

March 19, 1981

LB 179

PRESIDENT: Just a minute, Senator Chambers, we are going to try to get some...I can't hear up here hardly (gavel). Let's please have some order so we can hear the dialogue between Senator Chambers and Senator Lamb. Senator Chambers, do you want to proceed and attempt to get the dialogue going.

SENATOR CHAMBERS: All right. Is it your intention to make it possible by your amendment for an official or an employee to just disregard the law and make the political subdivision have to pay the cost of a mandamus action?

SENATOR LAMB: No, absolutely not.

SENATOR CHAMBERS: So if we have a situation then where the law is pretty clear, then it would be your intention that an official or an employee would disregard that directive at his or her own peril?

SENATOR LAMB: Right, absolutely.

SENATOR CHAMBERS: And if it would be found that the law was clear in its requirements, would it be your intention that this type of disobedience would not be considered reasonable or good faith?

SENATOR LAMB: That is correct, Senator Chambers.

SENATOR CHAMBERS: With that into the record I will ask unanimous consent to withdraw my amendment.

PRESIDENT: The amendment to the amendment is withdrawn, Senator Chambers. Thank you. We will now proceed with the amendment itself. Is there any further discussion on the amendment itself? Seeing none, Senator Lamb, do you wish to close?

SENATOR LAMB: No closing. I believe it has been sufficiently discussed.

PRESIDENT: All right, the motion then is the adoption of the Lamb amendment to LB 179. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 30 ayes, 0 nays, Mr. President, on the adoption of Senator Lamb's amendment.

PRESIDENT: The motion carries. The Lamb amendment is adopted. Any further amendments on the bill, Mr. Clerk?

CLERK: Senator Lamb moves to amend by adding the emergency clause.