

January 23, 1984

LB 745

SENATOR BARRETT: It is found in 48-604.5. "Services performed by an individual for wages shall be deemed employment, unless it be shown to the satisfaction of the commissioner that," number one, "the individual has been and will continue to be free from control or direction over the performance of such services, both under his or her contract of service and in fact, number two, "such service is either outside the usual course of the business for which such service is performed or such service is performed outside of all the places of business of the enterprise for which such service is performed," and finally, "any individual is customarily engaged in an independently established trade, occupation, profession, or business."

SENATOR HIGGINS: Thank you, Senator.

PRESIDENT: Senator Beutler.

SENATOR BEUTLER: Mr. President, a question of Senator Barrett if I may. Senator Barrett, I am sorry I didn't have a chance to look at this bill. I was just trying to listen quickly to what you were saying. Let me ask you this question. Does this bill relate to the Donnelley question that we debated at length last year on the floor of the Legislature?

SPEAKER NICHOL: It relates, Senator Beutler, to the amendment, yes, which was offered as I remembered in LB 319 which was in fact the Donnelley amendment.

SENATOR BEUTLER: Does this bill have the effect of negating that amendment?

SENATOR BARRETT: It does not. This bill simply returns for the exception of Donnelley to the prior situation we knew before the Donnelley amendment. It does not affect the Donnelley situation.

SENATOR BEUTLER: It is not affected?

SENATOR BARRETT: No.

SENATOR BEUTLER: Okay, thank you, Senator.