conference of Building Officials (I.C.B.O.), we have drafted this letter to express our mutual support for the enclosed amendment proposal to statute 12-1556.

We, the undersigned, speak in a concerted voice supporting the addition of wording to the statute which will allow I.C.B.O. as a second resource for building contractor licensing examinations.

Seperatly, the three Kansas I.C.B.O. Chapters, are known as the Kansas City Metro, Heart of America and Western Kansas Chapters. Collectively we represent over 100 municipal and county jurisdictions across Kansas. It is our unanimous experience that the I.C.B.O. examinations will provide an equitable and competent testing standard for the Kansas construction industry.

Offering a viable resource alternative to jurisdictions and building contractors (based on the internationally utilized I.C.B.O. "Uniform Building Code",) our amendment will give builders and municipal authorities the means to build and monitor construction on equal technical footing in a practical, available and inexpensive manner.

Enclosed you will find a copy of the amendment proposal. We hereby respectfully request an amendment to statute section 12-1556.

*G.O. Comm.
Attachment 4
2/8/93*

Please call me at 316-321-9100 ext. 211, if I may be of assistance.

Respectfully yours:

Rich Sternadori, C.B.O.
President I.C.B.O.
Western Kansas Chapter

John McCann, President I.C.B.O.
Metro Kansas City Chapter

Glen Wiltse, President I.C.B.O.
Heart of America Chapter



Heart of America Chapter

International Conference of Building Officials

Senate Committee on Governmental Organization

Mr. Chairman, members of the Committee, my name is Jim Cranford, I am appearing before you today to speak in support of Senate Bill 93.

I am speaking on behalf of the Heart of America Chapter which is an Association of code enforcement officers.

It is our unanimous experience that examinations provided for inspectors by the International Conference of Building Officials have proven to be an equitable and competent testing standard that is utilized in 33 states.

This amendment will allow a viable alternative resource for building contractors across the state who want to participate in the reciprocity program.

The amendment will give builders the opportunity to be certified on an equal technical basis with the code enforcement officers in an available, practical and inexpensive manner.

Thank you for your time and consideration.

*G. O. Comm.
Attachment 5
2/8/93*

STATE OF KANSAS

LANA OLEEN
SENATOR, 22ND DISTRICT
RILEY AND GEARY COUNTIES



TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS

CHAIRMAN: GOVERNMENTAL ORGANIZATION
LEGISLATIVE EDUCATIONAL PLANNING
VICE-CHAIRMAN: CONFIRMATIONS
LABOR, INDUSTRY, SMALL BUS.
MEMBER: ASSESSMENT AND TAXATION
ECONOMIC DEVELOPMENT
JUDICIARY
ARTS/CULTURAL RESOURCES
COMMISSIONS: KANSAS SENTENCING
WASTE REDUCTION AND RECYCLING
DACOWITS—U.S. DEPT. OF DEFENSE

LEGISLATIVE HOTLINE
1-800-432-3924

February 8, 1993

TESTIMONY ON SENATE BILL 93

Chairman Ramirez and Members of the Committee:

Thank you for an opportunity to offer testimony on Senate Bill 93.

This legislation was suggested by three (3) Kansas Chapters of the International Conference of Building Officials (I.C.B.O.).

This bill allows for an additional building contractor licensing examination for municipal jurisdictions to sponsor. After reviewing the subject, it appears to me that this exam allows for high availability while being much more cost effective. I believe the I.C.B.O. exam allows for a network of educational support while placing building officials and contractors at the same uniform level of model building code.

Respectfully submitted,

Lana
Lana Oleen

TESTIMONY

Heard before: Senate Committee, Governmental Organization
Presented by: Tim Pinnick, Heart of America Chapter, ICBO
Date: February 8, 1993
Subject: Senate Bill No. 126.

