

January 27, 1992 LB 125

the opinion is going to be. So I think from a policy standpoint it's unwise. There is another factor that I'm concerned about and the current Attorney General by his activities spotlights a lot of problems that come into play when one who is supposed to maintain objectivity becomes a part of the process in a political sense. During the recent discussion as to whether the Governor had the power to fire our Parole Board members, soon as he made that statement, I'm the only public official that I'm aware of who publicly disagreed with him, offered the rationale for it and showed that under the Constitution and laws he could not fire these people. The Attorney General encouraged him to go ahead and have a hearing. My analysis of the Constitution and the laws pertaining to the subject were, in effect, adopted by the hearing officer and the Governor, after spending many thousands of dollars pursuant to an opinion by the Attorney General, arrived at the conclusion that I gave him for free. We would make a grave error to put into law the power that is envisioned by this amendment. So I hope for all of the reasons that have been stated thus far we will defeat Senator Beutler's amendment and then advance the bill.

SPEAKER BAACK: Thank you, Senator Chambers. Senator Moore.

SENATOR MOORE: Question.

SPEAKER BAACK: The question has been called. Do I see five hands? I do. We will now vote on ceasing debate. All those in favor vote aye, opposed vote no. We are voting on ceasing debate. Have you all voted? Record, Mr. Clerk.

CLERK: 25 ayes, 0 nays to cease debate, Mr. President.

SPEAKER BAACK: Debate has ceased. Senator Beutler, would you wish to close?

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, it appears to me that we're too fragmented on how to deal with this situation although I remain convinced that we absolutely need to help ourselves in one respect or another. There is no point to being less than cautious it seems to me on these kinds of questions where it's a matter of some expense to the state if we err. It's true that this question can be approached by rule of the Legislature. It's also true, and I've considered approaching this through the Legislative Council bill of Senator Kristensen. It seems to me that this is perhaps exactly the