

February 19, 1974

PRESIDENT: All right, now. Senator Mahoney is closing on his amendment to LB813. Senator Mahoney. You're passing. Fine. You are now voting on the Mahoney amendment to LB813. That's the only issue at this time. If you are in favor of the Mahoney amendment, you will vote aye. If not, you will vote no. You are voting on the Mahoney amendment to LB813 on General File. Have you all voted? Then the Clerk will record. Whoop, wait a minute, stand by. Stand by. Voting on the Mahoney amendment. Have you all voted? Clerk will record.

CLERK: 29 ayes, 4 nays.

PRESIDENT: Good, motion carries. The amendment is added. Are there other amendments?

CLERK: Mr. President, there are further amendments offered by Senator Richendifer. Read amendments.

PRESIDENT: Senator Richendifer.

SENATOR RICHENDIFER: Mr. President, members of the Legislature. All this is is a guideline for the Governor on the appointment of the board after the 30 days dissolving of the present board. It's merely a guideline. It says wherever possible and if it isn't possible, then he has the option to appoint them at large. There is no way we can do this by elections but we can do it by appointments. It's also just a directive in there that the board selects the campus' site.

PRESIDENT: Senator Dickinson and then Senator Syas.

SENATOR RICHENDIFER: I move the adoption of the amendment.

SENATOR DICKINSON: Mr. President, there was, a Body, would seem obvious and Senator Richendifer did show me the amendment a little bit ago. It would seem obvious that it's asking the Governor to do something that would be morally illegal in appointing people not in any way, shape or form on the basis of one man, one vote. So, apparently this amendment would not be proper if the Governor is going to have the responsibility of selecting this board. He should have complete freedom in selecting it.

PRESIDENT: Senator Syas. Senator Syas, we're debating the Richendifer amendment, to LB813.

SENATOR SYAS: Well, I'll have to oppose the Richendifer amendment. I can't see how we can do this and I don't think it's fair. Now, I think if this, if there wants to be a little different arrangement of some county, that could be. But we're in a heavily populated area and when you give Washington County two on the board, and Dodge County two on the board, and Douglas County two on the board with 400,000 people and they don't have any more strength on the board than Richendifer's, shall I say 10,000 or 15,000 of Washington County, I think that's quite a balance on one man, one vote. Infact, I think it's quite a strain and I think the bill could be attacked on that basis. Now, Sarpy County, as agreed will be heavily populated but I think we're going to have to allocate and I want all counties on the board all right. But, I think we're going to have to allocate the voting strength to where the population and money comes from. They're both the same. I don't see why a person, a small population with a small valuation in comparison to others should have as many votes as Douglas County. I can't buy this amendment and I think if you do buy it, I think the bill could be attacked in court. That's just my personal opinion.

PRESIDENT: Senator Chambers. The Richendifer amendment.

SENATOR CHAMBERS: Mr. President and members of the Legislature. I listened to Senator Syas and I'm shocked. He's concerned about