

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

The meeting was called to order by Chairperson Al Lane at 9:12 a.m. on March 20, 2002 in Room 521-S of the Capitol.

All members were present except: Rep. Carol Beggs - excused

Committee staff present: Jerry Donaldson, Legislative Research
Bob Nugent, Revisor of Statutes
Rena Jeffries, Revisor of Statutes
Bev Adams, Secretary

Conferees appearing before the committee: Paul Bicknell, KDHR
Steve Markley, KDHR
Jim DeHoff, Kansas AFL/CIO

Others attending: See Attached list

Sub-Committee Report and Final Committee Action on HB 2933 - State employee drug screening program amendments.

Rep. Humerickhouse brought before the committee the sub-committee report on **HB 2933**. The sub-committee was composed of Rep. Humerickhouse, Chair, and Reps. Novascone, Grant, and Ruff as members. They met three times for open discussion, with the Department of Administration, Department of Corrections, SRS, and other institutions, focusing on what the bill does in order to address safety sensitive employees. Discussion also revolved around some of the terminology in the bill and the drug testing for pre-employment and reasonable suspicion of drug use. Once the committee understood it was reasonable suspicion and not random drug testings, everyone was in more agreement than before they had that understanding. They also asked for a modification of the list of job positions to be included in the drug testing list and they received an amended list. It did not change the numbers but it did change the positions and directed them more toward the safety sensitive employees than the original list did.

The recommendation from the sub-committee is to recommend the bill favorably for passage to the entire committee. They are in agreement 4-0 that the bill should be worked. They have two reservations; the amendment concerning the veterans' homes and the concern of the wording dealing with the Regents and the KU Med Center employees as well as the KU campus general in Lawrence. It's the recommendation from the sub-committee to leave that part in the bill, if the entire committee agrees, and any changes needed could be made in the Senate.

The sub-committee believes it is an important bill and the changes in the drug screening program need to be made.

A motion was made by Rep. Grant and seconded by Rep. Ruff to adopt the sub-committee report. The motion passed.

Discussion followed.

A motion to amend was made by Rep. Grant and seconded by Rep. Humerickhouse to include the amendment in the balloon from Bob Nugent, Revisor, to strike on page 1, line 39 and 40, (6) any "position to the Kansas soldiers' home, as established under K.S.A. 76-1901 et seq., and replacing it with "employee of a state veteran's home operated by the Kansas Commission on Veterans's Affairs as described in K.S.A. 76-1901 et seq. and amendments thereto, and K. S. A. 76-1951 et seq." The motion passed.

Rep. Grant made a motion to pass out **HB 2933** favorably as amended. Rep. Long seconded the motion. The motion passed. Representatives Barnes, Henderson, Rehorn, Swenson and Welshimer requested their no votes be recorded.

CONTINUATION SHEET

MINUTES OF THE HOUSE BUSINESS, COMMERCE, AND LABOR COMMITTEE, March 20, 2002 at 9:12 a.m. in Room 521-S of the Capitol.

Hearing on: HB 3021 - Employment security law; calculation of base wage.

Paul Bicknell, Chief of Contributions, Kansas Department of Human Resources (KDHR), appeared before the committee to report on the bill. The bill is a result of the efforts of the Kansas Department of Human Resources Employment Security Advisory Council, which voted unanimously in support of the amendments set out in the bill. One amendment adds a new subsection (G) and provides that no contributing employer or rated governmental employer's account shall be charged with respect to their pro rata share of benefit charges if such charges are of \$100 or less. (Attachment 1) He introduced Steve Markley, the Chief of Benefits Administration for KDHR.

Mr. Markley said the second amendment expands the definition of our base period and creates an "alternative base period" for individuals having a worker compensation injury. Other amendments are included in his written testimony. (Attachment 2) He concluded his testimony by answering questions from the committee.

Jim DeHoff, Kansas AFL/CIO, appeared before the committee in support of **HB 3021**. (Attachment 3)

No others were present to testify for or against the bill and Chairman Lane closed the hearing on **HB3021**.

Chairman Lane adjourned the meeting at 10:10 a.m.

The next scheduled meeting is March 21, 2002.