

Approved: February 2, 1996
date

MINUTES OF THE SENATE COMMITTEE ON COMMERCE.

The meeting was called to order by Chairperson Alicia Salisbury at 8:00 a.m. on February 1, 1996 in Room 123-S of the Capitol.

Members present: Senators Salisbury, Downey, Feleciano, Gooch, Harris, Hensley, Jordan, 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:
William Haynes, Topeka
Jeff Wagaman, Topeka
Greg Windholz, Lawrence

Others attending: See attached list

Confirmation hearing on the appointment of Greg Windholz to the Public Employee Relations Board, term expiring March 15, 1997.

Mr. Windholz testified he was appointed to a "public at large" position of the Public Employee Relations Board (PERB) on May 25, 1995. He received his B.A. and M.S. degrees from Fort Hays State University and has been employed in an administrative position at Lawrence Memorial Hospital for the past 5 years. Mr. Windholz stated he presently has over fifty employees in his department and is responsible for effectively implementing hospital personnel policies and handling grievance procedures. Mr. Windholz testified the PERB was established to maintain equity and fairness between state employees and employers and it is critical to remain fair and impartial in making decisions. In answer to a question from the Chair she asked, you are unaffiliated, you are not registered as a Republican or a Democrat? Mr. Windholz responded, "that is correct".

Confirmation hearing on the appointment of William G. Haynes to the Public Employee Relations Board, term expiring March 15, 1999.

Mr. Haynes testified he was appointed to a "public at large" position of the Public Employee Relations Board on July 1, 1995. Mr. Haynes stated he is a lawyer and was with the National Labor Relations Board for 3 years. He has specialized in labor relations and employment law. Senator Hensley raised questions as to whether it was appropriate that Mr. Haynes be appointed to a "public at large" position considering his record as a negotiator for U.S.D. 501 for 15 years, which were the most turbulent experienced by any school district. Senator Hensley questioned whether Mr. Haynes would be impartial. Mr. Haynes responded he represents both employees and employers and has for a number of years; he represents the Federation of Police. Mr. Haynes further responded to a question posed that he has never been a registered lobbyist.

Confirmation hearing on the appointment of Jeff Wagaman to the Public Employee Relations Board, term expiring March 15, 1998.

Mr. Wagaman testified he was appointed to the "employer" representative position on the Public Employees Relations Board on July 1, 1995. He received his M.P.A. from the University of Kansas and has been employed in various classified positions with the State of Kansas, and also has been employed in the legislative branch. Mr. Wagaman presently is Deputy to Secretary of Administration. Attachment 1

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON COMMERCE, Room 123-S Statehouse, at 8:00 a.m. on February 1, 1996.

Mr. Wagaman stated he researched whether there would be a conflict of interest if he served on the PERB. He determined there would be no conflict if he abstained from voting on those matters in which the Department of Administration was directly involved. Mr. Wagaman stated questioning of the persons involved in the proceedings should not be slanted to expose a bias of any member of the PERB and he would attempt to see the questioning was unbiased. Mr. Wagaman stated he would support any employee if the employee has a good case.

Upon motion by Senator Feleciano, seconded by Senator Gooch, the Minutes of the January 31, 1996 meeting were unanimously approved.

The meeting adjourned at 8:45 a.m.

The next meeting is scheduled for February 2, 1996.

**Testimony by Jeff Wagaman
for Appointment to
Public Employee Relations Board**

**Presented to Senate Commerce Committee
Honorable Alicia Salisbury, Chair
February 1, 1996**

Thank you, Madam Chair for the opportunity to appear before you and members of the Senate Commerce Committee. I am honored to be nominated by Governor Graves to the Public Employee Relations Board (PERB) and appreciate the opportunity to appear before you today as his nominee.

No doubt you have a copy of my biography and background information from the Committee secretary. However, I would like to tell you a little about my background.

I am a fourth generation Kansan, a native of Topeka. My great-grandfather homesteaded a small family farm near Hartford, Kansas before the Depression. His son, my grandfather, eventually settled in Ames, Iowa, after serving in World War II. Both my parents were born in Ames and moved to Topeka when my father came here to attend Washburn University. My parents are both local educators. My mother is a reading specialist in U.S.D. 501 and my father is a long time principal.

After graduating from Shawnee Heights High School, I attended Washburn University where I received my bachelors degree in Communications Studies. Upon graduation, I began to work for the State of Kansas with the Department of Corrections. I later enrolled at the University of Kansas and attended night school where I earned my Masters of Public Administration from the Kansas University Capitol Complex Center. My wife, Karen, and I live in southwest Shawnee County.

After leaving Corrections, I worked for the Department of Social and Rehabilitation Services in several different positions. In 1990, I was hired by Senate Majority Leader Fred Kerr to serve as his Administrative Assistant. I served in that capacity for three years until he retired. At that time, I was honored to be asked by Senate President Bud Burke, to serve as his Chief of Staff in the President's Office. I served in that position for slightly less than one year, when I left state service.

I returned to the state in November of 1994, to serve on the transition team of Governor Elect Bill Graves and Lt. Governor Elect Sheila Frahm. In January of last year, I joined the Department of Administration and serve as the Deputy to Lt. Governor/Secretary Frahm.

*Senate Commerce Committee
February 1, 1996*

It is an honor to be nominated by the Governor and Lt. Governor to serve on PERB. I have a strong interest in personnel and labor issues. Some of this interest goes back to dinner table conversation between my parents. As a child I remember my mother, who served as a teacher representative in the Kansas Education Association, having spirited discussions with my father, who was a member of United School Administrators. I believe this began my early interest in labor/management issues.

I recognize the importance of the Public Employees Relations Board. The Board serves a valuable role in hearing differences between public employees and employers over a variety of labor/management issues.

If I am confirmed in this position, I pledge to bring several characteristics during my term on the Board: I pledge to listen to each case carefully; I pledge to analyze the positions of both parties; and most importantly, I pledge to be fair with respect to the law.

I am appreciative to Governor Graves and Lt. Governor Frahm who have nominated me to serve on PERB. I would be filling the position vacated by Secretary of Corrections Chuck Simmons who stepped down from the Board last summer.

Thank you Madam Chair for the honor to appear before this Committee. I will be happy to entertain questions concerning my background, my interests in this appointment, or any other questions you may have.