

AMENDMENTS TO LB 151

Introduced by Business and Labor

1 1. Strike the original sections and insert the following
2 sections:

3 Section 1. Section 48-125, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 48-125 (1) (a) Except as hereinafter provided, all amounts
6 of compensation payable under the Nebraska Workers' Compensation
7 Act shall be payable periodically in accordance with the methods
8 of payment of wages of the employee at the time of the injury or
9 death. Such payments shall be sent directly to the person entitled
10 to compensation or his or her designated representative except as
11 otherwise provided in section 48-149.

12 (b) Fifty percent shall be added for waiting time for
13 all delinquent payments after thirty days' notice has been given
14 of disability or after thirty days from the entry of a final
15 order, award, or judgment of the compensation court, except that
16 for any award or judgment against the state in excess of one
17 hundred thousand dollars which must be reviewed by the Legislature
18 as provided in section 48-1,102, fifty percent shall be added
19 for waiting time for delinquent payments thirty days after the
20 effective date of the legislative bill appropriating any funds
21 necessary to pay the portion of the award or judgment in excess of
22 one hundred thousand dollars.

23 (2) (a) Whenever the employer refuses payment of

1 compensation or medical payments subject to section 48-120, or
2 when the employer neglects to pay compensation for thirty days
3 after injury or neglects to pay medical payments subject to such
4 section after thirty days' notice has been given of the obligation
5 for medical payments, and proceedings are held before the Nebraska
6 Workers' Compensation Court, a reasonable attorney's fee shall
7 be allowed the employee by the compensation court in all cases
8 when the employee receives an award. Attorney's fees allowed shall
9 not be deducted from the amounts ordered to be paid for medical
10 services nor shall attorney's fees be charged to the medical
11 providers.

12 (b) If the employer files an application for review
13 before the compensation court appeal from an award of a judge of
14 the compensation court and fails to obtain any reduction in the
15 amount of such award, the compensation court Court of Appeals or
16 Supreme Court shall allow the employee a reasonable attorney's fee
17 to be taxed as costs against the employer for such review, and the
18 Court of Appeals or Supreme Court shall in like manner allow the
19 employee a reasonable sum as attorney's fees for the proceedings in
20 the Court of Appeals or Supreme Court. appeal.

21 (c) If the employee files an application for a review
22 before the compensation court appeal from an order of a judge
23 of the compensation court denying an award and obtains an award
24 or if the employee files an application for a review before
25 the compensation court appeal from an award of a judge of
26 the compensation court when the amount of compensation due is
27 disputed and obtains an increase in the amount of such award, the

1 ~~compensation court~~ Court of Appeals or Supreme Court may allow the
2 employee a reasonable attorney's fee to be taxed as costs against
3 the employer for such ~~review~~, and the ~~Court of Appeals or Supreme~~
4 ~~Court~~ may in like manner allow the employee a reasonable sum as
5 ~~attorney's fees for the proceedings in the Court of Appeals or~~
6 ~~Supreme Court.~~ appeal.

7 (d) A reasonable attorney's fee allowed pursuant to this
8 ~~section~~ subsection shall not affect or diminish the amount of the
9 award.

10 (3) When an attorney's fee is allowed pursuant to this
11 section, there shall further be assessed against the employer an
12 amount of interest on the final award obtained, computed from the
13 date compensation was payable, as provided in section 48-119, until
14 the date payment is made by the employer, at a rate equal to the
15 rate of interest allowed per annum under section 45-104.01, as such
16 rate may from time to time be adjusted by the Legislature. Interest
17 shall apply only to those weekly compensation benefits awarded
18 which have accrued as of the date payment is made by the employer.
19 If the employer pays or tenders payment of compensation, the amount
20 of compensation due is disputed, and the award obtained is greater
21 than the amount paid or tendered by the employer, the assessment of
22 interest shall be determined solely upon the difference between the
23 amount awarded and the amount tendered or paid.

