

May 10, 1979

LB 586

SPEAKER MARVEL: Senator Newell, Senator Duis wishes to ask you a question.

SENATOR DUIS: Senator Newell, are you doing this or trying this because of the University of Nebraska?

SENATOR NEWELL: Not completely. I am trying this for many, many people. The problem has been, and I have been a very outspoken opponent of these discretionary plans.

SENATOR DUIS: Okay, just yes or no.

SENATOR NEWELL: No.

SENATOR DUIS: Thank you.

SPEAKER MARVEL: Senator Marsh, do you wish to be recognized and then Senator Kelly?

SENATOR MARSH: Mr. Speaker and members of the Legislature, I feel that it is very important that LB 586 be advanced today. I think legislative intent was very clearly spoken onto our permanent records. I feel that Senator Newell can accomplish what he wants to accomplish by the method and I would be very hesitant to bring LB 586 back for any amendment at this time.

SPEAKER MARVEL: Senator Kelly.

SENATOR KELLY: Mr. Speaker, members of the Nebraska Unicameral Legislature, it was referred to Senator Warner being an old head. I would prefer to say an experienced chairman, however, Senator Newell, if you want to do this, you had better write it into law, because even when it is written into the law, if the agencies don't want to do it, they don't read very well and so they have to have some attorney opinions of whether they are going to do it or not and then may decide that it might be unconstitutional and so, therefore, they don't have to do it at all until now we get into Murphy's law, but don't depend in any way on what we have said on the floor that goes on that tape. If we want to do this, write it into law, and if we don't, then don't write it into law but don't depend on anything called "intent". That wouldn't amount to a hoot until it got to Supreme Court, and by then it is an appropriation bill and it would be dead anyway. Support Senator Newell's amendment.

SPEAKER MARVEL: Senator Warner, do you wish to be recognized again?