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March 24, 2005 LB 739

SENATOR CUDABACK: Yes, FA115 is withdrawn. Mr. Clerk.

CLERK: Mr. President, Senator Chambers would like to withdraw FA115 and substitute therefor AM0939. (Legislative Journal page 996.)

SENATOR CUDABACK: Senator Chambers, you're recognized to open.

SENATOR CHAMBERS: Thank you. Mr. President and members of the Legislature, this amendment is going to show up on your gadget, but to tell you in general what it does and the areas of the bill that it deals with, I will say a few words. I will yield some time to Senator Cunningham--I was looking for him--so that he can make it clear that this has been talked about. But in his absence or temporary absence from the floor, I will give some time to Senator Beutler, because there is an area of the amendment which he has an interest in. On page 26, in line 27, there is language dealing with a date. Well, I should say dates. Senator Beutler had pointed out some difficulty which the inclusion of that language poses, and he will make clear once again what the concern is there. There is then a part of the amendment number 2, and it talks about an emergency solvency surcharge which will be imposed, and that is something Senator Cunningham can touch on. And the part that I discussed the last time I spoke says the following: "Good cause for voluntarily leaving employment shall include, but not be limited to, the following reasons." That opens it up so that the listing does not exclude every other valid reason which may develop during an appeal. Then there is a catchall provision which says the following: "When equity and good conscience demands a finding of good cause." That means, in disregard of the limiting list, in disregard of things that may seem to be outgrowths of that list, it is conceivable that equity and good conscience...this language is a term of art which has an existence in the law, so it will be known and understood by those who administer this bill. This catchall language would allow anything to be taken into consideration which will result in reaching a just decision. I'm going to yield some time now to Senator Cunningham because I see he has returned to his mike. So, Mr. President, if that's allowable, that's what I will do at