

SENATOR KELLY: I would prefer that and withdraw my motion at this time.

PRESIDENT: Alright, Senator Kelly is asking unanimous consent to withdraw his kill motion on LB193. Are there any objections from the body? Hearing none, so ordered then, the motion is withdrawn. Senator Syas go ahead and proceed with your explanation of 193.

SENATOR SYAS: Well Mr. President, I move that LB193 be advanced from general file to E & R. LB193 basically brings Nebraska up to date in accordance to federal rules and regulations. Now I might say here that since you are debating another bill I might say that the other bill does not. Also it increases some compensation for people to get hurt which of course I sometimes think if we didn't have these laws at all, a person, those that object to this sort of thing, wouldn't like it at all if the person went to court everytime and collected more than maybe the law allows, the present laws. You see, industry, years ago, of course wanted, and so did the employees, to lighten this burden and come to an agreement to how this type of thing would be handled. So we have compensation laws. A person gets hurt it is pretty serious. Industry pays into this fund, of course, if they don't have the accidents I understand that their premium, they don't have to pay as much. This bill was written at the request by a compensation judge, and he appeared to answer questions at the time of the hearing. The federal government has rules and we must comply. Now they also have legislation in Congress that if the states do not comply, they will make them more than rules, they will make them laws. I would hate to see the state of Nebraska not comply with the federal regulations. I think we would jeopardize our whole compensation set-up. The federal government, Congress created a national commission to unstate workmen's compensation laws, and the commission was appointed and carried out the statutory duties of making comprehensive studies and evaluations of states workmen's compensation laws. The report is in, the commission made 84 recommendations, but they felt that 19 of these were of such a serious nature that should be taken care of now. I understand that the 19 serious recommendations are in LB193. This will upgrade our compensation laws and also give the needed raises in compensation because of inflation. I am going to have more to say about this bill a little bit later and I think Senator Fellman and Cavanaugh, who have studied this bill also, are going to enter into the explanation. Thank you.

PRESIDENT: Chair recognizes Senator Clark.

SENATOR CLARK: Mr. Chairman and members of the committee, of the Legislature. The thing that I don't like about 193 is that they are using a formula. He says this is according to the federal regulation now. The only thing this thing was dreamed up was to conform with someone else's dream. Senator Javits has put a bill in and it is only a bill that hasn't been acted on by the Federal Congress, and I doubt very much that it ever will be, but when you use 66 2/3% and get into a percentage of the average weekly wage, when we don't even know how the average weekly wage is really computed in the first place, we can never seem to find out, or on remarriage of a widow, you give her a lump sum settlement at that particular time even though she is remarried and this bill just can't stand up, as far as I am concerned. I have to say money in the next bill, 342, and as far as the money is concerned that is the dollar figure, it is not a percentage figure. That is the difference in the two bills