

## MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairperson Steve Abrams at 1:30 pm on Tuesday, February 24, 2015, 144-S of the Capitol.

All members were present

Committee staff present:

Mark Savoy, Legislative Research Department  
Lauren Douglass, Legislative Research Department  
Erna Fabert, Kansas Legislative Committee Assistant  
Jason Long, Office of Revisor of Statutes

Conferees appearing before the Committee:

No conferees present

Others in attendance:

[See Attached List](#)

Chairperson Abrams asked for a motion to approve the minutes previously sent to committee members for review.

Senator Arpke moved, Senator Fitzgerald seconded, to approve the minutes of the January 21 and February 11, 2015 Senate Education Committee meetings. Motion carried.

### **Possible action on bills previously heard**

Chairperson Abrams then called for discussion on **SB136** or **SB176**, whichever bill the Committee wished to discuss, as both bills relate to the Professional Negotiations Act.

Senator Pyle moved, Senator Schmidt seconded, to recommend **SB136** favorably for passage.

Senator Schmidt asked if date changes needed to be added to the bill, whereas the staff revisor replied that said dates have already been incorporated into the language of the bill.

Senator Fitzgerald moved a substitute motion to amend **SB136** as follows: On page 2 "(A)" would be deleted from line 40; that everything from the semicolon on would be deleted from line 42; that the entire line 43 would be deleted. On page 3, lines 1 through 19 would be deleted; everything before the semicolon on line 20 would be deleted; and "(C)" would be deleted from line 20. On page 4, line 26 the word "In" would be deleted and lines 27 through 32 would be deleted. In line 33, on page 4, the words "upon the mutual agreement of" would be deleted, and the words "and such other terms and conditions of professional service as mutually agreed to by" would be added.

Senator Melcher seconded the substitute motion.

Discussion brought forth the following concerns: that this is a very substantive change and it would

## CONTINUATION SHEET

MINUTES of the Committee on Education at 1:30 pm on Tuesday, February 24, 2015, 144-S of the Capitol.

have been helpful to have had a written amendment prepared in advance; does this amendment reopen the issue of unlimited negotiation items; why did the legislature ask several groups to come to an agreement on professional negotiations and then totally disregard the agreement this group presented; and whether the 4 negotiating groups ever considered the possibility of removing limitations as proposed in the substitute motion.

Chairperson Abrams announced that there is a substitute motion on the floor. Senator Pettey then asked for further clarification of the amendment, whereby the staff revisor reviewed the amendment once again.

Senator Fitzgerald reiterated that this amendment gives local schools and superintendents leeway to do what they need to do and asked that the motion be called forward. Motion carried.

Chairperson Abrams asked if there were any other motions to be made whereby Senator Schmidt moved, Senator Pettey seconded, to table the bill. Motion failed.

Senator Melcher moved, Senator Arpke seconded, that **SB136** be passed out favorably as amended. The chairperson called for a vote on the motion that the bill as amended be passed out of committee. Motion failed.

Upon a request from Senator Tyson the chairperson granted a recess until 2:10 pm.

After the Committee reconvened, the staff revisor was asked if a motion to reconsider would be in order. According to Roberts Rules of Order the party on a prevailing side of an issue or a party who did not vote on an issue may make a motion to reconsider.

Senator Tyson moved, Senator Fitzgerald seconded, to reconsider the previous motion.

After discussion, it was determined that Senator Tyson would be eligible to make a motion to reconsider because she did not vote on the original motion. Upon a request for clarification by Senator Pettey, the staff revisor explained that the motion to reconsider is for passing **SB136** out of Committee as amended.

Chairperson Abrams asked for a vote on the motion to reconsider passing out **SB136** as amended, favorably for passage. Motion carried.

Chairperson Abrams adjourned the meeting at 2:20 pm.

The next meeting of the Senate Education Committee will be Wednesday, March 4, 2015 at 1:30 pm in Room 144-S of the Capitol.