

Approved May 1, 1992
Date

MINUTES OF THE Senate COMMITTEE ON Labor, Industry & Small Business

The meeting was called to order by Alicia L. Salisbury at
Chairperson

1:00 ~~xxx~~ p.m. on April 29, 1992 in room 254-E of the Capitol.

All members were present except:

Members present were Senators Ehrlich, Morris, Oleen, Petty, Salisbury, Sallee and Thiesen

Committee staff present:

Jerry Donaldson, Legislative Research Department
Mary Jane Holt, Committee Secretary

Conferees appearing before the committee:

DISCUSSION AND ACTION ON HB 2207 - Workers compensation, repetitive use conditions occurring in opposite upper extremities.

The Chairman explained a Supreme Court Opinion was delivered by Judge Allegrucci on April 10, 1992 that K.S.A. 1991 Supp. 44-510d(a)(23) is unconstitutional because it violates the equal protection clause of the United States Constitution by creating a classification that is arbitrary, discriminatory, and without rational basis.

Jerry Donaldson, Legislative Research Department, reviewed HB 2207. HB2207 amends K.S.A. 44-510d, the scheduled injury statute, and allows recovery for repetitive use conditions occurring in opposite upper extremities, as a general body injury.

In answer to a Committee question, Jerry Donaldson explained passing HB 2207 would make 44-510d agree with the Supreme Court Opinion.

Senator Sallee moved and Senator Thiessen seconded to remove HB 2207 from the table. The motion passed.

Senator Morris moved to report HB 2207 favorable for passage. Senator Ehrlich seconded the motion and the motion passed.

The Committee meeting was adjourned at 1:20 p.m.

