

May 2, 1979

LB 80

people are ready does the case finally go to submission. So all we really have in the present Equal Opportunity Act are just basically some time lines which would be applied in the same kind of ways we apply time lines in the courts. Now it seems to me what Senator Murphy wants to do here is to really make it almost unworkable for there to be any kind of discrimination law operating in this state and I would certainly urge your rejection of the Murphy amendments.

SPEAKER MARVEL: Senator Landis, and then Senator DeCamp.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, when LB 80 came to us, initially we were told that it was a matter of changing some language that had grown outdated and the like and then we have the issue of the injection of the word "intentional" or the rejection of that word and that concept and at the time that that debate was done on the floor of this Legislature many of the people spoke against that change on the basis that it was a major alteration of our discrimination law, therefore it had no place in what was essentially a noncontroversial measure, LB 80. Well in essence that philosophy has prevailed and the word "intentional" now resides back once again in our discrimination law. However, at this late stage having adopted that philosophy with respect to the change that Senator Marsh offered, apparently the Legislature is being confronted with another major change, that on the other foot now seems appropriate to be considered at this time. I think it is only even handed if we reject on the philosophy that the change of the word "intentional" had no place in a noncontroversial measure like LB 80. If that was our intention and the philosophy at that time certainly it should be our intention and philosophy with respect to Senator Murphy's measure that it find another measure, another bill to reside in and nestle in as it becomes part of Nebraska law. This is not the appropriate time, late in the day on Select File of the very end of the torturous history of LB 80 to advance a substantive measure like the notice procedure changes and the implications thereto with respect to the work of the commission. We have no idea what this will do to the commission. We have no idea what this will mean in terms of complainants and the nature of the handling of their allegations. So as one of those who feel that the procedures of the EOC need to be reviewed with respect to other things such as class actions, such as the appeals mechanism as it exists currently, with the use of the public hearing mechanism that exists in the EOC I would say that this same kind of notice measure is one of those procedural changes that the Legislature needs to look at with a great deal more scrutiny