

February 3, 1975

workmans compensation does not require the evidence of negligence on the part of the employer. Consequently, that person may be out driving their car to work or from work, or in the exercise of their profession, and being a minor stockholder or rather a major stockholder, would have waived the right of having their hospital bills and that taken care of. I would presume that the premium payment for this particular individual would have been paid by the corporation itself, as an expense of the corporation. Now, my question, if I might, Mr. President, ask of Senator Stull is what is the real reason that they didn't wish to pay the premium on the policy of workmans compensation, because it would be very minimal and be chargeable to the corporation and not the individual.

PRESIDENT: Chair recognizes Senator Stull.

SENATOR STULL: Mr. President, members of the Legislature, I think the question that Senator Duis asks is a logical question, but we have many people that are stockholders in a corporation and I'm sure that they know what they're doing with they want to waive this. If they want to be covered, they certainly can be covered. There's provisions set up in this statute and if they want to waive this coverage, they must give the secretary of the corporation that notice in writting ahead of time. So they know whether they're covered or not. I find many people in my district and over the state in these corporations that have other insurance and they feel that they're paying for it twice and only receiving the benefits once. I think that we have the protection in the bill so that the people know, in advance, whether they're covered or not. I might say a word about these people that oppose this bill. We had representatives of two insurance companies . . .

PRESIDENT: Senator Stull, you have time to argue, but I think you rose for the purpose of answering the question. Senator Duis.

SENATOR DUIS: May I continue. What I find here in this bill is that it's merely the executives of the company that are in this bill, not all of the stockholders. Your executives, in a company, would be very few. Consequently, I would think that the matter of double insurance, and such as that, would not enter into the picture because a person would logically know whether or not their other accident and health policy, or their benefits policy, or their automobile policy excluded payment in the event of workmans compensation. But as a general rule, we find that they pay in addition to the workmans compensation benefits. I still am curious as to why we have the executives involved here when the payment of the premium would be made by the corporation itself and not by the individual. That will close my discussion. Thank you.

PRESIDENT: Senator Maresh. Did you wish to be recognized Senator?