

MINUTES OF THE HOUSE COMMERCE & ECONOMIC DEVELOPMENT COMMITTEE

The meeting was called to order by Chairman Anthony Brown at 1:30 p.m., on February 11, 2011, in Room 785 of Docking State Office Building.

All members were present.

Committee staff present:

Jason Long, Office of the Revisor of Statutes  
Ken Wilke, Office of the Revisor of Statutes  
Reed Holwegner, Kansas Legislative Research Department  
Raney Gilliland, Kansas Legislative Research Department  
Joyce Bishop, Committee Assistant

Conferees appearing before the Committee:

None

Others attending:

See attached list.

Chairperson Brown opened Committee discussion and action on **HB 2134, Amending the workers compensation act.**

Representative Slattery moved, seconded by Representative Suellentrop to pass HB 2134 favorably from committee.

Jason Long gave the explanation of the first proposed bill amendment (Attachment 1).

Representative Sullentrop moved, seconded by Representative Peck, a substitute motion to amend HB 2134 with Attachment 1.

Representative Slattery, seconded by Representative Ruiz, moved to divide the question. The motion passed on a voice vote.

Chairperson Brown said the first vote should be to adopt the whole amendment in (Attachment 1) except for pages 2, 3, 11, 38, 44, and section 26, Subsection E, and page 12, line 1.

For the whole amendment excluding the pages specified above, the motion passed on a voice vote.

For the amendment contained on page 2, the motion passed on a voice vote.

For the amendment contained on page 3 the motion passed on a voice vote.

For the amendment contained on page 11, the motion passed on a voice vote.

For the amendment contained on page 38, the motion passed on a voice vote.

For the amendment contained on page 44, the motion passed on a voice vote.

For the amendment contained in subsection 26 (e), the motion passed on a voice vote.

For the amendment contained on page 12, line 1, the motion passed on a voice vote.

Representative Slattery moved, seconded by Representative Ruiz, that HB 2134 be further amended by deleting the text found at Section 4 (a)(4) in Attachment 1 and inserting the following:

(4) “the employee's knowing or reckless violation of their employer's workplace safety rules or regulations; or”.

The motion passed on a voice vote.

CONTINUATION SHEET

The minutes of the Commerce & Economic Development Committee at 1:30 p.m. on February 11, 2011, in Room 785 or Docking State Office Building.

Representative Slattery moved, seconded by Representative Ruiz, that **HB 2134** be further amended by deleting the text found on page 3 of Attachment 1, paragraph (F). The motion failed on a voice vote. Representative Slattery asked to divide the vote. The motion failed.

Representative Slattery moved, seconded by Representative Frownfelter, that **HB 2134** be further amended on page 11 of Attachment 1, in paragraph (C) (1), that after the text “The employee was directly ordered” insert the words “or coerced”. The motion carried on a voice vote

Representative Slattery moved, seconded by Representative Ruiz, that **HB 2134** be further amended on page 38 of Attachment 1, in subsection (a) by inserting the word “specifically” between the words “employee” and “seeks”. The motion passed on a voice vote.

Representative Slattery moved, seconded by Representative Frownfelter, that **HB 2134** be further amended by deleting subsection (e) in Section 26 of Attachment 1. The motion failed on a voice vote. Representative Slattery asked to divide the vote. The motion failed. Representative Schwab requested his No vote be recorded.

Jason Long distributed and explained the next balloon amendment (Attachment 2).

Representative Suellentrop moved, seconded by Representative Garber, to amend **HB 2134** with the amendment contained in Attachment 2. The motion carried on a voice vote.

Representative Tyson moved, seconded by Representative Slattery, that **HB 2134** be further amended by deleting the chart for test cutoff levels for hair follicle found in Attachment 2. The motion carried on a voice vote.

Representative Schwab moved, seconded by Representative Ruiz, that the Committee recommend to the House that Substitute for **HB 2134** be passed. The motion carried on a voice vote.

The next meeting is scheduled for February 14, 2011.

The meeting was adjourned at 4:00 p.m.