

CLERK: If you concur, we will go to Senator DeCamp. Senator DeCamp, please.

SENATOR DECAMP: Mr. President and members, what I have done is placed a kill motion on the bill. What I would like to do this morning, kind of briefly but I think kind of importantly, is deal with the entire picture of workmen's compensation as it functions in this state and other states, because I believe that in our various discussions over the years on workmen's compensation, we have dealt almost exclusively with the number, the auction process. And I think it important for all of us, when we go back to our districts, when we discuss the issue of workmen's comp, that we understand just what our system is, how it compares with other states, and whether in fact Nebraska is, as you hear every year, one of the most regressive, one of the backwater states, one of the ones that doesn't give a fair break on workmen's comp, compare our system with the system that Senator Hoagland is describing that 42 other states follow, and then make your conclusions as to whether you want to maintain our system, or shift over to the others. So let me tell you the two systems. And this is important you understand it because it spills over into the same concepts that are used on pension funds, the same concepts that are used on employee salary increases, these kind of things, the same issue we dealt with yesterday on COLA, for example. System number one that 42 states have is the weekly average wage. It is an automatic type system. In other words, you have certain figures computed as to what everybody is earning, or I should say everybody that is under workmen's comp, you come up with an average, and then different states give a maximum amount of let's say 70 percent, 50 percent, 80 percent or, in the case of a state like Iowa, 200 percent, highest in the United States, 200 percent of that weekly average wage. And it is an automatic deal then. The Legislature doesn't deal with it again. However, the other system, which is a fixed amount, every time you want to change that maximum amount they come to the Legislature, and as you have participated in the process, we have such things as should the amount be \$100, \$190, \$192. We argue, and from year to year, every two or three years we make an adjustment based upon economic conditions, based upon whatever we think is a fair amount. It is subject then to constant legislative review. However, what you may not be completely familiar with are some of the other factors about the Nebraska system that distinguish it from most other