

May 11, 1981

LB 548

don't have to make an amendment.

SENATOR CLARK: They are not involved, no.

SENATOR HIGGINS: Thank you.

SENATOR CLARK: The question before the House is the adoption of the first portion of the divisible amendment of the Soukup amendment. All those in favor vote aye, all those opposed vote nay. It takes 25 votes. We are voting on the adoption of that portion of the Soukup amendment. Record the vote.

CLERK: 26 ayes, 11 nays on adoption of the committee amendment as amended, Mr. President.

SENATOR CLARK: It is adopted. Now the first part of the amendment. The Call is raised.

CLERK: Mr. President, I have a motion to the first part of the committee amendments.

SENATOR CLARK: Read the motion.

CLERK: Mr. President, Senator Vard Johnson moves to amend the first part of the committee amendments by deleting lines 20 and 24 on page...that's page 2, is it not, Senator? Okay, thank you.

SENATOR CLARK: Senator Johnson.

SENATOR V. JOHNSON: Yes. Mr. Speaker and members of the body, my amendment deletes lines 20 through 24 on page 2 of the committee amendments. My amendment raises what I think is a very interesting and important policy question for the State of Nebraska. I was going over the handout presented to us by the Business and Labor Committee on this particular claims bill, and on page 9 I came to a description of one of the claims, Claim #181 to Warden Robert Parratt and Deputy Warden A. V. Nance, and the claim is for \$2,903.50. My amendment would eliminate the allowance for this claim. Now, according to the description the claim is for indemnification against a judgment that was taken against the Warden and Deputy Warden, a judgment rendered by the U.S. District Court for the District of Nebraska. According to the description, in this particular case the plaintiff who was an inmate of the Nebraska State Penitentiary and was transferred to the Adjustment Center for discipline purposes when a guard allegedly found a needle and syringe in the plaintiff's cell. The court