24 Sec. 2. Section 48-145.01, Reissue Revised Statutes of
25 Nebraska, is amended to read:

26 48-145.01 (1) Any employer required to secure the payment
27 of compensation under the Nebraska Workers' Compensation Act who

1 willfully fails to secure the payment of such compensation shall be
2 guilty of a Class I misdemeanor. If the employer is a corporation,
3 limited liability company, or limited liability partnership, any
4 officer, member, manager, partner, or employee who had authority
5 to secure payment of compensation on behalf of the employer and
6 willfully failed to do so shall be individually guilty of a Class
7 I misdemeanor and shall be personally liable jointly and severally
8 with such employer for any compensation which may accrue under
9 the act in respect to any injury which may occur to any employee
10 of such employer while it so fails to secure the payment of
11 compensation as required by section 48-145.

12 (2) If an employer subject to the Nebraska Workers'
13 Compensation Act fails to secure the payment of compensation as
14 required by section 48-145, the employer may be enjoined from doing
15 business in this state until the employer complies with subdivision
16 (1) of section 48-145. If a temporary injunction is granted at the
17 request of the State of Nebraska, no bond shall be required to
18 make the injunction effective. The Nebraska Workers' Compensation
19 Court or the district court may order an employer who willfully
20 fails to secure the payment of compensation to pay a monetary
21 penalty of not more than one thousand dollars for each violation.
22 For purposes of this subsection, each day of continued failure to
23 secure the payment of compensation as required by section 48-145
24 constitutes a separate violation. If the employer is a corporation,
25 limited liability company, or limited liability partnership, any
26 officer, member, manager, partner, or employee who had authority
27 to secure payment of compensation on behalf of the employer and

1 willfully failed to do so shall be personally liable jointly
2 and severally with the employer for such monetary penalty. All
3 penalties collected pursuant to this subsection shall be remitted
4 to the State Treasurer for distribution in accordance with Article
5 VII, section 5, of the Constitution of Nebraska.

6 (3) It shall be the duty of the Attorney General to
7 act as attorney for the State of Nebraska for purposes of this
8 section. The Attorney General may file a motion pursuant to section
9 48-162.03 for an order directing an employer to appear before a
10 judge of the compensation court and show cause as to why a monetary
11 penalty should not be assessed against the employer pursuant to
12 subsection (2) of this section. The Attorney General shall be
13 considered a party for purposes of such motion. The Attorney
14 General may appear before the compensation court and present
15 evidence of a violation or violations pursuant to subsection (2)
16 of this section and the identity of the person who had authority
17 to secure the payment of compensation. Appeal from an order of a
18 judge of the compensation court pursuant to subsection (2) of this
19 section shall be in accordance with ~~section 48-179.~~ sections 48-182
20 and 48-185.

21 Sec. 3. Section 48-153, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 48-153 The Nebraska Workers' Compensation Court shall
24 consist of seven judges. Judges holding office on August 30, 1981,
25 shall continue in office until expiration of their respective
26 terms of office and thereafter for an additional term which shall
27 expire on the first Thursday after the first Tuesday in January

1 immediately following the first general election at which they are
2 retained in office after August 30, 1981. Judge of the Nebraska
3 Workers' Compensation Court shall include any person appointed to
4 the office of judge of the Nebraska Workmen's Compensation Court
5 prior to July 17, 1986, pursuant to Article V, section 21, of
6 the Nebraska Constitution. Any person serving as a judge of the
7 Nebraska Workmen's Compensation Court immediately prior to July
8 17, 1986, shall be a judge of the Nebraska Workers' Compensation
9 Court. The right of judges of the compensation court to continue
10 in office shall be determined in the manner provided in sections
11 24-813 to 24-818, and the terms of office thereafter shall be
12 for six years beginning on the first Thursday after the first
13 Tuesday in January immediately following their retention at such
14 election. In case of a vacancy occurring in the Nebraska Workers'
15 Compensation Court, the same shall be filled in accordance with the
16 provisions of Article V, section 21, of the Nebraska Constitution
17 and the right of any judge so appointed to continue in office
18 shall be determined in the manner provided in sections 24-813 to
19 24-818. All such judges shall hold office until their successors
20 are appointed and qualified, or until death, voluntary resignation,
21 or removal for cause. No judge of the compensation court shall,
22 during his or her tenure in office as judge, hold any other office
23 or position of profit, pursue any other business or avocation
24 inconsistent or which interferes with his or her duties as such
25 judge, or serve on or under any committee of any political party.
26 ~~The judges of the compensation court shall reside in Lancaster~~
27 ~~County, Nebraska, unless, for the convenience of the compensation~~

