

MINUTES OF THE SENATE COMMITTEE ON LABOR, INDUSTRY AND TOURISM

The meeting was called to order by Sen. Bill Morris at
Chairperson

1:30 ~~am~~/p.m. on February 8, 1983 in room 529-S of the Capitol.

All members were present ~~except~~.

Committee staff present:

Mark Burghart, Research Department
Bruce Kinzie, Revisor
Louise Cunningham, Secretary

Conferees appearing before the committee:

Arnold Berman, Attorney, Department of Human Resources
George McCullough, AFL-CIO

A motion was made by Sen. Arasmith to approve the Minutes of February 1. Motion was seconded by Sen. Karr. Motion carried.

A copy of Funding Distribution under JTPA (Attachment 1) was distributed to members of the Committee. This had been discussed by Mr. Wolgast on February 1st.

SCR 1610 - concerning workmen's compensation; revoking K.A.R. 51-7-5 and 51-7-6. (Loss of testicles and loss of kidney - Attachment 2).

Sen. Werts said this was a repealer and repeals two regulations; however a statute was needed or the injury would become part of a regular injury rather than a bodily impairment. Last year S.B. 578 was introduced which would establish this. It passed the Senate but it died in the House Committee. A companion measure was necessary along with the resolution for the impairment. A bill had been drafted by Bruce Kinzie (Attachment 3).

George McCullough, AFL-CIO, said they supported this resolution and the bill was necessary for these two losses. They are now using the rule but it could be set aside and voided if it was ever brought up.

Sen. Arasmith made a motion to adopt the resolution and recommend introduction of Attachment 3 as a Committee Bill, to be referred to the Committee of the Whole. Motion was seconded by Sen. Burke. Motion carried.

S.B. 140 - relating to payment of wages; concerning the use of certified mail.

Mr. Berman said changes were necessary in the bill to designate the secretary "or the secretary's authorized representative" because there was a recent court decision which said it meant the secretary had to investigate every claim so this was being changed throughout the bill. Copies of the Kansas Wage Payment Law were distributed. (Attachment 4).

The second change would eliminate the requirement of the use of certified mail. By substituting first class prepaid postage mail it should be assumed that the mail will be received. They should not be different from the court system in this. He said it would lead to a savings of between \$7500 and \$8000 per year.

The third change in the bill would eliminate criminal penalties because it was never used and it should not be on the books if it is not used. The interest that was being assessed by the hearings officer was in the statutes but the hearing officers would feel more comfortable with the specific statutes written into the bill.

(over)

A motion was made by Sen. Burke that S.B. 140 be recommended favorably for passage and be placed on the Consent Calendar. Motion was seconded by Sen. Chaney. Motion carried.

The Chairman told the Committee that hearings were being held in the House on H.B. 2221 concerning contributions and surcharges in the employment security law and as soon as this bill comes over from the House, this Committee will hold hearings immediately so that the surcharge can go into the billings next month.

The Chairman also informed the Committee that there had been a meeting of the interested parties to attempt to solve the definition of a temporary employee when he goes on and off the payroll. Some interest was expressed concerning employment of summer students and their use of unemployment benefits. This had been the subject of an interim study where the vote had been very close (5-4) to not allow the charge as a social cost.

Meeting was adjourned.

