

February 25, 1980

LB 628

advance or after he discovers he is going to need it on final.

SPEAKER MARVEL: All right. Do you wish to make a motion to advance the bill?

SENATOR CHAMBERS: Members of the Legislature, I move that LB 628 be advanced.

SPEAKER MARVEL: Senator Murphy, your light has been on and your hand has been up. I recognize you.

SENATOR MURPHY: Not only that but I am awake and on my feet, which in itself is rare. A question of Senator Chambers, if I may. Senator Chambers, I have a situation in specifically Wayne County. The county provides quarters, a residence for the sheriff. I am not able to find in the bill any latitude or any guidelines for computing the value of that residence as against salary and I am wondering if there is something there I am not seeing.

SENATOR CHAMBERS: Senator Murphy, I believe that the county board can establish with its sheriff by agreement that anything given by way of compensation goes toward the establishment of the minimum salary. But I think even if the county board didn't do that, the IRS can determine whether something is given by way of compensation and if it is, it's income. However, Senator Vickers does have an Attorney General's Opinion requested right now on that very point.

SENATOR MURPHY: Would you say that it would be well, Senator Chambers, if we would incorporate by amendment and I would encourage you to do so, to state in the bill that the sheriff and the county board may, by agreement, arrive at the value of whatever be it, quarters, beer, whatever is furnished, so that there isn't just a void in the bill in that regard?

SENATOR CHAMBERS: Senator Murphy, because I think they can do it right now and I believe the Attorney General will confirm it, I would rather move the bill, and then if the Attorney General's Opinion is negative, I would make the motion to return it to add such an amendment. But I want it moved in order that it won't be delayed to death. I promise you I would make the motion to return the bill if the Attorney General's Opinion is negative.

SENATOR MURPHY: You don't feel really that the Legislature needs to be specific in this instance?

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