

MINUTES OF THE HOUSE COMMITTEE ON BUSINESS, COMMERCE AND LABOR.

The meeting was called to order by Chairperson Al Lane at 9:08 a.m. on March 5, 1999 in Room 521-S of the Capitol.

All members were present except: Rep. Broderick Henderson - excused
Rep. Joe Humerickhouse - excused
Rep. Peggy Long - excused
Rep. Bill McCreary - excused
Rep. Dale Swenson - excused

Committee staff present: Bob Nugent, Revisor of Statutes
Jerry Donaldson, Legislative Research Department
Dennis Hodgins, Legislative Research Department
Bev Adams, Committee Secretary

Conferees appearing before the committee:

Others attending: Guest list was not passed

A letter from Roger Aeschliman, Acting Secretary, Kansas Department of Human Resources, concerning **HB 2068**, was passed out to the committee. (Attachment 1)

Rep. Ruff passed out to the committee a letter and pamphlet from Rep. Melany Barnes which extends to the committee a personal invitation to attend the Labor and Management Conference at Tan-Tar-A, Osage Beach, Missouri, June 27-July 1, 1999. (See Attachment 2)

Continued Hearing on: Sub. for SB 270 by Committee on Commerce - Employment security law, employer negative account surcharge, grounds for benefit disqualification.

No others were present who wanted to testify for or against **Sub. for SB 270** and Chairman Lane closed the hearing.

Final Committee Action on: Sub. for SB 270 by Committee on Commerce - Employment security law, employer negative account surcharge, grounds for benefit disqualification.

Rep. Welshimer asked if **HB 2219** could be amended into **Sub. for SB 270**. Rep. Lane and Revisor Bob Nugent ruled it would not be germane, that it would need to be included in a bill which cited the same statute number.

Revisor Bob Nugent presented the committee a balloon which would amend **HB 2494** into **Sub. for SB 270**. (See Attachment 3)

Rep. Grant made a motion to amend Sub. for SB 270 with the amendment contained in the balloon. The motion was seconded by Rep. Aday. The motion to amend passed.

Rep. Beggs made a motion to pass out Sub. for SB 270 favorably as amended. The motion was seconded by Rep. Aday. The motion carried.

Chairman Lane adjourned the meeting at approximately 9:20 a.m.

The next scheduled meeting will be Tuesday, March 9, 1999.

STATE OF KANSAS
DEPARTMENT OF HUMAN RESOURCES



Bill Graves, Governor

OFFICE OF THE SECRETARY

401 S.W. Topeka Boulevard, Topeka, Kansas 66603-3182

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Fax: (785) 368-6294

E-mail: wfranklin@hr.state.ks.us

March 2, 1999

The Honorable Al Lane, Chairperson
House Committee on Business, Commerce, and Labor
State Capitol Building, Room 115-S
Topeka, Kansas 66612

Subject: HB2068

Dear Representative Lane:

This letter is in response to your request of February 5, 1999 concerning HB2068. As you recall, HB2068 would amend the Kansas Employment Security Law regarding employee absenteeism. The bill would specify that an employee's unexplained absence from work for five consecutive working days could be considered a resignation. The employer, however, must have provided a written absenteeism policy to the employee. Such individuals who are found to have abandoned their jobs would not be qualified to receive unemployment benefits.

The Employment Security Advisory Council met on February 26, 1999 at 401 SW Topeka Boulevard. This issue of HB2068 was included on the agenda. After some discussion, the Employment Security Advisory Council recommended no action be taken on this bill by the Council.

I trust this information will prove helpful. If you have further questions, please contact me.

Sincerely,

Roger T. Aeschliman
Acting Secretary of Human Resources

RTA:WHL:mm

HOUSE BUSINESS, COMMERCE & LABOR COMM.
3-5-99
Attachment 1

MELANY BARNES
 REPRESENTATIVE, 95TH DISTRICT
 1816 BURTON
 WICHITA, KANSAS 67213
 (316) 262-0800

STATE CAPITOL—RM. 284-W
 TOPEKA, KANSAS 66612-1504
 (785) 296-7673



TOPEKA

HOUSE OF
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS
 MEMBER: BUSINESS, COMMERCE
 AND LABOR
 KANSAS 2000 SELECT
 COMMITTEE
 GOVERNMENT ORGANIZATION
 & ELECTIONS
 LOCAL GOVERNMENT
 WORKER'S COMPENSATION FUND
 OVERSIGHT COMMITTEE

March 4, 1999

Dear Representative,

I have had the honor and privilege of serving on the planning committee of the Mid America Labor/Management Conference for the last five years.

