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LB 446

SENATOR DWORAK: Mr. Speaker, haven't we already voted on this this morning? Is this not out of order to be discussing this now? Isn't this a reconsideration?

SPEAKER MARVEL: No.

SENATOR DWORAK: Well I am going to speak in opposition to Senator Koch on this particular amendment. How soon we forget Proposition 4, Senator Lamb, when we were all amending last summer, how deceptively worded that particular ballot proposition was and what kind of games were played by this body. Yes, we have a power but we have abused that power. Now whether the final solution is to take it out of this body or not, I don't know. That may not be the final solution but I think the point of the matter is the reason this issue is before us right now is because we abused it last year and I think you all recall that particular constitutional amendment and there wasn't anything wrong with that constitutional amendment. It is the way it was presented and the way the description was written and put on the ballot that came out of the Executive Board of this body. I think I remember the Governor saying that he would very aggressively support taking that away and putting it with another party. I believe some other people spoke very loudly on this issue last summer in this body as to what a sham that descriptive wording of that constitutional amendment was. Now the problem as I see it, and I am going to start waffling here because I have to waffle to remember to maintain an intellectual integrity, is that I am not so sure that the office of the Attorney General is any better or any worse than the Executive Board of this body. In fact, I am inclined to believe that maybe there is more political accountability with the Executive Board of this body than the Attorney General. There is only one problem on the other side. We become very emotionally involved in these issues and if a particular segment of the Executive Board happens to support one of these particular issues or oppose one of these particular issues it is very easy for them to use their influence to deceive the public. So I think when you look at the arguments pro and con on this a more neutral party may, in fact, be the way to go on this particular issue and as a result I am going to support the initial bill and oppose Senator Koch's amendment.

SPEAKER MARVEL: Senator Kahle.

SENATOR KAHLE: Mr. Speaker and members, I oppose the Koch amendment not so much on what has been said here this morning but this did come to the committee and to Mr. Beerman through the public and also a number of senators from this body who were unhappy with not just what was done last year.