

MINUTES OF THE HOUSE COMMERCE AND LABOR COMMITTEE

The meeting was called to order by Chairman Don Dahl at 9:00 a.m. on January 28, 2004 in Room 241-N of the Capitol.

All members were present except:

Representative Broderick Henderson- excused

Committee staff present:

Jerry Ann Donaldson, Legislative Research Department

Michele Alishashi, Legislative Research Department

Norm Furse, Revisor of Statutes

Renaë Jefferies, Revisor of Statutes

June Evans, Committee Secretary

Conferees appearing before the committee: David Finley, Executive Director, Kansas Plumbing, Heating/Cooling Contractors Association, Wichita  
Monty Betts, President, Advanced Plumbing & Heating, Salina  
Bruce A. Pfeiffer, Senior Plumbing Inspector, Topeka  
Larry R. Baer, Assistant General Counsel, League of Kansas  
Jim DeHoff, Executive Secretary, AFL/CIO  
Norman Furse, Revisor of Statutes

Others attending: See Attached List.

The Chairman called the meeting to order and asked if there was anyone wishing to request bill introductions.

The Chairman opened the hearing on **HB 2359 - Requiring continuing education for certain contractors licensed by cities and counties.**

Staff gave a briefing stating the bill requires all persons receiving such certificate or license annually to obtain six hours of continuing education approved by such local governing body or a nationally recognized trade association.

David Finley, Executive Director, Kansas Plumbing, Heating Cooling Contractors Association and State Manager Association of Mechanical and Sheet Metal Contractors of Kansas, testified as a proponent to **HB 2359**. There is a loophole in the law that allows people who have not been working in the industry to get a plumbing or HVAC license. By state law anyone having a certificate is allowed to purchase a license. There is no time limit on the certificate. Therefore, more and more people who have a certificate and have not been in the business for a number of years are getting a license. The industry has changed over the years and training is needed to keep up with these changes. It is dangerous for a person to be doing plumbing and installing furnaces that has not received recent training. Continuing education is needed. Cities, counties, Vo-techs, associations, and supply houses all give various classes throughout the year. Most of them are free of charge. Any person legitimately in the industry is already receiving at least six hours a year just to keep up with new equipment, products, rules, regulations, skills, and techniques (Attachments 1, 2 & 3).

Monty Betts, President, Advanced Plumbing & Heating, Inc., testified as a proponent to **HB 2359**. Mr. Betts said the industry has seen the introduction of new piping materials; new water efficient plumbing fixtures and new, more explosion resistant water heaters, just to mention a few. It is only through education that these new technologies, that have been made available to the consumer through the industry, can be installed correctly without worry of endangering the life or safety of the general public. The ongoing advancement of the industry and the health and safety of the public strongly depends on the education of its workers (Attachment 4).

Bruce A. Pfeiffer, Senior Plumbing Inspector, City of Topeka, testified as a proponent of **HB 2359**. Yearly, hundreds of new plumbing products and materials are introduced to the marketplace, prompting

## CONTINUATION SHEET

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wholesale changes in the standards, installation practices and regulations. Consumers rely on the expertise of the trades person in our communities to install these products in a safe, sanitary and dependable manner. We depend on them to protect our drinking water from contaminants, supply heating fuel to our gas burning appliances and remove wastewater in a sanitary manner from our homes and businesses. For these reasons, it is felt that "continuing education" is imperative to provide information on the latest techniques, codes and installation practices to those entrusted with our health and safety (Attachment 5).

Jim DeHoff, Executive Secretary of the Kansas AFL/CIO, a proponent to **HB 2359**, testified in the interest of several hundred plumbers. A survey has been sent out to see if they support a 6 hour training course required on an annual basis for licensed plumbers. Data is not yet available (Attachment 6).

Larry R. Baer, Assistant General Counsel, League of Kansas Municipalities, testified as an opponent to **HB 2359**. This impinges upon the city's right of local control. The League has a long history of supporting local control. There is a constitutional directive to allow and permit a city's governing body to consider and enact local provisions believed to be in the best interest of its citizens. Cities are currently free to require continuing education of contractors. However, if education is mandated it may negatively impact smaller communities. Often, there may only be one or two individuals who are licensed. Requiring them to seek and obtain further training or education may cause them to decide that they no longer want to be of a service to the community (Attachment 7).

Norm Furse, Revisor of Statutes gave a background briefing on **ERO 31 - Executive Reorganization of KDHR**. According to the ERO, the Department of Human Resources is hereby renamed the Department of Labor and the Secretary of Human Resources is hereby renamed the Secretary of Labor (Attachment 8)

The meeting adjourned at 10:30 a.m. and the next meeting will be January 29.