

**ONE HUNDRED FIRST LEGISLATURE - SECOND SESSION - 2010**  
**COMMITTEE STATEMENT**  
**LB1044**

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**Hearing Date:** Monday February 08, 2010  
**Committee On:** Business and Labor  
**Introducer:** Lautenbaugh  
**One Liner:** Change employer liability provisions under the Nebraska Workers' Compensation Act

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**Roll Call Vote - Final Committee Action:**  
Indefinitely postponed

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**Vote Results:**

**Aye:** 7 Senators White, Wallman, Schilz, McGill, Lathrop, Council, Carlson  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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**Proponents:**

Senator Scott Lautenbaugh  
Dan Fridrich

**Representing:**

Introducer  
Nebraskans For Workers Compensation Equity and Fairness; Werner Enterprises, Inc; Nebraska Chamber of Commerce and Industry; National Federation of Independent Business; Greater Omaha Chamber of Commerce; Lincoln Chamber of Commerce; Nebraska Restaurant Association; Nebraska Retail Federation; Property Casualty Insurers Association of America

**Opponents:**

Greg Coffey  
Steve Howard  
Keith Claypool  
Patricia Hagemann  
Robert R. Moodie

**Representing:**

self  
AFL-CIO  
self  
self  
NATA

**Neutral:**

Glenn Morton

**Representing:**

Nebraska Workers' Compensation Court

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**Summary of purpose and/or changes:**

LB 1044 would amend section 48-101, defining compensable personal injury for workers' compensation purposes, to only include those injuries where the accident or occupational disease was the prevailing factor or cause. LB 1044 defines prevailing factor as the primary factor which causes the injury and resulting disability.

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