

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 January 30, 1984 in room 529-S of the Capitol.

All members were present ~~except~~.

Committee staff present:

Jerry Ann Donaldson, Research Department
Gordon Self, Revisor
Louise Cunningham, Secretary

Conferees appearing before the committee:

Dan Morgan, Associated General Contractors of Kansas

The Chairman told the Committee that Sen. Burke had been excused on January 23rd and was not absent as shown in the Minutes. The Minutes were to be corrected. A motion was made by Sen. Arasmith to approve the Minutes of January 23rd, as amended. Motion was seconded by Sen. Ehrlich. Motion carried.

The Chairman informed the Committee that the self-insurance workers' compensation pools had been the subject of interim study in 1982 and all segments concerned had agreed on the bill that was enacted during the 1983 session, but there was now a bill before the Committee to address a matter the law did not speak to.

S.B. 567 - Workers' Compensation; relating to subrogation rights.

Dan Morgan, Associated General Contractors, said this was a clean-up bill that would give the pools the right of subrogation. They want self-insurance groups to have the same rights insurance companies now have. Their attorneys feel they have this right now, but since these self-insurance groups are so new it should be written into the bill.

Employees would not be affected. They would still be reimbursed by the pool but the pool should be able to collect from a third party if the third party is at fault. The self-insurance pool attorneys feel that since self-insurance groups are not specifically mentioned there might be some question as to whether such pools would have that right. They have checked this bill with the Insurance Department, Department of Human Resources and insurance companies and there has been no problem with it.

Gordon Self, Revisor, said in line 43 of S.B. 567 the stricken reference to the 1983 Supp. should be included because those referenced statutes are new and have appeared only in the Supps. A motion to conceptually make this change was made by Sen. Burke and seconded by Sen. Werts. Motion carried.

A motion was made by Sen. Arasmith to recommend S.B. 567 as amended, favorably for passage. Motion was seconded by Sen. Gordon. Motion was adopted.

Meeting was adjourned.

SENATE LABOR, INDUSTRY & TOURISM COMMITTEE

Date 1-30 Place 529-S Time 1:30

GUEST LIST

NAME

ADDRESS

ORGANIZATION

Dan Morone

Tipoka

AGC of KS

Byron Moore

Tipoka

DHR

Steve Galtman

Tipoka

Dept. Human Resources

Tom Miller

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AGC of KS

Ray ...

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KACI

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KS Dept.