

September 28, 1992 LB 14

Despite what he said about the Personnel Board being independent and so forth, we know that much of the work that a board looks at in making the decision will come from the department to which it is attached. So the personnel division, if this bill were enacted, would be under the direction of DAS. The personnel division would handle information that the Personnel Board is going to make use of in the way that the head of DAS directs. To pretend that we don't know the influence that the head of a department has over subordinates is to put our head in the sand. As politicians, we know better than anybody else the influence, the coercion, in some instances, that can be exerted and asserted. There is nothing that can be presented in this short time that would persuade me that we ought to change the Department of Personnel into a division of the Department of Administrative Services. But if the mere placing of one existing department under another existing department and converting the first into a division of the second, then that should be done throughout state government. In looking at this bill which shows us what the existing law is, there will be a remarkable number of departments that can be seen, and it is not hard to contrive mergers. There is nothing in what is being proposed under LB 14 that says there must be a tight, logical, rational relationship between the department that is going to become the division of another. It is artificial. Senator Lindsay, let me tell you how I had to deal with the Department of Administrative Services. Allocation and control of space is under the Department of Administrative Services. The Legislature wanted some additional space so that we could provide senators with offices. The head of DAS didn't see his way clear to do that. So I offered a bill that would give to the Legislature control over buildings and space and we would allocate it as we saw fit. And, miraculously, the introduction of that bill caused the Director of DAS to realize that we can work together and it wasn't necessary to do it legislatively. That is what we can do, as a Legislature, to rectify a situation that needs rectification. But if a person or people constitute a division within a department, presided over by somebody who is not going to allow them to do the work that they need to do, either they are going to have to run the risk of being whistle-blowers and maybe having problems because of that, or simply not doing the job that they know they are supposed to do...

SPEAKER BAACK: One minute.