

February 2, 2012

The Honorable Susan Wagle, Chairperson
Senate Committee on Commerce
Statehouse, Room 135-E
Topeka, Kansas 66612

Dear Senator Wagle:

SUBJECT: Fiscal Note for SB 355 by Senate Committee on Commerce

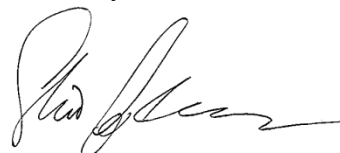
In accordance with KSA 75-3715a, the following fiscal note concerning SB 355 is respectfully submitted to your committee.

SB 355 amends current law relating to the Secretary of Labor's jurisdiction over industrial safety and labor negotiations. The bill amends the Kansas Wage Payment Act to provide that the Secretary will no longer pursue collections on behalf of successful claimants. The law requiring providers of workers compensation insurance in Kansas to provide safety prevention programs is clarified to state that the programs will be provided at no cost to the insured. Certificates of coverage for group funded self-insured employers would be required to carry the same notice of accident prevention services as are currently required for insurance policies.

The Director of Workers Compensation is currently responsible for enforcement and administration of the accident prevention program. SB 355 would transfer the responsibility to the Director of Industrial Safety and Health. The bill would also remove the Secretary of Labor's oversight for reporting the status of labor conditions for railroads in Kansas, conforming to federal law. Finally, SB 355 would clarify that the Secretary of Labor has jurisdiction for inspections and enforcement of workplace safety in the public sector, also conforming to federal law.

Enactment of SB 355 would reduce collection of attorney fees current allowed under the Kansas Wage Payment Act. However, past recovery has seldom been realized and the Department's costs for collection attempts have exceeded collections by far. No other fiscal effect on the Department of Labor is anticipated with enactment of SB 355.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J. Anderson".

Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Kathie Sparks, Department of Labor