1 ~~court, they are permitted to reside elsewhere by a majority vote of~~
2 ~~the compensation court, but no such judge shall be deemed thereby~~
3 ~~to have lost his or her residence at the place from which he or she~~
4 ~~was selected unless he or she so chooses.~~

5 Sec. 4. Section 48-155, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 48-155 The judges of the Nebraska Workers' Compensation
8 Court shall, on July 1 of every odd-numbered year by a majority
9 vote, select one of their number as presiding judge for the
10 next two years, subject to approval of the Supreme Court. The
11 presiding judge may designate one of the other judges to act as
12 presiding judge in his or her stead whenever necessary during
13 the disqualification, disability, or absence of the presiding
14 judge. The presiding judge shall rule on all matters submitted
15 to the compensation court except those arising in the course
16 of ~~original or review~~ hearings or as otherwise provided by law,
17 assign or direct the assignment of the work of the compensation
18 court to the several judges, clerk, and employees who support
19 the judicial proceedings of the compensation court, preside at
20 such meetings of the judges of the compensation court as may be
21 necessary, and perform such other supervisory duties as the needs
22 of the compensation court may require. During the disqualification,
23 disability, or absence of the presiding judge, the acting presiding
24 judge shall exercise all of the powers of the presiding judge.

25 Sec. 5. Section 48-156, Reissue Revised Statutes of
26 Nebraska, is amended to read:

27 48-156 A majority of the judges of the Nebraska Workers'

1 Compensation Court shall constitute a quorum to adopt rules and
2 regulations, as provided in sections 48-163 and 48-164, to transact
3 business, except when the statute or a rule adopted by the
4 compensation court permits one judge thereof to act. ~~and three~~
5 ~~judges shall constitute a quorum for the review of any disputed~~
6 ~~claim for compensation.~~ The act or decision of a majority of the
7 judges constituting such quorum shall in all such cases be deemed
8 the act or decision of the compensation court, except that a
9 majority vote of all the judges shall be required to adopt rules
10 and regulations.

11 Sec. 6. Section 48-162, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 48-162 (1) The Nebraska Workers' Compensation Court,
14 or any judge thereof, is authorized and empowered to examine
15 under oath or otherwise any person, employee, employer, agent,
16 superintendent, supervisor, or officer of any partnership, limited
17 liability company, or corporation, any officer of any domestic
18 insurance company, any agent of any foreign insurance company, or
19 any medical practitioner, to issue subpoenas for the appearance
20 of witnesses and the production of books and papers, to solemnize
21 marriages, and to administer oaths with like effect as is done
22 in other courts of law in this state. In the examination of any
23 witness and in requiring the production of books, papers, and other
24 evidence, the compensation court shall have and exercise all of the
25 powers of a judge, magistrate, or other officer in the taking of
26 depositions or the examination of witnesses. ~~including the power~~
27 ~~to enforce his or her orders by commitment for refusal to answer or~~

1 ~~for the disobedience of any such order.~~

2 (2) The compensation court or any judge thereof may, upon
3 the motion of either party or upon its or his or her own motion,
4 require the production of any books, documents, payrolls, medical
5 reports, X-rays, photographs, or plates or any facts or matters
6 which may be necessary to assist in a determination of the rights
7 of either party in any matter pending before the compensation court
8 or any judge thereof.

