

April 10, 1996

LB 693, 1076
LR 343

SPEAKER JANSSEN: Then they don't get their retirement, if they can't work.

SENATOR WICKERSHAM: They have to prove that they are entitled to it. If it is one of those things, there is a presumption that they are entitled to it and the city has to prove that they are not.

SENATOR JANSSEN: All right, thank you, Senator Wickersham.

SENATOR WICKERSHAM: Is that clear, as clear as mud, right?

SENATOR JANSSEN: No, you answered a few questions for me. Thank you very much, and I did not support the amendment last week, and I will support the return to Select File. Thank you.

SPEAKER WITHEM: Okay, thank you, Senator Janssen. While the Legislature is in session and capable of transacting business, I would propose to sign and do sign Legislative Resolution 343. Mr. Clerk, are there any items for the record that you'd like to read in at this time?

CLERK: A confirmation hearing report from the Transportation Committee, Mr. President, and your Committee on Enrollment and Review reports LB 693 as correctly engrossed. That's all that I have. Thank you. (See pages 2016-19 of the Legislative Journal.)

SPEAKER WITHEM: Senator Hilgert.

SENATOR HILGERT: Thank you, Mr. Speaker, members. I don't profess to be an expert on this and I don't profess to be a doctor, but I supported Senator Will's amendment and I would encourage the body not to return. If the only thing we are going to do is delay implementation for a year, it seems to me that if some of the claims are so ridiculous and baseless in science and so forth, that it shouldn't be too difficult for the municipality to defend against this and to take it apart, even though that there is a prima facie level of evidence. We talk about unfunded mandates, but what about the unfunded mandate on the firefighter? If the firefighter incurs cancer because of some of the service-connected disabilities and he is unable to recover, or she is unable to recover, that's...I think that's probably a heavier mandate than perhaps an unfunded mandate as