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at least to put the Governor on really the spot that it would appear that the Legislature designs...

PRESIDENT: Just answer the question, Senator Goodrich, don't editorialize.

SENATOR KELLY: Thank you very much, Senator.

PRESIDENT: All right, now the question is, shall 259 be returned to Select File for the specific amendment as explained by Senator Goodrich and questioned by others or not and the question is, shall the bill be returned. All those in favor will vote aye, all those opposed will vote no. Once again, the chair would ask if you have all voted? Clerk will record.

CLERK: 14 ayes, 30 nays, 5 not voting.

PRESIDENT: The motion is lost. We'll take up the next motion on the desk after the chair introduces 19 Girl Scout Cadets from Omaha, Nebraska that are in the north balcony from Senator Savage's district. Mrs. Marge Lichty is their leader. We previously also has 26 third grade students and five mothers from the third grade of Huntington here in Lincoln. They were from Senator Barnett's district and their instructors were Mrs. Murray and Mrs. Stachura. We're delighted to have you here today as visitors to the Nebraska Unicameral Legislature and we hope you enjoy the proceedings. I think we have another motion on the desk relating to 259.

CLERK: Many. Mr. President, I move to recommit LB 259 to the budget committee. Signed, Senator Proud.

PRESIDENT: Chair recognizes Senator Proud.

SENATOR PROUD: Well, Mr. President, I was going to spare the Legislature this talk because I'm a method-actor and I have to psych myself up first. Though I realize the longer I sat here the more I got psyched up so I'm about half psyched up. The motion is to return the bill to the budget committee and then of course the budget committee I assume would return it immediately to General File where it should be right now. We should be discussing the budget line by line but I wouldn't accuse this distinguished body of being a hanging mob but I sense the mood and so I realize that reason does not apply. But in the, there is a doctrine in the law called last clear chance, that every law student is familiar with or should be familiar with if he wants to pass his final examination. And the classic example of last clear chance is a railroad trussle-- I hope Senator Syas will listen to this because it effects his business--there's a railroad trussle that runs across a deep canyon, very deep and there's a man who wants to cross from one side of the canyon to the other and so he chooses to cross on the railroad trussle. The only problem is when he gets half way across, what do you suppose is coming down the track but a train with George Syas as the engineer. And so the man is faced with a decision. He can't very well jump off the trussle because that would be death, the drop is too far. If he stays on the trussle, the trussle is so narrow he will surely be killed and he can't run to the other end because of the speed of the train. The engineer, had he seen, been looking, would have seen the man and could have stopped his train. However, he didn't, he wasn't observant and the train ran into the man causing his death. The court decided that the man was negligent in the first instance because he put himself in a place of peril by trying to cross on the trussle but yet the court also found that the engineer was guilty of negligence because he should have been looking and could have saved the man's life so the court held that the engineer was liable under the theory that he and he alone had the last clear chance to save that man. Well, the same is true today. It is the Legislature