

we are talking about it again this year when last year, last year, we raised the maximum benefits for workers compensation from \$200 to \$225, a 12.5 percent increase. Frankly, I'm a little disappointed that we are back on this issue again this year. But at this point I guess that comment is beside the point. I certainly rise in support of the motion to indefinitely postpone this bill because 958, as amended, in its present form proposes a watershed change in our workers compensation laws in the State of Nebraska. I think we need to carefully evaluate the ramifications of the bill as it stands now in tying the benefits to our statewide average weekly wage. Enacting a floating maximum benefit, a floating minimum benefit, this concept, it amounts to taking a path from which there may be no return. We may not be able to retrench if we take this step. Under our existing statutory scheme the maximum and the minimum weekly income benefit amounts are specifically established in statute. They are established by the Legislature. They are specifically set out on our statute books. And if 958 is enacted a member of the public will certainly not be able to go in and find out, from the statute books, what our maximum benefits are, or our minimum benefits might be. The maximum and the minimum benefits would no longer be set by the Legislature, instead these benefits would be determined on an annual basis as an administrative function of the Workers Compensation Court, based on data collected by the Department of Labor in its administration of our unemployment insurance system. I'm not sure that this is where we really want to go. The setting of these benefits is a very important policy decision. It is a decision that has been made by this Legislature for as long as I can remember, since the beginning of the workers compensation laws. It is a decision that has been performed by those of us in this Legislature. And I hate to see us give away this important policy decision. It is going to call for an automatic change in our benefits annually. Senator Hoagland, the introducer, is correct when he says there are about 42 states that now have similar legislation on the books. But does that necessarily make it right? No, it certainly doesn't. These states created these systems in the 1970s, ladies and gentlemen, when such things as automatic increases and COLAs, the cost of living adjustments, were the order of the day. The systems were enacted during an inflationary period of time, and that is certainly not the case today. We held back, Nebraska held back in those days from joining the trend toward the