SENATE LABOR, INDUSTRY & TOURISM COMMITTEE

Date 2-8-83 Place 529-8 Time 1:30

GUEST LIST

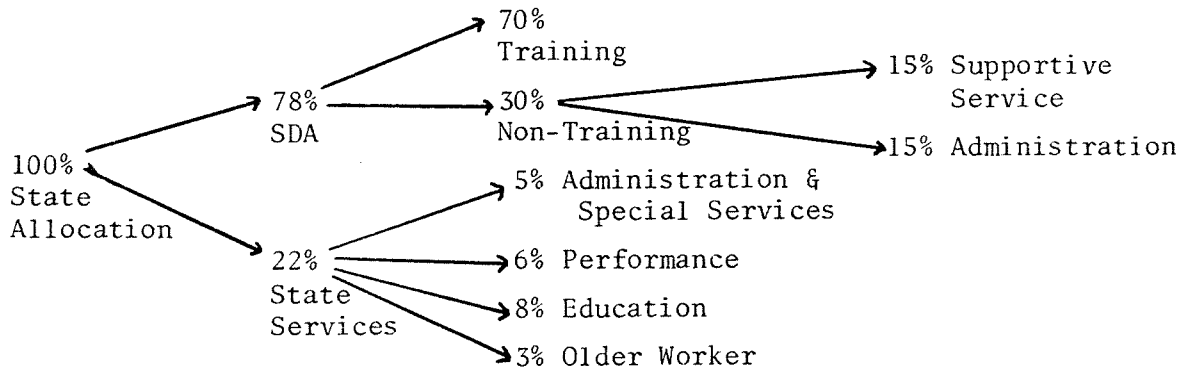
NAME

ADDRESS

ORGANIZATION

<u>Arnold Berme</u>	<u>Topeka</u>	<u>DHR</u>
<u>Don Bruner</u>	<u>Topeka</u>	<u>DHR</u>
<u>Stu Entz</u>	<u>Topeka</u>	<u>K.S.A.F.L. CIO</u>
<u>Ray (E) D. Fullen</u>	<u> </u>	
<u>Bill Morrissey</u>	<u>-u</u>	<u>Div. of Work. Comp</u>
<u>B. B. Moore</u>	<u> </u>	<u> </u>

Funding Distribution under JTPA



78% of the state allocation will be passed through to service delivery areas (SDA) and distributed on the basis of the same formula on which the state allocation was computed.

- * 70% of the SDA allocation must go toward training
- * not more than 30% of the SDA allocation can go toward non-training
 - not more than half of the 30% (or 15% of the total SDA allocation) may go toward administration
 - 15% of the SDA allocation (can be more in certain circumstances) may go toward supportive services (child care, transportation, needs based payments)

22% of the state allocation will go toward state services and is divided into four categories.

- * 5% coordination and special services (includes state administrative costs)
- * 6% performance reward grants to SDAs
- * 8% state education and coordination grants (requires match from education)
- * 3% is for older worker programs

Separate from the main state grant, the state will receive funds for:

- * Dislocated worker program (under Title III of the Act) which will be state administered.
 - requires an equal match from the state
- * Summer youth programs which will be carried out by the SDAs. 100% of the funds are passed through the state to the SDAs.

Atch. 1

51-7-4

WORKERS' COMPENSATION DIVISION

A. The following formula shall be used to compute compensation for permanent partial general bodily disability.

- a. Computation of the permanent partial weekly rate:
 - Average gross weekly wage
 - x Percent of permanent partial general disability

$$\frac{\$ \text{ sixty-six and two-thirds (66\%) percent}}{\text{Permanent partial weekly rate (not to exceed maximum rate)}}$$

- b. Computation of permanent partial compensation due claimant:
 - four hundred and fifteen (415) weeks
 - Temporary total weeks

$$\frac{\text{Weeks available for permanent partial rate} \times \text{Permanent partial weekly rate}}{\text{Total permanent partial compensation due}}$$

In cases of permanent total disability the weekly compensation rate is computed by multiplying two-thirds (2/3) times the average gross weekly wage (subject to the statutory maximum). That rate is applicable until the statutory maximum of compensation has been paid. The number of weeks to be paid is a division of the statutory maximum (less compensation paid) divided by the weekly compensation rate. (Authorized by K.S.A. 1977 Supp. 44-510d, 44-573; effective Jan. 1, 1966; amended Jan. 1, 1969; amended Jan. 1, 1971; amended Jan. 1, 1973; amended, E-74-31, July 1, 1974; amended May 1, 1975; amended Feb. 15, 1977; amended May 1, 1978.)

51-7-4. (Authorized by K.S.A. 1977 Supp. 44-510, 44-573; effective Jan. 1, 1966; amended Jan. 1, 1973; revoked May 1, 1978.)

