

April 3, 1979

LB 143

to have due process and that simply if they have a dispute on a utility bill why they have the right to go before certain individuals and have that hearing process. Now I can't understand how we are going to allow for certain individuals to say you have the rights, you have the rights in eastern Nebraska for due process, but, no, anybody else does not have the right to due process. I think it is unconstitutional at the very least to say that there are second class citizens in Scottsbluff or an arbitrary line drawn west of Lincoln is ludicrous. If Senator Nichol opposes the bill, let him put it straightforward on a kill motion. I strongly reject the Nichol amendments and urge the body to do likewise.

SPEAKER MARVEL: Senator Koch.

SENATOR KOCH: Mr. Speaker, a question of Senator Nichol if he would yield. Senator Nichol, when you, your amendment again says to what, to strike villages, second class, first class cities?

SENATOR NICHOL: That is right.

SENATOR KOCH: Any other cities you want to strike?

SENATOR NICHOL: No. Omaha has the problem, as I understand. Maybe Lincoln has a problem, I don't know. I have no objections to your correcting the problem (interruption).

SENATOR KOCH: What you are virtually doing then you are leaving the metropolitan, primary cities is the only one to fall under the intent of this bill, aren't you?

SENATOR NICHOL: Correct.

SENATOR KOCH: Because Nebraska has virtually all first, second class, village types of communities?

SENATOR NICHOL: Right.

SENATOR KOCH: And you are saying that out of those communities of second class city that there may not be a case where due process is needed?

SENATOR NICHOL: I don't know that it is needed.

SENATOR KOCH: How large is a second class city in terms of population?