

Some folks had some objections to the concept of completely abolishing mandatory retirement so we came in, had an interim study. The committee went around the state. People testified and we decided on a compromise that would allow a person to work past age seventy on a year by year basis with the consent of the employer. So there is a retirement age of seventy and you can work beyond that on a year by year basis if the employer consents. And again, we're talking just about public entities, cities, counties, school districts and so on. We had a hearing on that proposed compromise and it was acceptable to everyone. No one objected to the concept of allowing an option for work beyond seventy if it is agreeable to the employer. So that is what the committee amendment does. Now the amendment to the amendment is a technical correction for institutions of higher education for tenure. Tenure is the ability to keep your contract. Well, we had to make it clear that past age seventy you could not have tenure because you are on a year by year contract and so definitionally you can't be on a year by year contract and have tenure at the same time. So this says that after age seventy you cannot have tenure. You would work on a year by year basis with the agreement of your employer. So that is the technical amendment from the committee. It deals with tenure and then the committee amendment amends the bill so that we reinstate a retirement age of seventy but do allow people to work on a year by year basis with the consent of the employer. So first, I would move adoption of the amendment to the committee amendment and then the committee amendment.

SPEAKER MARVEL: Senator Kahle, do you wish to be recognized?

SENATOR KAHLE: Yes, Mr. Speaker and members, I did attend the hearing that was held out at Kearney that Senator Fowler conducted and I believe what he is saying is what we thought would be the best approach. The tenure thing of course, you can't have tenure on a year to year basis. One of the things that we were concerned about and, Senator Fowler, you might help me out on this, was the salary base. Of course, if I understand you correctly that is also negotiable on a year to year basis. Is this correct? Okay, with that explanation I think probably this is the way it should be handled and will support the amendment and hopefully later the bill.

SPEAKER MARVEL: The motion now is the amendment to the amendment as explained by Senator Fowler. All those in favor of the amendment to the committee amendment vote aye, opposed vote no. Record.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of Senator Fowler's amendment.