

February 20, 1973

In Workmen's Compensation the employee can completely disregard any protection that is there, even though it is brought to his attention the worker can be completely negligent and still collect and, of course, this is one of the things that makes Workmen's Compensation insurance so terribly high in almost all instances but in particular instances, is because of the worker's negligence in protecting himself even though those protective factors are present. The Workmen's Compensation Law does not apply to farm and ranch or domestic people at the present time where it is not required, you cover that with your farm and ranch liability insurance which contains voluntary medical payments up to a given amount and from that point on, then it does cover the liability for negligence which, in other words, must be proven and, of course, a person is his own insurer then. Thank you.

SPEAKER: Is there any other discussion on Senator Stull's amendment? Question is being called for. Did you care to close, Senator Stull? Do you waive closing. Those in favor of the amendment say aye. Those opposed nay. The Chair is in doubt, we'll have to go to the board. Every person in favor of Stull's amendment, vote aye. Those opposed vote nay. Have you all voted? Clerk will record the vote.

CLERK: 14 ayes, 18 nays, Mr. President.

SPEAKER: The motion fails.

CLERK: Mr. President, a motion on the desk. (read)

SPEAKER: Senator DeCamp has a motion to indefinitely postpone. The Chair recognizes Senator DeCamp.

SENATOR DECAMP: Mr. President and Members of the Legislature. This is a difficult motion for me to make on this particular bill. Two years ago when I first came into the Legislature, I sponsored a bill essentially identical to this because I believe as Senator Chambers has suggested, that many of the things, many of the problems that supposedly exist could be corrected by this legislation. At that time I was contacted by a number of individuals, both pro and con, listened to the arguments and became interested enough that I started going out and visiting some farmers, visiting some people that would be affected by this, studying more closely the economy, the way of life of rural Nebraska as opposed, let's say, to Omaha or Lincoln, and I concluded quite frankly that this bill as proposed today, would cause more harm than it would solve good. The primary effect of this particular legislation as it now stands is upon agriculture. More than that, it's upon rural America. Now, whether we like to face the facts or not, Nebraska has two Nebraskas. There is rural Nebraska which is definitely different and there is urban Nebraska, Omaha and Lincoln and much as we would like to compromise and agree in a lot of cases, there are some areas where you have to recognize the difference and adapt to it and this is one of those clear cut cases. For example, in agriculture, we have farmers going back and forth, exchanging work, we have completely different, without going into detail for those of you who live in rural Nebraska, you're familiar with what I'm talking about, we have a whole different way of life. Now, the nature of farming, at least as it exists in 1973, February 20th or whatever, does not lend itself to this type of legislation. Senator Nore made a good point and I, I find this unusual, being on the same side with Senator Nore; anyway, Senator Nore made a very good point when he said, well, heck, I'm not going to hire, I'm not going to be hiring anybody. Well, Senator Nore isn't the only one, you're