

November 5, 1981

LB 7

and absolutely germane to the purpose of the call. We were looking at ADC. We were looking at the needs of the unborn child. We were looking at the needs of the mother and we made an amendment. The Attorney General's opinion says...it talks about spending.

PRESIDENT: One minute, Senator.

SENATOR V. JOHNSON: It says simply that an act such as the one we have just passed which authorizes additional benefits is clearly beyond the purpose of the Governor's call. Now as you may remember, Senator Hoagland, I believe it was, pointed out or was it Senator Beutler that pointed out that in fact you and I haven't increased benefits one iota. You and I haven't added any new benefits to the existing system. All you and I have taken the steps to do is in effect to preserve an existing system to allow benefits to continue as they have in the past. So not only is the opinion itself supported by no case law, supported by no reasoning, it is premised on a faulty factual basis, and this truly is one of those times when in the words of David Harum, that my mother used to like to read, you can say, "This is basic bunkum".

PRESIDENT: The Chair recognizes Senator Haberman.

SENATOR HABERMAN: Mr. President, I believe I will wait until the attorneys are through and then I will have a layperson's comment.

PRESIDENT: Defer to Senator DeCamp, Senator DeCamp, you are next.

SENATOR DeCAMP: Mr. President, of course, I kind of felt this way about five-thirty as you kind of maybe recall but I would like to maybe try to clarify the issue just a trifle. I think there are two separate issues and the one is the Attorney General's opinion that says our action is outside the call of the session, and I don't think there is the slightest, I mean not even a scintilla as they say in legal terms, of a chance that our action is outside the call, and there is a separate question and you debated that for almost a week in the committee, the amendments, the Senator Pirsch amendment, the Senator Labeledz amendment, so on and so forth, and that issue is whether what we are doing ultimately is in compliance with the federal law, whatever that may be, whether it is the best policy, the dumbest policy, or whatever. So question number one, which was the reason we really came back, has to do with whether this is outside the call. It is not outside the call what you have done. You would never