

March 20, 1989

LB 410

possible, to proceed into another bill or two. Apparently there are no problems with the bill on General File, 410. If there are no major objections, may we proceed into one or possibly two bills? Should not take a whole lot of time. If they do, we will simply adjourn. Mr. Clerk.

CLERK: Mr. President, LB 410 was a bill introduced by the Business and Labor Committee and signed by its members. (Read title.) The bill was introduced on January 13, referred to Business and Labor, advanced to General File. I have no amendments to the bill, Mr. President.

SPEAKER BARRETT: Senator Coordsen.

SENATOR COORDSEN: Thank you, Mr. President, and members of the body, as was indicated by the Clerk, this is...by the Speaker, these two bills, LB 410 is the first one, are not complicated bills. LB 410 was brought to the Business and Labor Committee by the Workers' Compensation Court. It addresses a circumstance that was brought about when the Nebraska Supreme court ruled in July of 1988 that several sections of our statutes contain language that they feel is unconstitutional. This bill deals with Section 48-140 and 48-141 which deal with settlements and awards by the Workers' Compensation Court. Currently, if a settlement or award is paid out over a period of time of six months or more, then such settlement or award is reviewable by the Workers' Compensation Court. However, if a settlement or award is paid out over a period of time of less than six months, then such settlement or award is not reviewable by the Workers' Compensation Court. Such settlement or award is final and not subject to a readjustment or review. The Supreme Court ruled that this is an unreasonable classification in violation of the Equal Protection Clause of the United States Constitution and of the Nebraska Constitution. This bill strikes some language...and you can look at it in your...it strikes the language that refers to the reviewable six months or less. This is a housekeeping bill and it will put our statutes in line with what the Nebraska Supreme Court has ruled. Thank you.

SPEAKER BARRETT: Thank you, Mr. Chairman. Is there discussion? If not, any closing comment?

SENATOR COORDSEN: Only to move LB 410. Thank you.

SPEAKER BARRETT: The question is the advancement of LB 410 to