

February 6, 1980

LB 44

to Senator Kelly because I feel like I am being cheated a little bit here. I talked to Senator Maresh about this amendment before this bill was on General File and at his request I took the amendment off on General File to address it on Select File. So, I assume...well, I will leave it at that.

SENATOR MARSH: Lights off unless you wish to speak to this amendment. Senator Murphy, you may close.

SENATOR MURPHY: I would waive any closing, Madam President.

SENATOR MARSH: (mike not activated.) ...to vote on the amendment to the amendment which will take 25 votes. Have you all voted? The Clerk will record.

CLERK: 28 ayes, 1 nay on adoption of Senator Murphy's amendment.

SENATOR MARSH: The amendment is adopted. Senator Goodrich.

SENATOR GOODRICH: Madam Chairperson, or whatever, members of the Legislature, I rise in opposition to the Beutler amendment and I do it for basically the same reasons as have been cited because it is adopting a cost of living increase. Senator DeCamp covered the tentative nature of the cost of living index itself plus the fact that in the history of the governmental units such as New York where they are getting themselves into difficulty, it is because in their retirement systems, for example, they put in cost of living clauses. It is politically popular to do so. The only trouble is that is where you lose control of the cost of any program. It is because you gave away the control you had of the cost. You just automatically set a cost of living index in there. That got rid of it as far as we are concerned. That is very true but we no longer have any control of the cost any more. In the Retirement Committee, for example, we have been diligently fighting off an half a dozen attempts to build in cost of living clauses in retirement systems. We have been fighting those particular efforts because of one thing. That literally loses control of the cost of any program and it is for that reason that I am suggesting we not adopt the Beutler amendment, mainly because, in fact, that is why it is. It is a cost of living clause being put into something which sets a precedent and of all people, for example, an attorney for example, Senator Beutler would know that precedent establishes a lot of case law in the first place and it paves the way for adopting cost of living clauses in other areas and I wholeheartedly suggest we not do that, we keep control so we will have to let Richard come back every

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