During these years the conference has grown from five states participating to fifteen states. The diversity of cultures, industries and businesses makes this one of the best conferences in the nation.

The conference is planned for Sunday, June 27th through Wednesday, June 30, 1999. Conference room rates of \$95 per day are available from June 24th to July 5. The relaxing Ozark setting with family and golf time built-in, allows all of us to take off our ties, examine what we are doing right, what's gone wrong and together, how we can change things.

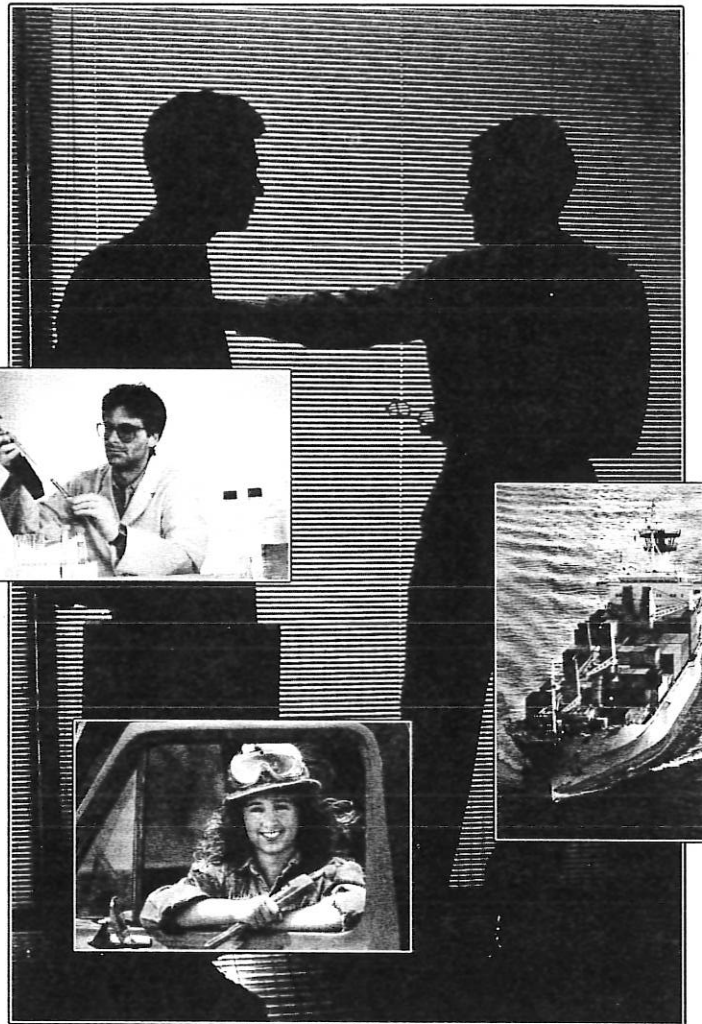
As a member of the Business, Commerce and Labor Committee, I would like to extend a personal invitation for you to attend the conference this summer. From the tentative agenda, you can see the topics are very timely for issues we have discussed this session.

I believe nothing shapes our lives as much as work and family.

Sincerely,

Melany Barnes

Stamp



Labor and Management— Preparing for the 21st Century

June 27 - July 1, 1999

Tan-Tar-A, Osage Beach, Missouri

Fourteenth Annual Mid-America Labor / Management Conference

Presented in cooperation with the U.S. Department of Labor
and the Federal Mediation and Conciliation Service

— CASUAL DRESS IS RECOMMENDED — FOURTEENTH Annual Mid-America Labor/Management Conference

Tentative Agenda

Sunday, June 27, 1999

- 2:00-6:00 p.m. Registration
-Resort Lobby
- 4:00-6:00 p.m. Welcoming Reception
-Sponsored by the Resort
- 6:15-7:15 p.m. Cruise A
- 7:30-8:30 p.m. Cruise B
- "The Ozark Princess" Boat Ride

