

MINUTES OF THE SENATE COMMERCE COMMITTEE

The meeting was called to order by Chairperson Karin Brownlee at 8:30 a.m. on February 16, 2004 in Room 123-S of the Capitol.

All members were present except:

Senator Pete Brungardt- excused
Senator Susan Wagle- excused

Committee staff present:

Kathie Sparks, Legislative Research
Susan Kannarr, Legislative Research
Helen Pedigo, Revisor of Statutes
Nikki Kraus, Committee Secretary

Conferees appearing before the committee:

Wayne Maichel, Director of Employment Security, Department of Human Resources

Others attending:

See Attached List.

Chairperson Brownlee opened the meeting.

Mr. Maichel provided the committee with information regarding the reduction in benefits payment for FY 2005-2007 if a three year freeze were in effect and FY 2005-2006 if a two year freeze were in effect. (Attachment 1)

Senator Barone asked if **SB 440** had been through the Employment Advisory Committee, and Mr. Maichel said that it had and was passed unanimously.

Chairperson Brownlee closed the public hearing on **SB 440**.

Senator Barone moved to amend **SB 440** on p.21, line 5, to change (f) to (g). Senator Emler seconded. The motion passed.

Senator Barone moved to pass **SB 440** as amended. Senator Emler seconded. The motion passed.

Chairperson Brownlee pointed the committee's attention to **SB 410**.

Senator Barone stated that it seemed Senator Schmidt was sympathetic to the idea of a date being placed on the amount of time a pre-employment screening could hang over an employee. Senator Emler stated that on p.12, subsection (v), if an individual fails the pre-employment screening, discharge should occur no later than seven days after notification of drug screening; then strike other subsection (v). (Attachment 2)

Ms. Pedigo provided the committee with a comparison of the five work comp bills. (Attachment 3)

Following discussion, Senator Emler moved to strike p.5, lines 33-35, and insert on p.12 (v) from Attachment 2. Senator Bunten seconded the motion. The motion passed.

Senator Bunten moved **SB 410** favorable as amended. Senator Jordan seconded. The motion passed.

Chairperson Brownlee directed the committee's attention to **SB 481**.

Senator Bunten asked if inmates can get unemployment benefits once released, and Mr. Maichel said yes, if they had worked in prison, they would be eligible. Chairperson Brownlee asked if that would come from the company for which they worked in prison, and Mr. Maichel agreed, stating that it would be because those companies were for-profit. Senator Barone stated that if the prisoner does not pay in, then they are not covered post-release. He stated that he thought they needed all the help they could get once they were out. Senator Kerr stated that it is almost automatic that a job like the one they had in prison would not be available on the outside, so they will apply for unemployment when they get out. He stated that it doesn't make sense

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to use the private sector in this way because they can't help that this kind of job isn't available. Mr. Maichel stated that the worker must pay in or he or she is not eligible. Senator Barone stated that if they come out and can't find the exact job, the point of prison work was more to train people not with a particular skill, but with the discipline to work. He stated that if they come out with this and cannot find work, then this is a transition period for them. The committee discussed the issue further, but decided not to take action on this day.

Chairperson Brownlee asked the committee to consider **SB 482**. Following brief discussion, the committee decided to continue the following day.

Senator Jordan moved to approve the minutes. Senator Bunten seconded. The motion passed.

Chairperson Brownlee adjourned the meeting at 9:30 a.m. The next meeting will be at 8:30 a.m. on February 17, 2004 in Room 123-S of the Capitol.