

MINUTES OF THE HOUSE COMMERCE, LABOR AND ECONOMIC DEVELOPMENT  
COMMITTEE

The meeting was called to order by Chairperson Mark Hutton at 1:30 pm on Monday, March 09, 2015, 346-S of the Capitol.

All members were present except:

Representative Louis Ruiz – Excused

Representative Pam Curtis, appointed substitute member to the committee

Committee staff present:

Reed Holwegner, Legislative Research Department

Linda Herrick, Kansas Legislative Committee Assistant

Jason Thompson, Office of Revisor of Statutes

Chuck Reimer, Office of Revisor of Statutes

Conferees appearing before the Committee:

Secretary Jim Clark, Department of Administration

Gary Adkins, Executive Director, State Employees Association of Kansas

Sara LaFrenz-Falk, State Employee

Derrick Baxter, State Employee

Laura Calhoun, State Employee

John Bates, State Employee

Rebecca Proctor, Executive Director, Kansas Organization of State Employees

Others in attendance:

[See Attached List](#)

**Hearing on: HB2391 — State employees; shared leave program limited to life threatening medical conditions; longevity bonuses only if moneys appropriated for such bonuses; classified positions converted to unclassified positions.**

Chairperson Hutton opened the hearing on this bill. Chuck Reimer, Revisor of Statutes, explained the bill ([Attachment 1](#)) and then answered questions.

Secretary of Administration, Jim Clark, provided proponent testimony ([Attachment 2](#)). He noted the bill is designed to provide greater flexibility for state agencies to fill critical positions, to clarify eligibility of the shared leave program, and to address the payment of longevity bonuses to state employees.

The bill also would clarify the definition for circumstances under which state employees can be eligible to receive donated time off.

In regard to payment of longevity bonuses for state employees, such bonuses would be paid to qualified employees when there is an appropriation by the Legislature rather than using other agency funds which has been practiced in recent years.

## CONTINUATION SHEET

MINUTES of the Committee on Commerce, Labor and Economic Development at 1:30 pm on Monday, March 09, 2015, 346-S of the Capitol.

Written only testimony in support of the bill was provided by:

Joint Testimony ([Attachment 3](#)) from:

Jackie McClaskey Secretary of Agriculture

Lana Gordon, Secretary of Labor

Major General Lee Tafari, Adjutant General

Phyllis Gilmore, Secretary of Children and Families

Pat George, Secretary of Commerce

Nick Jordan, Secretary of Revenue

Kari Bruffet, Secretary of Aging and Disability Services

Secretary Gilmore also provided separate supporting testimony ([Attachment 4](#)).

Gary Adkins, State Employees Association of Kansas, gave opponent testimony ([Attachment 5](#)) saying the provisions of the bill are not good for either the state workforce or the State of Kansas and outlined concerns about the change from classified to unclassified employees, longevity bonuses, and shared leave.

Sarah LaFrenz-Falk provided opponent testimony ([Attachment 6](#)). Speaking as a private citizen, she said she doesn't agree to limiting shared leave to only life-threatening conditions, that longevity pay is an excellent incentive to keep seasoned workers, and changing to unclassified becomes a concern on whether jobs will still be there based on political leadership changes.

Derrick Baxter provided opponent testimony ([Attachment 7](#)) with the same concerns as Ms. LaFrenz-Falk. He added the classified system provides due process rights.

Laura Calhoun testified as an opponent ([Attachment 8](#)) providing some of the same points as Ms. LaFrenz-Falk.

John Bates provided opposing testimony ([Attachment 9](#)) suggesting the oversight committee not be removed; classified employees have due process; and shared leave should be extended to help a person who has rehab, surgeries, etc.

Rebecca Proctor provided opposing testimony ([Attachment 10](#)) representing the Kansas Organization of State Employees. She gave background on why Kansas has a Civil Service Act. She added the proposed Human Resource modernizations substantially alter the Kansas Civil Service Act.

The fiscal note indicates this bill would have a fiscal effect on most state agencies since unclassified positions tend to be paid more than classified positions. State agencies would manage this without the need for additional funding.

CONTINUATION SHEET

MINUTES of the Committee on Commerce, Labor and Economic Development at 1:30 pm on Monday, March 09, 2015, 346-S of the Capitol.

After questions, the hearing on this bill was closed.

**Adjournment**

The meeting adjourned at 3:13 p.m.