

February 22, 1977

LB 410, 230, 277  
LR 11

consent to expedite the bill.

SPEAKER LUEDTKE: Is there any objections? If not, so ordered that LB 410 will be expedited.

CLERK: Mr. President, your committee on Public Works to whom was referred LB 230 instructs me to report the same to the Legislature the recommendation it be advanced to General File as amended; LB 277 indefinitely postponed. Signed Senator Kremer, Chairman.

SPEAKER LUEDTKE: Senator Simon, will you turn off your light. I didn't think you wanted to be called on.

CLERK: Mr. President.

SPEAKER LUEDTKE: Proceed back to the resolution which is on your agenda.

CLERK: Mr. President, there is a Legislative Resolution #11 found on page 506 of the Legislative Journal introduced by Senator DeCamp and Senator Boughn. Read resolution.

SPEAKER LUEDTKE: The Chair recognizes Senator Boughn.

SENATOR BOUGHN: Mr. President, members of the body, I rise to address myself to the Legislative Resolution now under discussion which refutes the January 14th, 1977 memorandum from Director Jack M. Cleavenger informing Department of Public Institution employees that they may not attend legislative committee hearings unless they have been invited to do so by the committee. This memorandum is a vehicle to control the individual citizen. It does not merely control his movement into the committee room but, by denying him the right to attend, it means that he can in no way express himself verbally or in writing on what transpired therein because he is forbidden to enter an assemble. The fundamental law of our land and historical heritage of free people stand outraged by such an abrogation of freedom. A brief historical resume will bring into focus for us the centuries old struggle and emphasis upon the rights we are discussing here today. The Declaration of Independence in 1776 cried out in protest against the despotic English king who dissolved the Colonial Legislature because they dared to speak out freely against him. This great document, as the room of our freedom, mandates an absolute denial of the exercise of arbitrary power by any govern. Censorship and control of an individual's movement and action are an exercise of arbitrary power. The Constitution of Massachusetts in 1780 revealed its determination to governmental oppression when it stipulated that a free press, freedom of speech, deliberation and debate and the right of people to assemble would be assured. This early State Constitution thereby set a precedent in guaranteeing basic freedoms. That precedent was faithfully followed throughout the years by the other states forming their Constitutions. The Nebraska State Constitution followed suit in Article I, section 5 and 19, specifically insuring the right to assemble, to speak and to write as one so desired. That great document of fundamental law, the Bill of Rights, ratified December 15th, 1791 safeguard the right of assembly, the right of free speech and the

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