

on it and vote on it and I have no problem doing that. But I would like to bring to this body's attention two facts and one of the facts is for Bill Barrett who is the Chairman of the Business and Labor Committee. Our current Workmen's Compensation Law has penalty provisions built into the Workmen's Compensation Law for unreasonable delay in resolving...

SPEAKER NICHOL: Excuse me, Senator Vard Johnson, a minute. (Gavel.) We're a little noisy with our conversation. Would you hold it down so we can please hear Senator Vard Johnson.

SENATOR V. JOHNSON: Our current Workmen's Compensation Law provides impertinent part as follows: "All amounts of compensation payable under the provisions of this act shall be payable periodically in accordance with the methods of payments of wages for the employee at the time of the injury or death provided 50 percent shall be added for waiting time for all delinquent payments after 30 days after notice of disability, provided reasonable attorneys fees shall be allowed for delinquent payments, provided the interest shall be allowed thereon for delinquent payments." Now we would not have in our Workmen's Compensation Law penalty provisions, but for the fact that we experienced willful delays by insurance carriers in making Workmen's Compensation payments. Earlier Senator Bill Barrett alluded to the current law in the insurance code which is found at 44-1525 of the Insurance Law which says that, if an insurance company has a pattern, has a pattern of practice in delaying settlements, then that insurance company can be penalized. We wouldn't have that provision in the law but for the fact that our good folk in our state experienced those kinds of delays. They existed. We know they existed in the Workmen's Compensation area. We know they existed in general insurance claims. Now there is no reason why we should not permit an individual who has a claim against somebody else to be able to file that lawsuit and if that lawsuit cannot be resolved to the satisfaction of the two parties within four months after the suit is filed, that individual will be entitled to interest on the claim as finally allowed by the court of law, that is finally allowed by the jury. There is no reason why the interest should not be allowed. That interest will, number one, promote swifter resolution of cases and, number two, will provide benefits to an individual...