

**SPEAKER:** Chair recognizes Senator Whitney, then Clark, then Epke.

**SENATOR WHITNEY:** Mr. President, Members of the Legislature, Senator Luedtke made the statement here that the Highway Patrol would still have to justify these expenditures before the Budget Committee. Well, in practice, the Budget Committee says that right here and now, this Legislature is making that justification and whenever it is in the law that the Budget Committee shall provide money for 3 or more, we're going to provide money for 3 and not say a word about it here on the legislative floor because we feel that this is the responsibility of the Appropriations Committee.

**SPEAKER:** Senator Clark:

**SENATOR CLARK:** Mr. President and Members of the Legislature. I'm very reluctant to put this into law. I have no qualms about the Patrol coming down, asking for 3 more people, justifying it and certainly it isn't just the Budget Committee, it's the entire Legislature that makes that decision. I don't know why if we would say we have to give 3 more attorneys to the Patrol, that we couldn't give 3 more attorneys to the Department of Education, the Department of Institutions, and put it in law. I, you're just delineating the whole thing when you do this, I think. I think if they need 3 people, they ought to ask for 3 people, justify 3 people or 4 or 10, whatever they need but I don't think that we should put it in law, I'm just completely against that. Thank you.

**SPEAKER:** Chair recognizes Senator Epke.

**SENATOR EPKE:** Mr. President and Members of the Legislature. I was going to talk on the language in the bill that Senator Kelly referred to but the Barnett amendment kind of took care of my problem. I do think the Barnett amendment improved the bill. Thank you.

**SPEAKER:** Thank you. Is there any further discussion of the committee amendment as amended by the Barnett amendment? Senator Epke, did you wish to continue your discussion there? O.K. Senator Luedtke.

**SENATOR LUEDTKE:** Mr. President, then if I may just relate to, I agree, with Senator Epke, I believe that the word "all" does end any doubt that it covers all legal matters. I firmly believe the intent was to cover legal matters which is everything else anyway but that does clarify it. Secondly, I think the point is being overlooked. We're having a controversy over whether or not we shall put the 3 in here. I cannot see where it hurts to put it in here because I think they need at least, the evidence was shown our committee that they needed at least 3 so why not say it? Whether it's in there or not, the point is that they be agency counsel. Let's not overlook that. The point is that it be agency counsel which contrasts with special prosecutors which they already have the authority to employ. Special prosecutors are part time, whenever you need it, that sort of thing and then when you need it, they might not be there. Agency legal counsel means they will be there when they're going out to do the job, when they are needed and this is the important thing that L.B. 14 addresses itself to. The Budget Committee feels that it is that serious that they can't go along with the 3 and if this body agrees with them, then the thing would be to amend this to say 1 or more the way the bill originally read. The Judiciary Committee was firmly of the opinion that we should say now and not try to pull any punches, we do need 3 and we need them right now.

**SPEAKER:** Chair recognizes Senator Carpenter. We still have before us--