

says that every...number five, every person who delivers or distributes newspapers is going to be an employee or a worker. In this case, the girl who was injured, the court said, met...met two tests that they laid out. One was the right to control test and the other was the relative nature of the work test. In other words, the employer had the right to control this individual. They mapped out their route. They gave them their work orders. Told them that when they could work. If they didn't meet requirements basically had at-will employment, if you were to use that terminology for purposes of this employee. Said that the relative nature of the work test showed that it was directly related to what the ultimate goal or end was of the business, that being the selling of newspapers. In this case, 85 percent of the product put out by this employer was done by carriers. Eighty-five percent of their papers were delivered by carriers. All we're doing here in this bill that totally rewrites workers' comp is setting policy. We're setting public policy, as we are in LB 757. We're talking about and we've read the newspaper articles that portray this as major change. We've read the editorials about how we need to make these kinds of changes so the employers, so the employers can save on the ever-increasing costs of workers' compensation insurance. And at the same time we have, in this case, 10-year-old children that are advertised for by this newspaper in particular, and others, to go out in the middle of the morning, five o'clock in the morning or earlier in some cases to deliver papers, but yet they do not want to have those individuals, those children, covered under workers' comp. That's what this amendment is all about. In terms of the argument made by Senator Landis on the court cases, I remember a bill or two or three dealing with a defunct financial institution called Commonwealth that there may have been more than one or two different attempts to amend pieces of legislation or deal with that issue while those cases were pending in court. There may be...might have even have been I think voted on today, my days are starting to run together, bills that are being pushed so they can be laid out as court cases for purposes of getting a determination on those issues and I guarantee you, ladies and gentlemen, that if this decision is upheld and ruled on by the Court of Appeals and ultimately the Supreme Court there will be those coming in to change the law and to specifically exclude these individuals in the future. The purpose behind workmen's comp, as I've heard throughout the debate on LB 757, and I've not engaged in tremendous amount of it, has been that we want to take care of those people who get hurt on the job. They get hurt on the job while doing the work,