

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

March 31, 2005      LB 4

Mr. Clerk, next motion.

CLERK: Mr. President, Senator Beutler would move to amend with FA136. (Legislative Journal page 1052.)

SENATOR CUDABACK: Senator Beutler, to open on FA136 to LB 4.

SENATOR BEUTLER: Senator Cudaback, members of the Legislature, this amendment goes to Section 2 on page 27 of the bill. That section says right now that the person who will represent us in making laws in this new compact is appointed by the Governor and serves at the pleasure of the Governor. And what I want to do is to change that provision, and I'm going to have to do a little more than I've done in this amendment, but the basic concept is to change this amendment so that the person who represents us in making laws there is appointed by resolution by the Legislature, and the reason I'm doing that is very simple. This commission, this compact, is not anything like the previous compact, except in its vague resemblance to a particular area of law. That compact was, relatively speaking, very, very simple and it outlined carefully a certain circumscribed set of procedures that would be followed. It did not empower this group to make new statutes and new laws, and to make new statutes and new laws that would...that would be...that would be trump, that would trump any laws that we had that were in conflict in any way with those laws. So it is a lawmaking position and, in that regard, I think, then, that it makes sense that whoever that person is, that they are the most directly responsible to us as they can possibly be. And I would rather have Senator Bourne and the Judiciary Committee and Senator Jensen and the Health Committee getting together and looking at the kind of expertise that's needed, and looking at the kind of judgment that's needed, and looking at the loyalty of this person to the Legislature and not to the Governor, and having that person be a person of our choice. So that's the...that's the basic recommendation to you. I read to you before all those provisions that make it quite clear that any of their bylaws, any of their rules, anything they do, so long as it doesn't conflict with our constitution, with our state constitution--it can conflict with any of our statutes--that's going to be the law. And in that regard, I wanted to ask Senator Thompson about