

January 22, 1973

UNIDENTIFIED: I agree with Senator Nore -

SENATOR NORE: It's just a matter of courtesy that some of these things, that we could be, we would know what was going on and that they bring it before the body, it would be much more efficient. It wouldn't take very long to do that.

SPEAKER: Gentlemen, excuse me, but Senator Carstens has been asking for the floor here for some time, Senator Carstens.

SENATOR CARSTENS: Mr. President and members of the legislature, while they were talking about this subject, about the Executive Board, I think there is a great deal of misunderstanding about the Legislative Council. It's purpose and duties and the Executive Board or the Legislative Council, and over the week end, now we talk about research, getting research help and all this and that, basically the big researchers is each individual member of the legislature. I would recommend to the members of legislature, now most of you have access, I think you all have access to these mysterious red books called statutes. I have a copy in my hand. This is a 1972 supplement which contains all of the legislation which we passed in 1972. Now in 1972, we passed a bill which I happened to sponsor LB 1129, which remade the composition of the members of the Executive Board. Not only the numbers but how they were selected. Now I want to recommend to your reading for you to pursue this a little bit, so that when we get up, you see these things in the paper that Senator Nore mentioned, when we get started on this, that each one of you knows and is standing on the same footing so that we know what we are talking about, when we are talking about the powers of the Executive Board. In section 50-401.01, is outlined the legislative council, executive board members and selection. Now the final line of that bill is as follows, "The Executive Board shall supervise all services and service personnel of the Legislature, The Legislative Council shall occupy and maintain offices in the State Capitol." That's the powers and duties of the Executive Board. Now we read about pronouncement, about getting authorization from the Executive Board to carry on investigations which in my humble opinion we have no business to engage in, and I do not believe that the Executive Board has any power at all to confer upon any committee or any member or anybody in the legislature power to carry on investigations. It would disrupt the legislative functioning completely if we were permitted to do this, but the legislative council of which each member of this legislature is a member, as a member of the legislature, now which you should also check in Section 50-405 or you start with 402, 50-402 and following sections, then if you read these things and understand what the legislative council is set up for and what the legislative board is set up for and what the concurrent and separate powers of each are, then we can at some future date when this matter comes up for discussion we would all stand on even footing and know what we are talking about. I would also urge everyone of you who has not done so, lately, to read Article 3 of the constitution and particularly sections 11 and 26, this is the powers of the legislature, this is the constitutional powers of the legislature, and I believe if we start in doing this once, we would soon find that we don't have to come here and remain in the dark and we would have when we make these decisions as their going to come up in the future, because I intend to raise some of these questions, and I think we would all, the whole thing would be in an atmosphere of friendliness and cooperation and understanding.

SPEAKER: Is there any further discussion? If not we will proceed to general file, we'll pass LB 39, because Senator Carpenter is not here and proceed to LB 10, I believe that's Senator Stahmer's bill and if you are ready to proceed on that Senator Stahmer the clerk will read the title.