

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 639**

Introduced by Blood, 3.

Read first time January 18, 2023

Committee: Business and Labor

- 1 A BILL FOR AN ACT relating to Nebraska Workers' Compensation Court; to
- 2 amend sections 48-163, 48-164, 48-174, and 49-506, Reissue Revised
- 3 Statutes of Nebraska; to change provisions under the Nebraska
- 4 Workers' Compensation Act relating to notice for rules and
- 5 regulations, case progression requirements, and summonses; to change
- 6 requirements relating to distribution of session laws and
- 7 legislative journals; and to repeal the original sections.
- 8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 48-163, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 48-163 (1) The Nebraska Workers' Compensation Court, by a majority  
4 vote of the judges thereof, may adopt and promulgate all reasonable rules  
5 and regulations necessary for carrying out the intent and purpose of the  
6 Nebraska Workers' Compensation Act, except that rules and regulations  
7 relating to the compensation court's adjudicatory function shall become  
8 effective only upon approval of the Supreme Court.

9 (2) No rule or regulation to carry out the act shall be adopted and  
10 promulgated except after public hearing conducted by a quorum of the  
11 compensation court on the question of adopting and promulgating such rule  
12 or regulation. Notice of such hearing shall be given at least fourteen  
13 ~~thirty~~ days prior thereto by publication in a newspaper having general  
14 circulation in the state. Draft copies of all such rules and regulations  
15 shall be available to the public at the compensation court at the time of  
16 giving notice.

17 (3) The administrator of the compensation court shall establish and  
18 maintain a list of subscribers who wish to receive notice of public  
19 hearing on the question of adopting and promulgating any rule or  
20 regulation and shall provide notice to such subscribers. The  
21 administrator shall distribute a current copy of existing rules and  
22 regulations and any updates to those rules and regulations once adopted  
23 to the State Library and to each county law library or the largest public  
24 library in each county.

25 Sec. 2. Section 48-164, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 48-164 The Nebraska Workers' Compensation Court shall regulate and  
28 provide the kind and character of notices and the services thereof and,  
29 in case of an injury by accident to an employee, the nature and extent of  
30 the proofs and evidence and the method of taking and furnishing the same  
31 for the establishment of the right to compensation. It shall determine

1 the nature and form or forms of the application of those claiming to be  
2 entitled to benefits or compensation and shall regulate the method of  
3 making investigations, physical examinations, and inspections and  
4 prescribe the time within which adjudications and awards shall be made,  
5 ~~except that when a petition for compensation is filed, a hearing shall be~~  
6 ~~held within sixty days from the date of the filing thereof and an order~~  
7 ~~or award made and entered thereon within thirty days after such hearing.~~  
8 Such rules and regulations shall conform to the provisions of the  
9 Nebraska Workers' Compensation Act.

10 Sec. 3. Section 48-174, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

12 48-174 Upon the filing of such petition a summons shall issue and be  
13 served upon the adverse party, as in civil causes, together with a copy  
14 of the petition. Return of service shall be made within fourteen ~~seven~~  
15 days after the date of issue. An acknowledgment on the summons or the  
16 voluntary appearance of a defendant is equivalent to service.

17 Sec. 4. Section 49-506, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19 49-506 After the Secretary of State has made the distribution  
20 provided by section 49-503, he or she shall deliver additional copies of  
21 the session laws and the journal of the Legislature pursuant to this  
22 section in print or electronic format as he or she determines, upon  
23 recommendation by the Clerk of the Legislature and approval of the  
24 Executive Board of the Legislative Council.

25 One copy of the session laws shall be delivered to the Lieutenant  
26 Governor, the State Treasurer, the Auditor of Public Accounts, the  
27 Reporter of the Supreme Court and Court of Appeals, the State Court  
28 Administrator, the State Fire Marshal, the Department of Administrative  
29 Services, the Department of Agriculture, the Department of Banking and  
30 Finance, the State Department of Education, the Department of Environment  
31 and Energy, the Department of Insurance, the Department of Labor, the

1 Department of Motor Vehicles, the Department of Revenue, the Department  
2 of Transportation, the Department of Veterans' Affairs, the Department of  
3 Natural Resources, the Military Department, the Nebraska State Patrol,  
4 the Nebraska Commission on Law Enforcement and Criminal Justice, each of  
5 the Nebraska state colleges, the Game and Parks Commission, the Nebraska  
6 Library Commission, the Nebraska Liquor Control Commission, the Nebraska  
7 Accountability and Disclosure Commission, the Public Service Commission,  
8 the State Real Estate Commission, the Nebraska State Historical Society,  
9 the Public Employees Retirement Board, the Risk Manager, the Legislative  
10 Fiscal Analyst, the Public Counsel, the materiel division of the  
11 Department of Administrative Services, the State Records Administrator,  
12 the budget division of the Department of Administrative Services, the Tax  
13 Equalization and Review Commission, the inmate library at all state penal  
14 and correctional institutions, the Commission on Public Advocacy, and the  
15 Library of Congress; two copies to the Governor, the Secretary of State,  
16 ~~the Nebraska Workers' Compensation Court~~, the Commission of Industrial  
17 Relations, and the Coordinating Commission for Postsecondary Education,  
18 one of which shall be for use by the community colleges; three copies to  
19 the Department of Health and Human Services; four copies to the Nebraska  
20 Publications Clearinghouse; five copies to the Attorney General; nine  
21 copies to the Revisor of Statutes; sixteen copies to the Supreme Court  
22 and the Legislative Council; and thirty-five copies to the University of  
23 Nebraska College of Law.

24 One copy of the journal of the Legislature shall be delivered to the  
25 Governor, the Lieutenant Governor, the State Treasurer, the Auditor of  
26 Public Accounts, the Reporter of the Supreme Court and Court of Appeals,  
27 the State Court Administrator, the Nebraska State Historical Society, the  
28 Legislative Fiscal Analyst, the Tax Equalization and Review Commission,  
29 the Commission on Public Advocacy, and the Library of Congress; two  
30 copies to the Secretary of State, and the Commission of Industrial  
31 Relations; ~~and the Nebraska Workers' Compensation Court~~; four copies to

1 the Nebraska Publications Clearinghouse; five copies to the Attorney  
2 General and the Revisor of Statutes; eight copies to the Clerk of the  
3 Legislature; thirteen copies to the Supreme Court and the Legislative  
4 Council; and thirty-five copies to the University of Nebraska College of  
5 Law. The remaining copies shall be delivered to the State Librarian who  
6 shall use the same, so far as required for exchange purposes, in building  
7 up the State Library and in the manner specified in sections 49-507 to  
8 49-509.

9       Sec. 5.   Original sections 48-163, 48-164, 48-174, and 49-506,  
10 Reissue Revised Statutes of Nebraska, are repealed.