

March 27, 1980

LB 780

SENATOR MURPHY: I had earlier put a kill motion on this bill on Select File because I did not like its overall implications and had had some objection from some of my constituents. In visiting with Senator Marsh, she pointed out that the Attorney General's opinion addressed only Lancaster County and that Section 2 of the bill addresses only cities of the primary class. In not thinking too clearly I passed over the fact that Section 1 still says "any county". Now "any county" includes all three of the counties that I represent and I have now accrued a considerable amount of objection to this proposition but as a courtesy to Senator Marsh who feels that she wants it for her county I am suggesting rather than kill the bill that we simply amend it and insert Lancaster County, a county of over 150,000 and under 250,000, that category which will match Section 2 of the bill, cities of the primary class, and then I will vote to support the measure but I cannot accept it in its present form because it has implications that my people at home do not like and do not want. So I am asking that the bill be brought back and we insert Lancaster County in Section 1 to go along with the city of the primary class in Section 2. I move the bill be returned for that specific amendment.

SPEAKER MARVEL: The Chair recognizes Senator Marsh.

SENATOR MARSH: Mr. Speaker and members of the Legislature, apparently three persons in Senator Murphy's District do not understand that this is permissive legislation. In no way does it mandate that a county shall have. It says a county may have. That should be a local decision. I am sure that the persons who reside in Senator Murphy's District can inform their county they do not wish to if that is their desire. Perhaps the majority might want to. However, that is a local decision. There is no reason to hold up with nine days remaining this piece of legislation. There are other counties other than Lancaster County which would like to have the legislation. As long as it is permissive and not mandatory, I see no reason to return this. Someday Lancaster County will have more population, and if we change this now, we would have to come back and again write special legislation. There is nothing wrong with allowing a county board to make that decision and the people of that county to make the decision, not a very few people who think they may see a problem if their county gets involved. At this late date, I urge you to vote red on the return motion.