

Approved March 20, 1992
Date

MINUTES OF THE House COMMITTEE ON Labor and Industry

The meeting was called to order by Representative Anthony Hensley
Chairperson

9:03 a.m./p.m. on March 6 1992 in room 526-S of the Capitol

All members were present except:

Committee staff present:

Jim Wilson, Revisor of Statutes
Jerry Donaldson, Principal Analyst
Barbara Dudney, Committee Secretary

Conferees appearing before the committee:

The meeting was called to order at 9:03 a.m., by the chairman, Rep. Anthony Hensley.

Chairman Hensley announced that the information regarding House Bill No. 3117 that committee members had requested of Nancy Echols, Director, Division of Personnel Services, Kansas Department of Administration, has been distributed to each member (attachment #1). He also announced that each member has received a copy of the fiscal note on House Bill No. 3069 (attachment #2).

The chairman stated that the purpose of the meeting was to discuss and take final action on the following bills: House Bills no. 2076, 2781, 2783, 2956 and 3117. He then opened the floor for discussion on House Bill No. 2956, an act to establish a state employee "leave sharing" program.

Rep. George Gomez moved to amend the bill to allow state employees the option of donating both annual and sick leave and to remove the provision on page 2, lines 27-30, requiring that employees could only donate up to 261 days. The motion was seconded by Rep. Dick Edlund. Rep. Tim Carmody requested that the motion be divided. The chairman ruled that the committee would first vote on the issue of allowing state employees the option of donating both annual and sick leave. After considerable discussion, the committee voted on the first part of Rep. Gomez's motion to amend. Motion failed by a vote of 9-9. The committee then voted on the second part of Rep. Gomez's motion to amend. Motion carried.

Rep. Darlene Cornfield moved to report House Bill No. 2956 favorable for passage, as amended. The motion was seconded by Rep. Darrel Webb. Motion carried.

The chairman then opened the floor for discussion on House Bill No. 2781, an act clarifying that the state employee drug screening program shall apply to Department of Social and Rehabilitation Services employees who work in mental health and retardation institutions. Rep. Webb moved to report House Bill No. 2781 favorable for passage. The motion was seconded by Rep. Carmody. Motion carried.

The next order of business was discussion and final action on House Bill No. 2783, an act relating to the demotion, suspension and dismissal of state employees. Chairman Hensley stated that since this bill and House Bill No. 3117 deal with the same subject, that the committee should consider amending one into the other.

Rep. Denise Everhart moved to amend the provisions of House Bill No. 2783 into House Bill No. 3117. The motion was seconded by Rep. Eloise Lynch. Motion carried by a vote of 10-9.

Rep. Jan Pauls moved to amend House Bill No. 3117, on page 1, on line 35, by deleting "not", and on line 36, by deleting "only when" and inserting in lieu thereof, "unless". The motion was seconded by Rep. Everhart. Motion carried.

Rep. Carmody moved to amend House Bill No. 3117, on page 1, by deleting lines 32-38. The motion was seconded by Rep. Al Lane. Motion carried.

Rep. Lane moved to amend House Bill No. 3117, on page 1, by deleting on line 28, "and other such assessments". The motion was seconded by Rep. Jack Sluiter. Motion failed 9-9.

Rep. Everhart moved to report House Bill No. 3117 favorable for passage, as amended. The motion was seconded by Rep. Carmody. Motion carried.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Labor and Industr
room 526-S, Statehouse, at 9:03 a.m./~~p.m.~~ on March 6, 1992.

Chairman Hensley then opened the floor for discussion and final action on House Bill No. 2076, an act enacting the Family and Medical Leave Act. Rep. Everhart moved to report House Bill No. 2076 favorable for passage. The motion was seconded by Rep. Edlund.

Rep. Cornfield made a substitute motion to amend House Bill No. 2076 by applying its provisions to employers who employ 100 or more employees. The motion was seconded by Rep. Lane. Motion failed.

Rep. Carmody moved to amend House Bill No. 2076, on page 3, by adding on line 25, "or (2) until all of the employee's accumulated sick or vacation leave, or any similar type of leave, has been taken." The motion was seconded by Rep. Everhart. Motion carried.

Rep. Everhart moved to report House Bill No. 2076 favorable for passage, as amended. The motion was seconded by Rep. Edlund. Motion carried by a vote of 10-9.

Rep. Susan Wagle requested that the committee discuss and take final action on Senate Bill No. 275, an act increasing the taxable wage base for computing employer unemployment compensation taxes from \$8,000 to \$12,000. Rep. Wagle moved to report Senate Bill No. 275 favorable for passage. The motion was seconded by Rep. Edlund.

Rep. Carmody made a substitute motion to delete from Senate Bill No. 275, on page 13, the language providing that the taxable wage increase be phased in over a three-year period. The motion was seconded by Rep. Wagle. Motion carried.

Rep. Wagle moved to amend Senate Bill No. 275 by changing the effective date and all other dates to apply to calendar year 1992. The motion was seconded by Rep. Carmody. Motion carried.