Monday, June 28, 1999

- 7:00 a.m.-12:00 noon Registration
-Resort Lobby
- 8:00-9:00 a.m. Coffee/Ice Tea
- 9:00-10:30 a.m. Keynote Address
-Steve Rizzo-Professional Speaker
- General Session
- 10:30-10:45 a.m. Break
- Coffee/Ice Tea
- 10:45-12:00 noon Workshops
- Five Concurrent Workshops
- 11:45-3:15 p.m. Youth Workshops
-6th Grade and Up
- 12:15-1:30 p.m. Luncheon
-Special Speaker
-Sponsored by the Missouri Dept. of
Labor and Industrial Relations
- 1:45-3:00 p.m. Workshops
- Five Concurrent Workshops
- 5:30-7:00 p.m. Reception
-Sponsored by the Missouri Department
of Labor and Industrial Relations
Hors d'oeuvres Entertainment
Refreshments
- Sponsored by the Conference
- 5:30-7:00 p.m. Children's Program

Tuesday, June 29, 1999

- 8:00 a.m.-12:00 noon Registration
-Resort Lobby
- 8:00-10:00 a.m. Sponsored Breakfast
-by Missouri and Illinois-AFL-CIO

- (Breakfast served from 8:00-8:45 a.m.)
- 8:45-10:00 a.m. General Session
"Labor Management Councils"
- 10:00-10:15 a.m. Coffee/Ice Tea
- 10:15-11:30 a.m. Workshops
- Five Concurrent Workshops
- 11:30 a.m. Lunch on your own
-Afternoon meetings and Activities
Swimming, fishing, water-skiing, bowling,
tennis, horseback riding, plus a variety of
family activities near the resort.
- 1:00 p.m. Golf Tournament
Refreshments
- 5:00-6:00 p.m. Cruise C
..... "The Ozark Princess" Boat Ride

Wednesday, June 30, 1999

- 8:00-9:00 a.m. Registration
-Resort Lobby
- 8:00-9:00 a.m. Coffee/Ice Tea
- 9:00-10:30 a.m. General Session
-"How Supervisors and Unions Work
With the High Performance Work
Team at the Harley Davidson, Kansas
City, Missouri Plant."
- 10:30-10:45 a.m. Coffee/Ice Tea
- 10:45-12:00 noon Workshops
- Five Concurrent Workshops
- 12:15-1:30 p.m. Luncheon
-Special Speaker Sponsored by
Western Resources
- 1:45-3:00 p.m. General Session
-"Economic Outlook and Your Pocketbook"
- 6:00-9:00 p.m. Dinner
Entertainment / Refreshments

Thursday, July 1, 1999

- 9:00-11:00 a.m. Planning
..... Committee Meeting
- All participants welcome to attend

WORKSHOPS

Dislocated Worker Programs in Various States
Demand Flow Technology
Establishing Effective L/M Cooperation
Career Management Accounts
Dealing With Labor Shortages
Workforce Investment Board
America's Career Kit/O-Net
Area Wide L/M Committees
Affordable Housing Development
Self Directed Investments
Fair Contracting

Changing the Safety Culture of a Plant
The Community Health Care Initiative
What do you Need to Know from Pension and Welfare
Women in the Workforce
Federal Hour and Wage Regulations and Information
Labor Management-Working Together to Prepare
for Y2K
Grievance Mediation
Welfare to Work
School to Work

Robert Crouch
Mid-America Labor Management Conference
P.O. Box 1713
Jefferson City, Missouri 65102
(573-751-3978)

**MARK YOUR CALENDAR
JUNE 27-JULY 1, 1999**

MARK YOUR CALENDAR!

Thirteen Mid-America Labor/Management Conferences have been held in the Ozarks of Missouri. Each conference has been different and a wealth of information has been shared and discussed among the participants.

The Planning Committee of the Fourteenth Annual Mid-America Labor/Management Conference is planning very special events for this June 27 through July 1, 1999. Our conference theme, "Labor and Management: Preparing for the 21st Century," is timely for labor and management, as our goal is to continue strengthening labor-management relations in America.

Please mark June 27 through July 1, 1999, on your calendar, and to assure you a room at the Tan-Tar-A Resort, Golf Club and Spa register early and plan to attend. **Registration fees for our Fourteenth Annual Conference will be \$135 for early registration (postmarked no later than June 4, 1999). Door registration will be \$200.** Many participants have attended the past thirteen conferences and we are please that new participants join our conference each year.

During each conference participants are given the opportunity to evaluate programs. Members of the Planning Committee review these evaluations carefully and spend many hours working on the conference content. This evaluation review has brought about significant changes in our Fourteenth Annual Conference program content and agenda.

We are extremely excited about our format for the conference, along with the quality of our speakers. Both the public and private sector participants will be able to attend four general sessions and several workshops together. This should provide an excellent opportunity for an exchange of ideas and for sharing what is and is not working, in keeping with our theme of "Labor and Management: Preparing for the 21st Century."

