

SENATOR CULLAN: Mr. President, members of the Legislature. I move the E & R amendments to LB 347 be adopted.

PRESIDENT: You moved on the E & R amendments to 347?

SENATOR CULLAN: Yes.

PRESIDENT: Alright. All in favor say aye. Contrary say nay. They are adopted. Do you have anything else, Mr. Clerk?

CLERK: Now, Mr. President, there is an amendment offered by Senator Dworak as follows: (Read amendment found on page 1777 of the Journal).

PRESIDENT: Senator Dworak.

SENATOR DWORAK: Mr. President, colleagues. This expands the concept that we debated several days ago on the State Patrol retirement bill. This includes, into it, the change of the formula from a five year average to a three year average. The bill, of course, as you all know as you go through the employment process the longer you're in generally the higher your salaries become. So this would have an impact, figure not in front of me, that chart, but trying to recall from memory a possible actuarial liability of \$750,000 to change the average from a five year average to a three year average. It also includes the concept that we discussed the other day about 30 years minimum employment, where the possible retirement date could be dropped from 55 to 51. As we discussed the other day this would have a \$2 million impact, actuarial impact, over a 28 year period. I have talked with the people in the State Patrol. We don't have any problem in this state of hiring new Patrolmen. This is not a problem. We had approximately 30 vacancies last year. We had 400 applicants for those 30 vacancies. So the argument that this is a recruiting tool absolutely has no validity at all. They don't need a recruiting tool when they have 400 people to screen to fill 30 applicants. Out of those 400 people, because of one reason or another, after the screening process they still found 80 people that were eligible for employment in the State Patrol. So that is 80 people to fill 30 vacancies. So the argument that they need a recruiting tool is not valid. I, then, tried to find out whether the 30 people that left would they not have left could they retire at 51 rather than 55, or after 30 years of service. In all candor and all honesty this was not a factor for those 30 people leaving. If we would have had retirement at 48, rather than 51, I doubt whether we would have retained one of those 30 people that have left. So the argument of the \$22,000 training cost being saved by this particular \$2 million liability is absolutely not valid, or not sound. There is, however, one other argument that might be sound, but it only affects a very few people. That is that it might be a management tool to allow some people to leave early. But because, as readily admitted by all the proponents, this only affects 15 or 16 people. They doubt whether it would affect that many. This argument becomes moot. So all the arguments that have been presented in favor of this \$2 million indebtedness, or future liability, have been proven not sound. Now what we are doing with this, and the greatest ramification of this is the precedent we're setting. If we do this for the State Patrol, there is absolutely no logical reason why we wouldn't do it for every other state employee. There is absolutely no logical reason then why we can't buy the argument it was presented to us by the city police throughout this state, that they want to retire