

usable by the people who will be appealing this very case. It's arguable that the rejection of this amendment could be seen as an expression of intent by the Legislature that paper carriers not be considered employees. Because of that, I think the best course is to fully lay out the issue, let Senator Hall continue in his analysis of the decision, but frankly the best thing I think would be to withdraw the amendment rather than to get the Legislature on record as an expression of intent when I'm going to guess at least some of my colleagues who might potentially vote for this idea in bill form would feel uncomfortable to do so in this context. I stand ready to sit as a member of a committee next year and weigh the appropriateness of the position that Senator Hall announces for us today. The Senator has cited a very persuasive Workers' Comp Court decision. It's just that we're in the middle of that process and I suggest that we not jump in and turn this into law in the middle of a contested case, which is now bifurcated in the lower court and which awaits an appeal.

SPEAKER BAACK: Thank you, Senator Landis. Senator Chambers.

SENATOR CHAMBERS: Mr. Speaker and members of the Legislature, I support Senator Hall's amendment. I'm having handed around, some of you may have seen it, some of you may not, some of you may read it, some of you may not, a bill where a Texas court ruled that a college football player is an employee for the purposes of workers' comp. They talked about the duties that are assigned, the work that must be done, the compensation in the form of a scholarship, regular hours of work and, in addition to that, if a certain standard of performance is not met, the employee can be dismissed. They call it being kicked off the team and so forth. But when you have a factual set of circumstances which create an employer/employee relationship we, as a Legislature, should recognize that circumstance for the purpose of ensuring that individuals who are harmed while fulfilling the role of an employee will benefit from the system that has been established to aid injured workers and that's what we have before us. Senator Landis's argument is not too persuasive to me because we've passed bills while court cases were pending on the very issue, so to follow-up what has been done by the Compensation Court and declare in statute so that there is no question about it that these youngsters, and there may be some oldsters, who do this work are covered as other employees are. That will not be a bad thing to do. We have offered substantial and substantive amendments on bills which