9 (3) The compensation court or any judge thereof may
10 issue contempt orders in accordance with section 25-2121. Any such
11 contempt order of the compensation court shall be enforced in
12 accordance with section 48-188.

13 ~~(3)~~ (4) The compensation court or any judge thereof may
14 expedite the hearing of a disputed case when there is an emergency.

15 Sec. 7. Section 48-167, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 48-167 The Nebraska Workers' Compensation Court shall
18 keep and maintain, in its office at the State Capitol, full and
19 true record of all proceedings, documents, or papers ordered filed,
20 rules and regulations, and decisions or orders.

21 Sec. 8. Section 48-170, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 48-170 Every order and award of a single judge of the
24 Nebraska Workers' Compensation Court shall be binding upon each
25 party at interest unless an application for review appeal has been
26 filed with the compensation court within ~~fourteen~~ thirty days after
27 the date of entry of the order or award.

1 Sec. 9. Section 48-175.01, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 48-175.01 (1) The performance of work in the State of
4 Nebraska (a) by an employer, who is a nonresident of the State of
5 Nebraska, (b) by any resident employer who becomes a nonresident of
6 this state after the occurrence of an injury to an employee, or (c)
7 by any agent of such an employer shall be deemed an appointment by
8 such employer of the clerk of the Nebraska Workers' Compensation
9 Court as a true and lawful attorney and agent upon whom may be
10 served all legal processes in any action or proceeding against him
11 or her, arising out of or under the provisions of the Nebraska
12 Workers' Compensation Act, and such performance of work shall be
13 a signification of the employer's agreement that any such process,
14 which is so served in any action against him or her, shall be
15 of the same legal force and validity as if served upon him or
16 her personally within this state. The appointment of agent, thus
17 made, shall not be revocable by death but shall continue and be
18 binding upon the executor or administrator of such employer. For
19 purposes of this section, performance of work shall include, but
20 not be limited to, situations in which (i) the injury or injury
21 resulting in death occurred within this state, (ii) the employment
22 was principally localized within this state, or (iii) the contract
23 of hire was made within this state.

24 (2) Service of such process, as referred to in subsection
25 (1) of this section, shall be made by serving a copy thereof upon
26 the clerk of the Nebraska Workers' Compensation Court, personally
27 in his or her office ~~in the State Capitol~~ or upon someone who,

1 previous to such service, has been designated in writing by the
2 clerk of the Nebraska Workers' Compensation Court as the person
3 or one of the persons with whom such copy may be left for such
4 service upon the clerk of the Nebraska Workers' Compensation Court,
5 and such service shall be sufficient service upon the employer.
6 In making such service, a copy of the petition and a copy of
7 the process shall, within ten days after the date of service, be
8 sent by the clerk of the Nebraska Workers' Compensation Court,
9 or such person acting for him or her in his or her office, to
10 the defendant by registered or certified mail addressed to the
11 defendant's last-known address, and the defendant's return receipt
12 and affidavit of the clerk of the Nebraska Workers' Compensation
13 Court, or such person in his or her office acting for him or
14 her, of compliance therewith shall be appended to such petition
15 and filed in the office of the clerk of the Nebraska Workers'
16 Compensation Court. The date of the mailing and the date of the
17 receipt of the return card aforesaid shall be properly endorsed
18 on such petition and filed by the clerk of the Nebraska Workers'
19 Compensation Court, or someone acting for him or her.

20 (3) The Nebraska Workers' Compensation Court shall, on
21 its own motion, order such continuance of answer day and trial
22 date, as may to the compensation court seem necessary to afford
23 the defendant reasonable opportunity to plead and to defend. No
24 such continuance shall be for more than ninety days except for good
25 cause shown.

