

MINUTES OF THE HOUSE BUSINESS, COMMERCE AND LABOR COMMITTEE.

The meeting was called to order by Chairperson Al Lane at 9:05 a.m. on February 13, 2001 in Room 521-S of the Capitol.

All members were present

Committee staff present: Renae Jeffries, Revisor of Statutes
 Jerry Donaldson, Legislative Research Department
 Bev Adams, Committee Secretary

Conferees appearing before the committee: Tim Madden, DOC
 James Frazier, Juvenile Justice Authority
 Andy Sanchez, KAPE

Others attending: See attached list

Hearing on: HB 2223 - Employee drug testing, Department of corrections.

Chairman Lane read the fiscal note for the bill. The Budget Director estimates that approximately 127 additional pre-employment tests could be conducted with the passage of **HB 2223**, at a cost of \$3,651.

Tim Madden, Department of Corrections, appeared as a proponent of the bill. The bill amends K.S.A. 75-462 to include state parole officers and all correctional facility staff within the definition of "safety sensitive positions" for the purposes of the state drug screening program. It also removes a restriction on the discipline of employees who engage in the use of illegal drugs. (Attachment 1) He concluded his testimony by answering questions from the committee.

James Frazier, Assistant Commissioner of Operations, Juvenile Justice Authority (JJA), appeared as a proponent of the bill. The JJA conferred with the Secretary of Corrections on this bill and are behind it 100%.

Andy Sanchez, Kansas Association of Public Employees (KAPE), appeared as an opponent of the bill. KAPE represents about 1055 Corrections Officers I and II's across Kansas. He feels that striking the second chance portion of the statute shows a low tolerance for those who work at a very stressful, dangerous job. He believes that other problems, such as divorce or financial stress can cause employees to react much the same way as a person using drugs. He ended his testimony by answering questions from the committee.

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

Chairman Lane adjourned the meeting at approximately 9:25 a.m. The next scheduled meeting will be February 14, 2001.