

TESTIMONY
of Mark Kresge, CKD, MCR, CRPM
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Ohio House Bill B 504:
for House Economic Development, Commerce and Labor Committee Meeting
Tuesday, May 22, 2018
1:30 PM

Mr. Chairman, members of the Committee, and Representative Pelanda, my name is Mark Kresge. I too am here today to speak in opposition to House Bill 504 and the Proposed Substitute, as currently written. And I also request that the bill be amended to clarify the terminology intended to ensure that Ohio's kitchen and bath designers are exempt from this bill.

I am a Certified Kitchen Designer, or CKD, and have been for about 15 years now. In addition to my 30 years of experience, as a CKD, I have extensive knowledge of building codes, appliances and mechanical systems. I write specifications and draw plans.

My company and those of most kitchen and bath design firms are small businesses. Many are family- or, like Louise, female-owned businesses.

My company specializes in kitchen remodeling projects for residentially utilized kitchens, regardless of the size of the dwelling or how many family units are part of the building. Like so many of my fellow kitchen and bath designers, I also design and remodel kitchens for small commercial spaces, such as churches, small offices, and even a fire house.

I employ ten people, all of whom help to fulfill client kitchen remodeling needs. These employees give me and our clients their very best, every day. They and their families rely on me for their livelihoods. I take that responsibility very seriously.

And today, these employees are relying on you, their elected representatives, to help keep their jobs safe. A very simple clarifying amendment to the bill would go a long way to giving them and their families this protection as well as the peace of mind they deserve.

It is my understanding that the bill has been drafted to include the term, “other design professionals” as a catch-all term to ensure that kitchen and bath designers are exempt from the bill’s provisions and that we can continue to practice our profession no differently than we do now.

I am most grateful and appreciative that Rep. Pelanda is attempting to protect us. Our concern is that the term, “design professional” is already used in multiple places in Ohio’s statutes. (in Chapter 153)

- Where the term is used, it specifically limits the meaning:
 - to architects and landscape architects licensed under Chapter 4703, and
 - to professional engineers and surveyors licensed under Chapter 4733.
- I am afraid that this statutorily limited use of the term could be construed to have the opposite effect than the sponsor intends. This would prove to be harmful to my business and to all of the other small, family and female owned businesses that specialize in kitchen and bath design as well as to the livelihoods of the 1100 or so colleagues of mine across the state.

Rep. Pelanda’s office has committed to continuing to work with NKBA and its members across Ohio to help us clarify this language. Thank you Rep. Pelanda. Please know how much we appreciate this.

While we had hoped to amend the bill today and allay our worries once and for all, we understand that the language needs some continued work. Be assured, we will remain engaged to help find a solution.

I also would like to make an open and public request here today to the interior design community that is advocating for this bill. I ask that you commit to working in good faith with NKBA and the entire kitchen and bath design community to find a solution that does not impede the interior designers' desired outcome but that also protects the current work being performed by kitchen and bath designers.

Mr. Chairman, committee members, and Rep. Pelanda, thank you very much for listening and, even more, for really hearing my perspective. And thank you too, for keeping kitchen and bath designers in mind as you deliberate on this legislation.

Desired Amendment:

Add Definition: (on line 15 in introduced version OR on line 189 of proposed substitute

“Kitchen and bath designer” means a person engaged in the design of safe and functional kitchen and bath spaces and in the specification of products for kitchen and bath areas.

AND

On line 104 of introduced version OR on line 278 of proposed substitute, replace “other design professional;” with “kitchen and bath designer;”