



UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL
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January 24, 2008

Mr. President:

The Business and Labor Committee reports a favorable recommendation on **S.B. 58**, WORKERS' COMPENSATION RELATED AMENDMENTS, by Senator M. Dmitrich, with the following amendments:

1. *Page 1, Lines 20 through 21:*

20 Other Special Clauses:

21 ~~{None}~~ **This bill coordinates with S.B. 108, Offset of Workers' Compensation and Social Security, to make technical changes.**

2. *Page 4, Lines 112 through 113:*

112 ~~{(a)}~~ (i) a child under 18 years of age, ~~[or over]~~ subject to the conditions of Subsections

113 (1)(b) and (2) ~~{(c)}~~ (b) ;

3. *Page 5, Lines 124 through 129:*

124 (b) Subsections (1)(a)(i) and (ii) require that:

125 (i) the deceased employee be ~~{:~~

126 ~~—(A)}~~ the parent of the child; or

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127 ~~{(B)}~~ **(ii)(A) the deceased employee be** legally bound to support the child; and
128 ~~{(ii)}~~ **(B)** the child be living with the deceased employee at the time of the death of
 the
129 employee.

4. *Page 14, Lines 426 through 427:*

426 court all documents and papers and a transcript of all testimony taken in the matter
 together

427 with the decision of the commissioner or Appeals Board.

Section 9. S.B. 58 coordinating with S.B. 108 -- Technical amendments.

If this S.B. 58 and S.B. 108, Offset of Workers' Compensation and Social Security, both pass, it is the intent of the Legislature that the Office of Legislative Research and General Counsel in preparing the Utah Code database for publication coordinate the bills as follows:

(1) the amendments to Subsection 34A-2-702(5)(b)(i) in this bill supersede the amendments to that subsection in S.B. 108;

(2) the amendments to Subsection 34A-2-702(5)(b)(iii) in S.B. 108 supercede the amendments to that subsection in this bill;

(3) the amendments to Subsections 34A-2-702(5)(b)(iv) and (5)(c)(i) in this bill supersede the amendments to those subsections in S.B. 108;

(4) the amendments to Subsection 34A-2-702(5)(c)(ii) in S.B. 108 supersede the amendments to that subsection in this bill, except that the introductory phrase in Subsection 34A-2-702(5)(c)(ii)(A) is deleted and replaced with the following:

"(ii)(A) In determining the annual income of the surviving spouse after the initial 312-week period, there shall be excluded 50% of a federal Social Security death benefit that the surviving spouse:"; and

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(5) the amendments to Subsection 34A-2-702(5)(d) and (e) in this bill supersede the amendments to those subsections in S.B. 108.

Respectfully,

Kevin T. VanTassell
Committee Chair

Voting: 5-0-2

3 SB0058.SC1.WPD anicholson/AMN PO/AMN 1/24/08 9:17 am

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