As in the past thirteen years, the conference will offer numerous family-related activities, including a youth workshop for sixth grade and up. Family members will be able to enjoy boat trips, swimming, fishing, water-skiing, bowling, a sauna and exercise room, tennis, horseback riding, and of course, golf on the championship golf course. The Tan-Tar-A Golf Club and Spa is the premiere resort of the Lake of the Ozarks, and most of the Tan-Tar-A facilities will be taken over by conference attendees. Almost everyone you meet at the Resort will be a labor-management practitioner; thus, every function is an opportunity to share information with someone "in the business."

Conference Registration

An early registration fee of \$135 includes all conference materials, one social, one reception, and four meal functions. Family rates for socials and meals are priced to encourage family participation. The package includes:

Sunday-social, boat ride, "The Ozark Princess" (*refreshments). Monday-coffee, morning break, luncheon, afternoon break, reception with horsd'oeuvres, and entertainment (*refreshments); Tuesday-breakfast, morning break, boat ride, "The Ozark Princess" (*refreshments); Wednesday-coffee, morning break, luncheon, afternoon break, dinner and entertainment (*refreshments).

Late registration fee at the door will be \$200.
No registration refunds will be given on or after June 4, 1999.
Substitutions are allowed.

Tan-Tar-A, Golf Club and Spa Accommodations

Tan-Tar-A Resort offers a special conference rate of \$95.00 per day, single or double occupancy. One-bedroom suites are available at \$150.00 per day and two bedroom suites at \$190.00 per day. These rates will be available for your arrival on Sunday, June 27, 1999, through Wednesday June 30, 1999. Conference room rates are applicable from Thursday, June 24 through Monday, July 5, 1999, based on availability and continuous usage.

All reservation requests must be accompanied by a first night room deposit, or guaranteed with a major credit card. Resort will not hold any reservations after 72 hours unless guaranteed by one of the above methods. Resort will charge the individual for any guaranteed reservation not cancelled 72 hours prior to arrival date.

Resort reservations must be received on or before Friday, June 4, 1999, (cut-off date). Reservations will be accepted after the cut-off date at the conference rate as long as there are rooms available.

(Rooms available after 4:00 p.m.)
* Free Refreshments

EARLY LODGING INFORMATION

RESORT RESERVATIONS

(Resort reservations must be received
on or before June 4, 1999)

Tan-Tar-A
Resort, Golf Club and Spa
Lake of the Ozarks
Osage Beach, Missouri 65065

TOLL FREE: 1-800-TAN-TAR-A
DIRECT: 1-573-348-3131

Reservations for the conference will be accepted
After June 4, 1999, at the conference rate as long as there are
rooms available.

***PLEASE NOTE:** A reserved reservation at the Resort, if
not needed, must be released 72 hours prior to arrival date
or the person making the reservation will be charged for the
reserved reservation.

If this is your first time to attend the Mid-America Labor Management Conference you may request additional conference information by sending your name and address to:

Robert Crouch
(Phone 573-751-3978)
Mid-America
Labor/Management
Conference

P.O. Box 1713
Jefferson City, Missouri 65102

1 the employment security fund provided for in subsection (a) of K.S.A.
 2 44-712 and amendments thereto, excluding all moneys credited to the
 3 account of this state pursuant to section 903 of the federal social security
 4 act, as amended, which have been appropriated by the state legislature,
 5 whether or not withdrawn from the trust fund, and excluding contribu-
 6 tions not yet paid on July 31 by total payrolls for contributing employers
 7 for the preceding fiscal year which ended June 30.

