

Approved: January 25, 1995  
Date

## MINUTES OF THE SENATE COMMITTEE ON COMMERCE.

The meeting was called to order by Chairperson Alicia Salisbury at 8:00 a.m. on January 24, 1995 in Room 123-S of the Capitol.

Members present: Senators Salisbury, Burke, Downey, Gooch, Harris, Hensley, Kerr, 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:  
Jonathan Small, LearJet, Inc. and Koch Industries, Inc.  
Janet Stubbs, Kansas Building Industry Ass'n.  
Ron Smith, Kansas Bar Association  
Linda Tierce, Acting Director, Employment Security Division

Others attending: See attached list

Upon motion by Senator Petty, seconded by Senator Kerr, the Minutes of January 20, 1995 meeting and the Minutes of January 23, 1995 meeting were unanimously adopted as corrected.

Jonathan Small, representing LearJet, Inc. and Koch Industries, Inc., appeared before the committee requesting legislation amending K.S.A. 44-706 relating to workers' compensation. The proposed legislation would add an additional disqualification for temporary employees; redefine misconduct; provide for dismissal as a result of an employee's refusal to take a chemical test; change requirement for an independent health care provider to a licensed health care professional; and amend misconduct relating to disqualification for absenteeism. Mr. Small advised that some of these provisions were contained in S.B.692 which passed the Senate but was not enacted during the 1994 session.

Senator Kerr moved and Senator Ranson seconded to introduce the legislation requested. The motion carried on a voice vote.

Janet Stubbs, Kansas Building Industry Association, Inc., appeared requesting that a bill be introduced amending K.S.A. 75-3715a which would require inclusion of an analysis of the immediate and long-range impact of proposed government regulation on the cost of housing in the state.

Senator Steffes moved and Senator Harris seconded to introduce the legislation requested. The motion carried on a voice vote.

Ron Smith, Kansas Bar Association, requested a bill be introduced to amend the Workers' Compensation act to restrict an employer from obtaining waivers from an employee of other rights, benefits or insurance, for which an employee is eligible.

Senator Reynolds moved and Senator Ranson seconded to introduce the legislation requested. The motion carried on a voice vote.

Linda Tierce, Acting Director, Employment Security Division, submitted four proposals which would amend the Employment Security Law. These proposals are recommended by the Employment Security Advisory Committee. The proposed legislation is contained in RS 580, RS 584 and RS 585.

Senator Vidricksen moved and Senator Burke seconded that RS 580, RS 584 and RS 585, be introduced. The motion carried on a voice vote.

Senator Ranson requested introduction of bills recommended by the Privatization Task Force. The

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requested bills: (1) Establishs a Performance Review Board; (2) Establishes a procedure for vendor accountability; and (3) Establishes a privatization procedure by the Division of Budget.

Senator Ranson moved and Senator Downey seconded to introduce the legislation requested. The motion carried on a voice vote.

Jerry Donaldson, Legislative Research Division, briefly reviewed the development of group-funded workers' compensation pools. She explained the financial and premium requirements between similar and dissimilar types of businesses.

The Committee adjourned at 8:40 a.m.

The next meeting is scheduled for January 25, 1995.

