

January 13, 1982

LB 410

Attorney General, Clarence Meyer served as one of these hearing officers for the Nebraska Appeal Tribunal and he describes his feelings about this bill. "Here enclosed a copy of LB 410 which seeks to restore the independence of the Appeals Tribunal. I am fully in accord with the purpose of your LB 410. Shortly after leaving the Air Force in World War II I became the Chairman of the Appeals Tribunal and served in that capacity for three years until joining the staff of the Attorney General, James Anderson, in 1949. During all of my service the Tribunal had complete independence from any and all of the people who handled the day to day administration of the Employment Security Law. Those administrative people received their advice from the general counsel, which was proper. Presumably, they followed his advice in presenting their testimony, but when they appeared before the Tribunal they were treated as any other witness and had to justify their position in the testimony. Certainly the Appeals Tribunal should not be placed in the position where it had to justify its position to the general counsel." And I am seeking to have Clarence Meyer's opinion as well as my own perception as to what is fair returned to the status of law which it had for 35 years prior to its administrative change. I would seek the approval of the body to do that. I would also like to bring this back to the body. Just a couple of days ago there was some concern about the green copy language in its change to the white copy language from some of the members of the floor and some interested parties in the lobby, one interested party in the lobby. I have talked to every interested member on the floor and to the representative in the lobby and they agree that General File is not the place to have any conflict, that they are willing to see this go over to Select File, that at this point there is no direct opposition to the bill, and that I have made a good faith gesture or offering that in the event any language in the white copy, which is now agreed to, provides those Senators or that lobbyist with difficulty, I will negotiate those points prior to Select File consideration, and with that offer having been made, all objections to the bill on General File were dropped. I would move the advancement of LB 410.

SENATOR NICHOL: Senator Cullan.

SENATOR CULLAN: Mr. President and members of the Legislature, I rise to support Senator Landis in his effort on LB 410. I listened to his presentation and I had read the bill earlier. I think that the current situation would be analogous to having a district judge officed with Marty Cannon as a trial attorney in Omaha or something. It just doesn't work for a