

Approved: 3/14/08
Date

MINUTES OF THE HOUSE COMMERCE AND LABOR COMMITTEE

The meeting was called to order by Chairman Steve Brunk at 9:16 A.M. on March 12, 2008 in Room 784 of the DSOB.

All members were present except:

Brenda Landwehr- excused
Candy Ruff-excused
Anna Tietze-excused

Committee staff present:

Jerry Ann Donaldson, Kansas Legislative Research Department
Renaë Jefferies, Office of Revisor of Statutes
Stephen Bainum, Committee Assistant

Conferees appearing before the committee:

Jim Garner, Secretary, Department of Labor
Mary Bradshaw, Economic Justice Coordinator, Kansas Coalition Against Sexual and Domestic Violence

Others attending: See attached list.

Jim Garner presented his testimony in support of **SB 461 (Attachment 1)**. He said that this bill contains changes to the Employment Security Law recommended by the Employment Security Advisory Council. The first change increases the set limit for the agency to pursue tax collections from employers from \$1 or less to \$5.00. Secondly the bill phases in over the next three years the requirement that wage reports and UI taxes be filed electronically for employers. The Secretary can waive the requirement if a hardship is shown. Electronic filing of wage reports and taxes will benefit both employers and the department.

Representative Pauls had a question about the timing of quarterly reports shown on page 18. Are these quarterly reports that don't go into effect until July 1s?. Yes, that gives us time to make everyone aware of the requirements. They would not be required to file until the 3rd quarter report in September 30.

Representative Brunk asked what would constitute a hardship? Jim said that a flood or a tornado or installing a new software system might be accepted as hardships.

The hearing was closed on **SB 461** and the chairman opened the hearing on **SB 612**.

Renaë Jefferies gave an introduction to **SB 612 (Attachment 2)**. There were no questions.

Mary Bradshaw made a presentation in support of **SB 612 (Attachment 3)**. She said that the statutes passed in 2006 to allow victims to take time off work to deal with the impact of sexual and domestic violence were an assistance to stable employment. Unfortunately, the criminal enforcement provisions were omitted and no rule-making authority was authorized. This bill gives the Department of Labor enforcement and rule-making authority in this area. The Department of Labor has agreed to take on this task if the Legislature assigns it to them.

Megan Ingmire, Director of Communications at the Department of Labor stood to answer question in place of Secretary Garner because he had another meeting to attend. She said the Department supports the bill and agrees to take on the enforcement.

Representative Ruiz asked Mary Bradshaw how many cases they have. Mary replied that her agency did not track the number of cases but rather they were concerned to give the victims a source that can give them accurate information. Who usually calls in the request? Mary said it was usually the employee, but they also receive calls from employers.

Representative Kiegerl wanted to know if there is a mechanism to verify what actually happened in case someone should abuse the system. Renaë Jefferies said that the bill provides for a police report, court order, Doctor's report or health care report within 48 hours.

CONTINUATION SHEET

MINUTES OF THE House Commerce and Labor Committee at 9:16 A.M. on March 12, 2008 in Room 784 of the DSOB.

Representative Goico asked if the bill includes language about racial discrimination. Renae Jefferies said that racial discrimination is not addressed by the statute. Representative Goico further asked about a situation involving an attack on a person because of racial discrimination which results in them getting fired. "Is there any protection in that circumstance?" Representative Goico advised that he would have an amendment for the bill when we work it.

Megan Ingmire stood to answer questions. Representative Pauls asked about the Department of Labor's power to enforce the statute. Megan said she would check into it and that it would fall under employment enforcement. Representative Pauls said that the statute had no penalties and needs to be tied into the Statutes that do have penalties. Representative Pauls commented that the domestic abuse statute is very broad and does include racial violence.

There being no more questions the Chairman closed the hearing on **SB 612**.

The Chairman called the committee's attention to **SB 579**. This bill is a duplicate of **HB 2827** which was passed out of our committee on 2/22/08 and placed on the consent calendar.

Renae Jefferies gave a short explanation of **SB 579 (Attachment 4)**.

Representative Roth made a motion to move the bill favorable for passage and place it on the consent calendar. Representative Grant seconded the motion and the motion passed.

The Chairman reminded the committee about the two presentations to be made tomorrow.

Representative Grange reported on House bills being worked in the Senate.

The Chairman adjourned the meeting at 9:50 AM