I represent the Heart of America Chapter of the International Association of Building Officials, and I appear before you today in support of Senate Bill No. 126. On July 1, 1986 a law came into effect that established the certification of persons in the building, electrical, mechanical and plumbing trades and occupations. Certification is based upon appropriate standardized examinations and is recognized by county and city enforcing jurisdictions in Kansas.

This bill ensures the continued use of current standards for examinations for master, journey and residential electricians. Questions concerning National Electrical Code comprises most of the examinations' content. The code is revised every three years, and the exam preparer, Block and Associates, revises its examinations accordingly. Block & Associates cycle of new standards for the examination is effective July 1, 1993, and this bill ensures a smooth transition.

I have not encountered any opposition to this legislation.

*G.O. Comm.
Attachment 7
2/8/93*



Department of Health and Environment

Robert C. Harder, Secretary

February 5, 1993

The Honorable Paul Feleciano, Jr.
State Senate
State House, Room 452 E
Topeka, Kansas 66612

Dear Senator Feleciano:

This letter responds to your questions in Governmental Organization Committee on Thursday, February 4th regarding S. B. 5. I appreciate you bringing this issue to my attention so I can have the appropriate staff look into the possible ramifications of the language of this bill.

As I understand it, the current statute that governs the appointment of this agency's public health officers (K.S.A. 75-5610a) places all of these positions in the unclassified service. Therefore, any potential appointment of an existing agency physician to the position of Director of Health could only come from the unclassified service. It would seem the language in S. B. 5 found in Section 1 from line 31 on page 1 to line 9 on page 2 is moot. I believe that removal of this language would have no adverse effect on this agency.

In closing, let me again thank you for your willingness to help in our efforts to recruit the most qualified physician applicant for our current vacancy. Passage of S. B. 5 is very important to this effort.

Please let me know if I or my staff can answer any additional questions you may have.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rob Harder".

Robert C. Harder
Secretary

cc: Senator Alfred Ramirez, Chairman
Julian Efert, KLRD

G. O. Comm.
Attachment 8

2/8/93

SENATE BILL No. 96

By Senators Langworthy, Bogina, Bond, Burke, Corbin, Downey, Emert, Feleciano, Frahm, Gooch, Hardenburger, Harris, Hensley, Jones, Karr, Kerr, Lawrence, Lee, Martin, Moran, Morris, Oleen, Parkinson, Papay, Petty, Praeger, Ramirez, Ranson, Reynolds, Rock, Salisbury, Sallee, Steffes, Tiahrt, Tillotson, Vancrum, Vidricksen, Walker and Wisdom

1-26

AN ACT concerning volunteer work by certain state employees; authorizing disaster service volunteer leave.

Be it enacted by the Legislature of the State of Kansas:

Section 1. This act shall be known and may be cited as the disaster service volunteer leave act.

Sec. 2. As used in this act:

(a) "State agency" means any state office or officer, department, board, commission, institution, bureau or any agency, division or unit within any office, department, board, commission or other state authority or any person requesting a state appropriation;

(b) "disaster" includes disasters designated at level II and above in the American national red cross regulations and procedures.

Sec. 3. An employee of a state agency who is a certified disaster service volunteer of the American red cross may be granted leave from work with pay for not more than 20 working days in any twelve-month period to participate in specialized disaster relief services for the American red cross, upon the request of the American red cross for the services of that employee and upon the approval of that employee's state agency, without loss of seniority, pay, vacation leave, compensatory time, personal vacation days, sick leave or earned overtime accumulation. The state agency shall compensate an employee granted leave under this section at the employee's regular rate of pay for those regular work hours during which the employee is absent from work. Leave under this act shall be granted only for services related to a disaster occurring within the state of Kansas and states contiguous to Kansas.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

of the state
An employee deemed to be on leave under this section shall not be deemed to be an employee for purposes of worker's compensation.

of the state
An employee deemed to be on leave under this section shall not be deemed to be an employee for purposes of the Kansas Tort Claims' Act.

*G.O. Comm.
Attachment 9
2/8/93*