

April 8, 1981

LB 249

SENATOR CULLAN: Mr. President and members of the Legislature, I would like to urge you to vote for the...and I move for the advancement of LB 249 and I would like to urge you to support the advancement of this bill. What LB 249 does is to make the Department of Health a code agency so that the Governor of the State of Nebraska is responsible and assumes the responsibility for hiring and firing the Director of the Department of Health. It changes the function of the Board of Health to be advisory in many capacities although they would retain their current statutory authority now with the committee amendments over the Bureau of Examining Boards. This bill was initiated by myself. The Public Health and Welfare Committee did conduct an interim study and did take a careful look at the structure and the various functions of the Department of Health two years ago. It is interesting that after that study and after the analysis which I have undergone and the study I personally conducted of the Board of Health that I reached the same suggestion that the Governor's Task Force did as far as this particular agency is concerned. The Governor's Task Force has recommended that the Department of Health be a code agency. I would point out that I did not introduce this bill on behalf of the Governor, but I introduced this bill on my own initiative, although it does directly implement that position of the Governor's Task Force. So it is important, I think, and interesting that both of us came to the same opinion and conclusions as far as organization of this particular department in state government is concerned after separate and independent analysis. I believe the philosophy in LB 249 is a very simple one. We are simply talking about political science and the way that the State of Nebraska should structure its executive branch. The concept is as simple as the three branches of government, legislative, executive and judiciary. It is my opinion that the executive branch in the State of Nebraska today is threatened by government by independent commission. The people of the State of Nebraska hold the Governor of the State of Nebraska responsible and accountable for the operation of the executive branch of state government, yet we deny through the way we have organized many branches of state...many aspects of the executive branch, we deny the Governor the authority to carry out those responsibilities commensurate with the duties or with the expectations that the people have that the Governor will indeed be responsible to the executive branch. We deny the Governor policy making authority and personnel decisions by operating under so many different commissions and boards. The issue is one of who is accountable, and we have often heard that...