26 (4) It shall be the duty of the clerk of the Nebraska
27 Workers' Compensation Court to keep a record of all processes so

1 served, in accordance with subsections (1) and (2) of this section,
2 which record shall show the date of such service, and to so arrange
3 and index such record as to make the same readily accessible and
4 convenient for inspection.

5 Sec. 10. Section 48-177, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 48-177 (1) At the time a petition or motion is filed,
8 one of the judges of the Nebraska Workers' Compensation Court shall
9 be assigned to hear the cause. It shall be heard in the county
10 in which the accident occurred, except as otherwise provided in
11 section 25-412.02 and except that, upon the written stipulation of
12 the parties, filed with the compensation court at least fourteen
13 days before the date of hearing, the cause may be heard in any
14 other county in the state. ~~An action may be dismissed by the~~
15 ~~plaintiff, if represented by legal counsel, without prejudice to~~
16 ~~a future action, before the final submission of the case to the~~
17 ~~compensation court. Upon a motion for dismissal duly filed by the~~
18 ~~plaintiff, showing that a dispute between the parties no longer~~
19 ~~exists, the compensation court may dismiss any such cause without a~~
20 ~~hearing thereon.~~

21 (2) Any such cause may be dismissed without prejudice
22 to a future action (a) by the plaintiff, if represented by
23 legal counsel, before the final submission of the case to the
24 compensation court or (b) by the compensation court upon a
25 stipulation of the parties that a dispute between the parties
26 no longer exists.

27 (3) Notwithstanding subsection (1) of this section, all

1 nonevidentiary hearings, and any evidentiary hearings approved by
2 the compensation court and by stipulation of the parties, may
3 be heard by the court telephonically or by videoconferencing or
4 similar equipment at any location within the state as ordered
5 by the court and in a manner that ensures the preservation of
6 an accurate record. Such hearings shall include motion hearings,
7 original hearings, and review hearings. Hearings conducted in this
8 manner shall be consistent with the public's access to the courts.

9 Sec. 11. Section 48-178, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 48-178 The judge shall make such findings and orders,
12 awards, or judgments as the Nebraska Workers' Compensation Court
13 or judge is authorized by law to make. Such findings, orders,
14 awards, and judgments shall be signed by the judge before whom
15 such proceedings were had. When proceedings are had before a judge
16 of the compensation court, his or her findings, orders, awards,
17 and judgments shall be conclusive upon all parties at interest
18 unless reversed or modified upon ~~review~~ ~~or~~ appeal as hereinafter
19 provided. A shorthand record or tape recording shall be made of
20 all testimony and evidence submitted in such proceedings. The
21 compensation court or judge thereof, at the party's expense, may
22 appoint a court reporter or may direct a party to furnish a
23 court reporter to be present and report or, by adequate mechanical
24 means, to record and, if necessary, transcribe proceedings of any
25 hearing. The charges for attendance shall be paid initially to
26 the reporter by the employer or, if insured, by the employer's
27 workers' compensation insurer. The charges shall be taxed as costs

1 and the party initially paying the expense shall be reimbursed
2 by the party or parties taxed with the costs. The compensation
3 court or judge thereof may award and tax such costs and apportion
4 the same between the parties or may order the compensation court
5 to pay such costs as in its discretion it may think right and
6 equitable. If the expense is unpaid, the expense shall be paid by
7 the party or parties taxed with the costs or may be paid by the
8 compensation court. The reporter shall faithfully and accurately
9 report or record the proceedings.

10 Sec. 12. Section 48-180, Reissue Revised Statutes of
11 Nebraska, is amended to read:

12 48-180 The Nebraska Workers' Compensation Court may, on
13 its own motion or on the motion of any party, modify or change
14 its findings, order, award, or judgment at any time before appeal
15 and within ~~ten~~ fourteen days ~~from~~ after the date of such findings,
16 order, award, or judgment. ~~for the purpose of correcting any~~
17 ~~ambiguity, clerical error, or patent or obvious error.~~ The time
18 for appeal shall not be lengthened because of the ~~correction~~
19 modification or change unless the correction substantially changes
20 the result of the award.

