TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office FLOOR DEBATE

March 22, 2005 LB 739

tomorrow and the next day and many days. The more days that are taken on this, the fewer days that remain for other abominable legislation that I'm going to have to fight. And considering how inconsequential this bill is compared to some other bills, I can say like John Paul Jones, I have not yet begun to fight. This is not a fight going on. This is floundering. Put a fish out of the water on dryland and watch what the fish does. That's what this bill is doing. Foundering, on the other hand, is something different. After floundering, this bill is going to founder, and I'm not going to tell you what that means, but there are some people who know. And they can figure what it means from the course this bill has been taking. I'm going to ask Senator Cunningham a question about another section of the bill which is right across the street. Senator Cunningham, would you answer a question or two on Section 7, which is on page 27?

SENATOR CUDABACK: Senator Cunningham, would you yield?

SENATOR CUNNINGHAM: Yes, I will.

SENATOR CHAMBERS: Senator Cunningham, the reason I'm doing this is because these concepts are kind of interrelated. This language says the following, talking about good cause, starting in line 20: "An individual who voluntarily leaves his or her employment shall be deemed to have left his or her employment for good cause if the commissioner or his or her deputy finds that:" then it lists a number of factors. When a list is made like this, are you aware that anything not on that list cannot be considered? Was that your intent?

SENATOR CUNNINGHAM: No, that wasn't my intent, Senator.

SENATOR CHAMBERS: Well, if...the way this language is written, this listing is the only basis for the finding of good cause. They probably should have had language something like this: Good cause for voluntarily leaving employment shall include but not be limited to any of the following factors which may be found by the commissioner or his or her deputy. That's the way it should have read. And you had all these lawyers, you had these bureaucrats, you had all these businesspeople, and you had