

SENATOR WARNER: Mr. President and members of the Legislature, I have a second amendment also up there which, not up there, but I may put up there, this amendment would strike all of Section 4. Section 4 is the section that sets up a Protocol Advisory Board. In addition, the amendment would strike the lines on page 2, the last sentence on that page, part of line 23, 24, and 25, and on the top of page 3 which is the completion of that sentence, which designates the Chairperson of the Protocol Advisory Board to serve as the unpaid officer until a replacement is appointed. The basis for striking the Section 4, which is the basis...guts of the amendment, are three things. Number one, I fail to see the necessity for an advisory commission in any event. We tend to set them up, sometimes rather indiscriminately. In lieu of that, the amendment as drafted up there would authorize the protocol officer to select such individuals as appropriate to assist in carrying out the functions. Now the reason for doing that is obviously there may be, as has been mentioned, a trade group that is only interested in the exporting or importing to that country, let me choose beef, as I have some partiality and bias toward that. It would be appropriate it would seem to me that if a group was coming to this country to consider the importation of our beef that the advisory group to that protocol officer in that particular instance ought to be people who'd be particularly knowledgeable in that area, which might include somebody at the university, or could include somebody at the new Lexington plant, or whatever, but that would be an advisable thing to do rather than designating some people. I have a more fundamental problem with that whole section, however, and that is that portion that designates three places to be appointed by the Executive Board of the Legislative Council. You may recall, those of you that were here when the advisory, and this is an advisory group, clearly if this was a commission, if it was not advisory, why it would be without any question unconstitutional for the Legislature to appoint. But even as an advisory group, if you, those of you who will recall LB 271 in 1985 session, which established an advisory board for ag land values, originally that bill carried a provision which would have placed the chairperson of the Revenue Committee at that time as a member of this advisory board, in fact as chairman, and a member of this agricultural land valuations advisory board, which at that time the Attorney General indicated it would be unconstitutional and, subsequently, the Legislature struck that portion of 271, which was enacted, from the provisions. So since the section provides a method of appointing people which I think would question the constitutionality of the act,