Rep. Carmody moved to report Senate Bill No. 275 favorable for passage, as amended. The motion was seconded by Rep. Edlund. After discussion, Rep. Lane made a substitute motion to table Senate Bill No. 275. The motion was seconded by Rep. Webb. Motion carried.

The meeting was adjourned at 10:06 a.m.

STATE OF KANSAS



DEPARTMENT OF ADMINISTRATION
Division of Personnel Services

JOAN FINNEY,
Governor

NANCY M. ECHOLS,
Director of Personnel Services

Room 951-South
Landon State Office Building
900 S.W. Jackson Street
Topeka, Kansas 66612-1251
913-296-4278
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March 5, 1992

The Honorable Anthony Hensley
Chairperson, Committee on Labor and Industry
Kansas House of Representatives
Room 278 West, Capitol Building
Topeka, Kansas 66612

Dear Representative Hensley:

Enclosed is information which was requested by some of the members of the committee during the hearing on House Bill 3117 on Tuesday, March 3. Please let us know if you would like any additional information.

Sincerely,

Handwritten signature of Nancy M. Echols in cursive script.
Nancy M. Echols

NME:BJM:paf

Enclosures

cc: Susan Seltsam
Art Griggs

*Labor + Industry
3-6-92
attachment #1*

DEPARTMENT OF ADMINISTRATION

AVERAGE SICK LEAVE BALANCE PER EMPLOYEE

COMPARISON OF BUILDINGS AND GROUNDS TO OTHER DIVISIONS

| | |
|-------------------------|------|
| ARCHITECTURAL SERVICES: | 431 |
| ACCOUNTS AND REPORTS: | 420 |
| PERSONNEL SERVICES: | 415 |
| PRINTING: | 411 |
| DISC: | 407 |
| BUDGET: | 397 |
| PURCHASES: | 385 |
| BUILDINGS AND GROUNDS: | 173* |

* If the full-time and part-time employees are split apart, the average sick leave balances are as follows:

| | |
|------------|-----|
| Full-time: | 215 |
| Part-time: | 124 |

CHANGES IN NIGHT STAFFING OF CUSTODIAL EMPLOYEES

AT THE STATEHOUSE

Prior to January 1987, there were 14 employees working 100% time providing 112 hours of night custodial service to the Statehouse.

Since January 1987, there have been 13 employees working on 62% and 68% appointments providing 66.5 hours of night custodial service to the Statehouse. Research of custodial requirements by Buildings and Grounds indicates that this is an adequate amount of labor to provide the needed services.

It should be noted that five temporary employees are hired to handle the increased workload during the session. This provides an additional 25 hours of night custodial service to the Statehouse.

STATE OF KANSAS

278-11



DIVISION OF THE BUDGET

JOAN FINNEY, GOVERNOR
GLORIA M. TIMMER, Director

Room 152-E
State Capitol Building
Topeka, Kansas 66612-1578

(913) 296-2436
FAX (913) 296-0231

March 4, 1992

The Honorable Anthony Hensley, Chairperson
Committee on Labor and Industry
House of Representatives
Third Floor, Statehouse

Dear Representative Hensley:

SUBJECT: Fiscal Note for HB 3069 by Committee on Labor and Industry

In accordance with KSA 75-3715a, the following fiscal note concerning HB 3069 is respectfully submitted to your committee.

HB 3069 provides for changes to Schedule III of the Kansas Employment Security Law. Under this bill, the Department of Human Resources would use the new Schedule III -- Fund Control for calendar years 1993 and 1994 when computing contribution rates for Kansas employers. The new schedule would implement lower contribution rates assigned to each of the 51 rate groups utilized by eligible positive balanced contributing employers.

Currently, the Employment Security Trust Fund carries balances equal to three percent of total Kansas wages. At this level, Schedule III of the Employment Security Law requires that total employer contributions equal one percent of total Kansas wages. The new schedule would lower the total contribution rate to 0.9 percent of total Kansas wages for calendar years 1993 and 1994. Schedule III would revert to current form effective calendar year 1995. Depending on the fund balance after 1994, the contribution rate would increase to one percent or higher.

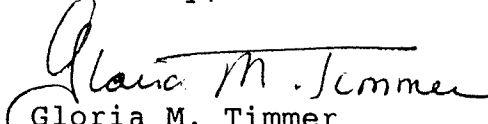
The Department of Human Resources (DHR) reports that the use of the new schedule would decrease receipts to the Employment Security Trust Fund during calendar years 1993 and 1994. Contributions plus interest would decrease by an

*Labor + Industry
3-6-92
Attachment #2*

The Honorable Anthony Hensley
March 4, 1992
Page Two

estimated \$10.0 to \$15.0 million each year. In 1995, the lower fund balance resulting from the two-year contribution decrease when combined with the reinstatement of the current Schedule III rates would result in higher taxes for employers. The Department anticipates that these two factors would return the trust fund balance to the current 3 percent of total Kansas wages.

Sincerely,


Gloria M. Timmer
Director of the Budget

cc: Sid Snider, Human Resources

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