

SPEAKER NICHOL: Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, right now in Nebraska we have prohibitions against age discrimination which apply to all private employers and back in the 1960s we had some exemptions in the law and those exemptions were then eliminated. One of the exemptions that was in the law was for state agencies and municipal subdivisions and back in the '60's they eliminated that exemption and it was felt and believed by everybody who was involved in the process at that point in time that by eliminating that exemption then state agencies and political subdivisions were treated the same as private employers and would be prohibited from discriminating on the basis of age. However, the Supreme Court came along a couple of years ago and said, you did eliminate the exemption but by virtue of eliminating the exemption that doesn't mean that they were necessarily included because you didn't add them to the definition of employer. Although the legislative intent is clear, the language is simply not there. So the Supreme Court said that the Equal Opportunity Commission did not have any jurisdiction over state agencies or political subdivisions and they threw out a whole bunch of cases that were in the process over at the Equal Opportunity Commission. So the purpose of this bill is to simply amend the law and to put it in the form that the Legislature in the 1960s intended and that everyone thought existed up until this point in time and the effect would be to make public agencies the same as private employers with regard to age discrimination. Thank you.

SPEAKER NICHOL: Is there any other discussion on the bill? If not, the question is, shall the bill be advanced. All those in favor vote aye, opposed nay, LB 424. If you don't vote promptly we will bring Senator Landis back. Thank you. Record, Mr. Clerk.

CLERK: 27 ayes, 0 nays, Mr. President, on the motion to advance the bill.

SPEAKER NICHOL: LB 424 is advanced. We will move on to LB 469.

CLERK: 469, Mr. President, was offered by the Performance Review and Audit Committee and signed by its members. (Read title.) The bill was read on January 19 of this year, referred to the Appropriations Committee for hearing, advanced to General File. I have no amendments, Mr. President.