

**TESTIMONY TO SENATE JUDICIARY
COMMITTEE IN OPPOSITION TO HB 2457**

By Andy Sanchez, KANSAS AFL-CIO

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Thank you Chairman Wilborn and members of the Committee. While HB 2457 appears to be an innocuous bill for transparency and the common good, this is not so. HB 2457 is very harmful and warrants our opposition.

It is difficult to comprehend the number of people in this country that are asbestos victims, having been exposed to asbestos-containing products during their careers. The reason is that the number of victims continues to grow. The latency period from when a victim is first exposed could be between 20 and 40 years.

The KS AFL-CIO is proud to name among our affiliates numerous occupations including virtually all construction trades. Plumbers and Pipefitters by trade may be the most affected for us. But, we also represent other industrial workers, public employees such as firefighters and teachers who were also exposed, as precautions were not in place to protect people early on. A subgroup not to be ignored within these many occupations are the Veterans that have served our country. Veterans comprise 30 percent of all Mesothelioma deaths. There is international consensus that asbestos causes mesothelioma, a cancer of the lining of the lung. Further, Mesothelioma is associated with an increased risk of other cancers, including stomach, colon, and esophageal cancer.

What we can say for certain is that in almost every case where the victim is fortunate enough to have determined the exposure, the amount a claimant recovers is limited to only a certain share of the defendant's total liability. This means while the median payment percentage is 25 percent, unfortunately it is acceptable for a "trust" to pay as little as 1.1 percent of the value of a claim. This has to be unacceptable by anyone's moral compass.

HB 2457 sets up burdensome hoops and hurdles for a victim already dealt their fate from a serious disease obtained because of simply trying to provide for their families. Such delays designed in HB 2457 is an unjust burden to claimants. Diagnosis is a conclusion and yet HB 2457 seeks to victimize the victim all over again. Please join us in our opposition to HB 2457.