

Approved: 3/22/94
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 21, 1994 in Room 123-S of the Capitol.

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

Committee staff present: Lynne Holt, Legislative Research Department
Bob Nugent, Revisor of Statutes
Mary Jane Holt, Committee Secretary

Conferees appearing before the committee: Charles E. Simmons

Others attending: See attached list

Confirmation hearing

Charles E. Simmons appeared before the Committee and presented a statement in regard to his appointment as a public employer representative on the Public Employee Relations Board, see attachment 1.

Senator Hensley asked that a letter from KAPE, and related materials, in opposition to the appointment, be submitted for the record. Senator Harris objected on the grounds that the letter was unsigned and libelous. The Chairman indicated that until the letter was signed there would be no consideration of entering it into the record.

Consideration of HB 2948-Neighborhood infrastructure improvement and youth job creation act

The Committee discussed a comparison of HB 2948 to HB 3056, see attachment 2.

Senator Gooch moved and Senator Hensley seconded to recommend HB 2948 favorable for passage.

Senator Feleciano made a substitute motion and Senator Burke seconded to combine parts of HB 2948 and parts of HB 3056. Substitute HB 2948 should also include a sunset provision. The motion carried on a voice vote.

Senator Burke moved and Senator Ranson seconded to adopt the minutes of March 17 and March 18, 1994. The motion carried on a voice vote.

The Chairman adjourned the meeting at 9:00 a.m.

The next meeting is scheduled for March 22, 1994.

GUEST LIST

COMMITTEE: SENATE COMMERCE COMMITTEE

DATE: 3/21/94

[illegible]

M E M O R A N D U M

TO: Senate Commerce Committee

FROM: Charles E. Simmons

RE: Appointment--Public Employee Relations Board

DATE: March 21, 1994

I am honored that the Governor has appointed me to a position on the Public Employee Relations Board as a representative of public employers.

By way of background information, I am a native Kansan, born and raised in Russell. I am a graduate of Russell High School. Following high school I attended Kansas State University, graduating in 1973. I then attended Washburn University School of Law, graduating in 1976. I was admitted to the bar that same year. Since February, 1979 I have been employed in the legal division of the Kansas Department of Corrections, assigned to the Lansing Correctional Facility until August, 1981 and in the central office in Topeka since that date. Since February, 1983 I have been chief counsel for the Department of Corrections.

As chief counsel, I have had the opportunity to participate in many aspects of the department's employee relations. I have been involved in policy development and implementation, addressing employee grievances, determination of employee disciplinary actions, and relations with public employee organizations. In that respect, I have had occasions to serve as spokesperson for the department's meet and confer team during the meet and confer process with employee organizations. I believe my experiences in these areas will be of benefit in dealing with the kinds of issues which will come before the Public Employee Relations Board.

As a public employee myself, and as a representative of management, I believe public employees should be treated fairly, that problems which surface in the employment relationship should be resolved quickly and fairly, and that the primary objective of both employees and employers should be the efficient and effective delivery of governmental services. Although there may be disagreements about how problems should be resolved, this objective must remain paramount.

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Attachment 1-1

Senate Commerce Committee
Re: Appointment
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The Legislature has set forth the policy and objectives for public employer and employee relations in K.S.A. 75-4321. As a member of the Public Employee Relations Board I view my responsibility to be to work within the framework of those policies and objectives, balance the interests of both the employees and the employer, in order to fairly resolve the various matters which come before the Board. I believe my experience will be of considerable value in fulfilling this responsibility.

CES/nd

COMPARISON OF H.B. 2948 to H.B. 3056

H.B. 2948 (Ballard, et al.)

Neighborhood Infrastructure Improvement and
~~Youth Job Creation Program~~ *Youth
Employment Program*

1. ~~To be administered by the Department of Human Resources.~~
2. Grants to be awarded to a unit of local government, nonprofit private organization, or American Indian Tribe *and qualifying businesses*
3. Grant proceeds to be used by recipients for the wages and benefits of eligible individuals (see No. 5) and administrative costs associated with repairing and renovating essential community facilities, such as painting bridges, repairing and renovating public buildings, and public housing units.
4. No matching requirement for salaries on the part of grant recipients.
5. ~~To be eligible for program participation, individuals must attend secondary school and meet income eligibility requirements established by the Secretary of Human Resources.~~
6. Employment to cover summer months and after school.
7. ~~A grant recipient may not reduce aggregate expenditures for employing individuals to repair and renovate essential community facilities.~~
8. Reporting requirement.
9. ~~Rules and regulations to be adopted by Secretary of Human Resources.~~
10. ~~Not expressly referred to in the bill as a demonstration program.~~
11. No provision for mentors to be assigned to individuals employed by the local governmental unit or other eligible administrative entity.
12. ~~Act to take effect in the statute book.~~

H.B. 3056 (Committee on Appropriations)

~~Summer~~ Youth Employment Program

1. To be administered by the Department of Commerce and Housing.
2. ~~Grants to be awarded to cities.~~
3. Grant proceeds to be used by participating private businesses for wages and related fringe benefits of eligible individuals (see No. 5). Although activities to be undertaken by such individuals are not specified in the bill, they would presumably correspond to the city's plan required in Sec. 1 (b)(2).
4. Matching requirement on the part of a ~~city or~~ private business ~~or both~~ is not less than 50 percent. Presumably, state funds would cover the remaining portion.
5. To be eligible for program participation, individuals must attend secondary school and meet income and other eligibility criteria established by rules and regulations adopted by the Department of Commerce and Housing for at-risk youth.
6. ~~Employment to cover summer months.~~
7. ~~No such provision in bill.~~
8. Reporting requirement.
9. Rules and regulations to be adopted by Secretary of Commerce and Housing.
10. Expressly referred to in the bill as a demonstration program but there is no expiration date.
11. *the governmental entity or business*
~~As a condition for the grant, a city must get participating businesses to~~ agree to assign officers or employees to serve as mentors or advisors to each youth funded by the program.
12. Act to take effect in the *Kansas Register*.

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Attachment 2