

April 8, 1975

fluctuation of the premium and the premium adjustment during the annual term of the policy. I think, as was spoken here, we used to do this every two years and that gave an opportunity to pass on to the consumer where this normally and naturally goes the additional premium that is created by the additional benefits. The Legislature now meets every year. Instead of getting this every two years, now we get it every year and if we keep it on a dollar basis, then there will not be but approximately two increases during the year. The increase one time during the year as to our action here in the Legislature increasing the benefits. Then, there is also, as a general rule, an increase in the premium payment due to the fact that they have an adjustment in the medical cost. Now if we were to get into the percentage situation and this would be with the Labor Department, they might adjust this more frequently and thereby no one would really know during the course of the term as to what their premium might be. Now the suggestion that I have here that may be possible and that is, if we have in the premium for workmen's compensation, and no one is denying the workmen's compensation insurance. It is the thing that we have with us. But I think the thing you should remember and that is that workmen's compensation, the employee does not have to assume that their is any responsibility on the part of the employer as to his negligence. The employee is paid regardless whether the employer was negligent or not. Now if we are getting up into too high a figure, maybe this should be a participating situation where the employee would pay a certain amount of the premium in order to get this accident policy that he would normally have. Now I wish to be sure that you know that most of us are employees and work under workmen's compensation and this is the fact with myself. I work under workmen's compensation because I am an employee but there is no need for me to prove if I am injured that there is any negligence on the part of my employer. So consequently, if they get to too high a rate in this, that it is possible that we should go on a participation basis so that we would have a participation in the premium for the accident policy.

PRESIDENT: Senator Chambers.

SENATOR CHAMBERS: Mr. President, members of the Legislature, I happen to favor the amendment. Senator Duis brought out a good point when he said that if you are injured on the job you don't need to prove negligence on the part of the employer but, also, workmen's compensation cuts off any right you have to sue. No matter how serious your injury, workmen's compensation is to do away with the suits. So the employer does benefit from the workmen's compensation program. It cuts down litigation and on balance, it's suppose to be just to both sides. But when you deal with two, when you deal with two statuses in society and one can be described as the Scrooge status and the other as the Bob Cratchett. For those of you who don't remember the story, Bob Cratchett was the poor fellow who worked for Ebenezer Scrooge and Scrooge was described roughly as a hardhearted tight-fisted old skinflint who would squeeze a nickel until George Washington cried, if George Washington was on the nickel. I know it's Thomas Jefferson. But anyway, we have a situation here where people are quibbling