

MINUTES OF THE HOUSE BUSINESS, COMMERCE AND LABOR COMMITTEE.

The meeting was called to order by Chairperson Al Lane at 9:10 a.m. on February 14, 2001 in Room 521-S of the Capitol.

All members were present except: Rep. Broderick Henderson - excused
Rep. Rick Rehorn - excused

Committee staff present: Bob Nugent, Revisor of Statutes
Renae Jeffries, Revisor of Statutes
Jerry Donaldson, Legislative Research Department
Bev Adams, Committee Secretary

Conferees appearing before the committee: Tina DeLaRosa, KDHR
Phil Harness, Director of Division of Workers Compensation
Kathy Greenlee, Kansas Insurance Department
Jim Keating, Ks. State Fire Chiefs Association
Jason White, Ks. Emergency Medical Services Assn.
Terry Humphrey, KTLA
Wayne Maichel, Ks. AFL/CIO
Sandy Jacquot, League of Kansas Municipalities

Others attending: See attached list

Hearings on: HB 2300 - Shorter terms for the Kansas Advisory Committee on Hispanic Affairs.

Tina DeLaRosa, Executive Director of the Kansas Advisory Committee on Hispanic Affairs, Kansas Department of Human Resources (KDHR), appeared as a proponent of the bill. The purpose of the bill would be to correct an imbalance in the rotation of service of the members of the Kansas Advisory Committee on Hispanic Affairs. (Attachment 1)

No others were present to testify for or against the bill and Chairman Lane closed the hearing on **HB 2300**.

HB 2301 - Workers compensation; computation of benefits and administrative changes.

Phil Harness, Director of the Division of Workers Compensation, KDHR, appeared as a proponent of the bill. The bill is a compilation of recommendations to amend the Workers Compensation Act passed by the Workers Compensation Advisory Council. The main change deals with the state's average weekly wage of volunteer public sector personnel. Others changes concern post-award medical procedure and wording to modify a health care provider's usual charge. (Attachment 2) Mr. Harness finished his testimony answering questions from the committee.

Kathy Greenlee, General Counsel, Kansas Insurance Department (KID), appeared on behalf of the Kansas Insurance Department in support of the bill. The Kansas Insurance Department's concern is that one workers comp pool regulated by KID was not paying benefits figured on full-time benefits to volunteer firefighters who are injured on the job serving as firefighters. (Attachment 3)

Jim Keating, Kansas State Fire Chiefs Association, appeared as a proponent of the bill. His concern is that volunteer firefighters injured while performing as firefighters and who are unable to return to their regular jobs, received compensation based on community service work at maximum benefit calculated from \$37.50 per week. (Attachment 4)

Jason White, Kansas Emergency Medical Services Association, testified as a proponent of the bill. The ambulance services in Kansas are having a crisis due to problems recruiting and retaining qualified staff. One of the issues relate

to the concern that an injury while providing a volunteer service will significantly affect the person's ability to meet job and family needs with the combined impact of potentially having no income. (Attachment 5)

Terry Humphrey, Kansas Trial Lawyers Association, appeared as a proponent of the bill. The KTLA fully supports the bill for all the reasons that the committee has heard so far. (Attachment 6)

Wayne Maichel, Kansas AFL/CIO, appeared before the committee to offer their support of the bill. He is also a member of the Workers Compensation Advisory Council (WCAC). The changes contained in the bill were discussed by the WCAC and have been recommended unanimously to the Legislature to be passed.

Sandy Jacquot, League of Kansas Municipalities (KLM), appeared before the committee as an opponent. The KLM disagree about the language and the manner in which volunteer firefighters should be covered for workers compensation purposes. They do not believe that this bill addresses all of the competing public policies or legal impediments that are inherent in this issue. They feel that the bill only raises more questions and problems. (Attachment 7) Ms. Jacquot concluded her testimony by answering questions from the committee.

No others were present to testify for or against the bill. Chairman Lane closed the hearing on **HB 2301**.

Chairman Lane adjourned the meeting at 10:05 a.m. The next meeting is scheduled for February 15, 2001.