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FLOOR DEBATE

April 2, 2003            LB 210

SENATOR CONNEALY: I'd withdraw that amendment.

SENATOR CUDABACK: The amendment is withdrawn. Mr. Clerk, next amendment.

CLERK: Mr. President, Senator Beutler would move to amend the committee amendments. (FA1256, Legislative Journal page 1134.)

SENATOR CUDABACK: Senator Beutler, you're recognized to open on amendment FA1256 to the committee amendments to LB 210.

SENATOR BEUTLER: Senator Cudaback, members of the Legislature, I would like to get now to an amendment that I would like to ask you to very seriously consider because I think it would draw a clearer and a better line, if clarification is what we're looking for, and a line that is much nearer to the line that exists today in distinguishing those operations that require workers' comp and those which do not. And, basically, what the amendment would do would be to strike, on page 2 of the amendment, lines 4 through 11. Now, under what is a very complicated structure in this bill, it basically makes the statement that anyone who employs one or more employees in the regular trade, business or profession is covered by workers' compensation, and then it has a paragraph that says the act shall not apply to, and then it says it shall not apply to service performed by a worker when performed on a farm or ranch for an employer who is engaged in an agricultural operation and employs unrelated employees...that is, unrelated in a familial sense; they're not related in a family sense...unless. Okay, so there are certain ones that would be included under the amendment if two conditions are met. Now, the two conditions are that they employ "six or more unrelated full-time employees, whether in one or more locations, on each working day during any thirteen-week period, whether or not such weeks are consecutive." That language is very complicated, and we'll get into that eventually, but then it says, "and," and here's the second requirement, and it is this second requirement that I would eliminate so that we're dealing with a measurement tool that has to do with a number of employees employed alone. Okay? But the second criteria is if 40 percent or more of the employer's annual gross revenue is derived from the cultivation