

LEGISLATIVE BILL 1298

Approved by the Governor March 21, 1972

Introduced by Agriculture and Recreation Committee, Loran Schmit, 23rd District, Chairman

AN ACT to amend section 48-106, Revised Statutes Supplement, 1971, relating to workmen's compensation; to provide for returning to the status of not being within the provisions of Chapter 48, article 1, Reissue Revised Statutes of Nebraska, 1943, and amendments thereto, by employers of household domestic servants and farm or ranch laborers as prescribed; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 48-106, Revised Statutes Supplement, 1971, be amended to read as follows:

48-106. (1) The provisions of this act shall apply to the State of Nebraska and every governmental agency created by it, and to every employer in this state, including nonresident employers performing work in the State of Nebraska, employing one or more employees, in the regular trade, business, profession, or vocation of such employer, except railroad companies engaged in interstate or foreign commerce.

(2) The following are declared not to be hazardous occupations and not within the provisions of this act: Employers of household domestic servants and employers of farm or ranch laborers, except as hereinafter provided; Provided, that any such employer may elect to provide and pay compensation for accidental injuries sustained by any of his employees by insuring and keeping insured his employees in some corporation, association, or organization authorized and licensed to transact the business of workmen's compensation insurance in this state.

(3) The procuring by any such employer of such a policy of insurance, referred to in subsection (2) of this section, which is in full force and effect at the time of an accident to any of his employees, shall be conclusive proof of such employer's and his employees' election to be bound by sections 48-109 to 48-147, to all intents and purposes as if they had not been specifically excluded by the terms of this section. Such employer of household domestic servants and such employer of farm or

ranch laborers who has procured such a policy of insurance may elect to return to the status of being not within the provisions of Chapter 48, article 1, by (a) no longer carrying a policy of workmen's compensation insurance, and (b) posting and thereafter keeping continuously posted for a period of at least one year in a conspicuous place about the place or places where his workmen are employed a written or printed notice of election not to be bound by the provisions of Chapter 48, article 1.

Sec. 2. That original section 48-106, Revised Statutes Supplement, 1971, is repealed.