

March 16, 1990

LB 1141
LR 239

unconstitutional. Then we have another fight on our hands. So, personally, I would feel a lot more comfortable if we could get an opinion from the present Attorney General, although he won't be here, as to the constitutionality of LB 1141 as it fits to LR 239CA. Thank you, Mr. President.

SPEAKER BARRETT: Senator Abboud, please.

SENATOR ABBOD: Question.

SPEAKER BARRETT: Thank you, that won't be necessary. We are back to a closing on the advancement of the bill. Senator Withem or Senator Warner, who will be handling the closing? Senator Warner, please.

SENATOR WARNER: Well, Mr. President, members of the Legislature, I would urge that the bill be advanced. As has been explained a number of times, this is sort of accompanying legislation to LR 239CA and it ought to move with it, and I would hope that you would advance the bill. It does, as has been explained, give some statutory substance as to how the constitutional amendment would be implemented. Obviously, and I think this has been said earlier but will repeat it, that it is likely that the legislation would need to be reenacted next session after the constitutional amendment is adopted. There is a difference of legal opinions I guess as to whether or not that would be necessary. We knew that at the time it was introduced, but we still felt it was important that as much substance as possible would be presented and enacted in the form of legislation so that there was not a whole series of unanswered questions which constitutional language can be if it...any other option, of course, then would be to put in a whole statute into the Constitution, which almost everybody agrees is not good public policy, in those...in that respect but rather the framework, and that is what the constitutional amendment does provide the framework in which this structure for coordination and governance would be carried out. I would urge the bill be advanced.

SPEAKER BARRETT: Thank you. The question is, shall LB 1141 be advanced to E & R Initial? All in favor vote aye, opposed nay. Voting on the advancement of LB 1141, have you all voted? Senator Withem.

SENATOR WITHEM: Yeah, I believe it is pretty apparent that we