

## LEGISLATIVE BILL 868

Passed over the Governor's veto April 8, 1988.

Introduced by Chizek, 31

AN ACT relating to the Nebraska Workers' Compensation Court; to amend sections 48-152 and 48-153, Revised Statutes Supplement, 1986; to provide for an additional judge; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 48-152, Revised Statutes Supplement, 1986, be amended to read as follows:

48-152. Recognizing that (1) industrial relations between employers and employees within the State of Nebraska are affected with a vital public interest, (2) an impartial and efficient administration of the Nebraska Workers' Compensation Act is essential to the prosperity and well-being of the state, and (3) suitable laws should be enacted for the establishing and for the preservation of such an administration of the Nebraska Workers' Compensation Act, there is hereby created, pursuant to the provisions of Article V, section 1, of the Nebraska Constitution of the State of Nebraska, a court, consisting of ~~six~~ seven judges, to be selected or retained in office in accordance with the provisions of Article V, section 21, of the Nebraska Constitution of the State of Nebraska and to be known as the Nebraska Workers' Compensation Court, which court shall have authority to administer and enforce all of the provisions of the Nebraska Workers' Compensation Act, and any amendments thereof, except such as are committed to the courts of appellate jurisdiction.

Sec. 2. That section 48-153, Revised Statutes Supplement, 1986, be amended to read as follows:

48-153. The Nebraska Workers' Compensation Court shall consist of ~~six~~ seven judges. Judges holding office on August 30, 1981, shall continue in office until expiration of their respective terms of office and thereafter for an additional term which shall expire on the first Thursday after the first Tuesday in January immediately following the first general election at which they are retained in office after August 30, 1981. Judge of the Nebraska Workers' Compensation Court shall include any person appointed to the office of judge of

the Nebraska Workmen's Compensation Court prior to July 17, 1986, pursuant to Article V, section 21, of the Nebraska Constitution. Any person serving as a judge of the Nebraska Workmen's Compensation Court immediately prior to July 17, 1986, shall be a judge of the Nebraska Workers' Compensation Court. ~~Their~~ The right of judges of the compensation court to continue in office shall be determined in the manner provided in sections 24-813 to 24-818, and the terms of office thereafter shall be for six years beginning on the first Thursday after the first Tuesday in January immediately following their retention at such election. In case of a vacancy occurring in the Nebraska Workers' Compensation Court, the same shall be filled in accordance with the provisions of Article V, section 21, of the Nebraska Constitution of the State of Nebraska and the right of any judge so appointed to continue in office shall be determined in the manner provided in sections 24-813 to 24-818. All such judges shall hold office until their successors are appointed and qualified, or until death, voluntary resignation, or removal for cause. No judge of the compensation court shall, during his or her tenure in office as judge, hold any other office or position of profit, pursue any other business or avocation inconsistent or which interferes with his or her duties as such judge, or serve on or under any committee of any political party. The judges of the compensation court shall reside in Lancaster County, Nebraska, unless, for the convenience of the compensation court, they are permitted to reside elsewhere by a majority vote of the compensation court, but no such judge shall be deemed thereby to have lost his or her residence at the place from which he or she was selected unless he or she so chooses.

Sec. 3. That original sections 48-152 and 48-153, Revised Statutes Supplement, 1986, are repealed.