8 SCHEDULE III — Fund Control
 9 Ratios to Total Wages

10 Column A	Column B
11 Reserve Fund Ratio	Planned Yield
12 4.500 and over	0.00
13 4.475 but less than 4.500	0.01
14 4.450 but less than 4.475	0.02
15 4.425 but less than 4.450	0.03
16 4.400 but less than 4.425	0.04
17 4.375 but less than 4.400	0.05
18 4.350 but less than 4.375	0.06
19 4.325 but less than 4.350	0.07
20 4.300 but less than 4.325	0.08
21 4.275 but less than 4.300	0.09
22 4.250 but less than 4.275	0.10
23 4.225 but less than 4.250	0.11
24 4.200 but less than 4.225	0.12
25 4.175 but less than 4.200	0.13
26 4.150 but less than 4.175	0.14
27 4.125 but less than 4.150	0.15
28 4.100 but less than 4.125	0.16
29 4.075 but less than 4.100	0.17
30 4.050 but less than 4.075	0.18
31 4.025 but less than 4.050	0.19
32 4.000 but less than 4.025	0.20
33 3.950 but less than 4.000	0.21
34 3.900 but less than 3.950	0.22
35 3.850 but less than 3.900	0.23
36 3.800 but less than 3.850	0.24
37 3.750 but less than 3.800	0.25
38 3.700 but less than 3.750	0.26
39 3.650 but less than 3.700	0.27
40 3.600 but less than 3.650	0.28
41 3.550 but less than 3.600	0.29
42 3.500 but less than 3.550	0.30
43 3.450 but less than 3.500	0.31

For rate years 2000, 2001 and
 2002, schedule IIIA shall apply.

(Schedule IIIA is attached)

HOUSE BUSINESS, COMMERCE & LABOR COMM.
 3-5-99
 Attachment 3

*House Business, Commerce & Labor Comm.
 3-5-99
 Attachment 3*

Ratios to Total Wages

Column A	Column B Planned Yield
10	
11	
12	
13	4.250 and over 0.00
14	4.225 but less than 4.250 0.01
15	4.200 but less than 4.225 0.02
16	4.175 but less than 4.200 0.03
17	4.150 but less than 4.175 0.04
18	4.125 but less than 4.150 0.05
19	4.100 but less than 4.125 0.06
20	4.075 but less than 4.100 0.07
21	4.050 but less than 4.075 0.08
22	4.025 but less than 4.050 0.09
23	4.000 but less than 4.025 0.10
24	3.950 but less than 4.000 0.11
25	3.900 but less than 3.950 0.12
26	3.850 but less than 3.900 0.13
27	3.800 but less than 3.850 0.14
28	3.750 but less than 3.800 0.15
29	3.700 but less than 3.750 0.16
30	3.650 but less than 3.700 0.17
31	3.600 but less than 3.650 0.18
32	3.550 but less than 3.600 0.19
33	3.500 but less than 3.550 0.20
34	3.450 but less than 3.500 0.21
35	3.400 but less than 3.450 0.22
36	3.350 but less than 3.400 0.23
37	3.300 but less than 3.350 0.24
38	3.250 but less than 3.300 0.25
39	3.200 but less than 3.250 0.26
40	3.150 but less than 3.200 0.27
41	3.100 but less than 3.150 0.28
42	3.050 but less than 3.100 0.29
43	3.000 but less than 3.050 0.30
	2.950 but less than 3.000 0.31
	2.900 but less than 2.950 0.32
	2.850 but less than 2.900 0.33
	2.800 but less than 2.850 0.34
	2.750 but less than 2.800 0.35
	2.700 but less than 2.750 0.36
	2.650 but less than 2.700 0.37
	2.600 but less than 2.650 0.38
	2.550 but less than 2.600 0.39
	2.500 but less than 2.550 0.40

11	2.450 but less than 2.500 0.41
12	2.400 but less than 2.450 0.42
13	2.350 but less than 2.400 0.43
14	2.300 but less than 2.350 0.44
15	2.250 but less than 2.300 0.45
16	2.200 but less than 2.250 0.46
17	2.150 but less than 2.200 0.47
18	2.100 but less than 2.150 0.48
19	2.050 but less than 2.100 0.49
20	2.000 but less than 2.050 0.50
21	1.975 but less than 2.000 0.51
22	1.950 but less than 1.975 0.52
23	1.925 but less than 1.950 0.53
24	1.900 but less than 1.925 0.54
25	1.875 but less than 1.900 0.55
26	1.850 but less than 1.875 0.56
27	1.825 but less than 1.850 0.57
28	1.800 but less than 1.825 0.58
29	1.775 but less than 1.800 0.59
30	1.750 but less than 1.775 0.60
31	1.725 but less than 1.750 0.61
32	1.700 but less than 1.725 0.62
33	1.675 but less than 1.700 0.63
34	1.650 but less than 1.675 0.64
35	1.625 but less than 1.650 0.65
36	1.600 but less than 1.625 0.66
37	1.575 but less than 1.600 0.67
38	1.550 but less than 1.575 0.68
39	1.525 but less than 1.550 0.69
40	1.500 but less than 1.525 0.70
41	1.475 but less than 1.500 0.71
42	1.450 but less than 1.475 0.72
43	1.425 but less than 1.450 0.73

