

is that if you are an employee in a rather hazardous occupation and let's use perhaps a construction worker for an example and I'll use this example because at one time I worked in that trade. You are a construction worker who perhaps...perhaps you do a lot of work high in the air and as a result of doing that work high in the air you are paid a little more money per hour for working a hundred or 200 feet in the air building the scaffoldings and so forth. You are paid more money because your employer recognizes that you're taking more risks plus probably the fact that you're damned fool enough to do it and not everybody is so they are going to give you a little more money to go up there and do it. Then if you're hurt under the current workers compensation laws of this state, suddenly because you were willing to take those risks, suddenly because your employer thought you were worth more because you took those risks, you are no longer worth anymore. If you're injured, then is when the cap comes in. You're worth only two-thirds of the current \$200 per week in spite of the fact you might have been making \$400 per week at the time you were injured. Now I think that is unfair. I think it's totally unfair when you recognize that the law first of all said you were going to get paid two-thirds of your weekly paycheck if you're hurt. Now if two-thirds of your weekly paycheck is the way it seems to work, then regardless of what your paycheck is, you should be paid two-thirds of it. Philosophically I think that would be the correct thing to do. However, the amendment I am offering to you doesn't do that. What it does do is it puts in place, as I indicated, something that 30 other states use and that is that they use a percentage of the state's average weekly wage. Whatever the state's average weekly wage is, then a percentage of that is the cap that is effective on workers compensation. Now I handed out to you yesterday and I am assuming that most of you do not have it left in front of your desk today, a handout that shows what the other states around us have and I'll go through it for you. In Colorado, our sister state to the west, their cap is 100 percent of the average weekly. In Wyoming, the state directly to the west of us, their cap is 100 percent of the average weekly wage. In South Dakota it is 100 percent of the average weekly wage. In Missouri the cap is 70 percent of the average weekly wage. In Kansas 75 percent and in Iowa 200 percent of the average weekly wage. Now our average weekly wage right now is \$285 a week. If we were 100 percent of that average weekly wage, our cap would be \$285 instead of the \$200 or