

May 2, 1989

LB 769

SENATOR ASHFORD: Is there anything about that amendment that would be unconstitutional, in your opinion, Senator Goodrich?

SENATOR GOODRICH: Yes.

SENATOR ASHFORD: What specific...can you point to a case, or can you point to...

SENATOR GOODRICH: The Monahan case, when it says on line 7, transfer the Department of Social Ser...therefore, the Department of Social Services shall provide day care services to parenting students 21-years of age and younger. Now,...

SENATOR ASHFORD: Okay, is that, is that, what case...is that a state...

SENATOR GOODRICH: Monahan suing the Omaha Public School system, ended up in the Department...the Supreme Court, rather, which in turn...

SENATOR ASHFORD: Senator, could you...does that have anything...

SENATOR GOODRICH: ...determined, rather, that 21...age 21, the minute you turn 21 you're out, as far as any requirement is concerned. However,...

SENATOR ASHFORD: All right, but that..., Senator Goodrich, let me ask you another question. Does that decision have anything to do with the constitutionality of this particular statute?

SENATOR GOODRICH: Well, it's contrary to what the Constitution of the State of Nebraska deals with,...

SENATOR ASHFORD: Does it have anything to do...

SENATOR GOODRICH: ...provides for.

SENATOR ASHFORD: Let me ask Senator Bernard-Stevens, are you familiar with the Monahan case, Senator Bernard-Stevens?

PRESIDENT: One minute.

SENATOR BERNARD-STEVENS: Yes, I'm familiar, briefly, with the