

Approved Monday, March 2, 1987
Date

MINUTES OF THE SENATE COMMITTEE ON LABOR, INDUSTRY AND SMALL BUSINESS

The meeting was called to order by Senator Dan Thiessen at
Chairperson

1:30 ~~am~~ p.m. on Tuesday, February 24, 1987 in room 527-S of the Capitol.

All members were present except:

Senator Eric Yost

Committee staff present:

Jerry Ann Donaldson, Research Department

Gordon Self, Revisor's Office

Marion Anzek, Committee Secretary

Conferees appearing before the committee:

Mr. Rob Hodges-KS Chamber of Commerce and Industry

KS Employment Security Advisory Council

Mr. William Clawson-Benefits Department, KS Department of Human Resources

Wayne Michaels-KS Employment Security Advisory Council

Chairman Thiessen called the meeting to order at 1:35 p.m.

Senator Werts moved to approve the minutes of February 23, 1987, seconded by Senator Gordon. Motion to approve the minutes carried.

Chairman Thiessen turned the attention of the members to SB237, and called upon Rob Hodges to review the bill and explain some of the changes in the bill, which were recommended by the Advisory Council.

SB237-concerning the employment security law; relating to definition of terms, administration and rates of contributions.

Rob Hodges said he was representing both, the KS Chamber of Commerce and Industry, and the KS Employment Security Advisory Council, and he reminded the committee members that a copy of the bill had been presented to the committee at a previous meeting, which was prepared by the Department of Human Resources staff.

He said, the information you have in front of you is pretty much what came out of 5 sessions and the past interim study. The Advisory Council met and considered recommendations from the staff on changes that they would like to have made.

On behalf of the KS Chamber of Commerce and Industry, we recommend that you pass SB237 favorably. (See Attachment 1)

Chairman Thiessen asked what does the Virgin Islands have to do with bringing the language of the Kansas law into agreement with the Federal statute?

Mr. William Clawson said the Virgin Islands, as far as the Department of Labor is concerned, is a State, as is Puerto Rico and the District of Columbia, and the other commonwealths, so they receive benefits. Canada is not.

Wayne Michaels said, as a member of the advisory Council, we agree with the language, and we endorse the bill.

Senator Steineger moved to report SB237 favorable for passage, seconded by Senator Ehrlich. The motion carried.

Chairman Thiessen adjourned the meeting at 3:05 p.m.

**Kansas Employment Security Advisory Council
Issues to be Forwarded to the Kansas Legislature**

K.S.A. 44-703(h): Page 8, Lines 0298
K.S.A. 44-704a: Page 25, Line 0054

This proposal would bring the language of the Kansas law into agreement with the Federal statute regarding the Virgin Islands. When the Kansas law was enacted, the Virgin Islands did not have a federally approved law. Approval has since been granted and this proposal would change the Kansas law to reflect such approval.

K.S.A. 44-703(i)(4)(R): Page 13, Line 0486

The Council was advised that Senators Johnston and Karr intend to introduce a bill which would specifically exclude "extras" in motion pictures, television programs and commercials from coverage provided the services were performed for less than 14 days in a calendar year. In response, the Council adopted the proposal for inclusion in its legislative recommendations.

K.S.A. 44-704b: Page 29, Line 0230

This proposal removes subsection six which is no longer needed for Federal conformity reasons. At one time the Kansas law mandated a time-specific disqualification period (e.g., benefits may not be received for a specific length of time due to disqualifying circumstances). Disqualification provisions have been changed to require that an individual return to work and earn a specific multiple of the weekly benefit amount.

K.S.A. 44-709: Page 31, Line 0272

This proposal removes the three-day time extension allowed last employers on requests to submit information. This recommendation must be considered in concert with the proposal made regarding response times under K.S.A 44-710(c) listed below.

K.S.A. 44-710(c): Page 37, Line 0492

This proposal makes the following changes to the statute:

1. Changes the statutory language of K.S.A. 44-710(c) to agree with K.S.A. 44-706 regarding the term "misconduct."
2. Clarifies the statute to specify that reimbursing employers are not eligible for non-charging of benefits.
3. Provides for the same time limit for information responses for both last and base period employers.
4. Proves a definition for part-time employment as it relates to charging/noncharging decisions.

K.S.A. 44-710(e)(2)(E): Page 42, Line 0691
K.S.A. 44-710(e)(2)(F): Page 42, Line 0696

This proposal permits the Department to require a surety bond or deposit for any reimbursing employer who is delinquent in filing reports or making payments. It also provides that failure to maintain a required bond or deposit would subject the employer to termination of the reimbursing option.

K.S.A. 44-710a(3)(A): Page 50, Line 0145

This proposal allows for "fine-tuning" the average required yield table used in determining tax rates. This "fine tuning" makes rates more sensitive to changes in required reserve fund balances.

K.S.A. 44-714(f): Page 60, Line 0700

Clarifies the statute in regard to the use of appeals transcripts for prosecution of criminal violations of the Employment Security Law.