

SB070_L.001

SENATE COMMITTEE OF REFERENCE REPORT

 Chairman of Committee

 Date
Committee on Business, Labor and Technology.

After consideration on the merits, the Committee recommends the following:

SB09-070 be amended as follows:

1 Amend printed bill, page 3, line 7, strike "8-43-301 (6)" and substitute
 2 "8-43-301 (2), (6),";

3 strike lines 9 through 14 and substitute the following:

4 **"8-43-301. Petitions to review.** (2) Any party dissatisfied with
 5 an order ~~which~~ THAT requires any party to pay a penalty or benefits or
 6 denies a claimant any benefit or penalty may file a petition to review with
 7 the ~~director~~ DIVISION, if the order was entered by the director, or ~~with the~~
 8 ~~administrative law judge~~ at the ~~place indicated in the order~~ DENVER
 9 OFFICE OF THE OFFICE OF ADMINISTRATIVE COURTS IN THE DEPARTMENT
 10 OF PERSONNEL, if the order was entered by ~~the~~ AN administrative law
 11 judge, and serve the same by mail on all the parties. ~~Such~~ THE petition
 12 shall be filed within twenty days ~~from~~ AFTER the date of the certificate of
 13 mailing of the order, and, unless so filed, ~~such~~ THE order shall be final.
 14 The petition to review may be filed by mail, and shall be deemed filed
 15 upon the date of mailing, as determined by the certificate of mailing,
 16 ~~provided~~ IF the certificate of mailing indicates that the petition to review
 17 was mailed to the ~~appropriate administrative law judge~~ DIVISION or to the
 18 ~~director~~, if DENVER OFFICE OF THE OFFICE OF ADMINISTRATIVE COURTS IN
 19 THE DEPARTMENT OF PERSONNEL, AS appropriate. The petition to review
 20 shall be in writing and shall set forth in detail the particular errors and
 21 objections of the petitioner. A petitioner shall, at the same time, order
 22 any transcript relied upon for the petition to review, arrange with the
 23 hearing reporter to pay for the same, and notify opposing parties of the
 24 transcript ordered. Opposing parties shall have twenty days ~~from~~ AFTER



1 the date of the certificate of mailing of the petition to review to order any
2 other transcript not ordered by the petitioner and arrange with the hearing
3 reporter to pay for the same.

4 (6) A party dissatisfied with a supplemental order may file a
5 petition for review by the panel. ~~Such~~ THE petition shall be filed with the
6 division IF THE SUPPLEMENTAL ORDER WAS ISSUED BY THE DIRECTOR, OR
7 AT THE OFFICE OF THE ADMINISTRATIVE COURTS IN THE DEPARTMENT OF
8 PERSONNEL IF THE SUPPLEMENTAL ORDER WAS ISSUED BY AN
9 ADMINISTRATIVE LAW JUDGE.";

10 line 23, strike "~~division~~ DIRECTOR" and substitute "division OR THE OFFICE
11 OF ADMINISTRATIVE COURTS, AS APPROPRIATE,".

12 Page 4, line 22, after "THAT", insert "IN ANY MATTER WHERE THE
13 DIRECTOR HAS ISSUED AN ORDER TO ENFORCE A PROVISION OF THE
14 WORKERS' COMPENSATION ACT,";

15 line 24, strike "A MATTER THAT" and substitute "THE SAME MATTER WHILE
16 IT".

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