

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 52 be recommitted to a Committee of One, its sponsor, with specific instructions to amend as follows:

- 1           Page 19, line 12, after "2002," insert "**and before July 1, 2003,**".
- 2           Page 19, between lines 21 and 22, begin a new line block indented
- 3           and insert:
- 4           **"(10) As used in this subdivision, "CPI" refers to the United**
- 5           **States Bureau of Labor Statistics Consumer Price Index, all**
- 6           **items, all urban consumers, or its successor index. With**
- 7           **respect to injuries occurring on and after July 1, 2003, the**
- 8           **amount specified for degrees of permanent impairment in this**
- 9           **subdivision shall be the greater of:**
- 10           **(A) the amount specified for the degrees of permanent**
- 11           **impairment as provided in subdivision (9); or**
- 12           **(B) the amount adjusted as determined and published by**
- 13           **the worker's compensation board under STEP SEVEN of**
- 14           **the following formula:**
- 15           **STEP ONE: Determine the amount applicable to the**
- 16           **most recent state fiscal year under this subdivision for**
- 17           **the degrees of permanent impairment.**
- 18           **STEP TWO: Determine the CPI for the most recent**
- 19           **calendar year.**
- 20           **STEP THREE: Determine the CPI for the immediately**
- 21           **preceding calendar year used in STEP TWO.**
- 22           **STEP FOUR: Determine the remainder of STEP**
- 23           **THREE minus STEP TWO.**
- 24           **STEP FIVE: Divide STEP FOUR by STEP TWO.**

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**STEP SIX: Add one (1) plus STEP FIVE.**

**STEP SEVEN: Multiply STEP ONE by STEP SIX."**

Page 20, line 2, after "2002," insert "**and before July 1, 2003,**".

Page 20, between lines 2 and 3, begin a new line block indented and insert:

**"(11) As used in this subdivision, "CPI" refers to the United States Bureau of Labor Statistics Consumer Price Index, all items, all urban consumers, or its successor index. With respect to injuries occurring on and after July 1, 2003, the amount specified for average weekly wages in this subdivision shall be the greater of:**

**(A) the average weekly wages amount as provided in subdivision (10); or**

**(B) the amount adjusted as determined and published by the worker's compensation board under STEP SEVEN of the following formula:**

**STEP ONE: Determine the amount applicable to the most recent state fiscal year under this subdivision for average weekly wages.**

**STEP TWO: Determine the CPI for the most recent calendar year.**

**STEP THREE: Determine the CPI for the immediately preceding calendar year used in STEP TWO.**

**STEP FOUR: Determine the remainder of STEP THREE minus STEP TWO.**

**STEP FIVE: Divide STEP FOUR by STEP TWO.**

**STEP SIX: Add one (1) plus STEP FIVE.**

**STEP SEVEN: Multiply STEP ONE by STEP SIX."**

Page 25, line 6, delete "and".

Page 25, line 8, delete ":" and insert ", **and before July 1, 2003:**".

Page 25, line 11, delete "." and insert "; **and**".

Page 25, between lines 11 and 12, begin a new line block indented and insert:

**"(7) with respect to injuries occurring on and after July 1, 2003, (as used in this subdivision, "CPI" refers to the United States Bureau of Labor Statistics Consumer Price Index, all items, all urban consumers, or its successor index), the amount specified for average weekly wages in this subdivision shall be the greater of:**

**(A) the average weekly wages amount as provided in subdivision (6); or**

**(B) the amount adjusted as determined and published by the worker's compensation board under STEP SEVEN of the following formula:**

**STEP ONE: Determine the amount applicable to the most recent state fiscal year under this subdivision for the average weekly wages.**

- 1                   **STEP TWO: Determine the CPI for the most recent**
- 2                   **calendar year.**
- 3                   **STEP THREE: Determine the CPI for the immediately**
- 4                   **preceding calendar year used in STEP TWO.**
- 5                   **STEP FOUR: Determine the remainder of STEP**
- 6                   **THREE minus STEP TWO.**
- 7                   **STEP FIVE: Divide STEP FOUR by STEP TWO.**
- 8                   **STEP SIX: Add one (1) plus STEP FIVE.**
- 9                   **STEP SEVEN: Multiply STEP ONE by STEP SIX."**

10                   Page 28, line 18, after "2002," insert "**and before July 1, 2003,**".

11                   Page 28, between lines 18 and 19, begin a new line block indented

12                   and insert:

13                   **"(7) As used in this subdivision, "CPI" refers to the United**

14                   **States Bureau of Labor Statistics Consumer Price Index, all**

15                   **items, all urban consumers, or its successor index. With**

16                   **respect to an injury occurring on and after July 1, 2003, the**

17                   **amount specified for maximum compensation for an injury in**

