

Brashear and those wily stalkers after credits, Union Pacific lawyers want, this is what we have. They talk, and it's on page 3, they talk about how this wage benefit credit money shall be applied. It says, "as determined by the company," period. Once the statute gives the company the unqualified authority to make the determination, a bargaining agreement cannot change that. The company can say this is how the money is spent. And you can say, well, we want to make you spend it a different way, and they say, go jump in the lake. And there it is. the company is given sole authority. So now here is what you look at. In 829 the language says when this money is to be spent. It says, "as determined by the company and the employee." That's LB 829, Section 27, subsection (6), "by the company and the employee." Senator Brashear said that he does not want to put that language "and the employee" in this bill because these employees are unionized and the company, when there is a union, cannot deal with individual employees, although they can pull spies out and agents provocateurs from them, but, at any rate, for this purpose they cannot enter into an agreement with the employee. So here's what I was asking. Put the language so that we cover those who are not unionized, we say, "determined by the company and the employee" and for those who are unionized we add "or employees pursuant to a collective bargaining agreement." Where's Senator Brashear? Well, anyway, even though...okay, I don't know if he can get back to his mike in time in the time that I have left, but, Senator Brashear, what would be wrong with putting into this law an acknowledgement that the bargaining unit should have the right to join the company in determining how this money is spent? They make that a subject of their bargaining agreement. What's wrong with that?

SENATOR WILL: Senator Brashear, would you respond?

SENATOR BRASHEAR: What's wrong with that, Senator Chambers, is that you are so encumbering 1368 as to make it...as to make it impractical and impossible for utilization in a realistic way as an economic development tool and, with all due respect, sir, it's unnecessary. You and I know that if the determination can be made by the company and the statute empowers the determination by the company then, through its normal processes, the negotiators, those who sit down to resolve differences, can put matters on the table and, by negotiation, compel something. We are entering into an arena it's not necessary for us to enter in as a matter of public policy and...