

Approved

Date

*Stephen R. Cloud*  
4-10-85

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by Representative Stephen R. Cloud at  
Chairperson

8:23 a.m./~~p.m.~~ on Tuesday, April 2, 1985 in room 522-S of the Capitol.

All members were present except:

Committee staff present:

Avis Swartzman - Revisor  
Julian Efird - Legislative Research Dept.  
Russ Mills - Legislative Research Dept.  
Jackie Brey Meyer - Committee Secretary

Conferees appearing before the committee:

Senator Vidricksen  
George Puckett - Kansas Restaurant Association  
Barbara Sabol - Secretary, Department of Health & Environment

The meeting of the Governmental Organization Committee was called to order at 8:23 a.m. by Representative Stephen R. Cloud, Chairman. The minutes of the March 28 meeting were approved. The Chairman introduced Senator Vidricksen, who was present to speak on SB 342. This bill deals with the Advisory Committee on Food Service and Lodging.

Senator Vidricksen said that this advisory committee had been due to be abolished, but was removed from the bill that would have done so at the last session. He would like to see this bill passed. The committee has been inactive because of a lack of members. The food industry would definitely like to have the input into the agency. There are 10,000 licenses issued and all restaurants are inspected at least once a year. It is a fee agency. The Senator mentioned sulphites, the substance that freshens fruit and vegetables in restaurants. It causes problems for persons with asthma and other allergy problems.

George Puckett, Kansas Restaurant Association spoke next in support of SB 342. (See Attachment A) He stated that the committee has worked with the Department of Health and Environment in the past and this has brought about strong cooperation between the Department and over 10,000 licensed food service operators in Kansas.

Barbara Sabol, Secretary, Department of Health and Environment, spoke on the bill. The Department does not oppose the legislation, but she mentioned SB 132 the Department had introduced this session to abolish the committee. The bill was killed in committee. (See Attachment B)

As there were no other conferees to speak to the bill, the Chairman terminated the hearing on SB 342 and asked for committee discussion. Several members spoke for and against retaining the committee, with staff providing some statutory input.

Representative Fuller moved to amend SB 342 by repealing the existing bill and putting one person on the Advisory Committee on Health, who would represent the food service and lodging industry. Representative Ramirez gave a second to the motion; the motion carried. Secretary Sabol commented that this would bring the Board total to 8 persons.

Representative Fuller moved to pass SB 342 favorably as amended. Representative Sutter gave a second to the motion; the motion carried.

The Committee turned to SB 79. Avis Swartzman, Revisor, went through the Committee Report stating what all the amendments did and why other language was struck. After she was finished the Chairman commented that it was a good bill. Representative Hassler concurred and thanked the Subcommittee for its hard work. Rep. Hassler moved to adopt the SB 79 amendments. Rep. Hassler gave a second to the motion; the motion carried. Representative Walker moved that SB 79 be passed favorably as amended. Representative Sutter gave a second to the motion; the motion carried.

Representative Hassler moved to request a performance audit of the Boiler Inspection Program. Representative Brown gave a second to the motion; the motion carried.

The Chairman thanked the committee for its hard work and stated he had enjoyed working with everyone. The meeting was adjourned at 9:11 a.m.

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MY NAME IS GEORGE PUCKETT, AND I REPRESENT THE KANSAS RESTAURANT ASSOCIATION, A STATEWIDE GROUP OF FOOD SERVICE MANAGERS AND OWNERS REPRESENTING THE FOOD SERVICE INDUSTRY.

SENATE BILL 342 WOULD REORGANIZE THE ADVISORY COMMITTEE ON FOOD SERVICE AND LODGING WHICH HAS FAILED TO FUNCTION FOR THE PAST SEVERAL YEARS DUE TO APPOINTMENTS NOT BEING MADE TO THE POSITIONS, AND APPOINTMENTS MADE TO MEMBERS WHO ARE NO LONGER ACTIVE IN THE KANSAS FOOD SERVICE INDUSTRY.

THE DEPARTMENT OF HEALTH HAS INTRODUCED SENATE BILL 132 THIS YEAR TO ABOLISH THE PRESENT NINE MEMBER BOARD, SINCE ONLY THREE PEOPLE ARE CURRENTLY APPOINTED TO THE BOARD AND A QUORUM IS NOT POSSIBLE. SENATE BILL 132 WAS REPORTED UNFAVORABLY BY THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE.

IN THE PAST, THIS COMMITTEE CONSULTED WITH AND ADVISED THE SECRETARY OF HEALTH AND ENVIRONMENT ON MATTERS RELATING TO FOOD SERVICE AND LODGING STANDARDS, THE ADMINISTRATION OF THE FOOD SERVICE AND LODGING ACT, AND ON OTHER SUCH IMPORTANT MATTERS. THIS BROUGHT ABOUT A STRONG COOPERATION BETWEEN THE DEPARTMENT AND THE OVER 10,000 LICENSED FOOD SERVICE OPERATORS IN KANSAS. OUTSTANDING OPERATORS HAVE SERVED ON THIS BOARD IN THE PAST AND WISH, ONCE AGAIN, TO MAKE THE COMMITTEE A USEFUL AND PRODUCTIVE ONE.

THE ORIGINAL BOARD WAS CREATED IN 1939, AND FUNCTIONED EXTREMELY WELL UNTIL RECENTLY. AS PROPOSED, THE COMMITTEE WOULD BE COMPOSED OF A STRONG CROSS SECTION OF MEMBERS OF THE FOOD SERVICE AND LODGING INDUSTRIES IN KANSAS. THE FOOD SERVICE INDUSTRY STRONGLY URGES YOUR FAVORABLE ACTION ON SENATE BILL 342.

*Attachment A 4/2/85*

April 2, 1985

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

TESTIMONY ON SB 342

PRESENTED TO HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION - April 2, 1985

This is the official position taken by the Kansas Department of Health and Environment on SB 342.

BACKGROUND INFORMATION:

When the Food Service and Lodging Act was passed in 1975, it (1) abolished the board, (2) moved the functions to Secretary of Health and Environment and (3) created the Advisory Committee on Food Service and Lodging Standards. The Advisory Committee on Food Service and Lodging Standards was created to consult with the and advise the Secretary on matters relating to implementation of the Food Service and Lodging Inspection and Licensing Program. For several years after it's creation the Advisory Committee on Food Service and Lodging Standards was very active and played an important part in regard to the implementation of the Food Service and Lodging Act. The committee members actively dealt with issues concerning legislation, budgeting, regulation development and adoption and other matters.

In recent years the workload of the committee has decreased substantially as the Food Service and Lodging Licensing and Inspection Program has become established within KDHE. As a result of this reduced workload, committee members have become inactive and scheduled meetings are frequently cancelled due to lack of a quorum. For this reason the Department had proposed a bill abolishing the committee. That bill was killed in committee. The approach provided by this bill may result in a functional committee.

STRENGTHS: Maintains Agency contact with industry.

WEAKNESS: Demands significant amounts of staff time and committee meetings are frequently cancelled due to lack of quorum.

DEPARTMENT'S POSITION:

The agency does not oppose this legislation.

Presented by: Barbara J. Sabol, Secretary  
Kansas Department of Health  
and Environment

4/2/85  
Attachment B