

March 29, 1979

LB 438, 510

SENATOR NEWELL: I will.

SENATOR MURPHY: Senator Newell, a couple of questions. One, we are creating now a court authority for the City of Omaha to do what the Equal Opportunity Commission currently has court authority to do. Is that right?

SENATOR NEWELL. It is very similar, Senator Murphy.

SENATOR MURPHY: So now we have got another two layered go at this thing. Additionally you have stricken the word "shall", saying that the EOC shall refer cases to Omaha inasmuch as we have given them total authority. Now you say "may" so that they can both run their fingers through this thing and sift out what they want and what they don't want and I have a further question as to what you mean when you say, they shall be granted other equitable relief. What is other equitable relief? What is the court going to come down with on me in the name of equitable relief?

SENATOR NEWELL: I appreciate very much the question, Senator Murphy. I wish I had, in fact, an answer. I do not but I think that is an excellent question and I can't answer that.

SENATOR MURPHY: All right, in the name of expediency and hoping where this bill will go, I will forego it until another day but I would appreciate knowing what was intended with that phrase and hopefully we won't get into this kind of a duplication of duties and authorities. Let's fix them one place in this state and let it remain there so that somebody has an idea where he is going to get hit next.

PRESIDENT: Any further discussion? Senator Newell, do you have any closing?

SENATOR NEWELL: I move the advancement of the bill.

PRESIDENT: All right, the motion before the house is the advancement of LB 438 to E & R initial. All those in favor vote aye, opposed nay. Have you all voted, the advancement of LB 438? Record the vote.

CLERK: 26 ayes, 2 nays, Mr. President, on the motion to advance.

PRESIDENT: Motion carries. The bill is advanced to E & R initial. Next bill on consent calendar is LB 510.