

1 Delete the Senate Standing Committee Amendment (HB0212SS001/AE)  
2 entirely and further amend as follows:

3  
4 Page 2-line 6 After "(65%)." strike balance of line.

5  
6 Page 2-lines 7 through 9 Strike.

7  
8 Page 2-line 10 Strike line through "injury."; delete new  
9 language.

10  
11 Page 2-lines 11 through 20 Delete and insert: "An employer  
12 who is current on premium payments required  
13 by this act may apply to the division for a  
14 determination of experience modification  
15 rating chargeability for an injury to the  
16 employer's employee. The division's  
17 determination of chargeability shall be  
18 reviewable as provided in W.S. 27-14-  
19 601(k)(iii) and (iv). If the division, by a  
20 preponderance of the evidence, determines  
21 that an employee's injury was primarily  
22 caused by a third party, the injury shall  
23 not be charged to the employer's account.  
24 The employer shall bear the burden of proof  
25 in any action brought by the employer for a  
26 chargeability determination. If an  
27 employer's account is determined to be  
28 unchargeable under this subsection, the  
29 employer's account shall not be further  
30 credited upon recovery from a third party by  
31 the division. The division shall by rule  
32 and regulation establish necessary  
33 procedures for a determination of  
34 chargeability.". ANDERSON (S28), BEBOUT