51-7-5. Testicles, loss of. Loss of one testicle, without additional pathology, will be determined as ten (10) percent permanent partial general disability. Loss of both testicles without additional pathology will be determined as twenty-five (25) percent permanent partial general bodily disability. (Authorized by K.S.A. 1972 Supp. 44-573; effective Jan. 1, 1966; amended Jan. 1, 1973.)

51-7-6. Kidney, loss of. Loss of a kidney, without additional pathology, will be determined by the director as a twenty-five (25) percent permanent partial general bodily disability. After temporary total disability has been accounted for, the injured worker

will be allowed compensation on the basis of a twenty-five (25) percent permanent partial disability for the remaining portion of 415 weeks. (Authorized by K.S.A. 1976 Supp. 44-573; effective Jan. 1, 1966; amended Feb. 15, 1977.)

51-7-7. (Authorized by K.S.A. 1977 Supp. 44-510, 44-573; effective Jan. 1, 1966; amended Feb. 15, 1977; revoked May 1, 1978.)

51-7-8. Injuries covered by the schedule. In case of the total loss of use of a member covered by the schedule, the worker shall be entitled to the full number of weeks provided for the loss of such member at the full weekly compensation rate.

Where a worker suffers a permanent partial loss of use of a member, and in addition thereto suffers another or other injuries contributing to a temporary total disability, compensation owing for the temporary total disability is not deductible from the scheduled amount.

Whenever there is permanent partial loss of use of a scheduled member, the period of temporary total disability is to be accounted for and then the percentage of permanent partial loss of use of the member. Where the injury results in a combination loss of and loss of use of scheduled members, both healing period and temporary total disability are to be accounted for in the computation.

- a. Computation of the weekly compensation rate to be used is the formula below:
 - Workers' average gross weekly wage
 - x sixty-six and two-thirds (66%) percent.

Weekly workers' compensation rate—subject to the maximum of sixty-six and two-thirds (66%) percent of the state's average weekly wage not less than seven (\$7.00) dollars.

- b. Loss of use where there is no temporary total in other parts of the body.

$$\frac{\text{Number of weeks on the schedule for the injury in question} - \text{Weeks of temporary total paid}}{\text{percentage of disability}} \times \text{weekly workers' compensation rate} = \text{Amount due}$$

- c. Partial amputation of a scheduled member.

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SENATE BILL NO. _____

By Committee on Labor, Industry and Tourism

AN ACT amending the workmen's compensation act; providing for the payment of certain permanent partial bodily impairments; amending K.S.A. 44-510d and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 44-510d is hereby amended to read as follows: 44-510d. (a) Where disability, partial in character but permanent in quality, results from the injury, the injured employee shall be entitled to the compensation provided in K.S.A. 44-510 and amendments thereto, but shall not be entitled to any other or further compensation for or during the first week following the injury unless such disability exists for three ~~(3)~~ consecutive weeks, in which event compensation shall be paid for the first week. Thereafter compensation shall be paid for temporary total loss of use and as provided in the following schedule, ~~sixty-six--and-two-thirds-percent-(66-2/3%)~~ 66 2/3% of the average gross weekly wages to be computed as provided in K.S.A. 44-511 and amendments thereto, and the weekly compensation in no case to be more than the maximum as provided for in K.S.A. 44-510c and amendments thereto. If there is an award of permanent disability as a result of the injury there shall be a presumption that disability existed immediately after the injury and compensation is to be paid for not to exceed the number of weeks allowed in the following schedule:

- (1) For loss of a thumb, ~~sixty-(60)~~ 60 weeks.
- (2) For the loss of a first finger, commonly called the index finger, ~~thirty-seven-(37)~~ 37 weeks.
- (3) For the loss of a second finger, ~~thirty-(30)~~ 30 weeks.
- (4) For the loss of a third finger, ~~twenty-(20)~~ 20 weeks.
- (5) For the loss of a fourth finger, commonly called the

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little finger, ~~fifteen-(15)~~ 15 weeks.

