

MINUTES OF THE HOUSE COMMERCE AND LABOR COMMITTEE

The meeting was called to order by Chairman Don Dahl at 9:00 A.M. on February 21, 2006 in Room 241-N of the Capitol.

All members were present.

Committee staff present:

Jerry Ann Donaldson, Kansas Legislative Research Department
Norm Furse, Office of Revisor of Statutes
Renaë Jefferies, Office of Revisor of Statutes
June Evans, Committee Secretary

Conferees appearing before the committee:

Sandy Barnett, Kansas Coalition Against Sexual and Domestic Violence
Lisa Hecht, YWCA Battered Women Task Force

Others attending:

See attached list.

The Chairman stated today's meeting would commence with a continuation of the hearing on **HB 2928 - Leave from employment for victims of domestic violence or sexual crimes.**

Sandy Barnett, Executive Director, Kansas Coalition Against Sexual and Domestic Violence (KCSDV), testified as a proponent to **HB 2928**. Maintaining employment is of the utmost importance for victims. The lack of financial stability is one of the greatest barriers to leaving an abusive partner for victims of domestic violence, second only to safety concerns. Victims of sexual assault and rape must participate with law enforcement for evidence collection and investigation of these crimes. Evidence must be collected within a few hours after an assault.

HB 2928 seeks to remedy employment related barriers for victims by prohibiting the firing or punishment of victims when they must tend to victim-related issues requiring them to miss work. **HB 2928** does require employees provide verification for the reason why an absence from work is necessary.

Although **HB 2928** does not specifically address it, KCSDV assumes it is a defense against criminal or civil sanctions if the employees absence from work could have been avoided because the service or activity could be accomplished other than during work hours (Attachment 1).

Lisa Hecht, YWCA Battered Women Task Force, testified as a proponent to **HB 2928**. This bill allows for victims to seek medical, legal or advocacy services without fear of the loss of confidentiality or fear of retaliation including demotion or loss of employment. This also gives victims of domestic violence and sexual assault additional tools that increase their safety and sense of empowerment as well as the ability to work and earn a living to support themselves and, very often, their minor children (Attachment 2).

There was no opposition to **HB 2928**.

The Chairman closed the hearing on **HB 2928**.

The Chairman said the committee would move to final action. The first bill up for final action was **HB 2772 - Employment relationship between owner-operators and licensed motor carrier operators for employment security law purposes.**

Staff briefed the committee on the bill and a balloon amendment was distributed that on page 1, line 24, deleted "49 U.S.C. Section 11506" and replaced it with "49 U.S.C. Section 14504".

Representative Roth moved and Representative Grant seconded to adopt the amendment. The motion carried.

The Chairman stated the Advisory Committee met February 20 and took no action on **HB 2772**.

CONTINUATION SHEET

MINUTES OF THE House Commerce and Labor Committee at 9:00 A.M. on February 21, 2006 in Room 241-N of the Capitol.

Representative Roth moved and Representative Grant seconded to move **HB 2772** out favorably as amended. The motion carried.

The Chairman said **HB 2788 - Concerning expiration, suspension or revocation of real estate brokers and salespersons licenses** had a hearing earlier and Ms. Diel and Mr. Yanek were in the audience to answer any questions. The Chairman asked if there were any amendments to **HB 2788**.

Representative Huntington stated **HB 2865 - Contracts for the sale of residential real estate to include a provision concerning the residence of persons convicted of sexually violent crimes** did not have a hearing due to time restraints and requested amending **HB 2865** into **HB 2788**. The Chairman asked the revisor if he saw any problems with combining the two bills. He replied "NO".

Representative Huntington moved and Representative Ruff seconded to amend **HB 2865** into **HB 2788**. The motion carried.

Representative Grant moved and Representative Roth seconded to move **HB 2788** out favorably as amended. The motion carried.

The Chairman said **HB 2821 - Establishing the regulatory flexibility act, relating to small business** had a hearing on February 15 and asked what the committee's pleasure was on that bill.

There was discussion and Representative Roth and Representative Grange said the bill was not necessary.

Representative Ruff moved and Representative Roth seconded to Table **HB 2821**. The motion carried.

The meeting adjourned at 10:55 a.m. The next meeting is scheduled for February 22, 2006.