

January 30, 1991 LB 17

could be an argument made that with regard to the issue of how much can you pay, I guess, if you wanted to stretch it to the most ridiculous end. I think that what the bill purports to do is to legitimize the process and allow for those folks who have a very limited amount of money to, basically, be able to, if they need to and desire to and can afford to, hire circulators for their petition. It in no way jeopardizes, harms, or impedes a voluntary effort, and that clearly is something that is guaranteed in the Constitution of the state and I think we need to ensure that that is not impeded. As a matter of fact, we swear an oath when we take office that we won't.

PRESIDENT MOUL: One minute.

SENATOR HALL: With that, Madam Chair and members, I would urge the passage of LB 17 on to E & R Initial. I think that it is a bill that continues to refine the petition process in the State of Nebraska, as we started a little over four years ago. Thank you.

PRESIDENT MOUL: Thank you, Senator Hall. I will now recognize Senator Labeledz, followed by Senators Nelson, Bernard-Stevens, Baack and Schmit. Senator Labeledz.

SENATOR LABEDZ: Thank you, Madam President. I rise in opposition to LB 17 and I would like to give you a little history on the business that I was in for 22 years, and Senator Schmit mentioned the fact that there may possibly be a lawsuit. I had to go to the federal court in Kansas City several years ago because I had about 216 women, housewives, that were typing for me, addressing envelopes, and I paid them by the thousand because they were not under my supervision. They worked only if and when they wanted to, take as many as they wanted to, and, therefore, I paid them by the thousand. The federal government came in and said you must put them under the minimum wage. You must also withhold Social Security and withholding of income tax. I objected to that because I felt that they were not under my supervision. So I fought with them here in Omaha in Nebraska for a couple of months, and finally ended up in court in Kansas City. I won the case. They became what we call a subcontractor. I was considered a contractor from Boys Town and they subcontracted so many thousand per week. If they didn't want to do it, they didn't have to. If they wanted to type 10,000, they would take 10,000, 8,000, 3,000, but I did not have to withhold, I did not have to pay them the minimum wage,