

May 8, 1989

LB 814

all the same people and the same supervision and meant so much to the inmates, why did they have to terminate the club. And he had no answer. He lied. There is something more to the club than the same people, the same supervisors, the same activities, but that's the way they deal with the Legislature. They don't have to tell the truth because nobody is going to look behind what they do.

SPEAKER BARRETT: One minute.

SENATOR CHAMBERS: When they mention lawsuits against the institution, many times the lawsuit is won by the inmate because his rights were taken away in violation of either the Constitution, the laws or the department's own rules. Some people have been sent to the hole in violation of the law and the rules of the department. That's why some of the men get out of the hole when they go to court, not because of overcrowding per se or conditions per se, because if the conditions were that bad, they would have gotten out before, that would have been the basis of the lawsuit. So all of those issues are mixed in at a time like this. If Mr. Gunter were honest and if the Appropriations Committee were sincerely interested in alleviating overcrowding, they would have insisted on a study the conclusion of which demonstrated to them that the money appropriated was going to deal with the overcrowding, this will not, and Mr. Gunter admitted it. So you're spending \$4.5 million knowing that it's not going to touch the problem. I don't understand it.

SPEAKER BARRETT: Time. Senator Moore, would you care to discuss the motion?

SENATOR MOORE: I call the question.

SPEAKER BARRETT: The question has been called. Do I see five hands? I do. Shall debate now close? Those in favor vote aye, opposed nay. Have you all voted? Have you all voted? Senator Moore. Shall the house go under call? All in favor vote aye, opposed nay. Record, please. Record.

CLERK: 16 ayes, 3 nays to go under call, Mr. President.

SPEAKER BARRETT: The house is under call. Members, please return to your seats and record your presence. The house is under call. Members outside the Chamber, please return and