

## MINUTES OF THE SENATE COMMERCE COMMITTEE

The meeting was called to order by Chairperson Julia Lynn at 8:30 a.m. on Wednesday, February 04, 2015, 548-S of the Capitol.

All members were present except:

Senator Susan Wagle – Excused

Senator Tom Holland – Excused

Committee staff present:

Reed Holwegner, Legislative Research Department

Debbie Bartuccio, Kansas Legislative Committee Assistant

Edward Penner, Legislative Research Department

Chuck Reimer, Office of Revisor of Statutes

Conferees appearing before the Committee:

Senator Oletha Faust-Goudeau

Bobby Thomas, First Student Transportation, Wichita, Kansas

Delman Joliff, First Student Transportation, Wichita, Kansas

Pam Ward, Overland Park, Kansas

Jimmy Lee Rose

Scott Kelly, Overland Park, Kansas

Eric Stafford, The Kansas Chamber

Justin McFarland, Deputy General Counsel, Kansas Department of Labor

Natalie Bright, on Behalf of the Coalition for Opportunity, State Use Law Vendors

Others in attendance:

[See Attached List](#)

### **Possible bill introductions**

Chairperson Lynn asked if there were any bill introductions and there were none.

### **Hearing on: SB3 — Unemployment benefits for privately contracted school bus drivers.**

Chairperson Lynn opened the hearing on **SB 3** and requested Revisor Chuck Reimer to provide an overview of the bill.

Chairperson Lynn recognized the following conferees.

Senator Oletha Faust-Goudeau presented testimony in support of the bill. ([Attachment 1](#)) She stated the bill would enhance the safety of school children by retaining more experienced and reliable bus drivers who ensure that children are safely transported to and from school each and every day.

Bobby Thomas, First Student Transportation, provided testimony in support of the bill. ([Attachment 2](#))

Delman Joliff, First Student Transportation, provided testimony in support of the bill. ([Attachment 3](#))

## CONTINUATION SHEET

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Pam Ward, Overland Park, Kansas, provided testimony in support of the bill. ([Attachment 4](#))

Jimmy Lee Rose provided testimony in support of the bill. ([Attachment 5](#))

Scott Kelly, Overland Park, Kansas, provided testimony in support of the bill. ([Attachment 6](#))

Eric Stafford, The Kansas Chamber, presented testimony in opposition to the bill. ([Attachment 7](#))

Justin McFarland, Kansas Department of Labor, presented testimony neutral to the bill. ([Attachment 8](#))

Written only testimony in support of the bill was provided by:

- Larry Miller, school bus driver, Durham School Service, Overland Park, Kansas ([Attachment 9](#))
- Larry Catlett, school bus driver, First Student Transportation, Wichita, Kansas ([Attachment 10](#))
- Linda Coster, school bus driver ([Attachment 11](#))
- Dorothy Dorman, trainer for First Student Transportation, Wichita, Kansas ([Attachment 12](#))
- Mark E. Boaldin, school bus driver for City of Wichita ([Attachment 13](#))

There was no written testimony provided in opposition or neutral to the bill.

Senator Faust-Goudeau commented Mr. McFarland's testimony appeared to be disingenuous as it sounded more in opposition than neutral to the bill. She stated she had worked during the summer with the Department of Labor, including Brett Flachsbarth, Director of Unemployment Insurance, to review these issues and she had the impression there were no problems with the issues. Senator Faust-Goudeau noted the fiscal note for this bill stated a precise estimate of the fiscal effect cannot be made, because the Department of Labor does not have an accurate estimate of the number of school bus drivers that would claim the unemployment insurance benefits under this bill. She questioned Eric Stafford and Mr. McFarland if they would be open to a pilot program for those bus drivers with at least 5 years of tenure. Mr. Stafford responded that if there is a reasonable assurance the bus driver is returning to work in August, then the driver has not lost the job, and therefore would not be eligible for unemployment insurance. He cautioned against policies that would likely create negative balance employers.

Senator Denning asked Bobby Thomas to explain what the Class C driver's license qualifies the bus drivers to do. Mr. Thomas explained the Class C license authorizes them to drive buses, but not other specialized vehicles such as semi-trucks. Senator Denning asked Mr. Thomas, since the bus drivers are privately contracted, if they were represented by a bargaining unit. Mr. Thomas responded the drivers were represented by the Teamsters.

## CONTINUATION SHEET

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Following the conclusion of the question and answer session, Chairperson Lynn closed the hearing on **SB 3**.

### **Presentation on:**

Chairperson Lynn recognized Natalie Bright, on behalf of the Coalition for Opportunity - State Use Law Vendors, who presented usage information for the Kansas State Use Law. ([Attachment 14](#))

Senator Faust-Goudeau inquired as to what results were being experienced with the preference program to engage the private sector in hiring individuals with disabilities as well as working with State Use Law vendors in making purchases. Chairperson Lynn requested Ms. Bright to provide Committee members with the latest results on the program.

At the conclusion of the question and answer session, Chairperson Lynn adjourned the meeting at 9:25 a.m. The next meeting is scheduled for February 5, 2015.