(6) Loss of the first phalange of the thumb or of any finger shall be considered to be equal to the loss of ~~one-half-(1/2)~~ 1/2 of such thumb or finger, and the compensation shall be ~~one-half-(1/2)~~ 1/2 of the amount specified above. The loss of the first phalange and any part of the second phalange of any finger, which includes the loss of any part of the bone of such second phalange, shall be considered to be equal to the loss of ~~two-thirds-(2/3)~~ 2/3 of such finger and the compensation shall be ~~two-thirds-(2/3)~~ 2/3 of the amount specified above. The loss of the first phalange and any part of the second phalange of a thumb which includes the loss of any part of the bone of such second phalange, shall be considered to be equal to the loss of the entire thumb. The loss of the first and second phalanges and any part of the third proximal phalange of any finger, shall be considered as the loss of the entire finger. Amputation through the joint shall be considered a loss to the next higher schedule.

(7) For the loss of a great toe, ~~thirty-(30)~~ 30 weeks.

(8) For the loss of any toe other than the great toe, ~~ten-(10)~~ 10 weeks.

(9) The loss of the first phalange of any toe shall be considered to be equal to the loss of ~~one-half-(1/2)~~ 1/2 of such toe and the compensation shall be ~~one-half-(1/2)~~ 1/2 of the amount above specified.

(10) The loss of more than one phalange of a toe shall be considered to be equal to the loss of the entire toe.

(11) For the loss of a hand, ~~one-hundred-fifty-(150)~~ 150 weeks.

(12) For the loss of a forearm, ~~two--hundred--(200)~~ 200 weeks.

(13) For the loss of an arm, ~~two-hundred-ten-(210)~~ 210 weeks.

(14) For the loss of a foot, ~~one-hundred-twenty-five--(125)~~ 125 weeks.

(15) For the loss of a lower leg, ~~one-hundred-ninety-(190)~~

190 weeks.

(16) For the loss of a leg, ~~two-hundred-(200)~~ 200 weeks.

(17) For the loss of an eye, or the complete loss of the sight thereof, ~~one-hundred-twenty-(120)~~ 120 weeks.

(18) Amputation or severance below the wrist shall be considered as the loss of a hand. Amputation at the wrist and below the elbow shall be considered as the loss of the forearm. Amputation at or above the elbow shall be considered loss of the arm. Amputation below the ankle shall be considered loss of the foot. Amputation at the ankle and below the knee shall be considered as loss of the lower leg. Amputation at or above the knee shall be considered as loss of the leg.

(19) For the complete loss of hearing of both ears, ~~one hundred-ten-(110)~~ 110 weeks.

(20) For the complete loss of hearing of one ear, ~~thirty~~ ~~(30)~~ 30 weeks.

(21) Permanent loss of the use of a finger, thumb, hand, arm, forearm, toe, foot, leg or lower leg or the permanent loss of the sight of an eye or the hearing of an ear, shall be equivalent to the loss thereof. For the permanent partial loss of the use of a finger, thumb, hand, arm, toe, foot or leg, or the sight of an eye or the hearing of an ear, compensation shall be paid as provided for in K.S.A. 44-510c and amendments thereto, per week during that proportion of the number of weeks in the foregoing schedule provided for the loss of such finger, thumb, hand, arm, toe, foot or leg, or the sight of an eye or the hearing of an ear, which partial loss thereof bears to the total loss of a finger, thumb, hand, arm, toe, foot or leg, or the sight of an eye or the hearing of an ear; but in no event shall the compensation payable hereunder for such partial loss exceed the compensation payable under the schedule for the total loss of such finger, thumb, hand, arm, toe, foot or leg, or the sight of an eye or the hearing of an ear, exclusive of the healing period.

(22) For traumatic hernia, compensation shall be limited to the compensation under K.S.A. 44-510 and amendments thereto,

compensation for temporary total disability during such period of time as such employee is actually unable to work on account of such hernia, and, in the event such hernia is inoperable, weekly compensation during ~~twelve--(12)~~ 12 weeks, except that, in the event that such hernia is operable, the unreasonable refusal of the employee to submit to an operation for surgical repair of such hernia shall deprive such employee of any benefits under the workmen's compensation act.

(23) Loss of one testicle, without additional pathology, will be determined as 10% permanent partial bodily impairment. Loss of both testicles, without additional pathology, will be determined as 25% permanent partial bodily impairment.

