

SENATOR CHAMBERS: Now, how about putting language in, since you're concerned about both those who are collectively organized and those who are not, put in your bill that the determination will be made by the company and the employee...

SENATOR WILL: One minute.

SENATOR CHAMBERS: ..or employees pursuant to a collective bargaining agreement? Then we cover both of them. How about putting that in your bill so it's clear that if these employees are collective...are bargain...are collectively organized they are entitled under this law to have something to say about how this money is spent instead of putting an assertion in the bill which could indicate that it removes it from collective bargaining, because we already stated that the company makes the determination? Do you think that a collective bargaining agreement can nullify a statute?

SENATOR BRASHEAR: No, of course not.

SENATOR CHAMBERS: So by just putting a period after this, that the company shall make the determination, it will be determined by the company, then it means that even if there's a collective bargaining agreement that agreement cannot change the determination by the company because they are foreclosed by this language...

SENATOR WILL: Time.

SENATOR CHAMBERS: ..of having anything to say.

SENATOR WILL: Thank you, Senator Chambers. Senator Schellpeper. Senator Chambers.

SENATOR CHAMBERS: Thank you. Thank you, Senator Schellpeper. Mr. President, members of the Legislature, instead of asking Senator Brashear these questions, because I think the issue is before us, here is the point that I'm making. If we set the minimum wage at \$4.25 an employer cannot say and the collective bargaining unit say, well, they're going to agree to work for less than that. In other words, they're going to nullify the statute. A collective bargaining unit does not have the power to amend or nullify a Legislature's enactment. We're the only ones who can do that. So if you leave this language, as Senator