

something with this bill so that the employee, after being put under this hammer, still has something to say about how this money is spent. Let me ask Senator Wick...Senator Brashear a question.

SENATOR WILL: Senator Brashear, would you respond?

SENATOR BRASHEAR: Yes.

SENATOR CHAMBERS: Senator Brashear, under the bill as it exists now, 1368, the company alone would determine how this money is spent, isn't that true, the determination to be made by the company?

SENATOR BRASHEAR: No, the company would determine how to spend the money pursuant to a contract entered into with the state of Nebraska and the contract obviously, as you well know, has to be in accordance with statute.

SENATOR CHAMBERS: But, Senator Brashear, LB 829 also talks about an agreement that the employee enters with the company, but the statute provides that how the money will be spent will be determined by the company and the employee. So I'm not willing to throw that out and say you hope that some kind of agreement that is entered into with the state, which is already knuckling under to Union Pacific, is the one who will look out for the employee. Why can we not put into this bill the same language in 829 that says the employee and the company will make this determination. I'm asking you this question, why should we not put that language in 1368 so that it tracks the language of 829?

SENATOR BRASHEAR: We should not put that language in because it defeats the very purpose of the alternative methodology that 1368 contemplates and that is that there will be no direct agreements between individual employees and the employer in respect of federal labor law,...

SENATOR WILL: One minute.

SENATOR BRASHEAR: ..the collective bargaining process which requires that employers who are collectively organized not bargain directly with their employees.