

this is the report he gave me. It says, Congress enacted a Civil Rights Act in 1964 which provided among other things that all persons shall be entitled to the full and equal enjoyment of goods, services, facilities, privileges, advantages and accommodations of any place of public accommodation without discrimination or segregation on the grounds of race, color, religion or national origin. It applied to such facilities as inns, hotels, motels, restaurants, lunch rooms, theatres, sports arenas and so forth. It applies to those above which affect interstate commerce. The U.S. Supreme Court has upheld the constitutionality of this statute, Heart of Atlanta Motel v. United States, 1964, in a decision which gave a very broad interpretation to affecting interstate commerce. For example, it upheld the applicability of the statute to a motel in Atlanta, Georgia, and to one restaurant, Ollies Barbecue located in Birmingham, Alabama. This was a family owned establishment with only one location. The Congress enacted a Civil Rights Act in 1964 also under the equal protections of the law clause of the Fourteenth Amendment. This would indicate that the law's application extended beyond any narrow limitation of interstate commerce. The statute is enforceable to injunctive proceedings in suits for damages of those discriminated against. It was the feeling of the Committee that there weren't too many cases cited by the man that came to testify from this Commission and also it appears that we are always bringing charges against people. Sometimes they are not valid charges, with no provisions for loss of business and so forth when they have to be drug before this Commission and so I would like to hear from Senator Kelly. He wants to respond to this too.

**SPEAKER:** Senator Marsh, would you like to yield to Senator Kelly or would you prefer to speak now?

**SENATOR MARSH:** I would like to say one comment in response to Senator Marsh's remarks. We have a Federal law on the books but someone, in order to be able to use the facilities, must go through a court system. What we desire is to have a mediation-type ability, not having to go to court. We would much prefer that this would never go to the public knowledge stage. We would much prefer to have the ability to go to court but not take that as the first step. We would like to use that as the last resort and have the teeth in the Nebraska law which would allow the other things which can come before the final step of going into court. This is why we're asking for 112 on the Nebraska statutes.

**SPEAKER:** Did you have an input here, Senator Kelly?

**SENATOR KELLY:** Mr. President, or Mr. Chairman and Members of the Committee, or the Legislature. As a member of the Labor Committee that heard this bill, I was of the opinion from the testimony that there were something like 18 cases in this area that they had records of and presented in evidence and I also formed an opinion on this bill that it allows the Director of the Commission to represent the claimant before the Commission. Now, previously, as I understand it they have done this through the Attorney General's office but that usually the Attorney General is busy and can't get to their requirements, therefore, they want this ability themselves. If this understanding is correct, I certainly oppose L.B. 112.

**SPEAKER:** Is there further discussion? Senator Simpson.

**SENATOR SIMPSON:** Mr. President and Members of the Legislature. I would hope that this bill would be raised and put on general file notwithstanding the action of the Committee. I think it's important in this issue that we are talking about something in Nebraska and not going to the Federal again for any relief that is necessary. The problem oftentimes lies in the fact that in order to bring such a case and one reason why there probably aren't very many, is the fact that you have to go to a regional office in order to even get the complaint going. I have had people talk to me in the past in certain areas where the nearest regional office that they could make their complaints to was Chicago and by the time you had to get the forms from there and