

Attorney General. I don't know if we can write a law that the Attorney General will always have good judgment. I certainly would be for that. Time, in the last day or two the thought has occurred to me that may not necessarily be true but, nevertheless, under the separation of powers, that authority invested in the executive department is granted now and...to that office and, obviously, to a considerable extent will continue to be in the future. Some of the complaints I have heard, however, is exactly the reasons you ought to be in full support of those who have questions, ought to be in full support of the legislation. Some of the things that have occurred in the cases that people are talking about, in fact, I think, as I recall being told, at least, in one of the court cases, the judge, I believe, suggested that what occurred could not have occurred unless the environment was such within that entire agency that had fostered an atmosphere for the kind of action that was subsequently found to be discriminatory. So there is a responsibility at the agency level to make sure that the conduct of that agency is being done in such a fashion as to not encourage or permit those kinds of discriminatory actions or civil rights actions that might be occurring and the state ought to be responsible if it is failing to provide that kind of supervision over the conduct of its employees through an agency. Obviously, if an agency repeatedly came in with...with appropriations or utilization of appropriations to cover these kinds of suits, there isn't any question that the entire Legislature would look upon that very quickly as something that needed to be corrected at that agency level if it was fostering a kind of conduct within that agency that perpetuated suit after suit on these areas. Then you've got to look to the management, not to that individual employee, and the safeguard is still there. If it is outside of the individual, that is if the individual is acting on their own beyond the...their conduct going beyond what is limited by the supervision of that agency, then they would still remain personally liable under the current law and under LB 77, just as they are now. It does not expand that whatsoever. It seems to me that what the bill is attempting to do is to address what is, I think, a very broad level of exposure to employees in many cases least able to pay and are not guilty of any conduct other...misconduct other than the fact that the agency in its general operation may provide no supervision or close supervision to prevent it from being done. So I would urge that the bill be...again, be advanced and that this what I think is a basic...