

May 21, 1979

LB 378

PRESIDENT: Senator Keyes wants to raise the Call so that people can move around legally. So, hearing no objection why we will...huh, you want to vote on it? On raising the Call? Oh, all right, the Call is raised but we are going to recognize Senator Kelly next.

SENATOR KELLY: Mr. President and members of the Nebraska Legislature, now comes Senator Hoagland with a question that Senator Johnson said we just handled a week or ten days ago. Senator Hoagland is bringing it after he had been surprised by previous work this morning and was not prepared to offer the amendment at that time, and states very openly that the Attorney General's opinion was a conversation between John Goe, himself and a member of the Attorney General's staff, no conclusion of any kind and no oral opinion. It's normal that when we say something is going to be unconstitutional that we have an Attorney General's opinion, and as you all know that is not just what a staff member says, but what the Attorney General and their committee at that office votes whether the opinion that is offered is an official Attorney General's opinion or not. Senator Hoagland is obviously referring to an informal discussion and an oral opinion of a staff member of the Attorney General's office. Particularly in very important legislation such as the Sexual Sociopath, and on Final Reading, it has always been very normal that we have printed copies of the amendment even though they might not have been able to be printed in the Journal. The introducers of such motions have the Pages make copies of the amendment and circulate those to the colleagues that we can see exactly what we are doing, because this will be one vote and it becomes law, and that is very serious in my opinion and should not be taken from a senator who is surprised, who offers a conclusion that's nothing more than a conversation. I wholeheartedly oppose this amendment.

PRESIDENT: The Chair recognizes Senator Reutzel. Senator Reutzel calls for the question. Do I see five hands? I do. All in favor of ceasing debate vote aye, opposed nay. Record the vote.

CLERK: 25 ayes, 2 nays to cease debate.

PRESIDENT: The motion carries. Debate ceases. Senator Hoagland, you may close on your motion to return.

SENATOR HOAGLAND: I'll be brief, Mr. President. Let me just emphasize that we had an hour and a half or two hour conference with the Attorney General's representative