(24) Loss of a kidney, without additional pathology, will be determined as 25% permanent partial bodily impairment.

(b) Whenever the employee is entitled to compensation for a specific injury under the foregoing schedule, the same shall be exclusive of all other compensation except the benefits provided in K.S.A. 44-510 and amendments thereto, and no additional compensation shall be allowable or payable for either temporary or permanent disability, except that the director may, in proper cases, allow additional compensation during the actual healing period, such period not to be more than ~~ten-percent-(10%)~~ 10% of the total period allowed for the scheduled injury in question nor in any event for longer than ~~fifteen-(15)~~ 15 weeks. The return of the employee to ~~his-or-her~~ such employee's usual occupation shall terminate the healing period.

Sec. 2. K.S.A. 44-510d is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

4

THE KANSAS WAGE PAYMENT LAW
Chapter 44, Article 3
As Amended by the 1977 Legislature

K.S.A. 44-313. Definitions. As used in this act: (a) "Employer" means any individual, partnership, association, joint stock company, trust, corporation, the administrator or executor of the estate of a deceased individual, or the receiver, trustee, or successor of any of the same, employing any person.

(b) "Employee" means any person allowed or permitted to work by an employer.

(c) "Wages" means compensation for labor or services rendered by an employee, whether the amount is determined on a time, task, piece, commission or other basis less authorized withholding and deductions.

(d) "Secretary" means the secretary of human resources.

(As amended by the 1976 Legislature)

K.S.A. 44-314. Pay periods. (a) Every employer shall pay all wages due to his or her employees at least once during each calendar month, on regular paydays designated in advance by the employer, in lawful money of the United States or with checks or drafts which are negotiable in the community wherein the place of employment is located. In lieu of payment by money, checks or drafts, the secretary may approve for any employer a plan of payment by bank deposits to employee's accounts.

(b) The end of the pay period for which payment is made on a regular payday shall be not more than fifteen (15) days before such regular payday.

(As amended by the 1976 Legislature)

K.S.A. 44-315. Separation prior to payday; damages for willful non-payment. (a) Whenever an employer discharges an employee or whenever an employee quits or resigns, the employer shall pay the employee's earned wages not later than the next regular payday upon which he or she would have been paid if still employed as provided under K.S.A. 1976 Supp. 44-314 either through the regular pay channels or by mail postmarked within the deadlines herein specified if requested by the employee.

(b) If an employer knowingly fails to pay an employee wages as required under subsection (a) of this section, such employer shall be liable therefor and shall be additionally liable for damages in the fixed amount of one percent (1%) of the unpaid wages for each day, except Sunday and legal holidays, upon which such failure continues after the eighth day after the day upon which payment is required or in an amount equal to the unpaid wages, whichever is smaller, except that such penalty shall apply only in the event of a willful violation. For the purpose

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of such additional damages, the failure to pay shall not be deemed to continue after the date of the filing of a petition in bankruptcy with respect to the employer if he or she is adjudicated bankrupt upon such petition nor shall it be deemed to continue after an appeal is filed under K.S.A. 1978 Supp. 44-322a until the decision on appeal becomes final.

(As amended by the 1977 Legislature)

K.S.A. 44-316. Payment of undisputed wages; remedies retained.

(a) In case of a dispute over the amount of wages due, the employer shall pay, without conditions and no later than the regular payday next following the concession, all wages, or parts thereof, conceded by him to be due, leaving to the employee all remedies he might otherwise be entitled to, including those provided under this act, as to any balances claimed.

(b) Unless payment is made by binding settlement agreement, the acceptance by an employee of a payment under this section shall not constitute a release as to the balance of his claim and any release required by an employer as a condition to payment shall be in violation of this act and shall be null and void.

K.S.A. 44-317. Liability under subcontracts. Whenever any person responsible pursuant to a contract for the performance of any work has subcontracted the performance of all or any part of such work, such responsible person shall be civilly liable to the employees of the subcontractor for wages due on account of the performance of work covered by the contract, but only if and to the extent that the subcontractor fails to pay such wages. This section shall not be construed to impose any liability on any person other than the subcontractor for the added fixed damages provided in subsection (d) [(b)] of section 3 (44-315) of this act. Any payment of wages by reason of liability imposed by this section shall result in the creation of a right in the payor to recoupment from the subcontractor or any other person jointly or severally liable to the subcontractor therefor.