18                   **this subdivision shall be the greater of:**

- 19                   **(A) the maximum compensation for an injury as provided**
- 20                   **in subdivision (6); or**
- 21                   **(B) the amount adjusted as determined and published by**
- 22                   **the worker's compensation board under STEP SEVEN of**
- 23                   **the following formula:**

- 24                   **STEP ONE: Determine the amount applicable to the**
- 25                   **most recent state fiscal year under this subdivision for**
- 26                   **the maximum compensation for an injury.**
- 27                   **STEP TWO: Determine the CPI for the most recent**
- 28                   **calendar year.**
- 29                   **STEP THREE: Determine the CPI for the immediately**
- 30                   **preceding calendar year used in STEP TWO.**
- 31                   **STEP FOUR: Determine the remainder of STEP**
- 32                   **THREE minus STEP TWO.**
- 33                   **STEP FIVE: Divide STEP FOUR by STEP TWO.**
- 34                   **STEP SIX: Add one (1) plus STEP FIVE.**
- 35                   **STEP SEVEN: Multiply STEP ONE by STEP SIX."**

36                   Page 29, line 11, after "2002," insert "**and before July 1, 2003,**".

37                   Page 29, line 11, delete "." and insert "**: or**".

38                   Page 29, between lines 11 and 12, begin a new line double block

39                   indented and insert:

40                   **"(E) As used in this clause, "CPI" refers to the United**

41                   **States Bureau of Labor Statistics Consumer Price Index,**

42                   **all items, all urban consumers, or its successor index. With**

43                   **respect to injuries occurring on and after July 1, 2003, the**

44                   **amount specified for average weekly earnings in this clause**

45                   **shall be the greater of:**

- 46                   **(i) the average weekly wages amount as provided in**
- 47                   **clause (D); or**

- 1 (ii) the amount adjusted as determined and published by  
 2 the worker's compensation board under STEP SEVEN  
 3 of the following formula:  
 4 **STEP ONE: Determine the amount applicable to the**  
 5 **most recent state fiscal year under this subdivision for**  
 6 **the average weekly earnings.**  
 7 **STEP TWO: Determine the CPI for the most recent**  
 8 **calendar year.**  
 9 **STEP THREE: Determine the CPI for the immediately**  
 10 **preceding calendar year used in STEP TWO.**  
 11 **STEP FOUR: Determine the remainder of STEP**  
 12 **THREE minus STEP TWO.**  
 13 **STEP FIVE: Divide STEP FOUR by STEP TWO.**  
 14 **STEP SIX: Add one (1) plus STEP FIVE.**  
 15 **STEP SEVEN: Multiply STEP ONE by STEP SIX."**  
 16 Page 40, line 9, delete "injuries" and insert "**disablements**".  
 17 Page 40, line 19, delete "injuries" and insert "**disablements**".  
 18 Page 40, line 30, delete "injuries" and insert "**disablements**".  
 19 Page 40, line 31, after "2002," insert "**and before July 1, 2003,**".  
 20 Page 40, between lines 40 and 41, begin a new line block indented  
 21 and insert:  
 22 **"(10) As used in this subdivision, "CPI" refers to the United**  
 23 **States Bureau of Labor Statistics Consumer Price Index, all**  
 24 **items, all urban consumers, or its successor index. With**  
 25 **respect to disablements occurring on and after July 1, 2003,**  
 26 **the amount specified for degrees of permanent impairment in**  
 27 **this subdivision shall be the greater of:**  
 28 **(A) the amount specified for degrees of permanent**  
 29 **impairment as provided in subdivision (9); or**  
 30 **(B) the amount adjusted as determined and published by**  
 31 **the worker's compensation board under STEP SEVEN of**  
 32 **the following formula:**  
 33 **STEP ONE: Determine the amount applicable to the**  
 34 **most recent state fiscal year under subdivision (9) for the**  
 35 **degrees of permanent impairment.**  
 36 **STEP TWO: Determine the CPI for the most recent**  
 37 **calendar year.**  
 38 **STEP THREE: Determine the CPI for the immediately**  
 39 **preceding calendar year used in STEP TWO.**  
 40 **STEP FOUR: Determine the remainder of STEP**  
 41 **THREE minus STEP TWO.**  
 42 **STEP FIVE: Divide STEP FOUR by STEP TWO.**  
 43 **STEP SIX: Add one (1) plus STEP FIVE.**  
 44 **STEP SEVEN: Multiply STEP ONE by STEP SIX."**  
 45 Page 41, line 24, delete "injuries" and insert "**disablements**".  
 46 Page 41, line 26, delete "injuries" and insert "**disablements**".  
 47 Page 41, line 27, after "2002," insert "**and before July 1, 2003,**".

