

March 2, 1994

LB 379, 594, 1279

Legislative Journal.) The vote is 43 ayes, 2 nays, 1 present and not voting, 3 excused and not voting, Mr. President.

SPEAKER WITHEM: LB 379 passes with the emergency clause. I would like to recognize additional guests of the Legislature. In the south balcony we have guests of Senator Moore, 45 fourth graders from the Milford Elementary School, Milford, Nebraska and their teachers. Would we please welcome them to the Legislature. LB 594, Mr. Clerk.

CLERK: Mr. President, I do have a motion on the desk. Senator Hall would move to return the bill for specific amendment. That amendment is found on page 829 of the Journal.

SPEAKER WITHEM: Senator Hall.

SENATOR HALL: Thank you, Mr. President and members. I rise and request the body to return LB 594, Senator Lindsay's bill, to Select File for purposes of the amendment that is found on the page that the Clerk stated. You can either look at the amendment as it exists on page 829 or you can look in your bill books at LB 1279. 1279 was a bill that deals with the issue of workers' compensation as does 594 as is before us. The amendment would simply do this. It would state that every person who delivers or distributes newspapers for any person who owns or operates a newspaper business shall be deemed an employee for purposes of Nebraska Workers' Compensation Act. This is a bill that I introduced this year. I introduced it last year as well. It deals with a specific issue that has come about both by a very tragic accident that happened in the area of Fremont, but also by a ruling from an appeals panel that stated that newspaper carriers are contracted labor, that they are not employees for purposes of workers' compensation. So in other words, should they be hurt on the job, they are on their own. What the amendment does, what 1279 would do is clarify that situation so that these young people would be covered for workers' compensation should they be hurt on the job. That's merely all it does. I would offer the amendment. I understand that there may be a question about the germaneness. At least I have been warned to that effect earlier today and the fight is on. Mr. Speaker, I would love to debate the issue and I intend to fully debate it. It is an extremely important public policy with regard to how we treat our young people and how we treat them as employees. I think that the amendment clarifies what has become a very unjust situation that exists basically by