

SPEAKER MARVEL: The motion carried. The bill is advanced. Okay, the next order of business is LB 288.

CLERK: Mr. President, if I may, before that I would like to read in some matters. Your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 125 and recommend that same be placed on Select File with amendments. Your committee on Constitutional Revision and Recreation whose chairman is Senator Labeledz to whom is referred LB 138 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; 531 General File with amendments. Your committee on Constitutional Revision gives notice of cancellation of hearing and Revenue sets hearing for March 3, March 4, March 9, (Signed) Senator Carsten, Chair. (See pages 645-646 of the Journal.)

Mr. President, LB 288 was introduced by Senator Myron Rumery. (Read title.) The bill was read on January 19. It was referred to the Nebraska Retirement Systems Committee. The bill was advanced to General File. There are committee amendments pending by the Retirement Committee, Mr. President.

SPEAKER MARVEL: Senator Fowler.

SENATOR FOWLER: Mr. President, I move adoption of the committee amendments. The bill was brought in to enable members of commissions who are beyond the retirement age to receive a per diem. Now we are not talking about state employees as such. We are talking about people that serve on advisory boards and committees and so on. Because of an interpretation of state law, the Department of Administrative Services, although it would pay expenses to such commission members, would not pay a per diem even if it was authorized by law if the person was over 72 years of age which is the mandatory retirement age. Senator Rumery brought the bill to the committee based on a concern with regards to one commission but this could apply to any commission that pays per diems. The committee amendment basically picks what we think is the most appropriate section of the statute to provide the exception to the retirement age and basically what we are saying is that if you are a member of a commission, not a regular employee, but a commission member you can receive an authorized per diem even if you are over the mandatory retirement age, age 72. The committee amendment becomes the bill. It is essentially the same concept. It is just probably a more appropriate place in the statute, so I would move for adoption of that amendment.

SPEAKER MARVEL: Senator Rumery.