

meaning to change the NEOC and bring it under stricter guidelines, bring it closer into the political process so we can scrutinize all of the new people that will be appointed to the commission, et cetera, I found this a curious addition, I guess, to this bill, although maybe this is the only opportunity that they had to put it in here, that they would have to force...mandate the retirement of or allow to mandate the retirement of a sixty-five or older individual who had access to an over forty-four thousand dollar a year retirement plan. I did not understand it, and I guess I wanted to draw attention to it and ask Senator Warner or anyone else who does understand it to explain why this was included in this piece of legislation, and why it is necessary for the Nebraska legislators to pass it. Thank you.

PRESIDENT ROBAK: Thank you, Senator Witek. Senator Warner.

SENATOR WARNER: Madam President, members of the Legislature, the provision Senator Witek indicated was, I believe, that it was similar or out of federal statute, that's true. It was. It was not in the bill as originally introduced. It's purpose, and a question has been raised by other members to me, including the one about the reference of forty-four thousand, what this does is there are companies who have as an employment policy where their principal executive officers are required by their company policies to retire at age sixty-five, or they may even have a lower age, and this is, as is true of a federal complaint, under those set of circumstances that that individual, it might be the CEO, could not file an age discrimination against that kind of a policy. The forty-four thousand, I don't know how long that number has been used federally. My reaction when I first read that was an assumption that that probably is a low number in terms of what probably would be a chief or a major bona fide executive position, but I can tell you that at least the one company I am associated with, I know it does have such a policy, that certain major executive positions are mandated to retire. I don't think that's an unusual policy for some companies, particularly where the ownership pattern is scattered, which no one has or no narrow group has control, and I think probably, and this is a supposition on my part, but I would expect that in part where you have a situation of a board of directors and there is a wide participation in ownership or perhaps a co-op or some kind of a mutual company that a CEO could perhaps influence or tend to retain themselves in that position just by the nature