K.S.A. 44-318. Deceased employees. In the absence of actual notice of probate proceedings, the employer may pay, upon proper demand, wages due a deceased employee. Any such payment or payments shall be in the following order of preference: Spouse, children eighteen (18) years of age and over in equal shares, father, mother, sisters and brothers in equal shares, or the person to whom funeral expenses are due.

K.S.A. 44-319. Withholding of wages. (a) No employer may withhold, deduct or divert any portion of an employee's wages unless: (1) The employer is required or empowered to do so by state or federal law; (2) the deductions are for medical, surgical or hospital care or service, without financial benefit to the employer, and are openly, clearly and in due course recorded in the employer's books; or (3) the employer has a signed authorization by the employee for deductions for a lawful purpose accruing to the benefit of the employee.

(b) Nothing in this section shall be construed as prohibiting the withholding of amounts authorized in writing by the

employee to be contributed by him to charitable organizations; nor shall this section prohibit deductions by check-off of dues to labor organizations or service fees, where such is not otherwise prohibited by law.

K.S.A. 44-320. Notification to employees. Each employer shall: (a) Upon the request of the employee, notify such employee in writing or as required by a collective bargaining agreement, of the rate of pay and of the day and place of payment.

(b) Upon the request of the employee, notify such employee in writing or through a posted notice maintained in a place accessible to his employees or as required by a collective bargaining agreement, of any changes in the arrangements specified in subsection (a) of this section prior to the time of such changes.

(c) Upon the request of the employee, make available to such employee in writing or through a posted notice maintained in a place accessible to his employees or as required by a collective bargaining agreement, employment practices and policies with regard to vacation pay, sick leave and any other benefits to which the employee is entitled and which have a direct bearing upon wages payable.

(d) Furnish each employee, upon request by such employee, with an itemized statement of deductions made from his wages under section 7 (44-319) of this act for each pay period such deductions are made.

K.S.A. 44-321. Waivers prohibited. Except as provided in section 12 (44-324) of this act, no provision of, or any right created under this act may in any way be contravened, set aside or waived.

K.S.A. 44-322. Enforcement; hearings; powers of secretary; contempt. (a) The secretary shall enforce and administer the provisions of this act and the secretary or authorized representatives of the secretary are empowered to hold hearings and otherwise to investigate violations or alleged violations of this act.

(b) The secretary or authorized representatives of the secretary are empowered to enter such places, question such employees and investigate such facts, conditions or matters as they may deem appropriate to determine whether any person has violated any provision of this act or any rules or regulation issued hereunder or which may aid in the enforcement of the provisions of this act.

(c) The secretary or authorized representatives of the secretary shall have the power to administer oaths and examine witnesses under oath or otherwise, issue compulsory process to compel the attendance of witnesses and the production of papers, books, accounts, records, payrolls, documents and testimony relating to claims for unpaid wages, and to take depositions and affidavits in the administration of this act.

(d) In case of failure of any person to comply with any compulsory process lawfully issued, the secretary may apply to the judge of the district court for citation in contempt and such judge may punish for contempt, as in other cases of refusal to obey the orders and processes of the court.

(As amended by the 1976 Legislature)

K.S.A. 44-322a. (a) Whenever a claim for unpaid wages under K.S.A. 44-313 to 44-326, inclusive, and any amendments thereto, is filed with the secretary of human resources, the secretary shall investigate the claim as provided in K.S.A. 1976 Supp. 44-322 to determine if a dispute exists between the parties to the claim. If the secretary determines that a dispute does exist and that the parties are unable to resolve their differences, the secretary shall establish a time and place for a hearing on the matter.

(b) The hearing may be conducted by a hearing officer appointed by the secretary. The hearing officer shall have the power and authority to conduct the hearing in the name of the secretary. Not less than ten (10) days' notice in writing of the time and place of the hearing shall be given to the parties to the dispute, and this notice shall be served personally upon each party to the dispute or by certified mail, return receipt requested.

