

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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FLOOR DEBATE

February 11, 2003 LB 199

CLERK: LB 199, by the Business and Labor Committee. (Read title.) Bill was introduced on January 10 of this year, referred to the Business and Labor Committee, advanced to General File. I do have committee amendments, Mr. President. (AM0118, Legislative Journal page 336.)

SENATOR CUDABACK: Thank you, Mr. Clerk. Senator Vrtiska, Chairman of the committee, you're recognized to open on LB 199.

SENATOR VRTISKA: Thank you, Senator Cudaback. The Business and Labor Committee again introduced LB 199 at the request of the Department of Labor, and it's another one of those bills that's necessary for us to deal with. First, the language is changed relating to tribal government and business being treated as governmental entities for Nebraska Employment Security Law purposes. This concept was adopted by the Legislature two years ago, as directed by the U.S. Department of Labor. The U.S. Department of Labor has now requested that a clarification be made regarding the manner and time frame in which a reporting to be...to the federal government of nonpayment of coverage should occur. Second, the bill would amend two definitions of "employment" to the Employment Security Law that result in "noncoverage" for election workers and penal and custodial institutional inmates. Nebraska Section 48-604 would be amended to exclude wages earned by election workers earning less than \$100,000 per year from unemployment coverage. This exclusion applies only to those election workers who serve only on election day at the local polling place. Our unemployment system was established to provide temporary benefits to workers who lost their primary employment. A recent federal law change allows states to make this adjustment. Next, a new section of that statute on page 20 would exclude wages earned by prisoners of service performed for a private employer for unemployment coverage, but leaves open the possibility that a prisoner working for a private employer outside the confines of the correctional facility, on work release, would be able to draw benefits based on that employment. Again, this request is made because of an exclusion of wages paid to prisoners, regarding...regardless of where the service was performed or who services were performed for, from unemployment coverage under both the Federal Unemployment Tax Act and state unemployment