

MINUTES OF THE SENATE COMMERCE COMMITTEE

The meeting was called to order by Chairperson Julia Lynn at 8:30 a.m. on Tuesday, March 31, 2015, 548-S of the Capitol.

All members were present

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:

Secretary Jim Clark, Kansas Department of Administration
Justin McFarland, Deputy General Counsel, Kansas Department of Labor
Gary Atkins, Executive Director, State Employees Association of Kansas
Rebecca Proctor, Executive Director, Kansas Organization of State Employees

Others in attendance:

[See Attached List](#)

Senator Wilborn moved, seconded by Senator Olson, to approve the minutes of March 16, 17, 18 and 19. The motion passed.

Pending referral, Hearing on HB 2391 - State employees; classified positions converted to unclassified positions.

Chairperson Lynn opened the hearing on **HB 2391** and requested Revisor Chuck Reimer to provide an overview of the bill. ([Attachment 1](#))

Chairperson Lynn recognized the following conferees.

Secretary Jim Clark, Kansas Department of Administration, provided testimony in support of the bill. ([Attachment 2](#)) ([Attachment 3](#)) ([Attachment 4](#))

Justin McFarland, Deputy General Counsel, Kansas Department of Labor, provided testimony in support of the bill. He stated a correction should be made in the last sentence of the second paragraph of his testimony. This sentence should read "The principles outlined in KDOL's policy mirror federal regulations, and can be used by other agencies if they chose to convert unfilled positions from classified to unclassified." ([Attachment 5](#))

Gary Atkins, Executive Director, State Employees Association of Kansas, provided testimony in opposition to the bill. ([Attachment 6](#))

Rebecca Proctor, Kansas Organization of State Employees, provided testimony in opposition to the bill.

CONTINUATION SHEET

MINUTES of the Committee on Commerce at 8:30 a.m. on Tuesday, March 31, 2015, 548-S of the Capitol.

[\(Attachment 7\)](#)

Written-only testimony in support of the bill was submitted by:

- Secretary Phyllis Gilmore, Kansas Department for Children and Families [\(Attachment 8\)](#)

Written-only testimony in opposition to the bill was submitted by:

- Christopher Staley, Representing Self [\(Attachment 9\)](#)
- Derrick Baxter, Representing Self [\(Attachment 10\)](#)
- John Bates, Representing Self [\(Attachment 11\)](#)
- Laura Calhoun, Representing Self [\(Attachment 12\)](#)
- Sarah LaFrenz Falk, Representing Self [\(Attachment 13\)](#)
- Rick Wiley, Representing Self [\(Attachment 14\)](#)

No neutral testimony was submitted.

At the conclusion of the question and answer session, Chairperson Lynn closed the hearing on **HB 2391**.

Possible action on HB 2391 - State employees; classified positions converted to unclassified positions.

Chairperson Lynn requested the Committee to deliberate the bill and asked if there were any amendments or motions for the bill.

*Senator Melcher moved, seconded by Senator Pilcher-Cook, to pass **HB 2391**. The motion passed. Senator Baumgardner abstained from voting. Senator Faust-Goudeau and Senator Holland voted nay.*

Senator Holland stated his concern about federal dollars being at risk and distributed a document from the United States Department of Labor to the Committee. [\(Attachment 15\)](#)

Chairperson Lynn adjourned the meeting at 9:25 a.m. There are no other meetings scheduled.