

May 1, 1979

LB 444

SENATOR MURPHY: No, not (interruption), John.

SENATOR DeCAMP: Pardon.

SENATOR MURPHY: The Commission on Industrial Relations appeals directly to the Supreme Court. You are going to make one man a total czar on any issue in dispute.

SENATOR DeCAMP: I don't know how to say it. You are one hundred percent wrong. You cannot give a court...

SENATOR MURPHY: That is your opinion.

SENATOR DeCAMP:the rights, you can't give a person the right without a remedy for the right. You know, I don't know how much more simple to say it.

SENATOR MURPHY: I would rather see it convened in a third party decision, someone who was not party to the decision. Very frankly I think we are empowering this commission with the power of life and death and the only appeal is to the Supreme Court which is a very slow and very expensive project and frankly I think we may be going too far in this.

SENATOR DeCAMP: Okay, let me ask you this then. Maybe your concept of courts and how they work is different than mine, but let's take the example of the fireman, he goes to court. The court says you are right. You were unjustly fired but we can't do anything about it. We thought all these years we had the authority when we find you wronged then to order your reinstatement. You are right except you have no remedy now. Is that what you are saying the system should be because that is what it is until we correct it. No, it hasn't been that way, Senator Kelly. It was thought and worked the other way.

SENATOR MURPHY: I am saying that the appeal process should very likely be at a lower court level so that the party, whoever it might be, has a right to some kind of hearing before he is subject to the penalty of a one man hearing court. I think we are going too far, John.

SPEAKER MARVEL: Senator Marsh.

SENATOR MARSH: Mr. Speaker and members of the Legislature, Senator DeCamp, may I ask you a question? Does this bill have the emergency clause, for if it does not, it should it sounds?

SENATOR DeCAMP: Is the emergency clause on the bill? This is not my bill. I am offering this amendment because I think this amendment needs to go in if you are going to have a functional court.