

January 30, 1991 LB 17

possible to pay individual circulators on a per name basis. Number two, I want to emphasize again that it is impossible, totally impossible to pay these individuals on an hourly basis because they are unsupervised, they are unregulated, they are not under anyone's control, and it would be absolutely an exercise in futility. Now there are people who like to have a guaranteed wage. Some people rest under that umbrella many times. Others of us work on the productivity basis and I don't see why we need to say we are going to thwart the process by virtue of a requirement which we know is designed to make it impossible to pay circulators. I want to remind you again, as I have said earlier, if you pay, if you give anything of value, I think you will find the courts will say, ah ha, you bought the lunch, therefore, cough up the minimum wage and take care of the rest of the procedures. Another point I want to make again is this, a petition process is not a long drawn-out process. It is something which lasts a very short period of time and individuals must make certain adjustments to that period of time, and the productivity factor is a very important factor. I ask anyone here who has ever hired anyone, who has ever met a payroll, would you really hire 10 circulators and say we are going to give you a minimum wage; we took these young folks up here and said going to give you a minimum wage and go get signatures. I will bet there would be variations of 100 percent, 500 percent, in the number of signatures that would come back. And so the first young person would come in with 10 signatures and get 40 bucks for 10 hours of work, the next one come in with 100. I think it is pretty evident to any of us that the next day the average rate would be much less. There would be no...there is absolutely no incentive, absolutely no incentive to make it work. Now if you want to upset the process, be my guest, but do not do so under the guise of saying that we are going to be fair in this, we are going to require certain minimum wages because this aids the process. We know it does not aid the process, ladies and gentlemen. It upsets the process and that is what LB 17 is designed to do. I oppose the bill.

SPEAKER BAACK: Thank you, Senator Schmit. Senator Withem, some other lights have come on and I did take yours off when you said you would wait. Do you want to go ahead and talk now or do you want to wait? Two more lights came on, so...

SENATOR WITHEM: I would move that we adjourn until 9:00 a.m., tomorrow morning.