21 Sec. 13. Section 48-182, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 48-182 In case either party at interest refuses to accept
24 any final order of the Nebraska Workers' Compensation Court, ~~on~~
25 ~~original hearing,~~ such party may, within ~~fourteen~~ thirty days
26 thereafter, file with the compensation court ~~an application for~~
27 ~~review~~ a notice of appeal and within ~~fourteen~~ thirty days ~~from~~

1 after the date of such final order file with the compensation
2 court a praecipe for a bill of exceptions. Within two months from
3 the date of the filing of the praecipe, the court reporter or
4 transcriber shall deliver to the clerk of the Nebraska Workers'
5 Compensation Court a bill of exceptions which shall include a
6 transcribed copy of the testimony and the evidence taken before the
7 compensation court ~~on original~~ at the hearing, which transcribed
8 copy when certified to by the person who made or transcribed the
9 record shall constitute the bill of exceptions. The transcript and
10 bill of exceptions shall be paid for by the party ordering the
11 same, except that upon the affidavit of any claimant for workers'
12 compensation, filed with or before the praecipe, that he or she is
13 without means with which to pay and unable to secure such means,
14 payment may, in the discretion of the compensation court, be waived
15 as to such claimant and the bill of exceptions shall be paid for
16 by the compensation court in the same manner as other compensation
17 court expenses.

18 The procedure for preparation, settlement, signature,
19 allowance, certification, filing, and amendment of a bill of
20 exceptions shall be regulated and governed by rules of practice
21 prescribed by the Supreme Court except as otherwise provided in
22 this section.

23 When a bill of exceptions has been ordered according
24 to law and the court reporter or transcriber fails to prepare
25 and file the bill of exceptions with the clerk of the Nebraska
26 Workers' Compensation Court within two months from the date of
27 the filing of the praecipe, the ~~compensation court~~ Supreme Court

1 may, on the motion of any party accompanied by a proper showing,
2 grant additional time for the preparation and filing of the bill
3 of exceptions under such conditions as the court may require.
4 Applications for such an extension of time shall be regulated and
5 governed by rules of practice prescribed by the ~~compensation court.~~
6 Supreme Court. A copy of such order granting an extension of time
7 shall be filed with the Nebraska Workers' Compensation Court by the
8 party requesting such extension within five days after the date of
9 such order.

10 Sec. 14. Section 48-185, Reissue Revised Statutes of
11 Nebraska, is amended to read:

12 48-185 Any appeal from the judgment of the Nebraska
13 Workers' Compensation Court ~~after review~~ shall be prosecuted and
14 the procedure, including the designation of parties, handling of
15 costs and the amounts thereof, filing of briefs, certifying the
16 opinion of the Supreme Court or decision of the Court of Appeals
17 to the compensation court, handling of the bill of exceptions,
18 and issuance of the mandate, shall be in accordance with the
19 general laws of the state and procedures regulating appeals in
20 actions at law from the district courts except as otherwise
21 provided in section 48-182 and this section. The proceedings to
22 obtain a reversal, vacation, or modification of judgments, awards,
23 or final orders made by the compensation court ~~after a review~~
24 shall be by filing in the office of the clerk of the Nebraska
25 Workers' Compensation Court, within thirty days after the entry
26 of such judgment, decree, or final order, a notice of ~~intention~~
27 ~~to prosecute such~~ appeal signed by the appellant or his or her

