

Our judicial selection process is, in part, an attempt to unpoliticize these decision makers. I can see why you don't want this in the hands of a single judge but I would have to say that between the two I think Senator Beutler's approach, which is AM1545 that will be coming up shortly, depending on how long it takes for the Will amendment, I think that's the better approach here because it uses a nonpolitical form. It also saves us the problem of having to interpret the language. Senator Will's amendment does not make clear the length of time that these administrative agents serve. If there is an interpretation that says once they're there, why you could be stuck with an employer representative chosen during a heavy labor influenced administration for years and years or vice versa. Again, there is no self-determination on that score and so, frankly, I think the notion of Senator Beutler's amendment is superior, I intend to support it when it comes up. I would urge the body to when it comes up, but I resist the Will amendment because I think that the appointment by the Governor is a politicalization of the appointment process that I think can be improved upon in the Beutler amendment. Thank you.

SENATOR CROSBY: Thank you, Senator Landis. Senator Will, on your amendment.

SENATOR WILL: Thank you, Senator Crosby, and members of the body, again, I rise in support of my amendment to LB 757. And I guess one of the things that my amendment points out is something that I've discussed before and during debate on this bill and that is there are a number of things in this bill that are very attractive and that I would ultimately like to be able to vote for if we can get it in a shape that I think is fair to all parties involved in a worker's compensation action. The managed care, even though I vehemently oppose the elimination of physician choice, there certainly are elements of managed care that are very appealing when you come to talking about keeping the costs of medical care down. And a managed care setting, I think, certainly is something that we are evolving towards as a society much less statutorily. However, again, that's a separate issue. The physician's choice issue is something we will get to and we will debate. But, again, that element of the bill, the introduction of a managed care aspect is appealing, as is the idea behind the independent medical examiner which is that of having an independent evaluator come in and be able to reach binding or nonbinding arbitration, either one, depending upon the circumstances whether the individual has agreed to or