

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

May 15, 2003

LB 320

system, we need to fix the problem. As a matter of fact, the problem has been going on, in my opinion, too long without fixing. So my amendment doesn't have anything to do with that. But there was an amendment added on General File that improved the benefits in the judges' retirement system, and I think that that improvement is inappropriate for this time and place and inappropriate considering the relative contributions of the judges and the taxpayers. And what the amendment seeks to do is to simply back out that General File amendment and leave the committee bill, with the committee amendment, exactly the way it was presented first on the floor. The committee amendme..t that I'm back...or not, excuse me, the amendment that I'm backing out did two things. It improved judicial salaries with respect to benefits to a spouse; and it provided for early retirement of judges, made a more favorable program for them in terms of early retirement. Those are the two things that it did. Now, I passed out to you a sheet that simply says "Unfunded Mandate" at the top, and that is to point out one of the basic reasons why I oppose this. It's because the cost on an annual basis of additional retirement benefits from this amendment are \$792,000 a year, and the increased employee contribution on an annual basis is about \$390,000 a year. So the cost to the taxpayer, to those that are producing the fees that feed this fund, is \$402,000 per year. So what we are doing is creating a \$402,000 liability that a couple of years into the future we will either have to increase court fees again or pay with General Funds this additional amount of money every year henceforth. I don't think at this particular point in time, and especially given the fact that the committee rejected, in committee, this proposal, they in fact had a bill in committee and chose not to bring it forth, all of the circumstances tell me that this is a totally inappropriate addition to benefits at this particular point in time. The committee's theory, as I understood it, was to not advance these benefits at this time; to wait and see if investment returns improved in the future; and then maybe to add the benefits in the future when investment returns were higher and we could afford to do it without taking more money out of General Funds or more money out of court fees. Why did the committee change its mind? I can only speculate, but you're going to start to hear about the fact that there's some court case out there that says that you cannot increase contributions