1 attorney of record. No motion for a new trial shall be filed. An
2 appeal shall be deemed perfected and the appellate court shall have
3 jurisdiction of the cause when such notice of appeal shall have
4 been filed in the office of the clerk of the Nebraska Workers'
5 Compensation Court, and after being so perfected no appeal shall
6 be dismissed without notice, and no step other than the filing of
7 such notice of appeal shall be deemed jurisdictional. The clerk of
8 the Nebraska Workers' Compensation Court shall forthwith forward a
9 certified copy of such notice of appeal to the Clerk of the Supreme
10 Court, whereupon the Clerk of the Supreme Court shall forthwith
11 docket such appeal. Within thirty days after the date of filing of
12 notice of appeal, the clerk of the Nebraska Workers' Compensation
13 Court shall prepare and file with the Clerk of the Supreme Court
14 a transcript certified as a true copy of the proceedings contained
15 therein. The transcript shall contain the judgment, decree, or
16 final order sought to be reversed, vacated, or modified and all
17 pleadings filed with such clerk. Neither the form nor the substance
18 of such transcript shall affect the jurisdiction of the appellate
19 court. Such appeal shall be perfected within thirty days after the
20 entry of judgment by the compensation court, the cause shall be
21 advanced for argument before the appellate court, and the appellate
22 court shall render its judgment and write an opinion, if any,
23 in such cases as speedily as possible. The judgment made by the
24 compensation court ~~after review~~ shall have the same force and
25 effect as a jury verdict in a civil case. A judgment, order,
26 or award of the compensation court may be modified, reversed,
27 or set aside only upon the grounds that (1) the compensation

1 court acted without or in excess of its powers, (2) the judgment,
2 order, or award was procured by fraud, (3) there is not sufficient
3 competent evidence in the record to warrant the making of the
4 order, judgment, or award, or (4) the findings of fact by the
5 compensation court do not support the order or award.

6 Sec. 15. Section 48-191, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 48-191 Notwithstanding any more general or special law
9 respecting the subject matter hereof, whenever the last day of
10 the period within which a party to an action may file any ~~paper~~
11 document or pleading with the Nebraska Workers' Compensation Court,
12 or take any other action with respect to a claim for compensation,
13 falls on a Saturday, a Sunday, any day on which the compensation
14 court is closed by order of the Chief Justice of the Supreme Court,
15 or any day declared by statutory enactment or proclamation of the
16 Governor to be a holiday, the next following day, which is not
17 a Saturday, a Sunday, a day on which the compensation court is
18 closed by order of the Chief Justice of the Supreme Court, or a day
19 declared by such enactment or proclamation to be a holiday, shall
20 be deemed to be the last day for filing any such ~~paper~~ document or
21 pleading or taking any such other action with respect to a claim
22 for compensation.

23 Sec. 16. Cases pending before the compensation court on
24 the operative date of this section in which a hearing has been held
25 prior to such date shall not be affected by the changes made in
26 sections 48-125, 48-145.01, 48-155, 48-156, 48-170, 48-178, 48-180,
27 48-182, and 48-185 by this legislative bill. Any cause of action

1 not in suit on the operative date of this section and any cause
2 of action in suit in which a hearing has not been held prior to
3 such date shall follow the procedures in such sections as amended
4 by this legislative bill.

5 Sec. 17. Section 48-1,110, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 48-1,110 Sections 48-101 to 48-1,117 and section 16 of
8 this act shall be known and may be cited as the Nebraska Workers'
9 Compensation Act.

10 Sec. 18. Sections 1, 2, 4, 5, 6, 8, 11, 12, 13, 14, 16,
11 17, 19, and 21 of this act become operative three calendar months
12 after adjournment of this legislative session. The other sections
13 of this act become operative on their effective date.

14 Sec. 19. Original sections 48-125, 48-145.01, 48-155,
15 48-156, 48-162, 48-170, 48-178, 48-180, 48-182, 48-185, and
16 48-1,110, Reissue Revised Statutes of Nebraska, are repealed.

17 Sec. 20. Original sections 48-153, 48-167, 48-175.01,
18 48-177, and 48-191, Reissue Revised Statutes of Nebraska, are
19 repealed.

20 Sec. 21. The following sections are outright repealed:
21 Sections 48-179 and 48-181, Reissue Revised Statutes of Nebraska.

22 Sec. 22. Since an emergency exists, this act takes effect
23 when passed and approved according to law.