

SPEAKER MARVEL: All right, we are ready for item #5.

CLERK: Mr. President, Senator Chambers moves that LB 206 be passed notwithstanding the objections of the Governor.

SPEAKER MARVEL: The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, LB, this motion is to override the Governor's veto of LB 206 which was a bill to grant legislator's expenses during session. I hope you will listen because what I am saying this morning is designed to persuade you, not just to get words into the record. We have already established a legislative history at the committee hearing and at the other stages of floor debate but there are a couple of items I think you ought to pay close attention to and especially Senator Hefner and some of the others that think it is unconstitutional to be given expenses during session but not unconstitutional to be given expenses when we are not in session. We do get expenses right now as a matter of fact, during session. All you have to do is take a trip while we are in session and you will be approved for reimbursement of that trip. Now nobody has said that is unconstitutional so we are getting limited expenses right now. You can get free football tickets during session, well no, that is not during session, is it? But nevertheless, the football tickets don't qualify as expenses under any definition of the Constitution. It is, as a matter of fact, a perquisite of office which is specifically prohibited by the Constitution, yet the tickets are not considered illegal. So, we have got concrete examples right now of things being done which we have been told cannot be done and they are not illegal. I will tell you where the controversy originated. Had I taken the time or had I had the time to take, I would have tried to see what the political party of the 1937 Attorney General was and the political party of the Governor because at that time when this first Attorney General's opinion was handed down, the Governor was given a house by the Legislature. There was a provision in the Constitution that limited him to a specific number of dollars in compensation. The Attorney General filed an action saying that the Legislature acted unconstitutionally in giving the Governor this house because it increased his salary in violation of the Constitution. The Nebraska Supreme Court looked at that situation and said, no, it does not violate the Constitution. This is in the nature of an expense and not an increase in salary. Since it does not increase the salary of the Governor it is not unconstitutional and the Governor can have the house and that has come down from 1937 to today without challenge. The legislators are in a similar situation.