

Approved: February 2, 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 February 1, 1995 in Room 123-S of the Capitol.

Members present: Senators Salisbury, Burke, Downey, Feleciano, Gooch, Harris, 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:

Others attending: See attached list

Confirmation hearing on the appointment of John C. Prather, Export Loan Guarantee Review Committee, term expiring June 30, 1998.

John Prather stated that he has been a bank director for a period of 13 years and is Vice-President of Northern Region, Groendyke Transport, Inc., thereby providing him a financial background and some expertise and understanding of the intricacy of the export market. The Review Committee, working with the Department of Commerce, has the ability to assist a number of small communities and small businesses in entering the global market. He believes that the role of the Committee should be a pro-active role. A question was asked as to whether the Export Loan Guarantee Review Committee was serving the companies of the state as an adjunct to the banking community which was envisioned when the Committee was established. Mr. Prather responded that the Committee is able to assist companies in obtaining letters of credit; and with the Department of Commerce staff, were able to greatly assist those small businesses throughout the state in exporting their products internationally. Mr. Prather indicated he was more than willing to work with the present administration.

Confirmation hearing on the reappointment of Dan C. McClenny, Employment Security Board of Review, term expiring April 28, 1998.

Dan McClenny related he was appointed as an employer representative on the Employment Security Board of Review, an appointment he has enjoyed. He is eagerly looking forward to working with the new Secretary of Human Resources. Mr. McClenny advised that he has had over 30 years service in Human Resource Management with the full responsibility for employee wage and benefit programs. He has attended one meeting of the Board of Review and learned the case load was ranging up to 200 per month and it does not appear that the workload will decrease. He did relate that a majority of the Referees decisions are approved, wherein he has been effective in expressing dissent on those cases that needed support for the employers. The Board voiced concern in deciding on approval or denial of benefits when they include absenteeism, temporary work assignments, impairment on the job when it relates to drugs and alcohol. See attachment 1.

Upon motion of Senator Steffes, seconded by Senator Reynolds, the Minutes of January 31, 1995 meeting were unanimously adopted.

The Committee adjourned at 8:45 a.m.

The next meeting is scheduled for Thursday, February 2, 1995

KANSAS SENATE CONFIRMATION HEARING

For reappointment to the Position of Employer Representative
on the Employment Security Board of Review

BEFORE THE SENATE COMMERCE COMMITTEE

ALICIA SALISBURY, Chairperson

February 1, 1995

I am appearing today, seeking confirmation on my reappointment as the Employer Representative on the Employment Security Board of Review.

I appeared before this Committee on February 14, 1994 and subsequently was confirmed for this position. The original appointment was to fill an unexpired term.

I sincerely wish to continue serving in this capacity as a representative of the Employers.

As a brief summary of the information presented in the Senate Confirmation Questionnaire, I have over 30 years service in Human Resource Management with full responsibility for employee wage and benefit programs, including those of U.C. taxes and benefits.

My experience in the area of Employment Security also includes approximately 25 years on the Employment Security Advisory Council as one of the Employer Representatives.

Further, I have been a member of the Emporia, KS Chamber of Commerce and the Kansas Chamber of Commerce and Industry, serving on the Boards of both organizations.

Through these experiences I have had a broad exposure to the U.C. law and regulations and have had the opportunity and obligation to assure justice in the application of the law and regulations as they apply to the Employers and Employees of this State.

My first meeting with the Board of Review occurred on January 7, 1995. The case load has been ranging up to 200 per month and there is little indication of decline in that rate.

A general opinion is that there has been a majority of approvals of Referees decisions and I have been effective in expressing dissent on those cases that needed support for the Employers.

There are issues that members of the Board have considered that cause concern in deciding on approving or denying benefits. These include; defining misconduct as it applies to absenteeism, temporary work assignments, impairment on the job as it relates to drugs and alcohol and the refusal to undergo drug testing or refusing or failing to complete rehab programs.

I understand that the Board can express concerns and recommendations to the Secretary of Human Resources and I communicate with KCCI on matters that I feel Employers should be informed of.

*February 1, 1995
Commerce*

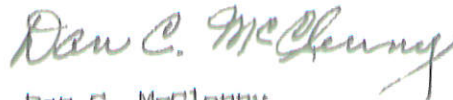
Attachment 1.

I have received a copy of SB 106, authored by this Committee which relates to the issues I have just mentioned. I believe the changes noted in this bill are most appropriate.

Finally, my position as an Employer is, and always has been, that there is justification for benefits to be paid to those who are out of work through no fault of their own, but we should not provide a form of Unemployment welfare system for individuals who do not meet the responsibility for appearing for work and giving their best effort, those who violate certain codes of conduct and those who engage in other forms of misconduct.

This concludes my remarks for this hearing and I welcome any questions or comments the Committee may have that will assist in my confirmation.

Respectfully,



Dan C. McClenny