

One Hundred Second Legislature - First Session - 2011

Introducer's Statement of Intent

LB506

Chairperson: Senator Steve Lathrop

Committee: Business and Labor

Date of Hearing: February 14, 2011

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

The Nebraska Supreme Court, in *Olivotto v. DeMarco Borthers Co* , held that an injured worker who contracted an occupational disease which did not exhibit itself until after the worker was retired was not entitled to workers' compensation disability payments or death benefit because there was no wage rate at the time of filing of the workers' compensation claim.

LB 506 would establish that the wage rate at time of last employment would be the wage rate used for a worker who contracts an occupational disease, arising out of and in the course of employment, but is retired or deceased at the time the claim is made.

Principal Introducer: _____

Senator Norman Wallman