

Approved: March 7, 2011

Date

MINUTES OF THE FINANCIAL INSTITUTIONS & INSURANCE COMMITTEE

The meeting was called to order by Chairman Ruth Teichman at 9:30 a.m. on February 22, 2011, in Room 152-S of the Capitol.

All members were present.

Committee staff present:

Ken Wilke, Office of the Revisor of Statutes  
Melissa Calderwood, Kansas Legislative Research Department  
Heather O'Hara, Kansas Legislative Research Department  
Beverly Beam, Committee Assistant

Conferees appearing before the Committee:

Lee Wright, Farmers Insurance

Others attending:

See attached list.

The Chair called the meeting to order.

Action on

**SB 136 – No cause of action for recovery of certain losses while operating an uninsured motor vehicle**

The Chair asked Lee Wright, Farmers Insurance, to answer any questions the committee might have regarding SB 136. Mr. Wright said non economic damages are defined as damages for pain and suffering. He said this bill is the no-pay no-play bill. He said we are after an uninsured owner of a vehicle driving his vehicle or another uninsured vehicle. The uninsured owner can not recover for non economic damages. In other words, he can not recover for pain and suffering. He noted the out of pocket expenses are still covered, just not pain and suffering.

Senator Olson moved to pass out SB 136 favorably. Senator Masterson seconded. Motion passed.

The Chair said SB 206 is the NCOIL model for SLIMPACT LITE which is the surplus line of insurance. She said she has put this bill in a subcommittee to be chaired by Senator Longbine. Other members of the subcommittee are Senator Merrick and Senator Schmidt. She said some mechanism has to be in place by 2013 to make sure the state collects the premiums for the surplus line.

The next meeting is scheduled for March 2, 2011.

The meeting was adjourned at 10:00 a.m.