

April 16, 1982

LB 404

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I am going to paraphrase a statement they usually make about economists. If you took all the economists in the world and laid them end to end, they couldn't reach a conclusion. Somebody added, and if they could manage to reach a conclusion, it would probably be wrong. Now that is true with reference to economists. It is true with reference to those trained in the law if you exclude me out. Now this is one of those issues where I think there can be a genuine difference of opinion because you must interpret language in the statute, in the Constitution and in the court decisions. So your vote might not be based strictly on what you hear anybody say by way of argument but it should be taken in conjunction with your own evaluation of the language as you understand it. Here is what I think is ironic about Lieutenant Governor Luedtke's position. At the tail end of last session he got in trouble for ruling that a bill had passed which had not. What is the impact of requiring 33 votes and then 33 votes not being obtained? He would have to rule that a bill was not passed, which in my opinion, in fact, would have been had it gotten at least 25. So he manages...he manages to put himself into the middle of all kinds of controversial situations. But one thing I will say about him, and this is no bull, he will take the bull by the horns although sometimes he gets gored in the process. But on this particular issue I do disagree with Senator Beutler and agree with the Chair. We had a Court of Industrial Relations, I believe that's what it was called, then they changed it to a commission, and I had argued that regardless of the name that you give it, with it performing those functions, it nevertheless is a court. And I think it was determined that the Legislature could declare that a court was just a commission. I don't remember how many votes had been obtained, but the argument we are having now did not really take on the significance in that discussion that it is taking in this one. If the 33 votes are not obtained that might give the Governor an excuse to veto this bill by saying that he thinks that 33 votes are necessary since they were not obtained, the bill, in fact, did not pass so there was nothing for him to do except return it without his signature and without vetoing it but just giving it back because it was not, in fact, legally passed, and this is deja vu, it seems like I have been here before. But this time I am on the side of the Chair, so I think that should indicate pretty conclusively that the Chair is correct. That is all that I have to say because it is going to boil down to how you interpret the language that will bear on this issue. I think 25 votes will be sufficient and I am going to vote for the bill, and I think 25 would be all that we would need.

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