

includes Lancaster and Douglas County, it includes MUD, and it includes the school employees that previously were not included under a bill we passed last year, LB 218. LB 218 provided for state employees, county employees, State Patrol, judges and the Omaha school employees, each of those individual systems to go under this employer pickup provision. The same provision is provided to private employers and is utilized by private employers. A few years ago the IRS said well it's not fair to give them that tax break in the private sector and not give the same tax break to the public sector employees. So they made the change and allowed for the states and systems to do this. As the State Retirement Committee and the Legislature, overseeing these different systems, we have to authorize them to participate. We've authorized almost everybody last year, and left some exceptions because they were thinking about whether they wanted to do it. Now the school board, school employees have come to us and said we've looked at it, we like it, we want to do it, we want this bill. Then the counties have come to ask for authorization. MUD has come for authorization. The municipalities have come for authorization. So we have provided for them their request through LB 353. So I think the answer is simple, Senator Lamb. It is clear in my mind that we need to have the bill as constituted now, and your amendment would eventually...if you did that there is no way the school employees could participate as every other employee will under this employer pickup plan.

SPEAKER NICHOL: Senator Haberman, then Senator Harris.

SENATOR HABERMAN: Mr. President, members of the Legislature, Senator Wesely, would you respond to a question, please?

SPEAKER NICHOL: Senator Wesely, would you respond, please. Senator Wesely, would you respond, please.

SENATOR HABERMAN: Senator Wesely, if the word "shall" was changed to "may" would the schools still be able to participate along with the rest of the governmental subdivisions, or not?

SENATOR WESELY: No, if it isn't mandatory...you have to come in with everybody in your system under this, or you can't get under the IRS ruling.