

February 28, 1980

LB 986

some vote on the Murphy amendment to return to committee and then we can really go to the bill.

SPEAKER MARVEL: Okay, then your suggestion is that we confront the Murphy amendment and then come back to you to discuss the committee amendments?

SENATOR GEORGE: Yes, and I wish that that detailed question on the bill would come later so that we can discuss the bill when it is up for discussion.

SPEAKER MARVEL: Okay, we are now....we are on the Murphy amendment to the bill. Is there any further discussion on the Murphy amendment? Senator Koch, do you wish to discuss the Murphy amendment?

SENATOR KOCH: Mr. Speaker, I move the previous question.

SPEAKER MARVEL: The previous question has been called for. Do I see five hands? I do. All those in favor of ceasing debate vote aye, opposed no. Have you all voted? The motion is to cease debate. Do you wish to cease debate on the Murphy amendment? Have you all voted? Record.

CLERK: 25 ayes, 0 nays to cease debate, Mr. President.

SPEAKER MARVEL: Okay, debate has ceased. The Chair recognizes Senator Murphy to close on his amendment...his motion to return, okay. Senator Murphy.

SENATOR MURPHY: I think those who have spoken in opposition to taking this back to committee have emphasized what is really happening. Senator Wesely, bless him, feels that expediency is the answer, notwithstanding the fact that the law is not only constitutionally unsound, that it defies interpretation and that it can create an ultimate tremendous liability for someone. When this Legislature gets to the point where it has to be that expedient, we had best dissolve it. I cannot believe that you as members of this Legislature will accept and put into place a law that bears undefinable liability for the people who supposedly it is going to help. I have had a call from an attorney who said, once we have dealt with this law he plans to file a constitutional suit. I don't think we should make that burden necessary on the citizen. This law is in plain terms a mess. It needs to be brought back to committee and clearly, precisely stated and then brought back for your consideration, not to come at you saying, we hereby adopt sections 18-2101 through 18-2146, and we have swallowed it whole. I ask you,