

HOUSE BILL No. 2273

By Committee on Commerce and Labor

2-3

9 AN ACT concerning the workers compensation advisory council; amend-
10 ing K.S.A. 44-574 and K.S.A. 2004 Supp. 75-4319 and repealing the
11 existing sections; also repealing K.S.A. 2004 Supp. 44-596 and 75-
12 4319b.

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14 *Be it enacted by the Legislature of the State of Kansas:*

15 Section 1. K.S.A. 44-574 is hereby amended to read as follows: 44-
16 574. (a) The provisions of K.S.A. 44-501 through 44-592, ~~44-596~~, 44-5,101
17 through 44-5,104, 44-5,110 through 44-5,116 and 44-5,120 through 44-
18 5,125 and amendments thereto and 44-5a01 through 44-5a22, and any
19 acts amendatory thereof or supplemental thereto, shall be construed to-
20 gether and shall be known and may be cited as the workers compensation
21 act. Any reference in any of the statutes of this state to any of the statutes
22 referred to by this section shall be deemed to be a reference to the work-
23 ers compensation act. Whenever the workmen's compensation act, or
24 words of like effect, is referred to or designated by statute, contract or
25 other document, such reference or designation shall be deemed to apply
26 to the workers compensation act.

27 (b) If any provision or clause of this act or application thereof to any
28 person or circumstances is held invalid, such invalidity shall not affect
29 other provisions or applications of the act which can be given effect with-
30 out the invalid provision or application, and to this end the provisions of
31 this act are declared to be severable.

32 Sec. 2. K.S.A. 2004 Supp. 75-4319 is hereby amended to read as
33 follows: 75-4319. (a) Upon formal motion made, seconded and carried,
34 all bodies and agencies subject to the open meetings act may recess, but
35 not adjourn, open meetings for closed or executive meetings. Any motion
36 to recess for a closed or executive meeting shall include a statement of
37 (1) the justification for closing the meeting, (2) the subjects to be dis-
38 cussed during the closed or executive meeting and (3) the time and place
39 at which the open meeting shall resume. Such motion, including the re-
40 quired statement, shall be recorded in the minutes of the meeting and
41 shall be maintained as a part of the permanent records of the body or
42 agency. Discussion during the closed or executive meeting shall be limited
43 to those subjects stated in the motion.

- 1 (b) No subjects shall be discussed at any closed or executive meeting,
2 except the following:
- 3 (1) Personnel matters of nonelected personnel;
 - 4 (2) consultation with an attorney for the body or agency which would
5 be deemed privileged in the attorney-client relationship;
 - 6 (3) matters relating to employer-employee negotiations whether or
7 not in consultation with the representative or representatives of the body
8 or agency;
 - 9 (4) confidential data relating to financial affairs or trade secrets of
10 corporations, partnerships, trusts, and individual proprietorships;
 - 11 (5) matters relating to actions adversely or favorably affecting a per-
12 son as a student, patient or resident of a public institution, except that
13 any such person shall have the right to a public hearing if requested by
14 the person;
 - 15 (6) preliminary discussions relating to the acquisition of real property;
 - 16 (7) matters permitted to be discussed in a closed or executive meeting
17 pursuant to K.S.A. 74-8804 and amendments thereto;
 - 18 (8) matters permitted to be discussed in a closed or executive meeting
19 pursuant to subsection ~~(e)~~ (d)(1) of K.S.A. 38-1507 and amendments
20 thereto or subsection ~~(f)~~ (e) of K.S.A. 38-1508 and amendments thereto;
 - 21 (9) matters permitted to be discussed in a closed or executive meeting
22 pursuant to subsection (j) of K.S.A. 22a-243 and amendments thereto;
 - 23 ~~(10) matters permitted to be discussed in a closed or executive meet-~~
24 ~~ing pursuant to subsection (c) of K.S.A. 44-506 and amendments thereto;~~
 - 25 ~~(11) matters permitted to be discussed in a closed or executive meet-~~
26 ~~ing pursuant to subsection (g) of K.S.A. 39-7,119 and amendments~~
27 ~~thereto;~~
 - 28 ~~(12)~~ (11) matters required to be discussed in a closed or executive
29 meeting pursuant to a tribal-state gaming compact;
 - 30 ~~(13)~~ (12) matters relating to security measures, if the discussion of
31 such matters at an open meeting would jeopardize such security meas-
32 ures, that protect: (A) Systems, facilities or equipment used in the pro-
33 duction, transmission or distribution of energy, water or communications
34 services; (B) transportation and sewer or wastewater treatment systems,
35 facilities or equipment; (C) a public body or agency, public building or
36 facility or the information system of a public body or agency; or (D)
37 private property or persons, if the matter is submitted to the agency for
38 purposes of this paragraph. For purposes of this paragraph, security
39 means measures that protect against criminal acts intended to intimidate
40 or coerce the civilian population, influence government policy by intimid-
41 ation or coercion or to affect the operation of government by disruption
42 of public services, mass destruction, assassination or kidnapping. Security
43 measures include, but are not limited to, intelligence information, tactical

1 plans, resource deployment and vulnerability assessments; and
2 ~~(14)~~ (13) matters permitted to be discussed in a closed or executive
3 meeting pursuant to subsection (f) of K.S.A. 65-525, and amendments
4 thereto.

5 (c) No binding action shall be taken during closed or executive re-
6 cesses, and such recesses shall not be used as a subterfuge to defeat the
7 purposes of this act.

8 Sec. 3. K.S.A. 44-574 and K.S.A. 2004 Supp. 44-596, 75-4319 and
9 75-4319b are hereby repealed.

10 Sec. 4. This act shall take effect and be in force from and after its
11 publication in the statute book.