

SPEAKER BAACK: Thank you, Senator Hall. Senator Ashford.

SENATOR ASHFORD: Thank you, Mr. Speaker and members, and I stand in support of the advancement of this bill. And I appreciate Senator Hall's talk and I would love to have the opportunity to debate this issue with him for a longer period of time, but we don't have that much time, obviously, and we're limited. But I just disagree with him, absolutely, totally disagree with him on his interpretation of Nebraska law. Now we can debate amongst ourselves whether or not this is a proper place, whether Senator Chambers has met his burden to show you that there needs to be some intervention in the collective bargaining process in the City of Omaha and that's his job because he has brought this bill to you. But the state law in Nebraska clearly, and has since the creation of the Commission of Industrial Relations of which I served as a member, has clearly established that the state can and should and in some cases must intervene in the process of labor relations between public employers and employees. And I say this with a sincere belief in the collective bargaining process and I've been involved on both sides of the issue and it does work. In most cases it works, and I believe in it as a tool of bringing labor organizations and employers and the public sector together. But the Constitution of the State of Nebraska, Article XV, Section 9, says this. It says laws may be enacted providing for the investigation, submission and determination of controversies between employers and employees in any business or vocation affected with a public interest and for the prevention of unfair business practice and unconscionable gains in any business or vocation affecting the public welfare an industrial commission may be created. So our Constitution, I believe we may have the only Constitution in the United States that actually gives to the Legislature constitutional authority to intervene in this process of industrial relations in the public sector. And then in the statutes that set up the Commission of Industrial Relations, which is the...creates the background and the bedrock for these negotiations, it says at Section 48-802, the continuous uninterrupted and proper functioning and operation of a governmental service, including governmental service in a proprietary capacity and of public utilities and so forth and so on, whether natural, artificial, water service or any other or more of them, to the people of Nebraska are hereby declared to be essential to their welfare, health and safety. It is contrary to the public policy of this state to permit any substantial impairment or suspension of the operation of