1	1.400 but less than 1.425	0.
2	1.375 but less than 1.400	0.75
3	1.350 but less than 1.375	0.76
4	1.325 but less than 1.350	0.77
5	1.300 but less than 1.325	0.78
6	1.275 but less than 1.300	0.79
7	1.250 but less than 1.275	0.80
8	1.225 but less than 1.250	0.81
9	1.200 but less than 1.225	0.82
10	1.175 but less than 1.200	0.83
11	1.150 but less than 1.175	0.84
12	1.125 but less than 1.150	0.85
13	1.100 but less than 1.125	0.86
14	1.075 but less than 1.100	0.87
15	1.050 but less than 1.075	0.88
16	1.025 but less than 1.050	0.89
17	1.000 but less than 1.025	0.90
18	0.900 but less than 1.000	0.91
19	0.800 but less than 0.900	0.92
20	0.700 but less than 0.800	0.93
21	0.600 but less than 0.700	0.94
22	0.500 but less than 0.600	0.95
23	0.400 but less than 0.500	0.96
24	0.300 but less than 0.400	0.97
25	0.200 but less than 0.300	0.98
26	0.100 but less than 0.200	0.99
27	Less than 0.100%	1.00

1 the new taxable wage base had been in effect during all of the preceding
2 fiscal year ending June 30.

3 (C) *Effective rates.* Except with regard to rates for negative account
4 balance employers, employer contribution rates to be effective for the
5 ensuing calendar year shall be computed by adjusting proportionately the
6 experience factors from schedule I of this section to the required yield
7 on taxable wages. For the purposes of this subsection (a)(3), all rates
8 computed shall be rounded to the nearest .01% and for calendar year
9 1983 and ensuing calendar years, the maximum effective contribution rate
10 shall not exceed 5.4%. For rate years 1995, 1996, 1997, 1998 and 1999,
11 employers, who are current in filing of all reports and in payment of all
12 contributions due, shall be issued a contributions rate of 0%. To be eli-
13 gible for the 0% rate for rate year 1995, an employer must file all delin-
14 quent reports and pay all contributions due within a 30-day period fol-
15 lowing the date of mailing of the amended rating notice. For rate year
16 1996, 1997, 1998 and 1999 in order to be eligible for the 0% rate, em-
17 ployers must file all reports due and pay all contributions due on or before
18 January 31, 1996, January 31, 1997, January 31, 1998 and January 31,
19 1999, respectively. However, for rate year 1996, 1997, 1998 and 1999 the
20 0% contribution rate for such eligible employers shall not be effective if
21 the reserve fund ratio in column A of schedule III as determined by this
22 section is less than 1.75%. For rate years 1996, 1997, 1998 and 1999 the
23 rates in schedule IIA shall apply unless the reserve fund ratio in column
24 A of schedule III as determined by this section is less than 1.75%.

25 (b) *Successor classification.* (1) For the purposes of this subsection
26 (b), whenever an employing unit, whether or not it is an "employing unit"
27 within the meaning of subsection (g) of K.S.A. 44-703 and amendments
28 thereto, becomes an employer pursuant to subsection (h)(4) of K.S.A. 44-
29 703 and amendments thereto or is an employer at the time of acquisition
30 and meets the definition of a "successor employer" as defined by sub-
31 section (dd) of K.S.A. 44-703 and amendments thereto and is controlled
32 substantially either directly or indirectly by legally enforceable means or
33 otherwise by the same interest or interests, shall acquire the experience
34 rating factors of the predecessor employer. These factors consist of all
35 contributions paid, benefit experience and annual payrolls of the prede-
36 cessor employer.

37 (2) A successor employer as defined by subsection (h)(4) or subsec-
38 tion (dd) of K.S.A. 44-703 and amendments thereto may receive the ex-
39 perience rating factors of the predecessor employer if an application is
40 made to the secretary or the secretary's designee in writing within 120
41 days of the date of the transfer.

42 (3) Whenever an employing unit, whether or not it is an "employing
43 unit" within the meaning of subsection (g) of K.S.A. 44-703 and amend-

On January 15 of 2000, 2001 and 2002, the secretary shall report to the legislature concerning the adequacy of the fund. On July 15 of 2000, 2001 and 2002, the secretary shall make the same report to the legislative coordinating council. As a part of such report, the secretary shall include any recommendations for adjustment of schedule IIIA.