

April 5, 1989

LB 541

question, and that is, does this amendment as being proposed take the Legislature out of any decision-making authority that we now have? I know other legislation has done that and I just...looking at it, I can't see it, so...

SENATOR LINDSAY: Okay, I will respond to your question if that is okay, Senator Wesely.

SENATOR WESELY: Sure.

SENATOR LINDSAY: No, actually, what this does is bring the Legislature back into the decision-making process. Right now in a case with the state...I shouldn't say brings it back in, though, because the state does, obviously, have the authority on indemnification. It would bring the Legislature back into it in the sense that the entire case would be under the purview of the State Tort Claims Act. As usual, the State Legislature would have to approve those appropriations which are required by law, so to that extent, no, the Legislature does not lose authority in that, and I haven't read anything in there either, and if there is something in there to that effect, that is not the intent.

SENATOR WESELY: I appreciate that response and that is my interpretation, as well. It is only I have seen in some other legislation where the Legislature once had some final authority and then removed, and I don't want to see that happen. I don't think that is the case with this bill and I will support the amendment, but if that isn't the case, I sure would like to know from the sponsors of the bill.

PRESIDENT: Thank you. Senator Coordsen, would you like to close on the committee amendments, please?

SENATOR COORDSEN: Just to move for the adoption of the committee amendments. Thank you.

PRESIDENT: The question is the adoption of the committee amendments. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of committee amendments.

PRESIDENT: The committee amendments are adopted.