1 Page 41, between lines 27 and 28, begin a new line block indented  
2 and insert:

3 **"(11) As used in this subdivision, "CPI" refers to the United**  
4 **States Bureau of Labor Statistics Consumer Price Index, all**  
5 **items, all urban consumers, or its successor index. With**  
6 **respect to disablements occurring on and after July 1, 2003,**  
7 **the amount specified for the average weekly wages in this**  
8 **subdivision shall be the greater of:**

9 **(A) the average weekly wages amount as provided in**  
10 **subdivision (10); or**

11 **(B) the amount adjusted as determined and published by**  
12 **the worker's compensation board under STEP SEVEN of**  
13 **the following formula:**

14 **STEP ONE: Determine the amount applicable to the**  
15 **most recent fiscal year under subdivision (10) for the**  
16 **average weekly wages.**

17 **STEP TWO: Determine the CPI for the most recent**  
18 **calendar year.**

19 **STEP THREE: Determine the CPI for the immediately**  
20 **preceding calendar year used in STEP TWO.**

21 **STEP FOUR: Determine the remainder of STEP**  
22 **THREE minus STEP TWO.**

23 **STEP FIVE: Divide STEP FOUR by STEP TWO.**

24 **STEP SIX: Add one (1) plus STEP FIVE.**

25 **STEP SEVEN: Multiply STEP ONE by STEP SIX."**

26 Page 52, line 8, delete "injuries" and insert "occupational diseases".

27 Page 52, line 12, delete "injuries" and insert "occupational  
28 diseases".

29 Page 52, line 13, after "2002" insert ", and before July 1, 2003".

30 Page 52, between lines 16 and 17, begin a new line block indented  
31 and insert:

32 **"(7) As used in this subdivision, "CPI" refers to the United**  
33 **States Bureau of Labor Statistics Consumer Price Index, all**  
34 **items, all urban consumers, or its successor index. With**  
35 **respect to disablements occurring on and after July 1, 2003,**  
36 **the amount specified for average weekly wages in this**  
37 **subdivision shall be the greater of:**

38 **(A) the average weekly wages amount as provided in**  
39 **subdivision (6); or**

40 **(B) the amount adjusted as determined and published by**  
41 **the worker's compensation board under STEP SEVEN of**  
42 **the following formula:**

43 **STEP ONE: Determine the amount applicable to the**  
44 **most recent state fiscal year under this subdivision for**  
45 **average weekly wages.**

46 **STEP TWO: Determine the CPI for the most recent**  
47 **calendar year.**



- 1                   **STEP THREE: Determine the CPI for the immediately**
- 2                   **preceding calendar year used in STEP TWO.**
- 3                   **STEP FOUR: Determine the remainder of STEP**
- 4                   **THREE minus STEP TWO.**
- 5                   **STEP FIVE: Divide STEP FOUR by STEP TWO.**
- 6                   **STEP SIX: Add one (1) plus STEP FIVE.**
- 7                   **STEP SEVEN: Multiply STEP ONE by STEP SIX."**
- 8                   Page 54, line 14, delete "an injury" and insert "**disability or death**".
- 9                   Page 54, line 17, delete "an injury" and insert "**disability or death**".
- 10                  Page 54, line 18, after "2002," insert "**and before July 1, 2003,**".
- 11                  Page 54, between lines 18 and 19, begin a new line block indented,
- 12                  and insert:
- 13                  **"(7) As used in this subdivision, "CPI" refers to the United**
- 14                  **States Bureau of Labor Statistics Consumer Price Index, all**
- 15                  **items, all urban consumers, or its successor index. With**
- 16                  **respect to disability or death occurring on and after July 1,**
- 17                  **2003, the amount specified for maximum compensation for**
- 18                  **disability or death in this subdivision shall be the greater of:**
- 19                  **(A) the amount specified for disability or death as provided**
- 20                  **in subdivision (6); or**
- 21                  **(B) the amount adjusted as determined and published by**
- 22                  **the worker's compensation board under STEP SEVEN of**
- 23                  **the following formula:**
- 24                  **STEP ONE: Determine the amount applicable to the**
- 25                  **most recent state fiscal year under subdivision (6) for**
- 26                  **maximum compensation for disability or death.**
- 27                  **STEP TWO: Determine the CPI for the most recent**
- 28                  **calendar year.**
- 29                  **STEP THREE: Determine the CPI for the immediately**
- 30                  **preceding calendar year used in STEP TWO.**
- 31                  **STEP FOUR: Determine the remainder of STEP**
- 32                  **THREE minus STEP TWO.**
- 33                  **STEP FIVE: Divide STEP FOUR by STEP TWO.**
- 34                  **STEP SIX: Add one (1) plus STEP FIVE.**
- 35                  **STEP SEVEN: Multiply STEP ONE by STEP SIX."**

(Reference is to ESB 52 as Reprinted-Digest Correction February 22, 2000.)

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Representative Liggett

Adopted	Rejected
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# COMMITTEE REPORT

MR. SPEAKER:

Your Committee of One, to which was referred Engrossed Senate Bill 52, begs leave to report that said bill has been amended as directed.

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Representative Liggett