

Approved: March 15, 1995
Date

MINUTES OF THE SENATE COMMITTEE ON COMMERCE.

The meeting was called to order by Chairperson Alicia Salisbury at 8:00 a.m. on March 14, 1995 in Room 123-S of the Capitol.

Members present: Senators Salisbury, Burke, Downey, Feleciano, Gooch, Harris, Hensley, Kerr, Petty, Ranson, Reynolds, Steffes and Vidricksen.

Committee staff present: Lynne Holt, Legislative Research Department
Jerry Donaldson, Legislative Research Department
Bob Nugent, Revisor of Statutes
Betty Bomar, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached list

SB 292 - Defining purpose and scope of public employer-employee relations act

The Chair advised the Committee that the subcommittee report on SB 292 and possible action by the Committee is postponed so that the impact of a Kansas Supreme Court Decision handed down Friday, March 10, 1995, might be analyzed.

Upon motion by Senator Downey, seconded by Senator Petty, the Minutes of the March 10, 1995 and March 13, 1995 meeting were unanimously adopted.

SB 102 - Establish Kansas Performance Review Board

Senator Ranson submitted proposed amendments to SB 102 for Committee consideration.

Senator Ranson moved, seconded by Senator Burke, SB 102 be amended as follows:

Page 1, Line 20 following the (.) by inserting: "At least one member shall have cost accounting experience."

Page 2, Line 29 following the (;) by striking [or] and on Line 33 following the word "firm" by inserting: "; or (4) a written suggestion by a public employee or a public employee organization regarding the opportunity to review a governmental function that has been delegated to the private sector";

Page 3, Line 17 following the word "thorough" by inserting the word "determination of the" and striking the word "accounting"; line 19 striking the word "accounting" and inserting the word "costs" in lieu thereof; Line 20 following the word "allocated" inserting the words "and avoidable"; Line 21, strike the word "both" and the words "private and"; Line 22 following the word "administration", insert the word ", monitoring"; Line 23, striking the word "accounting" and insert the word "analysis; Line 26, strike the word "accounting and insert the word "analysis. Line 30 following the word "service strike the remainder of the line and all of line 31 and insert in lieu thereof the following: "provided directly by an agency of state government as well as those services provided through the procurement process."

Page 3, Line 40, insert a New Sec. 7, to read as follows:

"After July 1, 2000, Kansas, Inc. shall contract for an external review of the Board's activities to be reported to the 2001 session of the legislature. Such report shall include: (a) the disposition of every governmental function reviewed by the board; (b) a cost benefit analysis of any of the recommendations of the board which

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON COMMERCE, Room 123-S Statehouse, at 8:00 a.m. on March 14, 1995.

are actually implemented; and (c) a recommendation to continue or discontinue the board." The amendments were unanimously adopted by a voice vote.

Senator Ranson presented an additional amendment suggested by the Secretary of Administration, not considered by the Subcommittee. This amendment changes the requirement the board is authorized to adopt rules and regulations to that of adopting written guidelines. Senator Feleciano stated that by making such a change, SB 326 would have no force of law.

Senator Ranson moved, seconded by Senator Reynolds, SB 102 be further amended on Page 2, line 11 by striking the words "rules and regulations in accordance with K.S.A. 77-415 et seq., and amendments thereto," and insert in lieu thereof the words "written guidelines".

The amendment was adopted by a voice vote.

Senator Ranson moved, seconded by Senator Reynolds SB 102 recomended favorable as amended. The vote recorded vote was in favor of the motion: 9 ayes, 2 pass; 1 nay.

Senator Feleciano requested to be recorded as a "no" vote, and the reason for his vote be explained as being due to the amendment suggested by the Department of Administration is a substantive amendment, and not considered by the Subcommittee.

SB 100 State contractor accountability

Senator Ranson moved, seconded by Senator Feleciano SB 100 be passed. The vote was unanimous in favor of the motion on a recorded vote.

SB 101 Changes in budgeting procedures

Senator Ranson moved, seconded by Senator Felecian, SB 101 be amended on Page 2, Line 13 by striking the number "10,000,000" and inserting in lieu thereof the number "1,000,000" and that SB 101 be passed as amended. The vote was unanimous in favor of the motion on a recorded vote.

SB 326 Workers compensation coverage for motor vehicle owner-operators

Senator Kerr moved, seconded by Senator Reynolds, SB 326 be amended on Page 3, Line 39 following the words "owner-operator" by inserting: "has proof of coverage by a policy of occupational insurance". The amendment was unanimously adopted by a voice vote.

Senator Reynolds moved, seconded by Senator Ranson, SB 326 be passed as amended. The recorded vote was in favor of the motion; 11 ayes; 2 nays.

The Committee adjourned at 9:00 a.m.

The next meeting is scheduled for Wednesday, March 15, 1995.