(c) In conducting the hearing the secretary or the hearing officer shall have the same powers and authority as that granted to the secretary or authorized representatives of the secretary under subsections (c) and (d) of K.S.A. 1976 Supp. 44-322. Each party to the dispute may be represented by an attorney and may cross-examine any witness.

(d) Upon the completion of the hearing, the secretary shall determine whether the claim for unpaid wages is a valid claim under K.S.A. 44-313 to 44-326, inclusive, and any amendments thereto. If the secretary determines the claim for unpaid wages is valid, the amount of unpaid wages owed together with any damages which may be assessed under K.S.A. 44-315, as amended, if applicable, also shall be determined by the secretary. Within forty-five (45) days after the hearing, the secretary shall give written notice of his or her decision to each party to the dispute and shall specify the reasons for the decision. This notice shall be served upon each party to the dispute either personally or by certified mail, return receipt requested. If the secretary determines the claim for unpaid wages is valid, the secretary shall order that the unpaid wages and any applicable damages be paid by the party responsible for their payment. The decision of the secretary shall be final and the amount of any unpaid wages and applicable damages determined by the secretary to be valid shall be due and payable unless an appeal is taken to the district court within thirty (30) days after entry of the decision.

(e) Any party aggrieved by any determination or order of the secretary under this section may appeal to the district court as provided by K.S.A. 60-2101. The review shall be conducted by the district court upon the record of the hearing. A party to the review proceedings in the district court may appeal from the final decision rendered by the district court in such proceedings to the court of appeals as provided by K.S.A. 60-2103.

(As amended by the 1977 Legislature)

K.S.A. 44-323. Penalties. (a) Willful violation of any provision of this act by an employer or failure by an employer to comply with other requirements in force pursuant to this act is a class C misdemeanor.

(b) In case of violation of section 2 (44-314) or section 3 (44-315) of this act by a corporate employer, either the corporation or any officer thereof or any agent having the management of the corporation who knowingly permits the corporation to engage in such violation shall be deemed the employer for purposes of this act.

K.S.A. 44-324. Proceedings; assignment of claims. (a) Any proceeding by one or more employees to assert any claim arising under or pursuant to this act may be brought in any court of competent jurisdiction.

(b) Whenever the secretary determines under section 2 that one or more employees have valid claims for unpaid wages and determines the amount thereof, the secretary, upon the written request of the employee, shall take an assignment of the claim or claims in trust for such employee or employees, and may take action appropriate to enforce or defend such claim or claims. With the written consent of the assignor, the secretary may settle or adjust any claim assigned pursuant to this subsection.

(As amended by the 1977 Legislature)

K.S.A. 44-325. Rules and regulations. The secretary may adopt such rules and regulations as necessary for the purposes of administering and enforcing the provisions of this act.

(As amended by the 1976 Legislature)

K.S.A. 44-326. Severability. If any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remainder of the act, and the application of such provision to other persons or circumstances shall not be affected thereby.

K.S.A. 44-327. The secretary of human resources may enter into agreement with other states to collect wages from out-of-state employers and to perform reciprocal services for such other states in the state of Kansas.

(As amended by the 1977 Legislature)

REPORTS OF STANDING COMMITTEES

Mr. President:
Your committee on Labor, Industry and Tourism

Recommends that SCR 1610

"An Act concerning workmen's compensation; revoking K.A.R. 51-7-5 and 51-7-6.

be adopted.


Chairman.

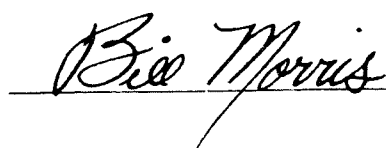
REPORTS OF STANDING COMMITTEES

Mr. President:
Your committee on Labor, Industry and Tourism

Recommends that S.B. 140

"AN ACT relating to the payment of wages; concerning the use of certified mail; removing criminal penalties; amending K.S.A. 44-322a and 44-323 and repealing the existing sections.

be passed and placed on the Consent Calendar.

 Bill Morris Chairman.