

2009 HOUSE INDUSTRY, BUSINESS AND LABOR

HCR 3013

2009 HOUSE STANDING COMMITTEE MINUTES


Bill/Resolution No. 3013

House Industry, Business and Labor Committee

Check here for Conference Committee

Hearing Date: February 4, 2009

Recorder Job Number: 8643

Committee Clerk Signature 

Chairman Keiser: Opened the hearing on HRC 3013 to study the availability of legal representation to assist injured employees in understanding & pursuing WSI decisions.

Steven Zaiser ~ Representative from District 21. It a bill to get a study resolution through the Legislative Council on how to attract attorneys to take cases for injured workers and also to make it affordable from the agency's standpoint.

Chairman Keiser: It's a good study and I'm assuming the senate bill will pass.

Zaiser: May I add, that even if it passes, I would still like it studied.

Chairman Keiser: I agree.

Rob Forward ~ Staff Council for WSI. We support this resolution.

Chairman Keiser: Closes the hearing of HRC 3013. What are the wishes of the committee?

Representative Boe: Moves a do pass.

Vice Chairman Kasper: Second.

Chairman Keiser: Further discussion?

Representative Schneider: I think it's a good bill.

Voting roll was taken on HRC 3013 for a Do Pass with 12 aye's, 0 nay's, 1 absent and

Vice Chairman Kasper is the carrier.

Date: ⁴ Feb 2 - 2009
Roll Call Vote # _____

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 3013

House House, Business & Labor Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass Do Not Pass As Amended

Motion Made By Boe Seconded By Kasper

Representatives	Yes	No	Representatives	Yes	No
Chairman Keiser	✓		Representative Amerman	✓	
Vice Chairman Kasper	✓		Representative Boe	✓	
Representative Clark	✓		Representative Gruchalla	✓	
Representative N Johnson	✓		Representative Schneider	✓	
Representative Nottestad	✓		Representative Thorpe	✓	
Representative Ruby	✓				
Representative Sukut	✓				
Representative Vigesaa	✓				

Total (Yes) 12 No 0

Absent 1

Floor Assignment Kasper

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HCR 3013: Industry, Business and Labor Committee (Rep. Keiser, Chairman)
recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR (12 YEARS,**
0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3013 was placed on the Tenth order
on the calendar.

2009 SENATE INDUSTRY, BUSINESS AND LABOR

HCR 3013

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 3013

Senate Industry, Business and Labor Committee

Check here for Conference Committee

Hearing Date: March 24, 2009

Recorder Job Number: 11464

Committee Clerk Signature

Em Liebelt

Minutes:

Chairman Klein: Opened the hearing on 3013.

Senator Potter: We've had in front of us a couple of issues dealing with legal representation in WSI cases. I think we've made some good changes. The only reason to study it is to see how those changes will work out during the interim. If we're studying other WSI issues this should not be an additional burden.

Rob Forward, Staff counsel for WSI: WSI and its board of directors support 3013.

Senator Horne: Would you review what WSI would do now in the area of legal representation?

Rob: Generally speaking WSI will pay with caps. A claimant's attorney if the claimant prevails at the different levels. There are three different levels and caps are set at each level. The claimant's attorney would be paid at an hourly rate with a cap if the claimant prevails.

Senator Horne: Didn't we earlier this session approve a bill that provides five hundred dollars to hire an attorney to review their case to see if they should appeal it beyond that point?

Rob: That's correct. It's a flat fee. There are also other provisions like that.

Senator Andrist: We've moved a long way to make sure every case gets its hearing process. I would like to see less legislation. I don't want to do anything that would encourage more litigation. How do you see this playing out without encouraging more litigation?

Rob: Simple fact is I don't know. The board supports taking a look at this but we were not involved in the resolution. We would expect the resolution study would take a look at other state and see how they do things. To find out if anyone else has a better idea.

Chairman Klein: Closed the hearing.

Senator Andrist: I am uncomfortable with this resolution.

Senator Behm: It's not going to get settled. They say you can't win.

Chairman Klein: I would argue that they are only going to take cases that they are going to win because those are the only ones they will get paid on. So they have to sort through that. In our society now we don't just take a gentlemen's approach of just working it out, we hire a lawyer.

Senator Potter: You can hope the result would be that we can figure out how to use lawyers less. We need to continue monitoring this.

Senator Horne: By studying this we may learn that the whole system is working well and there are no recommendations for any change. I don't see any harm in studying it.

Senator Potter: Moved a do pass on 3013.

Senator Horne: Seconded the bill.

Yes: 4 No: 3

Senator Potter: To carry the bill.

++

Date: 3/24/09
Roll Call Vote #: 1

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 3013

Senate

Committee

Industry, Business and Labor

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken **Pass** **Do Not Pass** **Amended**

Motion Made By Senator Potter Seconded By Senator Horne

Senator	Yes	No	Senator	Yes	No
Senator Jerry Klein - Chairman		✓	Senator Arthur H. Behm	✓	
Senator Terry Wanzek - V.Chair	✓		Senator Robert M. Horne	✓	
Senator John M. Andrist		✓	Senator Tracy Potter	✓	
Senator George Nodland		✓			

Total (Yes) 4 No 3

Absent _____

Floor Assignment Senator Potter

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
March 24, 2009 12:20 p.m.

Module No: SR-53-5669
Carrier: Potter
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HCR 3013: Industry, Business and Labor Committee (Sen. Klein, Chairman)
recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING).
HCR 3013 was placed on the Fourteenth order on the calendar.