

Page 2-line 6 After "(65%)." Strike balance of line.

Page 2-lines 7 through 9 Strike.

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

Page 2-lines 11 through 20 Delete and insert: "An employer who is current on premium payments required by this act may apply to the division for a determination of experience modification rating chargeability for an injury to the employer's employee. The division's determination of chargeability shall be reviewable as provided in W.S. 27-14-601(k)(iii) and (iv). If the division, by a preponderance of the evidence, determines that an employee's injury was solely caused by a third party and by no fault of the chargeable employer or its employees, the injury shall not be charged to the employer's account. The employer shall bear the burden of proof in any action brought by the employer for a chargeability determination. If an employer's account is determined to be unchargeable under this subsection, the employer's account shall not be further credited upon recovery from a third party by the division. The division shall by rule and regulation establish necessary procedures for a determination of chargeability." VON FLATERN, CHAIRMAN