

Approved: March 7, 2000

Date

MINUTES OF THE HOUSE BUSINESS, COMMERCE AND LABOR COMMITTEE.

The meeting was called to order by Chairperson Al Lane at 9:06 a.m. on February 15, 2000 in Room 521-S of the Capitol.

All members were present except: Rep. Mike O'Neal - excused
 Rep. Rick Rehorn - excused

Committee staff present: Bob Nugent, Revisor of Statutes
 Jerry Donaldson, Legislative Research Department
 Dennis Hodgins, Legislative Research Department
 Bev Adams, Committee Secretary

Conferees appearing before the committee: Rep. Melany Barnes
 Elvis Hammerschmidt, Locksmith, Hays, Kansas
 Kevin Bell, Park Valley Lock & Key
 Doug Ackerman, Ackerman Lock and Key, Marysville
 Tom Whitaker, Kansas Motor Carriers Assn.
 A. J. Kotich, Chief Counsel, KDHR
 Lee Allison, State Geologist
 Wendy Harms, Kansas Aggregate Producers Association
 Phil Harness, KDHR
 Don Jenkins, KDHR

Others attending: See attached list

The minutes of February 9 and 10 were handed out to the committee. They will be approved at the next meeting.

Hearing on: HB 2456 - Locksmiths; photo identification, required.

Rep. Melany Barnes introduced the bill by request of a constituent. It requires anyone providing locksmithing services to require that the person making the request show a photo ID and that the person providing the service record their name, address and phone number. She has been contacted by numerous representatives of locksmithing associations asking that the bill be expanded to address issues in **HB 2647**, introduced by Rep. Aldritt in the 1998 Session, which concerns the licensing and regulation of locksmiths. She concluded her testimony by answering questions from the committee. ([Attachment 1](#))

Elvis Hammerschmidt, a locksmith from Hays, Kansas, appeared before the committee as a proponent of the bill. As a member of Associated Locksmiths of America and the Great Plains Locksmiths Association, he sees the need to go further and asks that the bill be amended to include the licensing of locksmiths and other revisions outlined in his written testimony. He ended his testimony by answering questions from the committee. ([Attachment 2](#))

Kevin Bell, Park Valley Lock and Key, asked the committee to support **HB 2456**. He also would like to see it amended to include licensing and to meet certain standards, i.e. education, certification, insurance, criminal background checks etc., to not only protect the locksmith industry, but to serve the public as well. Instead of giving his written testimony he read an e-mail letter from C. D. Lipscomb concerning locksmith businesses. ([Attachment 3](#))

Doug Ackerman, Ackerman Lock and Key, in Marysville, Kansas, runs a small husband and wife operation and he wanted the committee to take into consideration all of the written testimony of Elvis Hammerschmidt. He feels that we need more than just requiring the showing of a photo ID to protect the citizens of Kansas.

CONTINUATION SHEET

MINUTES OF THE HOUSE BUSINESS, COMMERCE AND LABOR COMMITTEE, Room 521-S
Statehouse, at 9:06 a.m. on February 15, 2000.

Written testimony was handed out from Michael Smallwood, Smallwood Locksmiths and Supply, opposing the bill. (Attachment 4) The written testimony was received from Terry Leatherman.

Tom Whitaker, Director of Governmental Relations with the Kansas Motor Carriers Association, appeared before the committee to oppose the bill. Operators of towing and recovery companies provide needed services to motorists such as lockout service when people lock their keys in their car. They are not locksmiths and should not be included in the bill. Without an exemption for their companies, they must oppose the bill. (Attachment 5)

No others were present to testify for or against the bill and Chairman Lane closed the hearing.

Hearing on: HB 2767 - Transfer of maps of underground mines to control of state geologist.

A. J. Kotich, Chief Counsel, Kansas Department of Human Resources (KDHR), appeared before the committee to explain their request for the bill. The Department of Human Resources has had the control of certain mine maps and plans and **HB 2767** would transfer these to the state geologist. The state geologist is better equipped to survey mines, interpret and preserve maps, and make maps available to the public. He concluded his testimony by answering questions from the committee. (Attachment 6)

Lee Allison, State Geologist, urged the committee to pass out the bill favorably. Industry and government agencies are accustomed to finding maps and other mining information with the Kansas Geological Survey and the bill provides that the maps that are now housed at the Department of Human Resources would be transferred and all of this material would be available at one location. (Attachment 7)

Wendy Harms, Kansas Aggregate Producers Association, testified in support of the bill. The association believes it would be more efficient and make more sense to refer all maps from the Division of Human Resources to the Kansas Geological Survey. (Attachment 8)

No others were present to testify for or against the bill and Chairman Lane closed the hearing on the bill.

Hearing on: HB 2769 - Variances for nonconforming boilers and pressure vessels.

Phil Harness, Director, Division of Workers Compensation, explained that boiler safety is housed in his division. The bill would allow a variance to cover non-code boilers and pressure vessels which would allow the use, sale, or reinstallation of any non-conforming boiler or pressure vessel as long as it is not considered or proven to be unsafe to operate. It also addresses the replacement fee of lost or destroyed inspection certificates and allows the fees charged for special inspections and certificates to be raised by rules and regulations. (Attachment 9)

Don Jenkins, KDHR, who was sitting in the audience, answered questions from the committee about the time it takes to do special inspections and if the raise in fees would cover the cost of doing them. He also listed some of the places where boilers are inspected; hospitals, schools, and factories.

Phil Harness explained to the committee that boilers in nuclear power plants are not inspected by the state.

A. J. Kotich, KDHR, explained why the variance is needed. If a company buys a new boiler for \$25,000, the boiler might not meet one particular part of the code but still be safe to use. The variance would allow the use of the boiler.

No others were present to testify for or against the bill and Chairman Lane closed the hearing.

The meeting was adjourned at approximately 10:00 a.m.

The next scheduled meeting will be Wednesday, February 16, 2000.