

MINUTES OF THE HOUSE COMMERCE, LABOR AND ECONOMIC DEVELOPMENT
COMMITTEE

The meeting was called to order by Chairperson Mark Hutton at 1:30 pm on Tuesday, February 02, 2016, 346-S of the Capitol.

All members were present

Committee staff present:

Linda Herrick, Kansas Legislative Committee Assistant
Reed Holwegner, Legislative Research Department
Chuck Reimer, Office of Revisor of Statutes

Conferees appearing before the Committee:

Lisa Ochs, President, American Federation of Teachers-Kansas (AFT-Kansas)
Rebecca Proctor, President, Kansas Organization of State Employees (KOSE)
Mark Dessetti, Director, Legislative Advocacy, Kansas National Education Association (KNEA)

Others in attendance:

[See Attached List](#)

Possible bill introductions

Chairperson Hutton asked if there were any bill introductions. There were none.

Hearing on: HB2325 — Enacting the public employee bargaining transparency act.

Chairperson Hutton opened the hearing on the bill. Chuck Reimer, Revisors Office, gave an overview. The bill would require collective bargaining sessions between a public employer and a labor organization to be public meetings and would be subject to the Kansas Open Meetings Act (KOMA) with the public to be given a 24-hour notice before the meeting. Certain meetings would be exempt from KOMA. Also, any documents created or presented would be subject to the Kansas Open Records Act. The documents could not be open until the public employer and labor organization agreed to the terms.

Questions were asked about some of the terms: participate, taxpayers who participate, attorney-client privilege in KOMA, and how this applies to the Legislature. Mr. Reimer answered some of the questions and is seeking answers to address others at a later date.

Lisa Ochs, President, American Federation of Teachers-Kansas (AFT Kansas), provided proponent testimony ([Attachment 1](#)). Opening meetings to the press and the public allow true transparency and allow the public to know what the employees have identified as workplace issues and concerns. Ms. Ochs said it would also provide a higher level of negotiability. AFT Kansas supports the bill.

CONTINUATION SHEET

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Rebecca Proctor, President, Kansas Organization of State Employees, provided proponent testimony ([Attachment 2](#)). She noted this is an American Legislative Exchange Council (ALEC) model bill, and although she normally does not support ALEC bills, she feels this is a good bill. How non-federal employees bargain and the subjects they may bargain are determined by state law. Anything KOSE and the state agree upon regarding wages and benefits is not binding, but merely a recommendation made to the Legislature. Nothing regarding pay or benefits may be done in secret or without the Legislature's specific action.

Other issues of public concern that arise during negotiations are not public. Ground rules are developed generally prohibiting the press and those on the bargaining team to attend. Open meet and confer sessions allow for a better understanding and discussion of the very serious issues facing public employees. Negotiations should be a transparent process and KOSE supports this bill.

Written-only proponent testimony ([Attachment 3](#)) was furnished by Eric Stafford, Kansas Chamber of Commerce.

There was no opponent testimony.

Written-only opponent testimony was provided by:

Peter Fogarty, President, Kansas Fraternal Order of Police State Lodge ([Attachment 4](#))

Rich Eckert, Shawnee County Counselor ([Attachment 5](#))

Mitch Mellick, President, Kansas State Troopers Association ([Attachment 6](#))

Matt Hall, Business Agent, Teamsters Local 696 ([Attachment 7](#))

Mark Dessetti, Director, Legislative Advocacy, KNEA, provided neutral testimony ([Attachment 8](#)). He noted KNEA abides by similar rules. Negotiations under the Professional Negotiations Act (PNA), under which KNEA's members negotiate contracts, are open meetings.

Neutral written-only testimony ([Attachment 9](#)) was provided by Tom Krebs, Governmental Relations Specialist, Kansas Association of School Boards.

The hearing was closed.

Final action on: HB2512

HB2512-Allowing students early access to the CPA examination.

Chairperson Hutton asked if anyone would like to make a motion on this bill. Representative Mason moved, seconded by Representative Claeys, the bill be passed.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

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Representative Mason moved, seconded by Representative Whipple, to amend the bill ([Attachment 10](#)). The motion passed.

Representative Mason moved, seconded by Representative Claeys, the bill be passed as amended. The motion passed.

Adjournment

The meeting adjourned at 2:35 p.m.